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

*2021-2022 General Assembly*

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| **Committee:** | House Education - K-12. If favorable, re-refer to Rules, Calendar, and Operations of the House | **Date:** | March 31, 2021 |
| **Introduced by:** | Reps. Penny, Clampitt | **Prepared by:** | Brian Gwyn*<br>Committee Co-Counsel |
| **Analysis of:** | Second Edition | | |

***OVERVIEW: The 2nd edition of House Bill 285 would require the North Carolina Department of Transportation (NCDOT) to include in the driver license handbook, and the Department of Public Instruction (DPI) 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 bill would also create a new criminal offense for the misuse of ENS.***

**CURRENT LAW:** G.S. 20-88.1(d) requires NCDOT to prepare and periodically update a driver license handbook that explains North Carolina traffic laws.

G.S. 115C-215 requires DPI to administer a standardized program of driver education. The curriculum must include 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 bill would require NCDOT to include in the driver license handbook, and DPI 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 bill would also create a new criminal offense for the misuse of ENS. A violation would be 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:** The driver license handbook requirements would become effective January 1, 2022. The new criminal offense would become effective December 1, 2021. The driver education curriculum requirements would become effective when the bill becomes law and would apply beginning with the 2021-2022 school year.

**Kellette Wade, Staff Attorney with the Legislative Analysis Division, substantially contributed to this summary.*

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*This bill analysis was prepared by the nonpartisan legislative staff for the use of legislators in their deliberations and does not constitute an official statement of legislative intent.*