



HOUSE BILL 864: Require Driver Retraining Course.

2019-2020 General Assembly

Committee:	House Transportation. If favorable, re-refer to Finance. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	May 7, 2019
Introduced by:	Reps. Shepard, Torbett, Stevens	Prepared by:	Howard Marsilio Staff Attorney
Analysis of:	First Edition		

OVERVIEW: *House Bill 864 would require the Division of Motor Vehicles (DMV) to establish a driver retraining course for persons who had or would have their license suspended under certain circumstances.*

CURRENT LAW: G.S. 20-16 outlines under what circumstances DMV suspends or revokes a license based on point accumulation and other circumstances.

Upon restoration of a license or privilege, which has been suspended under this authority, points assigned to that record are cancelled.

BILL ANALYSIS:

House Bill 864 would require DMV, or a contractor of DMV, to establish and conduct a driver retraining course for persons who have had their license suspended or have been placed on probation under certain circumstances. Each course participant would need to pay \$175 (\$25 dollars goes to DMV), unless a participant receives public assistance or has a prior judicial determination of indigence.

This bill would also:

- Create a delayed effective date of 90 days for suspensions under certain circumstances.
- Provide a driver and opportunity during the 90-day license presuspension period to complete the driver retraining course to cancel license points assigned to their record.
- Require a person to complete a driver retraining course to prevent a suspension, or reinstate their license after an indefinite suspension under the following circumstances:
 - The 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.
 - The licensee, within a period of 12 months, 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.
 - The 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.

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- The 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.

EFFECTIVE DATE: Section 1 of this act would become effective July 1, 2019, and would apply to licenses suspended on or after that date. The remainder of this act would become effective when it becomes law.