

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 322
Committee Substitute Favorable 4/8/13
Senate Transportation Committee Substitute Adopted 6/5/13

Short Title: CDL Requirements/Military Experience.

(Public)

Sponsors:

Referred to:

March 18, 2013

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO WAIVE THE
COMMERCIAL SKILLS TEST FOR RETIRED OR DISCHARGED MEMBERS OF
THE ARMED FORCES WHO ALSO SATISFY OTHER REQUIREMENTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-37.13(c1) reads as rewritten:

"(c1) The Division may waive the skills test for ~~applicants~~any qualified military applicant
at the time ~~they apply~~the applicant applies for a commercial drivers license if the applicant is
currently licensed at the time of application and meets all of the following:

- (1) The applicant has passed all required written knowledge exams.
- (2) The applicant has not, and certifies that the applicant has not, at any time during the two years immediately preceding the date of application done any of the following:
 - a. Had any drivers license or driving privilege suspended, revoked, or ~~eaneelled~~cancelled.
 - b. Had any convictions involving any kind of motor vehicle for the offenses listed in G.S. 20-17 or had any convictions for the offenses listed in ~~G.S. 20-17.4~~G.S. 20-17.4.
 - c. Been convicted of a violation of ~~military, State~~State, or local laws relating to motor vehicle traffic control, other than a parking violation, which violation arose in connection with any reportable traffic ~~accident~~or accident.
 - d. Refused to take a chemical test when charged with an implied consent offense, as defined in G.S. 20-16.2.
 - e. Had more than one drivers license, except for a drivers license issued by the military.

- (3) The applicant certifies, and provides satisfactory evidence on the date of application, that the applicant is a retired, discharged, or current member of an active or reserve component of the Armed Forces of the United States and is regularly employed or was regularly employed within the 90-day period immediately preceding the date of application in a job~~either~~military position requiring the operation of a commercial motor vehicle, and the applicant ~~either~~meets either of the following requirements:

- a. ~~Has previously taken and successfully completed a skills test that was administered by a state with a classified licensing and testing~~



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- 1 ~~system and the test was behind the wheel in a vehicle representative~~
2 ~~of the class and, if applicable, the type of commercial motor vehicle~~
3 ~~for which the applicant seeks to be licensed; or~~
4 b. Has operated for the two-year period immediately preceding the date
5 of application a vehicle representative of the class and, if applicable,
6 the type of commercial motor vehicle for which the applicant seeks
7 to be licensed, and has taken and successfully completed a skills test
8 administered by the military.
9 c. For an applicant who is a retired or discharged member of an active
10 or reserve component of the Armed Forces of the United States, the
11 applicant (i) has operated for the two-year period immediately
12 preceding the date of retirement or discharge a vehicle representative
13 of the class and, if applicable, the type of commercial motor vehicle
14 for which the applicant seeks to be licensed, and has taken and
15 successfully completed a skills test administered by the military, (ii)
16 has retired or received either an honorable or general discharge, and
17 (iii) has retired or been discharged from the Armed Forces within the
18 90-day period immediately preceding the date of application."

19 **SECTION 2.** This act is effective when it becomes law.