



# HOUSE BILL 581: Drivers License Designation/Autism.

2021-2022 General Assembly

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<b>Committee:</b>	House Transportation. If favorable, re-refer to Finance. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	May 11, 2021
<b>Introduced by:</b>	Reps. Penny, Greene, Miller, Blackwell	<b>Prepared by:</b>	Kellette Wade*
<b>Analysis of:</b>	PCS to First Edition H581-CSBW-20		Committee Co-Counsel

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**OVERVIEW:** *The Proposed Committee Substitute (PCS) for House Bill 581 would direct the Division of Motor Vehicles (DMV) to develop a voluntary driver's license designation for persons with autism spectrum disorder and require training for law enforcement on the designation and recognizing and appropriately interacting with persons with autism spectrum disorder.*

*Specifically, the PCS removes from the First Edition of H581 language providing for the placement of a unique symbol on a person's license and requires the Division to enter the designation into the motor vehicle registration record instead of a unique symbol and descriptor.*

**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 DMV, 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, DMV is authorized, upon request of the applicant, to include the license holder's race or designations for active duty military or military veterans and deaf or hard of hearing. *G.S. 20-7.*

## **BILL ANALYSIS:**

**Section 1** of the PCS would:

- Direct DMV to develop, in consultation with the Department of Public Safety, the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, and the State Highway Patrol, a driver's license designation that may be granted to a person with autism spectrum disorder.
- Direct DMV to record the requested designation in the electronic record associated with the person's driver's license.
- Require specified documentation to be provided to DMV that the person has autism spectrum disorder.
- Clarify that this act does 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 can only be available to law enforcement and only to ensure mutually safe interactions between law enforcement and persons with autism spectrum disorder.
- Provide that the right to decide for inclusion or removal of the designation from the DMV database is voluntary and can only be made by the person who holds the driver's license associated with the designation.
- Provide that DMV, in conjunction with the Department of Health and Human Services, shall develop a process for removal of the designation that is available online, by mail, or in person.

**Section 2** of the act would direct the North Carolina 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 and appropriate interaction with persons with autism spectrum disorder.

**Section 3** of the act would direct the North Carolina Sheriffs' Education and Training Standards Commission to establish minimum educational and training standards for employment and continuing education for officers concerning the designation and appropriate interaction with persons with autism spectrum disorder.

**EFFECTIVE DATE:** The act would become effective when it becomes law and apply to drivers licenses issued on or after January 1, 2022.

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