

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2015

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SENATE BILL 164

Short Title: Assist Inmate Reentry/Waived Fees. (Public)

Sponsors: Senator Robinson (Primary Sponsor).

Referred to: Rules and Operations of the Senate.

March 4, 2015

A BILL TO BE ENTITLED

AN ACT TO FACILITATE REENTRY FOR INMATES BEING RELEASED FROM THE STATE PRISON SYSTEM BY WAIVING THE FEES FOR DRIVERS LICENSES, DUPLICATE DRIVERS LICENSES, LEARNER'S PERMITS, SPECIAL IDENTIFICATION CARDS, AND BIRTH CERTIFICATES AND BY REQUIRING THE DIVISION OF ADULT CORRECTION TO ASSIST INMATES IN ACQUIRING THESE NECESSARY ITEMS PRIOR TO THEIR RELEASE.

The General Assembly of North Carolina enacts:

SECTION 1. Article 1 of Chapter 48 of the General Statutes is amended by adding a new section to read:

"§ 148-10.5. Facilitation of inmates' reentry upon release.

The Division of Adult Correction of the Department of Public Safety shall assist each inmate who is within six months of release from the custody of the Division in applying for each of the following as may be needed by the inmate:

- (1) A social security card.
(2) In cooperation with the Division of Motor Vehicles, a drivers license, duplicate drivers license, learner's permit, or special identification card.
(3) In cooperation with the State Registrar of Vital Statistics, a certified copy of the inmate's birth certificate for any inmate who was born in this State. The Division shall assist any inmate who was born in another state in applying for a birth certificate from the appropriate agency in that state.

The assistance provided to inmates pursuant to this section shall include assistance in acquiring any records or documentation needed to obtain a social security card, drivers license, duplicate drivers license, learners permit, special identification card, or birth certificate, as needed. Nothing in this section shall be construed as entitling an inmate to a drivers license or learner's permit unless the inmate complies with the requirements for obtaining one under Chapter 20 of the General Statutes."

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

(i) Fees. - The fee for a regular drivers license is the amount set in the following table multiplied by the number of years in the period for which the license is issued:

Table with 2 columns: Class of Regular License, Fee for Each Year. Rows include Class A (\$4.00), Class B (\$4.00), and Class C (\$4.00).



1 The fee for a motorcycle endorsement is one dollar and seventy-five cents (\$1.75) for each year  
2 of the period for which the endorsement is issued. The appropriate fee shall be paid before a  
3 person receives a regular drivers license or an endorsement.

4 The fee under this subsection shall not be charged to an applicant who is an inmate in the  
5 State prison system and who is obtaining a drivers license prior to release with the assistance of  
6 the Division of Adult Correction pursuant to G.S. 148-10.5."

7 **SECTION 3.** G.S. 20-7(1) reads as rewritten:

8 "(1) Learner's Permit. – A person who is at least 18 years old may obtain a learner's  
9 permit. A learner's permit authorizes the permit holder to drive a specified type or class of  
10 motor vehicle while in possession of the permit. A learner's permit is valid for a period of 18  
11 months after it is issued. The fee for a learner's permit is fifteen dollars (\$15.00). A learner's  
12 permit may be renewed, or a second learner's permit may be issued, for an additional period of  
13 18 months. The permit holder must, while operating a motor vehicle over the highways, be  
14 accompanied by a person who is licensed to operate the motor vehicle being driven and is  
15 seated beside the permit holder.

16 The fee under this subsection shall not be charged to an applicant who is an inmate in the  
17 State prison system and who is obtaining a learner's permit prior to release with the assistance  
18 of the Division of Adult Correction pursuant to G.S. 148-10.5."

19 **SECTION 4.** G.S. 20-14 reads as rewritten:

20 **"§ 20-14. Duplicate licenses.**

21 A person may obtain a duplicate of a license issued by the Division by paying a fee of ten  
22 dollars (\$10.00) and giving the Division satisfactory proof that any of the following has  
23 occurred:

- 24 (1) The person's license has been lost or destroyed.
- 25 (2) It is necessary to change the name or address on the license.
- 26 (3) Because of age, the person is entitled to a license with a different color  
27 photographic background or a different color border.
- 28 (4) The Division revoked the person's license, the revocation period has expired,  
29 and the period for which the license was issued has not expired.

30 The fee under this section shall not be charged to an applicant who is an inmate in the State  
31 prison system and who is obtaining a duplicate license prior to release with the assistance of the  
32 Division of Adult Correction pursuant to G.S. 148-10.5."

33 **SECTION 5.** G.S. 20-37.7(d) reads as rewritten:

34 "(d) Expiration and Fee. – A special identification card issued to a person for the first  
35 time under this section expires when a drivers license issued on the same day to that person  
36 would expire. A special identification card renewed under this section expires when a drivers  
37 license renewed by the card holder on the same day would expire.

38 The fee for a special identification card is the same as the fee set in G.S. 20-14 for a  
39 duplicate license. The fee does not apply to a special identification card issued to a resident of  
40 this State as follows:

- 41 (1) The applicant is legally blind.
- 42 (2) The applicant is at least 70 years old.
- 43 (3) The applicant or who has been issued a drivers license but the drivers license  
44 is cancelled under G.S. 20-15, in accordance with G.S. 20-9(e) and (g), as a  
45 result of a physical or mental disability or disease.
- 46 (4) The applicant is homeless. To obtain a special identification card without  
47 paying a fee, a homeless person must present a letter to the Division from  
48 the director of a facility that provides care or shelter to homeless persons  
49 verifying that the person is homeless.
- 50 (5) The applicant is registered to vote in this State and does not have photo  
51 identification acceptable under G.S. 163-166.13. To obtain a special

1 identification card without paying a fee, a registered voter shall sign a  
2 declaration stating the registered voter is registered and does not have other  
3 photo identification acceptable under G.S. 163-166.13. The Division shall  
4 verify that voter registration prior to issuing the special identification card.  
5 Any declaration shall prominently include the penalty under  
6 G.S. 163-275(13) for falsely making the declaration.

7 (6) The applicant is appearing before the Division for the purpose of registering  
8 to vote in accordance with G.S. 163-82.19 and does not have other photo  
9 identification acceptable under G.S. 163-166.13. To obtain a special  
10 identification card without paying a fee, that applicant shall sign a  
11 declaration stating that applicant is registering to vote and does not have  
12 other photo identification acceptable under G.S. 163-166.13. Any  
13 declaration shall prominently include the penalty under G.S. 163-275(13) for  
14 falsely making the declaration.

15 (7) The applicant is an inmate in the State prison system applying for a special  
16 identification card prior to release with the assistance of the Division of  
17 Adult Correction pursuant to G.S. 148-10.5."

18 **SECTION 6.** G.S. 130A-93.1 is amended by adding a new subsection to read:

19 "(d) The State Registrar shall not charge any fee under subsection (a) of this section to  
20 an applicant who is an inmate in the State prison system who was born in this State and is  
21 obtaining a certified copy of his or her birth certificate prior to release with the assistance of the  
22 Division of Adult Correction pursuant to G.S. 148-10.5."

23 **SECTION 7.** This act becomes effective July 1, 2015.