

**01 NCAC 40 .0304            REVOCATION OF DRIVING ELIGIBILITY CERTIFICATES**

(a) Each nonpublic school and educational program shall revoke a driving eligibility certificate held by one of its students, no matter whether it was issued by that school or program or not:

- (1) When the student fails to meet the requirements for the certificate set out in 01 NCAC 40 .0303; or
- (2) When the student is no longer enrolled in the school or program and does not possess a high school diploma or its equivalent upon the student's removal from the school's or program's rolls, if the student will not be enrolled in another school (public, conventional nonpublic, home school, educational program or community college).

(b) Upon revocation of a certificate, the chief administrator of the school or program shall send written notification of the revocation to the Division within five calendar days of the revocation, unless the student protests the decision. If the Appeals Committee upholds the school's or program's decision to revoke the certificate, the notification to the Division will be made within five days from the school's or program's receipt of the committee's decision.

(c) The notification to the Division shall include:

- (1) The student's legal name (first, middle and last name as on the student's birth certificate);
- (2) The student's social security number;
- (3) The student's residence address (including street, city and zip code);
- (4) The student's date of birth;
- (5) The student's gender;
- (6) The student's race;
- (7) The student's learner's permit or driver's license number;
- (8) The name of the parent/guardian with whom the student is living;
- (9) A statement of the reasons for the revocation of the certificate;
- (10) The date of the student's ineligibility or removal from the school's or program's rolls;
- (11) The type of nonpublic school, whether conventional or home school, or educational program;
- (12) The name of the nonpublic school or educational program;
- (13) The county in which the nonpublic school or educational program is located; and
- (14) The name of the chief administrator of the nonpublic school or educational program.

(d) Within five calendar days of the Division's receipt of the written notification of revocation from the on public school, or educational program, the Director of the Division or the Director's designee, shall inform the North Carolina Division of Motor Vehicles of the revocation.

(e) If a student's certificate is revoked, the chief administrator of the nonpublic school or educational program, or the chief administrator's designee, shall immediately inform the student of the school's or program's decision and the availability and details of the school's or program's appeals process.

*History Note: Authority G.S. 115C-566;  
Eff. April 1, 2003;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018.*