

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 396

Short Title: Public Safety Act. (Public)

Sponsors: Representatives Brubaker, Howard, McComas, and Hurley (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Transportation, if favorable, Finance.

March 17, 2011

A BILL TO BE ENTITLED

AN ACT TO INCREASE PUBLIC SAFETY BY REQUIRING AN APPLICANT FOR A
DRIVERS LICENSE TO BE ABLE TO SPEAK OR READ AND WRITE ENGLISH
WITH ENOUGH PROFICIENCY THAT THE PRODUCTION OF MULTIPLE TESTS
AND HANDBOOKS BY THE DIVISION OF MOTOR VEHICLES IS NOT
NECESSARY THEREBY NETTING A COST SAVINGS TO THE STATE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-7(b1) reads as rewritten:

"(b1) Application. – To obtain an identification card, learners permit, or drivers license from the Division, a person shall complete an application form provided by the Division, present at least two forms of identification approved by the Commissioner, be a resident of this State, be able to proficiently speak or read and write the English language, and, except for an identification card, demonstrate his or her physical and mental ability to drive safely a motor vehicle included in the class of license for which the person has applied. At least one of the forms of identification shall indicate the applicant's residence address. The Division may copy the identification presented or hold it for a brief period of time to verify its authenticity. To obtain an endorsement, a person shall demonstrate his or her physical and mental ability to drive safely the type of motor vehicle for which the endorsement is required.

The application form shall request all of the following information, and it shall contain the disclosures concerning the request for an applicant's social security number required by section 7 of the federal Privacy Act of 1974, Pub. L. No. 93-579:

- (1) The applicant's full name.
- (2) The applicant's mailing address and residence address.
- (3) A physical description of the applicant, including the applicant's sex, height, eye color, and hair color.
- (4) The applicant's date of birth.
- (5) The applicant's valid social security number.
- (6) The applicant's signature.

The Division shall not issue an identification card, learners permit, or drivers license to an applicant who fails to provide the applicant's valid social security number."

SECTION 2. G.S. 20-7(c) reads as rewritten:

"(c) Tests. – To demonstrate physical and mental ability, a person must pass an ~~examination~~ examination that shall be given in the English language only, regardless of whether the examination is oral or written. The examination may include road tests, vision tests, oral tests, and, in the case of literate applicants, written tests, as the Division may require.



1 The tests must ensure that an applicant can proficiently speak or read and write in the English
2 language and recognizes the handicapped international symbol of access, as defined in
3 G.S. 20-37.5. The Division may not require a person who applies to renew a license that has
4 not expired to take a written test or a road test unless one or more of the following applies:

- 5 (1) The person has been convicted of a traffic violation since the person's license
6 was last issued.
- 7 (2) The applicant suffers from a mental or physical condition that impairs the
8 person's ability to drive a motor vehicle.

9 The Division may not require a person who is at least 60 years old to parallel park a motor
10 vehicle as part of a road test."

11 **SECTION 3.** The Department of Transportation, Division of Motor Vehicles, shall
12 not publish any examination or handbook in a language other than English.

13 **SECTION 4.** This act becomes effective October 1, 2011, and applies to license
14 applications and renewals occurring on or after that date.