

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 584
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40348-NE-69

Short Title: Permit/Provisional License Modifications. (Public)

Sponsors: Representative Willis.

Referred to:

A BILL TO BE ENTITLED
AN ACT ELIMINATING DRIVING ELIGIBILITY CERTIFICATE AND WAITING PERIOD
REQUIREMENTS FOR THE ISSUANCE OF LEARNER'S PERMITS AND
PROVISIONAL DRIVERS LICENSES.

The General Assembly of North Carolina enacts:

**PART I. ELIMINATE DRIVING ELIGIBILITY CERTIFICATE AND WAITING
PERIOD REQUIREMENTS FOR THE ISSUANCE OF LEARNER'S PERMITS AND
PROVISIONAL DRIVERS LICENSES**

SECTION 1. G.S. 20-11 reads as rewritten:

**"§ 20-11. Issuance of limited learner's permit and provisional drivers license to person who
is less than 18 years old.**

...

(b) Level 1. – A person who is at least 15 years old but less than 18 years old may obtain
a limited learner's permit if the person meets all of the following requirements:

...

~~(3) Has a driving eligibility certificate or a high school diploma or its equivalent.~~

...

(d) Level 2. – A person who is at least 16 years old but less than 18 years old may obtain
a limited provisional license if the person meets all of the following requirements:

~~(1) Has held a limited learner's permit issued by the Division for at least nine
months.~~

...

~~(4) Has a driving eligibility certificate or a high school diploma or its equivalent.~~

...

(f) Level 3. – A person who is at least 16 years old but less than 18 years old may obtain
a full provisional license if the person meets all of the following requirements:

...

~~(3) Has a driving eligibility certificate or a high school diploma or its equivalent.~~

...

(h) Exception for Persons 16 to 18 Who Have an Unrestricted Out-of-State License. – A
person who is at least 16 years old but less than 18 years old, who was a resident of another state
and has an unrestricted drivers license issued by that state, and who becomes a resident of this
State may obtain one of the following upon the submission of a driving eligibility certificate or
a high school diploma or its equivalent: following:

...



* D R H 4 0 3 4 8 - N E - 6 9 *

(n) ~~Driving Eligibility Certificate.~~—A person who desires to obtain a permit or license issued under this section must have a high school diploma or its equivalent or must have a driving eligibility certificate. ~~A driving eligibility certificate must meet the following conditions:~~

(1) ~~The person who is required to sign the certificate under subdivision (4) of this subsection must show that he or she has determined that one of the following requirements is met:~~

- ~~a. The person is currently enrolled in school and is making progress toward obtaining a high school diploma or its equivalent.~~
- ~~b. A substantial hardship would be placed on the person or the person's family if the person does not receive a certificate.~~
- ~~c. The person cannot make progress toward obtaining a high school diploma or its equivalent.~~

(1a) ~~The person who is required to sign the certificate under subdivision (4) of this subsection also must show that one of the following requirements is met:~~

- ~~a. The person who seeks a permit or license issued under this section is not subject to subsection (n1) of this section.~~
- ~~b. The person who seeks a permit or license issued under this section is subject to subsection (n1) of this section and is eligible for the certificate under that subsection.~~

(2) ~~It must be on a form approved by the Division.~~

(3) ~~It must be dated within 30 days of the date the person applies for a permit or license issuable under this section.~~

(4) ~~It must be signed by the applicable person named below:~~

- ~~a. The principal, or the principal's designee, of the public school in which the person is enrolled.~~
- ~~b. The administrator, or the administrator's designee, of the nonpublic school in which the person is enrolled.~~
- ~~c. The person who provides the academic instruction in the home school in which the person is enrolled.~~
- ~~c1. The person who provides the academic instruction in the home in accordance with an educational program found by a court, prior to July 1, 1998, to comply with the compulsory attendance law.~~
- ~~d. The designee of the board of directors of the charter school in which the person is enrolled.~~
- ~~e. The president, or the president's designee, of the community college in which the person is enrolled.~~

~~Notwithstanding any other law, the decision concerning whether a driving eligibility certificate was properly issued or improperly denied shall be appealed only as provided under the rules adopted in accordance with G.S. 115C-12(28), 115D-5(a3), or 115C-566, whichever is applicable, and may not be appealed under this Chapter.~~

(n1) ~~Lose Control; Lose License.~~

(1) ~~The following definitions apply in this subsection:~~

- ~~a. Applicable State entity.—The State Board of Education for public schools and charter schools, the State Board of Community Colleges for community colleges, or the Secretary of Administration for nonpublic schools and home schools.~~
- ~~b. Certificate.—A driving eligibility certificate that meets the conditions of subsection (n) of this section.~~
- ~~c. Disciplinary action.—An expulsion, a suspension for more than 10 consecutive days, or an assignment to an alternative educational setting for more than 10 consecutive days.~~

- d. ~~Enumerated student conduct.—One of the following behaviors that results in disciplinary action:~~
1. ~~The possession or sale of an alcoholic beverage or an illegal controlled substance on school property.~~
 2. ~~The bringing, possession, or use on school property of a weapon or firearm that resulted in disciplinary action under G.S. 115C-390.10 or that could have resulted in that disciplinary action if the conduct had occurred in a public school.~~
 3. ~~The physical assault on a teacher or other school personnel on school property.~~
- e. ~~School.—A public school, charter school, community college, nonpublic school, or home school.~~
- f. ~~School administrator.—The person who is required to sign certificates under subdivision (4) of subsection (n) of this section.~~
- g. ~~School property.—The physical premises of the school, school buses or other vehicles under the school's control or contract and that are used to transport students, and school-sponsored curricular or extracurricular activities that occur on or off the physical premises of the school.~~
- h. ~~Student.—A person who desires to obtain a permit or license issued under this section.~~
- (2) ~~Any student who was subject to disciplinary action for enumerated student conduct that occurred either after the first day of July before the school year in which the student enrolled in the eighth grade or after the student's fourteenth birthday, whichever event occurred first, is subject to this subsection.~~
- (3) ~~A student who is subject to this subsection is eligible for a certificate when the school administrator determines that the student has exhausted all administrative appeals connected to the disciplinary action and that one of the following conditions is met:~~
- a. ~~The enumerated student conduct occurred before the student reached the age of 15, and the student is now at least 16 years old.~~
 - b. ~~The enumerated student conduct occurred after the student reached the age of 15, and it is at least one year after the date the student exhausted all administrative appeals connected to the disciplinary action.~~
 - c. ~~The student needs the certificate in order to drive to and from school, a drug or alcohol treatment counseling program, as appropriate, or a mental health treatment program, and no other transportation is available.~~
- (4) ~~A student whose permit or license is denied or revoked due to ineligibility for a certificate under this subsection may otherwise be eligible for a certificate if, after six months from the date of the ineligibility, the school administrator determines that one of the following conditions is met:~~
- a. ~~The student has returned to school or has been placed in an alternative educational setting, and has displayed exemplary student behavior, as defined by the applicable State entity.~~
 - b. ~~The disciplinary action was for the possession or sale of an alcoholic beverage or an illegal controlled substance on school property, and the student subsequently attended and successfully completed, as defined~~

by the applicable State entity, a drug or alcohol treatment counseling program, as appropriate."

PART II. CONFORMING CHANGES

SECTION 2. The following statutes are repealed:

- (1) G.S. 20-9(b1).
- (2) G.S. 20-13.2(c1).
- (3) G.S. 115C-12(28).
- (4) G.S. 115C-150.12C(19).
- (5) G.S. 115C-218.70.
- (6) G.S. 115C-238.66(8).
- (7) G.S. 115C-288(k).
- (8) G.S. 115C-566.

PART III. EFFECTIVE DATE

SECTION 3. This act becomes effective October 1, 2025, and applies to permit or provisional license applications submitted on or after that date.