



HOUSE BILL 863: Require Driver Retraining Course.

2017-2018 General Assembly

Committee:	House Finance	Date:	June 15, 2017
Introduced by:	Reps. Shepard, Torbett, Rogers, Hastings	Prepared by:	Greg Roney Committee Counsel
Analysis of:	PCS to First Edition H863-CSTMf-17		

OVERVIEW: *The Proposed Committee Substitute (PCS) for House Bill 863 would require DMV to conduct or use a third-party vendor to conduct a driver retraining course for persons who have had their licenses suspended in specified circumstances.*

The PCS for House Bill 863 would authorize DMV to set a maximum fee of \$175 and retain \$25 of the fee.

CURRENT LAW: G.S. 20-16 provides:

- DMV has the authority to suspend the license of any operator who has, within a 3-year period, accumulated 12 or more points, or 8 or more points in the 3-year period immediately following the reinstatement of a license which has been suspended or revoked because of a conviction for one or more traffic offenses.
- DMV may afford any licensee who has accumulated as many as 7 points or any licensee who has accumulated as many as 4 points within a 3-year period immediately following reinstatement of his license after a period of suspension or revocation an opportunity to attend a driver improvement clinic operated by DMV and, upon the successful completion of the course taken at the clinic, 3 points shall be deducted from the licensee's conviction record. Only one deduction of points can be made on behalf of any licensee within any 5-year period.

BILL ANALYSIS: The PCS for House Bill 863 would require a licensee to complete a driver retraining course for a license suspended in the following situations:

- Licensee accumulated 12 or more points in a 3-year period or 8 or more points in a 3-year period following the reinstatement of a license suspended or revoked because of a traffic offense.
- If, within a period of 12 months, the licensee has been convicted of (i) two or more charges of speeding in excess of 55 and not more than 80 miles per hour, (ii) one or more charges of reckless driving and one or more charges of speeding in excess of 55 and not more than 80 miles per hour, or (iii) one or more charges of aggressive driving and one or more charges of speeding in excess of 55 and not more than 80 miles per hour.
- Licensee has been convicted of operating a motor vehicle at a speed in excess of 75 miles per hour on a public road or highway where the maximum speed is less than 70 miles per hour.
- Licensee has been convicted of operating a motor vehicle at a speed in excess of 80 miles per hour on a public highway where the maximum speed is 70 miles per hour.

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The 8-hour course would be conducted by DMV or a third-party vendor. The course must "be behavioral based, interactive, and demonstrated scientifically to be associated with decreases in traffic violations."

The PCS for House Bill 863 would authorize DMV to set a maximum fee of \$175 to attend the course and authorize DMV to retain \$25 of the fee. House Bill 863 does not appropriate the fee.

EFFECTIVE DATE: The PCS for House Bill 863 would be effective July 1, 2018 and apply to licenses suspended on or after July 1, 2018.

Giles Perry with the Legislative Analysis Division substantially contributed to this summary.