



HOUSE BILL 77: Drivers License Designation/Autism.

2023-2024 General Assembly

Committee:	House Transportation. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	March 22, 2023
Introduced by:	Reps. Penny, Chesser, Hawkins, Paré	Prepared by:	Kellette Wade
Analysis of:	PCS to First Edition H77-CSBW-3		Committee Counsel

OVERVIEW: House Bill 77 would direct the North Carolina Division of Motor Vehicles (NCDMV) to develop a voluntary drivers license designation for persons with autism spectrum disorder and require training for law enforcement on recognizing and appropriately interacting with persons with autism spectrum disorder and the designation.

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

BILL ANALYSIS: Section 1 of the PCS would:

- Direct the NCDMV 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 drivers license designation.
- Require the NCDMV to consult with the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services to identify acceptable forms of verification for autism spectrum disorder that are not burdensome to the person requesting a designation.
- Direct the NCDMV to record the requested designation in the electronic record associated with the person's drivers license.
- Requires a person requesting the autism spectrum disorder designation to provide to the NCDMV documentation verifying the person does have 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 the autism spectrum disorder designation have not waived any rights under the law.
- 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.

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- Provide that the right to decide for inclusion or removal of the designation from the NCDMV database is voluntary and can only be made by the person who holds the drivers license associated with the designation.
- Provide that NCDMV, 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: This act is effective when it becomes law and applies to autism spectrum disorder designation requests made on or after January 1, 2024.