

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

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HOUSE BILL 1546  
Committee Substitute Favorable 7/9/02  
Third Edition Engrossed 7/16/02

Short Title: Level 2 GDL Restriction - C.F.T.F.

(Public)

Sponsors:

Referred to:

June 6, 2002

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE CERTAIN OCCUPANCY LIMITATIONS FOR VEHICLES  
3 DRIVEN BY LEVEL 2 DRIVERS WITH LIMITED PROVISIONAL LICENSES.

4 Whereas, studies have shown that the system of Graduated Drivers Licenses  
5 instituted in North Carolina on December 1, 1997, has reduced the number of accidents  
6 involving young drivers; and

7 Whereas, statistics also indicate that when the supervising driver is not  
8 present, the risk of accident increases with the presence of passengers who may distract  
9 the license holder; and

10 Whereas, the studies show that the risk of accident increases with the number  
11 of passengers in the vehicle driven by the young graduated license holder; and

12 Whereas, the General Assembly finds that limiting the number of passengers  
13 to reduce the likelihood of a young driver having an accident is in the public interest;  
14 Now, therefore,

15 The General Assembly of North Carolina enacts:

16 **SECTION 1.** G.S. 20-11(e) reads as rewritten:

17 "(e) Level 2 Restrictions. – A limited provisional license authorizes the license  
18 holder to drive a specified type or class of motor vehicle only under the following  
19 conditions:

- 20 (1) The license holder ~~must~~shall be in possession of the license.  
21 (2) The license holder may drive without supervision in any of the  
22 following circumstances:  
23 a. From 5:00 a.m. to 9:00 p.m.  
24 b. When driving to or from work.  
25 c. When driving to or from an activity of a volunteer fire  
26 department, volunteer rescue squad, or volunteer emergency  
27 medical service, if the driver is a member of the organization.

1           (3)    The license holder may drive with supervision at any time. When the  
2           license holder is driving with supervision, the supervising driver ~~must~~  
3           shall be seated beside the license holder in the front seat of the vehicle  
4           when it is in motion. The supervising driver need not be the only other  
5           occupant of the front seat, but ~~must~~shall be the person seated next to  
6           the license holder.

7           (4)    When the license holder is driving the vehicle and is not accompanied  
8           by the supervising driver, there may be no more than one passenger  
9           under 21 years of age in the vehicle. This limit does not apply to  
10          passengers who are members of the license holder's immediate family  
11          or whose primary residence is the same household as the license  
12          holder. However, if a family member of the license holder who is  
13          younger than 21 years of age is a passenger in the vehicle, no other  
14          passengers under 21 years of age, who are not members of the license  
15          holder's immediate family, may be in the vehicle.

16          (4)(5) Every person occupying the vehicle being driven by the license holder  
17          must have a safety belt properly fastened about his or her body, or be  
18          restrained by a child passenger restraint system as provided in G.S.  
19          20-137.1(a), when the vehicle is in motion."

20          **SECTION 2.** This act becomes effective December 1, 2002, and applies to  
21          limited provisional licenses issued on or after that date.