

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1997**

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**HOUSE BILL 178**

Short Title: Make Two Changes Proposed by DMV.

(Public)

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Sponsors: Representatives McMahan, Bowie, Barbee, Crawford, Holmes, Miner; and Thompson.

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Referred to: Transportation, if favorable, Finance.

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February 17, 1997

**A BILL TO BE ENTITLED**

**AN ACT TO EXTEND THE RENEWAL PERIOD FOR LICENSES ISSUED BY THE DIVISION OF MOTOR VEHICLES TO COMMERCIAL DRIVER TRAINING SCHOOLS AND INSTRUCTORS AND TO ESTABLISH A STANDARD TIME PERIOD OF SIXTY DAYS IN WHICH TO OBTAIN OR CHANGE A DRIVERS LICENSE, A SPECIAL IDENTIFICATION CARD, OR A VEHICLE REGISTRATION.**

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-4.6 is repealed.

Section 2. G.S. 20-7(a) reads as rewritten:

"(a) License Required. – To drive a motor vehicle on a highway, a person must be licensed by the Division under this Article or Article 2C of this Chapter to drive the vehicle and must carry the license while driving the vehicle. The Division issues regular drivers licenses under this Article and issues commercial drivers licenses under Article 2C.

A license authorizes the holder of the license to drive any vehicle included in the class of the license and any vehicle included in a lesser class of license, except a vehicle for which an endorsement is required. To drive a vehicle for which an endorsement is required, a person must obtain both a license and an endorsement for the vehicle. A

1 regular drivers license is considered a lesser class of license than its commercial  
2 counterpart.

3 The classes of regular drivers licenses and the motor vehicles that can be driven with  
4 each class of license are:

- 5 (1) Class A. – A Class A license authorizes the holder to drive any of the  
6 following:
- 7 a. A Class A motor vehicle that is exempt under G.S. 20-37.16  
8 from the commercial drivers license requirements.
- 9 b. A Class A motor vehicle that has a combined GVWR of less than  
10 26,001 pounds and includes as part of the combination a towed  
11 unit that has a GVWR of at least 10,001 pounds.
- 12 (2) Class B. – A Class B license authorizes the holder to drive any Class B  
13 motor vehicle that is exempt under G.S. 20-37.16 from the commercial  
14 drivers license requirements.
- 15 (3) Class C. – A Class C license authorizes the holder to drive any of the  
16 following:
- 17 a. A Class C motor vehicle that is not a commercial motor vehicle.
- 18 b. When operated by a volunteer member of a fire department, a  
19 rescue squad, or an emergency medical service (EMS) in the  
20 performance of duty, a Class A or Class B fire-fighting, rescue,  
21 or EMS motor vehicle or a combination of these vehicles.

22 The Commissioner may assign a unique motor vehicle to a class that is different from  
23 the class in which it would otherwise belong.

24 A new resident of North Carolina who has a drivers license issued by another  
25 jurisdiction must obtain a license from the Division within ~~30~~60 days after becoming a  
26 resident."

27 Section 3. G.S. 20-7(f) reads as rewritten:

28 "(f) Expiration and Temporary License. – The first drivers license the Division  
29 issues to a person expires on the person's fourth or subsequent birthday that occurs after  
30 the license is issued and on which the individual's age is evenly divisible by five, unless  
31 this subsection sets a different expiration date. The first drivers license the Division  
32 issues to a person who is at least 17 years old but is less than 18 years old expires on the  
33 person's twentieth birthday. The first drivers license the Division issues to a person who  
34 is at least 62 years old expires on the person's birthday in the fifth year after the license is  
35 issued, whether or not the person's age on that birthday is evenly divisible by five.

36 A drivers license that was issued by the Division and is renewed by the Division  
37 expires five years after the expiration date of the license that is renewed. A person may  
38 apply to the Division to renew a license during the 60-day period before the license  
39 expires. The Division may not accept an application for renewal made before the 60-day  
40 period begins.

41 ~~Any person serving in the armed forces of the United States on active duty and~~  
42 ~~holding a valid drivers license properly issued under this section and stationed outside the~~  
43 ~~State of North Carolina may renew the license by making application to the Division by~~

1 mail. ~~Any other person, except a nonresident, who holds a valid drivers license issued~~  
2 ~~under this section and who is temporarily residing outside North Carolina, may also~~  
3 ~~renew by making application to the Division by mail. For purposes of this section~~  
4 ~~"temporarily" shall mean not less than 30 days continuous absence from North Carolina.~~  
5 ~~In either case, the~~

6 The Division may renew by mail a drivers license issued by the Division to a person  
7 who meets any of the following descriptions:

8 (1) Is serving on active duty in the armed forces of the United States and is  
9 stationed outside this State.

10 (2) Is a resident of this State and has been residing outside the State for at  
11 least 30 continuous days.

12 When renewing a license by mail, the Division may waive the examination and color  
13 photograph that would otherwise be required for the renewal of a drivers license, for the  
14 renewal and may impose in lieu thereof any conditions it considers appropriate to each  
15 particular application, finds advisable. A license renewed by mail is a temporary license  
16 that expires 30-60 days after the person to whom it is issued returns to this State."

17 Section 4. G.S. 20-7.1 reads as rewritten:

18 "**§ 20-7.1. Notification-Notice of change of address, address or name.**

19 ~~Whenever the holder of a license issued under the provision of G.S. 20-7 has a change~~  
20 ~~in the address as shown on such license, he or she shall apply for a duplicate license~~  
21 ~~within 60 days after such address has been changed. Provided, that if the licensee's~~  
22 ~~mailing address has been changed by governmental action and there has been no actual~~  
23 ~~change of residence location, upon giving notice in writing to the Division of Motor~~  
24 ~~Vehicles in Raleigh within 60 days of this change of address, the licensee may use his~~  
25 ~~current license or permit until its expiration or obtain a duplicate license or permit~~  
26 ~~showing the new address upon payment of the required fee. No person shall be charged~~  
27 ~~with having violated this section when only his mailing address has been changed by~~  
28 ~~governmental action.~~

29 (a) Address. – A person whose address changes from the address stated on a  
30 drivers license must notify the Division of the change within 60 days after the change  
31 occurs. If the person's address changed because the person moved, the person must  
32 obtain a duplicate license within that time limit stating the new address. A person who  
33 does not move but whose address changes due to governmental action may not be  
34 charged with violating this subsection.

35 (b) Name. – A person whose name changes from the name stated on a drivers  
36 license must notify the Division of the change within 60 days after the change occurs and  
37 obtain a duplicate drivers license stating the new name.

38 (c) Fee. – G.S. 20-14 sets the fee for a duplicate license."

39 Section 5. G.S. 20-37.12(e) reads as rewritten:

40 "(e) In accordance with G.S. 20-7, G.S. 20-7 sets the time period in which a new  
41 resident of North Carolina has 30 days to must obtain a license from the Division. The  
42 Commissioner may establish by rule the conditions under which the test requirements for

1 a commercial drivers license may be waived for a new resident who is licensed in another  
2 state."

3 Section 6. G.S. 20-37.9 reads as rewritten:

4 "**§ 20-37.9. Notification-~~Notice of change of address-address or name.~~**

5 Whenever the holder of a special identification card issued under G.S. 20-37.7 has a  
6 change in the address as shown on the special identification card, he or she shall apply for  
7 reissuance of a special identification card within 60 days after the address has been  
8 changed. The fee for reissuance of a special identification card is the same as the fee set  
9 in G.S. 20-37.7 for issuing a special identification card. If a change of address is the  
10 result of governmental action and there is no actual change of geographical location, the  
11 holder of the card is not required to change the address on the card until the Division  
12 issues the holder another card.

13 (a) Address. – A person whose address changes from the address stated on a  
14 special identification card must notify the Division of the change within 60 days after the  
15 change occurs. If the person's address changed because the person moved, the person  
16 must obtain a new special identification card within that time limit stating the new  
17 address. A person who does not move but whose address changes due to governmental  
18 action may not be charged with violating this subsection.

19 (b) Name. – A person whose name changes from the name stated on a special  
20 identification card must notify the Division of the change within 60 days after the change  
21 occurs and obtain a new special identification card stating the new name.

22 (c) Fee. – G.S. 20-37.7 sets the fee for a special identification card."

23 Section 7. G.S. 20-67 reads as rewritten:

24 "**§ 20-67. Notice of change of address or name.**

25 (a) Address. –Whenever any person, after making application for or obtaining the  
26 registration of a vehicle or a certificate of title, shall move from the A person whose  
27 address named in the application or shown upon a registration card or certificate of title,  
28 such person shall within 30 days thereafter notify the Division in writing of his old and  
29 new addresses. changes from the address stated on a certificate of title or registration card  
30 must notify the Division of the change within 60 days after the change occurs. The  
31 person may obtain a duplicate certificate of title or registration card stating the new  
32 address but is not required to do so. A person who does not move but whose address  
33 changes due to governmental action may not be charged with violating this subsection.

34 (b) Name. –Whenever the name of any person who has made application for or  
35 obtained the registration of a vehicle or a certificate of title is thereafter changed by  
36 marriage or otherwise, such person shall thereafter forward or cause to be forwarded to  
37 the Division the certificate of title and to make application for correction of the certificate  
38 on forms provided by the Division. A person whose name changes from the name stated  
39 on a certificate of title or registration card must notify the Division of the change within  
40 60 days after the change occurs. The person may obtain a duplicate certificate of title or  
41 registration card but is not required to do so.

42 (c) Fee. – G.S. 20-85 sets the fee for a duplicate certificate of title or registration  
43 card."

1 Section 8. G.S. 20-324 reads as rewritten:

2 **"§ 20-324. Expiration and renewal of licenses; fees.**

3 ~~All licenses issued under the provisions of this Article shall expire on the last day of~~  
4 ~~June in the year following their issuance and may be renewed upon application to the~~  
5 ~~Commissioner as prescribed by his regulations. Each application for a new or renewal~~  
6 ~~school license shall be accompanied by a fee of forty dollars (\$40.00), and each~~  
7 ~~application for a new or a renewal instructor's license shall be accompanied by a fee of~~  
8 ~~eight dollars (\$8.00). The license fees collected under this section shall be used under the~~  
9 ~~supervision and direction of the Director of the Budget for the administration of this~~  
10 ~~Article. No license fee shall be refunded in the event that the license is rejected,~~  
11 ~~suspended, or revoked.~~

12 (a) Renewal. – A license issued under this Article expires two years after the date  
13 the license is issued. To renew a license, the license holder must file an application for  
14 renewal with the Division.

15 (b) Fees. – An application for an initial license or the renewal of a license must be  
16 accompanied by the application fee for the license. The application fee for a school  
17 license is eighty dollars (\$80.00). The application fee for an instructor license is sixteen  
18 dollars (\$16.00). The application fee for a license is not refundable. Fees collected under  
19 this section must be credited to the Highway Fund."

20 Section 9. Sections 1 through 7 of this act become effective December 1,  
21 1997. The remaining sections of this act become effective July 1, 1997.