

NORTH CAROLINA GENERAL ASSEMBLY  
1965 SESSION

CHAPTER 873  
SENATE BILL 65

1 AN ACT TO PROVIDE FOR THE REGULATION AND LICENSING OF DRIVER  
2 TRAINING SCHOOLS.

3  
4 The General Assembly of North Carolina do enact:

5  
6 **Section 1.** Chapter 20 of the General Statutes is hereby amended by adding thereto  
7 a new Article to be designated as Article 14 and to read as follows:

8 "ARTICLE 14.

9 Driver Training School Licensing Law.

10 "§ 20-330. **Definitions.** As used in this Article:

- 11 (1) 'Commercial driver training school' or 'school' means a business enterprise  
12 conducted by an individual, association, partnership or corporation which  
13 educates or trains persons to operate or drive motor vehicles or which  
14 furnishes educational materials to prepare an applicant for an examination  
15 given by the State for an operator's or chauffeur's license or learner's permit,  
16 and charges a consideration or tuition for such service or materials.
- 17 (2) 'Instructor' means any person who operates a commercial driver training  
18 school or who teaches, conducts classes, gives demonstrations, or supervises  
19 practical training of persons learning to operate or drive motor vehicles in  
20 connection with operation of a commercial driver training school.
- 21 (3) 'Commissioner' means the Commissioner of Motor Vehicles.

22 **§ 20-331. Enforcement by the Commissioner of Motor Vehicles.** (a) The Commissioner  
23 shall, subject to the provisions of Article 18 of Chapter 143 of the General Statutes of North  
24 Carolina, adopt and prescribe such regulations concerning the administration and enforcement  
25 of this Article as are necessary to protect the public. The Commissioner or his authorized  
26 representative shall have the duty of examining applicants for Commercial Driver Training  
27 School and Instructor's Licenses, licensing successful applicants, and inspecting school  
28 facilities and equipment.

29 (b) The Commissioner shall administer and enforce the provisions of this Article, and  
30 may call upon the State Superintendent of Public Instruction for assistance in developing and  
31 formulating appropriate regulations.

32 **§ 20-332. License for Schools; Requirements.** (a) No commercial driver training school shall  
33 be established nor any such existing school be continued on or after July 1, 1965, unless such  
34 school applies for and obtains from the Commissioner a license in the manner and form  
35 prescribed by the Commissioner.

36 (b) Regulations adopted by the Commissioner shall state the requirements for a school  
37 license, including requirements concerning location, equipment, courses of instruction,  
38 instructors, financial statements, schedule of fees and charges, character and reputation of the  
39 operators, insurance, bond or other security in such sum and with such provisions as the  
40 Commissioner deems necessary to protect adequately the interests of the public, and such other  
41 matters as the Commissioner may prescribe.

1 **§ 20-333. License for Instructors; Requirements.** (a) No person shall act as an instructor on  
2 or after July 1, 1965, unless such person applies for and obtains from the Commissioner a  
3 license in the manner and form prescribed by the Commissioner.

4 (b) Regulations adopted by the Commissioner shall state the requirements for an  
5 instructor's license, including requirements concerning moral character, physical condition,  
6 knowledge of the courses of instruction, knowledge of the motor vehicle laws and safety  
7 principles, previous personal and employment records, and such other matters as the  
8 Commissioner may prescribe, for the protection of the public.

9 **§ 20-334. License Fees.** All licenses issued under the provisions of this Article shall expire on  
10 the last day of June in the year following their issuance and may be renewed upon application  
11 to the Commissioner as prescribed by his regulations. Each application for a new or renewal  
12 school license shall be accompanied by a fee of twenty-five dollars (\$25.00), and each  
13 application for a new or a renewal instructor's license shall be accompanied by a fee of five  
14 dollars (\$5.00). The license fees collected under this Section shall be placed in a special fund to  
15 be designated the 'Commercial Driver Training Law Fund' and shall be used under the  
16 supervision and direction of the Director of the Budget for the administration of this Article. No  
17 license fee shall be refunded in the event that the license is rejected, suspended, or revoked.

18 **§ 20-335. Issuance, Renewal, Suspension, and Revocation of Licenses.** The Commissioner  
19 may cancel, suspend, revoke, or refuse to issue or renew a school or instructor's license in any  
20 case where he finds the licensee or applicant has not complied with, or has violated any of the  
21 provisions of this Article or any regulation adopted by the Commissioner hereunder. A  
22 suspended or revoked license shall be returned to the Commissioner by the licensee, and its  
23 holder shall not be eligible to apply for a license under this Article until twelve months have  
24 elapsed since the date of such suspension or revocation.

25 **§ 20-336. Exemptions.** The provisions of this Article shall not apply to any person giving  
26 driver training lessons without charge, to employers maintaining driver training schools without  
27 charge for their employees only, or to schools or classes conducted by colleges, universities and  
28 high schools.

29 **§ 20-337. Penalties.** Violation of any provision of this Article or any regulation promulgated  
30 pursuant hereto, shall constitute a misdemeanor, and any person, firm, or corporation upon  
31 conviction thereof shall be punished by a fine of not more than one hundred dollars (\$100.00)  
32 or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

33 **§ 20-338. Administration.** This Article shall be administered by the Driver Education and  
34 Accident Records Division of the Department of Motor Vehicles with no additional  
35 appropriation."

36 **Sec. 2.** If any part or parts of this Act shall be held to be unconstitutional, such  
37 unconstitutionality shall not affect the validity of the remaining parts of this Act.

38 **Sec. 3.** All laws and clauses of laws in conflict with this Act are hereby repealed.

39 **Sec. 4.** This Act shall be in full force and effect on and after July 1, 1965.

40 In the General Assembly read three times and ratified, this the 9th day of June,  
41 1965.