

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

**SESSION LAW 2013-201
HOUSE BILL 322**

AN ACT TO ALLOW THE DIVISION OF MOTOR VEHICLES TO WAIVE THE COMMERCIAL SKILLS TEST FOR RETIRED OR DISCHARGED MEMBERS OF THE ARMED FORCES WHO ALSO SATISFY OTHER REQUIREMENTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-37.13(c1) reads as rewritten:

"(c1) The Division may waive the skills test for ~~applicants~~ any qualified military applicant at the time they apply ~~the applicant applies~~ for a commercial drivers license if the applicant is currently licensed at the time of application and meets all of the following:

- (1) The applicant has passed all required written knowledge exams.
- (2) The applicant has not, and certifies that the applicant has not, at any time during the two years immediately preceding the date of application done any of the following:
 - a. Had any drivers license or driving privilege suspended, revoked, or ~~eanelled;~~ cancelled.
 - b. Had any convictions involving any kind of motor vehicle for the offenses listed in G.S. 20-17 or had any convictions for the offenses listed in ~~G.S. 20-17.4;~~ G.S. 20-17.4.
 - c. Been convicted of a violation of military, State ~~State,~~ or local laws relating to motor vehicle traffic control, other than a parking violation, which violation arose in connection with any reportable traffic ~~accident;~~ or accident.
 - d. Refused to take a chemical test when charged with an implied consent offense, as defined in G.S. 20-16.2.
 - e. Had more than one drivers license, except for a drivers license issued by the military.
- (3) The applicant certifies, and provides satisfactory evidence on the date of application, that the applicant is a retired, discharged, or current member of an active or reserve component of the Armed Forces of the United States and is regularly employed or was regularly employed within the 90-day period immediately preceding the date of application in a job ~~military position~~ requiring the operation of a commercial motor vehicle, and the applicant ~~either;~~ meets either of the following requirements:
 - a. ~~Has previously taken and successfully completed a skills test that was administered by a state with a classified licensing and testing system and the test was behind the wheel in a vehicle representative of the class and, if applicable, the type of commercial motor vehicle for which the applicant seeks to be licensed;~~ or
 - b. Has operated for the two-year period immediately preceding the date of application a vehicle representative of the class and, if applicable, the type of commercial motor vehicle for which the applicant seeks to be licensed, and has taken and successfully completed a skills test administered by the military.
 - c. For an applicant who is a retired or discharged member of an active or reserve component of the Armed Forces of the United States, the applicant (i) has operated for the two-year period immediately preceding the date of retirement or discharge a vehicle representative



of the class and, if applicable, the type of commercial motor vehicle for which the applicant seeks to be licensed, and has taken and successfully completed a skills test administered by the military, (ii) has retired or received either an honorable or general discharge, and (iii) has retired or been discharged from the Armed Forces within the 90-day period immediately preceding the date of application."

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 18th day of June, 2013.

s/ Tom Apodaca
Presiding Officer of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 4:35 p.m. this 26th day of June, 2013