

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 167*

Short Title: 60 Days to Change DMV Info.

(Public)

Sponsors: Senators Hoyle; and Carpenter.

Referred to: Transportation.

February 17, 1997

A BILL TO BE ENTITLED

AN ACT 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 G.S. 20-4.6 is repealed.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 regular drivers license is considered a lesser class of license than its commercial counterpart.

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

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

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

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

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

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

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

37 ~~Any person serving in the armed forces of the United States on active duty and~~
38 ~~holding a valid drivers license properly issued under this section and stationed outside the~~
39 ~~State of North Carolina may renew the license by making application to the Division by~~
40 ~~mail. Any other person, except a nonresident, who holds a valid drivers license issued~~
41 ~~under this section and who is temporarily residing outside North Carolina, may also~~
42 ~~renew by making application to the Division by mail. For purposes of this section~~

1 "temporarily" shall mean not less than 30 days continuous absence from North Carolina.
2 In either case, the

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

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

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

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

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

15 "**§ 20-7.1. Notification-Notice of change of address-address or name.**

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

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

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

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

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

37 "(e) ~~In accordance with G.S. 20-7, G.S. 20-7 sets the time period in which a new~~
38 ~~resident of North Carolina has 30 days to must obtain a license from the Division. The~~
39 ~~Commissioner may establish by rule the conditions under which the test requirements for~~
40 ~~a commercial drivers license may be waived for a new resident who is licensed in another~~
41 ~~state."~~

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

43 "**§ 20-37.9. Notification-Notice of change of address-address or name.**

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

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

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

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

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

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

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

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

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

40 Section 8. This act becomes effective December 1, 1997.