19A NCAC 02D .0643 ESCORT VEHICLE DRIVER CERTIFICATION

When an escort vehicle is required, escort vehicle drivers shall be certified in accordance with 19A NCAC 02D .0644. Certification credentials shall be carried in the vehicle and shall be available for inspection by law enforcement officials with jurisdiction.

History Note: Authority G.S. 20-119;
Temporary Adoption Eff. March 11, 2002;
Eff. April 1, 2003;
Readopted Eff. July 1, 2019.

19A NCAC 02D .0644 OVERSIZE/OVERWEIGHT LOAD ESCORT VEHICLE OPERATOR CERTIFICATION PROGRAM

(a) Prior to obtaining certification as an oversize/overweight load escort vehicle operator, a person shall complete a program that provides instruction on escort skills and shall pass an examination. The escort vehicle operator certification program shall provide for reciprocity with other states having similar escort certification programs.

(b) Any person seeking to be certified as an oversize/overweight load escort vehicle operator in North Carolina shall submit an application to the Department and attach a State certified copy of their driving record. The application shall contain the applicant's name and contact information; driver's license number and state; physical and demographic identification information; school name, location, and date of class; and Social Security number if the applicant is applying with an out-of-state driver's license. Any person seeking to be certified as an oversize/overweight load escort vehicle operator shall be qualified as follows:

(1) an escort certified by another state's approved program;

(2) a North Carolina law enforcement officer; or

(3) a person who:

(A) is at least 21 years of age or 18 years of age with a Class A commercial driver's license;

(B) possesses a valid driver's license without restrictions other than for the use of corrective lenses and shall not have received a citation in the previous 12 months for operating a vehicle in a reckless manner or driving while impaired;

(C) possesses and provides with their application documentation of their completion of a defensive driving course that has been approved by the National Safety Council; and

(D) has received a certification examination score of at least 75 percent after completing all eight classroom-hours of the North Carolina Department of Transportation Oversize/Overweight Load Escort Vehicle Operator Certification Program. The program is offered by the North Carolina Community College System.

(c) Upon completion of the requirements set forth in this Rule, the Department shall issue a certificate that provides recognition of completion of the escort vehicle operator certification program. The certificate shall be effective for four years from the issue date and reissued upon completion of a current escort certification program examination administered by Department training providers.

(d) An authorized operator's certification shall be revoked during its effective period upon any of the following occurrences:

(1) failure to maintain a valid driver's license without restrictions other than for corrective lenses; or

(2) failure to operate a motor vehicle safely as evidenced by receiving a conviction for operating a vehicle in a reckless manner, driving while impaired, or other evidence that the operator performed their escort duties in a manner likely to cause an accident, personal injury, or damage to property.

(e) If certification is revoked pursuant to this Rule, subsequent certification as an Escort Vehicle Operator shall require reapplication, satisfaction of program prerequisites, and requalification through the certification program.

(f) An individual who has had his or her certificate revoked may make written appeal within 15 days following notification of the adverse action to the Secretary of Transportation for review of the revocation. The Secretary may affirm or set aside the revocation based on a review of the written appeal, the revocation decision, as well as any available documents, exhibits, or other evidence bearing on the appeal. The individual appealing shall be advised of the final disposition within 21 days following receipt of the appeal.

(g) The Secretary of Transportation or the Secretary's designee shall only recognize certificates of other states if those programs meet State objectives as outlined in this Rule and G.S. 20-119.

History Note: Authority G.S. 20-119;
Temporary Adoption Eff. March 11, 2002;
Eff. April 1, 2003;
Amended Eff. April 1, 2009;
Readopted Eff. July 1, 2019.