



HOUSE BILL 84: DL/Deaf or Hard of Hearing Designation.

2017-2018 General Assembly

Committee:		Date:	June 26, 2017
Introduced by:	Reps. Insko, Ball, Butler	Prepared by:	Giles Perry
Analysis of:	Fifth Edition		Staff Attorney

OVERVIEW: *House Bill 84 would direct the Division of Motor Vehicles to develop a voluntary drivers license designation for persons who are deaf or hard of hearing, and would require training for law enforcement on the designation and on recognizing and appropriately interacting with persons who are deaf or hard of hearing. The bill would become effective on January 1, 2018.*

CURRENT LAW: Under current law, a drivers license issued by the Division of Motor Vehicles must contain certain information, including the license holder's full name, address, color photograph, physical description, date of birth, and signature, an identifying number assigned by the Division, the class of motor vehicle the license holder is authorized to drive and any endorsements or restrictions that apply, and issuance and expiration dates. In addition, the Division is authorized, upon request of the applicant, to include the license holder's race, including a designation of "AI" for American Indians, and a designation for active duty military and military veterans. *G.S. 20-7.*

BILL ANALYSIS:

Section 1 of House Bill 84 would:

- Direct the Division to develop, in consultation with the Department of Public Safety, the State Highway Patrol, and Division of Services for the Deaf and Hard of Hearing, a driver's license designation that may be granted to a person who is deaf or hard of hearing.
- Direct the Division, at the request of a person who is deaf or hard of hearing, to place a unique symbol, without a further descriptor, on the front of the person's license.
- Direct the Division to record the requested designation in the electronic record associated with the person's driver's license.
- Direct the Division, at the request of a person who is deaf or hard of hearing, to enter the drivers license symbol and a descriptor into the electronic record of any motor vehicle registered in that person's name.
- Require specified documentation be provided to DMV that the person is deaf or hard of hearing.
- Clarify that this provision would not make anyone eligible to obtain a license who is otherwise ineligible under the law or prohibit anyone from obtaining a license who is otherwise eligible.
- Provide that individuals choosing to register or not to register for a driver's license designation have not waived any rights under the law.

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- Provide that the information collected would only be available to law enforcement, and only for the purpose of ensuring mutually safe interactions between law enforcement and persons who are deaf or hard of hearing. It could not be accessed or used for any other purpose.
- Provide that the right to make the decision for inclusion or removal of the designation from the DMV database would be voluntary, and could only be made by the person who holds the driver's license associated with the designation.
- Provide that DMV, in conjunction with DHHS, shall develop a process for removal of the designation that is available online, by mail, or in person.

Section 2 of the bill would direct the NC Criminal Justice Education and Training Standards Commission to establish minimum educational and training standards for employment and continuing education for criminal justice officers concerning the designation, including that it is optional, and appropriate interaction with persons who are deaf or hard of hearing.

Section 3 of the bill would direct the NC Sheriffs' Education and Training Standards Commission to establish minimum educational and training standards for employment and continuing education for officers concerning the designation, including that it is optional, and appropriate interaction with persons who are deaf or hard of hearing.

EFFECTIVE DATE: The act would become effective January 1, 2018.

Wendy Ray, counsel to the House Transportation Committee, substantially contributed to this bill summary.