



HOUSE BILL 285: ENS Railroad Train/Driver Ed Curriculum.

2021-2022 General Assembly

Committee:	House Transportation. If favorable, re-refer to Education - K-12. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	March 30, 2021
Introduced by:	Reps. Penny, Clampitt	Prepared by:	Kellette Wade
Analysis of:	PCS to First Edition H285-CSBW-2		Committee Co-Counsel

OVERVIEW: *Proposed Committee Substitute (PCS) to House Bill 285 would require the North Carolina Department of Transportation (NCDOT) to include in the driver license handbook, and the North Carolina Department of Public Instruction (NCDPI) to include in the driver education curriculum, procedures and instructions for using the Emergency Notification System (ENS) for telephonic reporting of emergency conditions at highway-rail and pathway grade crossings. The PCS would also create a new criminal offense for the misuse of ENS.*

- *The PCS would make substantive changes by aligning the current language with the federal regulations governing ENS, creating a new criminal offense for the misuse of ENS, and establishing new effective dates.*

CURRENT LAW: NCDOT must prepare and periodically update a driver license handbook that explains North Carolina traffic laws. NCDPI is required to administer a driver education program that includes instruction on accessibility rights, privileges, signs, and symbols; driving while impaired and related offenses; actual driving experience; motorcycle awareness; and law enforcement procedures for traffic stops.

BILL ANALYSIS: The PCS would require NCDOT to include in the driver license handbook, and NCDPI to include in the driver education curriculum, procedures and instructions for using ENS for telephonic reporting of emergency conditions at highway-rail and pathway grade crossings, including unsafe conditions, obstructions, malfunctioning warning devices, and missing, damaged, or otherwise unusable ENS signs. The PCS would also create a new criminal offense for the misuse of ENS. A violation is classified as a Class 1 misdemeanor, and punishable by a maximum of 120 days of active punishment and a fine in the discretion of the court.

EFFECTIVE DATE: Section 1 would become effective January 1, 2022, Section 3 would become effective December 1, 2021, and the remainder of the act would become effective when it becomes law and apply to the beginning of the 2021-2022 school year.

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