

Bill as Introduced

HB 1323 - AS INTRODUCED

2010 SESSION

10-2174
03/05

HOUSE BILL **1323**

AN ACT relative to applications for new licenses under the driver license compact.

SPONSORS: Rep. Hinkle, Hills 19

COMMITTEE: Transportation

ANALYSIS

This bill allows certain persons to apply for new drivers' licenses one year after an out-of-state suspension.

Explanation: Matter added to current law appears in *bold italics*.
 Matter removed from current law appears [~~in brackets and struckthrough.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT relative to applications for new licenses under the driver license compact.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Application Under Driver License Compact. Amend RSA 263 by inserting after
2 section 5-e the following new section:

3 263:5-f Application Under Driver License Compact. If an applicant for a driver's license has
4 held a driver's license issued by another state, and that license was suspended, the applicant may,
5 after one year from the date of the suspension, apply for a New Hampshire driver's license under
6 Article V(b) of RSA 263:77. Upon such application, the director shall make a determination as to the
7 issuance of a license consistent with the driver license compact. Such determination shall take into
8 consideration the need for a license in connection with the person's occupation or employment, or the
9 need for the person or a member of the person's immediate family to access medical treatment. The
10 director may issue an original license or a probationary license under RSA 265-A:35.

11 2 Effective Date. This act shall take effect 60 days after its passage.

Hearing Minutes

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON HB 1323

BILL TITLE: relative to applications for new licenses under the driver license compact.

DATE: January 20, 2010

LOB ROOM: 203 Time Public Hearing Called to Order: 10:00 a.m.

Time Adjourned: 10:45 a.m.

(please circle if present)

Committee Members: Reps. F. Williams, Jennifer Brown, C. Brown, Ingersoll, M. O'Brien,
Hebert, LaPlante, Rhodes, Rokas, T. Soucy, Stuart, Nedean, G. Katsakiores, J. Flanders,
Veaze, Coffey, Hikel, Hinch and Umberger.

Bill Sponsors: Rep. Rep. Hinkle, Hills 19

TESTIMONY


* Use asterisk if written testimony and/or amendments are submitted.

Rep. Hinkle, sponsor. This bill puts into NH statutes what the Driver License Compact contains. "Government" money may be available for conforming to the Compact.

Asst. Comm. Earl Sweeney, DOS. Existing statutes conflict with The National Driver License Compact. If NH issues a driver license under this bill the state suspending the original license may still consider driving in that state to be illegal. Recommend amendment to remove commercial license and to recognize duration of suspension in the other state. Also, DWI is a concern and restrictions should apply. NH has "never" issued a license to a person whose license is revoked in another state.

Kurt Wight, citizen, formerly of Michigan. This is the individual whose license is revoked in Michigan. Made plea for reason. Offense -- arrested in Alabama, and 6 ½ years later, Michigan.

Respectfully submitted,


Rep. C. Pennington Brown,
Clerk

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON HB 1323

BILL TITLE: relative to applications for new licenses under the driver license compact.

DATE: 1/20/10

LOB ROOM: 203

Time Public Hearing Called to Order: 10:00 AM

Time Adjourned: 10:45 AM

(please circle if present)

Committee Members: Reps. R. Williams, Jennifer Brown, C. Brown, Ingersoll, M. O'Brien, Hebert, LaPlante, Rhodes, Kokas, Soucy, Stuart, Nedeau, G. Katsakiores, J. Flanders, Veazey, Coffey, Hikel, Finch and Umberger.

Bill Sponsors: Rep. Rep. Hinkle, Hills 19

TESTIMONY

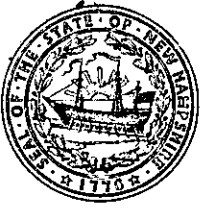
* Use asterisk if written testimony and/or amendments are submitted.

- ① Rep. Hinkle - This bill puts into NH statutes what the Driver License Compact contains. "Government" money may be available for conforming to the Compact.
- ② ^{Asst} Comm. Sweeney - Existing statutes conflict with the National Driver License Compact. If NH ~~reinstates~~ issues a driver license under this bill the state suspending the original license may still consider driving in that state to be illegal. Recommends amendment to remove commercial ^{license} drivers and to recognize duration of suspension in the other state. Also, DWI is a concern and restrictions should apply. NH has "never" issued a license to a person whose license is revoked in another state.

(over)

③ Kurt Wright - Citizen (formerly of Michigan) this is
the individual whose license is revoked in Michigan.
Made plea for reason - offense - arrest: - Alabama,
and 6 1/2 years later, Michigan

Testimony



State of New Hampshire

HOUSE OF REPRESENTATIVES

CONCORD

1-20-10

TO: TRANSPORTATION COMMITTEE

FROM: REP. PEYTON HINKLE

SUBJECT: HB 1323

Attached are additional documents
I referred to during my testimony.

P. Hinkle



THE DRIVER LICENSE COMPACT

(Guidelines for Motor Vehicle Administrators)

Administrative Procedures Manual 1994

U.S. Department of Transportation
National Highway Traffic Safety Administration

in cooperation with the

Executive Committee of the Driver License Compact Commission
and
American Association of Motor Vehicle Administrators

Original Publication Date: 1990 (Revised April, 1994)

Please see P. 7
which contains
the same wording
as HB 1323

PREFACE

The Driver License Compact (DLC) is a major step necessary to maximize law enforcement efforts against drunk drivers and other serious traffic offenders. Serious offenses such as drunk driving, vehicle manslaughter, reckless driving, etc., are no less serious when committed in some other jurisdiction than when committed in the driver's home State.

The Driver License Compact Commission membership consists of the Compact Administrator, or his designee, from each jurisdiction that is party to the Compact. The Executive Committee of the Commission is charged with directing and supervising the affairs, committees, and publications of the Commission; promoting its objectives; and supervising disbursement of its funds. The American Association of Motor Vehicle Administrators (AAMVA) serves as the Secretariat.

The information presented in this Administrative Procedures Manual expands upon the previously published operations manual of the Driver License Compact.

ACKNOWLEDGEMENTS

This publication is the result of a joint effort between the Executive Committee of the Driver License Compact Commission and staff of AAMVA and NHTSA. We wish to express thanks to the Commission members who so generously donated their time and efforts in their review and preparation of the revised administrative procedures presented herein.

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DRIVER LICENSE COMPACT

ADMINISTRATIVE PROCEDURES MANUAL

1.0. GENERAL INFORMATION

1.1. Purpose

The information presented in this Administrative Procedures Manual should provide greater uniformity among the member jurisdictions when exchanging information with other members on convictions, records, licenses, withdrawals, and other data pertinent to the licensing process. Uniformity should ease administrative costs consistent with the concept which forms the basic tenet within the agreement that each driver, nationwide, have only one driver license and one driver record.

1.2. The Driver License Compact

ARTICLE 1

FINDINGS AND DECLARATION OF POLICY-

- (1) The party States find that:
 - (a) The safety of their streets and highways is materially affected by the degree of compliance with state laws and local ordinances relating to the operation of motor vehicles;
 - (b) Violation of such a law or ordinance is evidence that the violator engages in conduct which is likely to endanger the safety of persons and property;
 - (c) The continuance in force of a license to drive is predicated upon compliance with laws and ordinances relating to the operation of motor vehicles, in whichever jurisdiction the vehicle is operated.
- (2) It is the policy of each of the party states to:
 - (a) Promote compliance with the laws, ordinances, and administrative rules and regulations relating to the operation of motor vehicles by their operators in each of the jurisdictions where such operators drive motor vehicles;
 - (b) Make the reciprocal recognition of licenses to drive and eligibility therefore more just and equitable by considering the overall compliance with motor vehicle laws, ordinances, and administrative rules and regulations as condition precedent to the continuance or issuance of any license by reason of which the licensee is authorized or permitted to operate a motor vehicle in any of the party states.

ARTICLE II

DEFINITIONS—As used in this compact:

- (1) "State" means a state, territory or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.
- (2) "Home state" means the state which has issued and has the power to suspend or revoke the use of the license or permit to operate a motor vehicle.
- (3) "Conviction" means a conviction of any offense related to the use or operation of a motor vehicle which is prohibited by state law, municipal ordinance, or administrative rule or regulation, or a forfeiture of bail, bond, or other security deposited to secure appearance by a person charged with having committed any such offense, and which conviction or forfeiture is required to be reported to the licensing authority.

ARTICLE III

REPORTS OF CONVICTION—The licensing authority of a party state shall report each conviction of a person from another party state occurring within its jurisdiction to the licensing authority of the home state of the licensee. Such report shall clearly identify the person convicted; describe the violation specifying the section of the statute, code, or ordinance violation; identify the court in which action was taken; indicate whether a plea of guilty or not guilty was entered or the conviction was a result of the forfeiture of bail, bond, or other security; and shall include any special findings made in connection therewith.

ARTICLE IV

EFFECT OF CONVICTION—

- (1) The licensing authority in the home state, for the purpose of suspension, revocation, or limitation of the license to operate a motor vehicle, shall give the same effect to the conduct reported, pursuant to Article III, as it would if such conduct had occurred in the home state, in the case of convictions for:
 - (a) Manslaughter or negligent homicide resulting from the operation of a motor vehicle;
 - (b) Driving a motor vehicle while under the influence of alcoholic beverages or a narcotic to a degree which renders the driver incapable of safely driving a motor vehicle;
 - (c) Any felony in the commission of which a motor vehicle is used; or
 - (d) Failure to stop and render aid in the event of a motor vehicle accident resulting in the death or personal injury of another.

- (2) As to other convictions, reported pursuant to Article III, the licensing authority in the home state shall give such effect to the conduct as is provided by the laws of the home state.
- (3) If the laws of a party state do not provide for offenses or violations denominated or described in precisely the words employed in subdivision (a) of this article, such party state shall construe the denomination and description appearing in subdivision (a) hereof as being applicable to and identifying those offenses or violations of a substantially similar nature, and the laws of such party state shall contain such provisions as may be necessary to ensure that full force and effect is given to this article.

ARTICLE V

APPLICATIONS FOR NEW LICENSES—Upon application for a license to drive, the licensing authority in a party state shall ascertain whether the applicant has ever held, or is the holder of, a license to drive issued by any other party state. The licensing authority in the state where application is made shall not issue a license to drive to the applicant if:

- (1) The applicant has held such a license, but the same has been suspended by reason, in whole or in part, of a violation and if such suspension period has not terminated.
- (2) The applicant has held such a license, but the same has been revoked by reason, in whole or in part, of a violation and if such revocation has not terminated, except that after the expiration of one year from the date the license was revoked, such person may make application for a new license if permitted by law. The licensing authority may refuse to issue a license to any such applicant if, after investigation, the licensing authority determines that it will not be safe to grant to such person the privilege of driving a motor vehicle on the public highways.
- (3) The applicant is the holder of a license to drive issued by another party state and currently in force unless the applicant surrenders such license.

ARTICLE VI

APPLICABILITY OF OTHER LAWS—Except as expressly required by provisions of this compact, nothing contained herein shall be construed to effect the right of any party state to apply any of its other laws relating to licenses to drive to any person or circumstance, nor to invalidate or prevent any driver license agreement or other cooperative arrangement between a party state and nonparty state.

ARTICLE VII

COMPACT ADMINISTRATOR AND INTERCHANGE OF INFORMATION—

- (1) The head of the licensing authority of each party state shall be the administrator of this compact for his state. The administrators, acting jointly, shall have the power to formulate all necessary and proper procedures for the exchange of information under this compact.

- (2) The administrator of each party state shall furnish to the administrator of each other party state any information or documents reasonably necessary to facilitate the administration of this compact.

ARTICLE VIII

ENTRY INTO FORCE AND WITHDRAWAL—

- (1) This compact shall enter into force and become effective as to any state when it has enacted the same into law.
- (2) Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until 6 months after the executive head of the withdrawing state has given notice of the withdrawal to the executive heads of all other party states. No withdrawal shall affect the validity or applicability by the licensing authorities of states remaining party to the compact of any report of conviction occurring prior to the withdrawal.

ARTICLE IX

CONSTRUCTION AND SEVERABILITY—This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable; and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state party thereto, the compact shall remain in full force and effect as to remaining states and in full force and effect as to the state affected as to all severable matters.

1.3. Definitions

The definitions appearing in Article II of the compact are used throughout the procedures manual and will remain as defined in that section. In addition, the following definitions are to be applied:

1.3.1. "Withdrawal" means that the licensee's privilege to operate a motor vehicle has been withdrawn from that person by a state licensing authority. The withdrawal can be the result of a suspension, revocation, or cancellation.

1.3.2. "Commercial Driver's License" means a license issued by a State or jurisdiction, in accordance with the standards contained in 49 CFR Part 383, to an individual to operate a class of a commercial vehicle.

1.3.3. "Hazardous Materials" means any substance or material which has been determined by the secretary of the United States Department of Transportation to be capable of imposing an unreasonable risk to health, safety, and property. This term also includes hazardous waste.

1.3.4. "Notification" means that a document has been sent from one jurisdiction to another notifying anyone receiving the information of the withdrawal of the driving privilege or the restoration of the privilege.

1.3.5. "Violation," as used in Article V of the Compact, means the commission of an offense related to the use or operation of a motor vehicle, even if there has been no conviction. A suspension by reason of a violation includes a suspension for failure to appear in court or comply with a court order or suspension for violating an implied consent law.

1.3.6. "Administrative Actions" means actions by an agency responsible for the licensing of drivers which removes the driving privilege from an individual through the issuance of either a suspension or revocation order. These actions generally are not statutorily mandated but are discretionary with the agency. Examples of such actions are refusals to submit to breath, blood or urine tests; suspensions for violation of a set amount of alcoholic content in the blood; medical suspensions; suspensions for being incapable to operate a motor vehicle and suspensions for failing to comply with agency directives.

2.0 PROCEDURES FOR COMPLIANCE

2.1 Issuance of a License

2.1.1. Application

An application form is required of every person who requests the issuance of a driver license in order to create a record for that individual. In order to prevent licensure by more than one state, the application form should contain the following or similar language.

Do you have in your possession or under your control a valid driver license issued by this or any other state?

If "yes", where was it issued?

Date of expiration?

Type or class of license?

Driver license number?

Have you had a driver license, permit or privilege to operate a motor vehicle suspended, revoked or canceled or an application for a license denied in this state or elsewhere?

If "Yes", has your license, permit or privilege been restored or your application for a license denied in this state or elsewhere?

2.1.2. Surrender of License

An applicant shall be required to surrender any and all valid driver licenses issued to the applicant by any other state.

2.1.3. Affidavit of Non-Licensure (See Section 3.1.1.)

If an applicant has no license to surrender or states that he/she has never held a driver license, or does not now have a license in his/her possession or under his/her control, that applicant shall submit a notarized or certified statement attesting to the fact that he/she has never been licensed in any jurisdiction, or otherwise does not have a license to surrender.

This affidavit should contain language which identifies the situation, a heading identifying the jurisdiction issuing a license, the prior jurisdiction from which the applicant has moved, the signature of the applicant, and the signature of the examiner attesting to the applicant's statement and a statement of warning concerning penalties for making false statements. It is the responsibility of the issuing jurisdiction to conduct any further inquiry or investigation prior to the issuance of a license. The issuing jurisdiction may deny the applicant a license based upon their investigation. NOTE: This requirement would not be applicable to those persons under 18 years of age whom the examiner believes would have never held a license.

2.1.4. Verification of Status

Upon application for a driver license, the issuing jurisdiction shall check with other jurisdictions to obtain the status of the applicant's driving privilege. At a minimum, a check must be done with the last jurisdiction of issuance. To the extent possible and practical, these checks should be accomplished electronically, via a telecommunications network; such as NLETS or AAMVA.net.

2.1.5. NDR/CDLIS Check

2.1.5.1. The issuing jurisdiction shall check the National Driver Register (NDR) to determine if an applicant has been reported to the NDR by another jurisdiction. Simultaneously or immediately after the NDR check, if the applicant is applying for a commercial driver license, a further check will be made with the Clearinghouse established to support the Commercial Driver License Issuance System (CDLIS), to determine if the applicant has been issued a commercial driver license by any other state. If the check is not done at the time of license application, it shall be done within 30 days of the application. Appropriate mechanisms shall be in place to prevent the issuance of a permanent driver license if the results of the NDR check indicate that the applicant's license has been suspended, revoked, or withdrawn in another jurisdiction.

2.1.5.2. If the CDLIS check indicates a commercial license has been issued to an applicant, appropriate actions shall be taken to secure that license, notify the issuing state and the Clearinghouse of the new status, and issue the new license in accordance with the former license in accordance with the former license classification unless or until new examinations are given.

2.1.5.3. An exception to issuance of a license to an individual may take place when the person has the commercial operating privilege withdrawn/disqualified and applies for a license to operate non-commercial vehicles. If the commer-

cial privilege has been withdrawn in one jurisdiction and an individual is applying for a driver license in another jurisdiction, that person may be issued a driver license so long as it does not allow operation of a commercial motor vehicle. In this instance, however, the privilege to operate non-commercial vehicles must be valid in the prior jurisdiction.

2.1.6. Who Shall Not Be Licensed

The licensing authority in the jurisdiction where the application is made shall not issue a license to drive to the applicant if:

2.1.6.1. The applicant's driving privilege is suspended or revoked in whole or in part as a result of a violation of one of the following. Such violations are not limited to those listed.

Manslaughter or negligent homicide resulting from the operation of a motor vehicle.

Driving under the influence of Alcohol/Drugs (DUI).

Felony in which a motor vehicle is used.

Leaving the scene of an accident or failure to stop and render aid at a personal injury accident or fatal accident.

2.1.6.2. The applicant's license has been suspended, by reason, in whole or in part, of a violation and such suspension period has not terminated.

2.1.6.3. The applicant's license has been revoked, by reason, in whole or in part, of a violation and such revocation period has not terminated, except that after the expiration of one year from the date the license was revoked, such person may make application for a new license if permitted by the laws of the state in which the application is being made.

2.1.6.4. The licensing authority determines that, under the laws and/or regulations of the issuing jurisdiction, the applicant has habitually violated vehicle and traffic laws. Such applicant may reapply for a license in a time frame consistent with the laws and regulations of the issuing state, provided that the applicant is eligible to be reinstated in the prior licensing jurisdiction or the jurisdiction in which the driving privilege has been suspended or revoked.

2.1.6.5. The licensing authority may refuse to issue a license to any applicant if, after investigation, such as a review of the driver history record of another state, the licensing authority determines that it will not be safe to grant to the applicant the privilege to drive on its public streets and highways. This refusal may result from the applicant's driver history record containing violations, restrictions, medical indicators, and/or incidents which would have resulted in a current suspension, revocation, or restriction had the violations, conditions, and/or incidents occurred in the jurisdiction of the current licensing authority.

2.1.6.6. The exception specified in 2.1.5.3. has a suspension, revocation, or cancellation of the basic driving privilege appearing in his driver history record. The applicant may be licensed if his commercial privilege has been withdrawn but the underlying privilege remains valid.

2.1.6.7. This section shall be liberally construed by an issuing authority so as to give the greatest force and effect to the promotion of highway safety.

2.2. Notification and Exchange of Records

2.2.1. Notice to Prior Jurisdiction of Residence

Each issuing jurisdiction shall notify all other jurisdictions in which the applicant is currently licensed. This may be done in one or two ways, either manually or electronically. Regardless of the method of inquiry used to request transmittal of a record, the surrendered license, or an affidavit, must be returned to the former state, except as outlined in 2.2.1.2. and 2.2.1.3.

2.2.1.1. Manual Transmission

All driver licenses or affidavits surrendered by an applicant when applying for a driver license in a new jurisdiction shall be returned to the jurisdiction that issued the license. These licenses may be returned by U.S. Postal Service or by other means and may be in a local issuing office or in a centralized location, but in no case should the accumulation exceed one calendar month. The returned licenses shall be accompanied by a form (3.1.2.) which states the name and address of the jurisdiction returning the license and may contain a statement requesting transmission of the existing record to the new jurisdiction.

2.2.1.2. Electronic Transmission

In lieu of manually transmitting licenses or affidavits, a jurisdiction may electronically notify the previous jurisdiction of the issuance of a license and request transmission of the existing driver history record. Such electronic notification shall include the following information: name, state of issuance, driver license number, sex, date of birth and social security number (if available), as well as an indicator for transmission of the driver history record and the state to which the record will be transmitted.

2.2.1.3. Destruction Agreements

While surrendered licenses should as a rule be returned to the issuing jurisdiction, there may be occasions when they should be destroyed by shredding or cutting rather than being returned. This can occur when two jurisdictions have entered into an agreement to destroy one another's licenses rather than returning them to the former state of licensure.

2.2.1.4. Affidavits

Affidavits of non-licensure in accordance with Section 2.1.3. may take the place of surrendered licenses.

2.2.2. Action Upon Receipt of Notification

2.2.2.1. Determination of Prior Record

When any jurisdiction receives from another jurisdiction a surrendered driver license, affidavit or electronic request, the jurisdiction shall determine if a driver history record exists for the individual named. If a record containing history is located, that record shall be sent to the jurisdiction from which the notification was received. If a record contains no driver history, it need not be sent in a manual transmission; however, some indication of receipt of the request and the existence of a record shall be returned through electronic or manual means. The manual transmission could be a listing rather than an individual record. Notification of receipt of a request must be sent to the requesting state within 30 days of receipt of request.

2.2.2.2. Record Entry Upon Notification

Upon receipt from another jurisdiction of a notification, a jurisdiction shall enter into its record the name of the jurisdiction where the person is now licensed and the date of entry of the notation.

2.2.2.3. No Existing Record

Upon receipt from another jurisdiction of a notification, and a review of existing records indicates that a record for that person does not exist, a report will be sent to the requesting jurisdiction that no record exists. This may be in a form or format as desired by the sending jurisdiction, but shall be provided regardless of whether the request was in manual or electronic form.

2.3 Driver History Record

Each jurisdiction shall maintain individual records for those persons to whom it has issued a driver license of any kind. This record, as described in 2.3.2., should contain basic information sufficient to identify the person to whom the license was issued as well as information concerning driver capabilities or problems. Accident involvement and convictions of traffic offenses should also be a part of such a record. Additional data, such as medical information, communications, notations, or other convenient or required information may be a part of this record as desired by the issuing jurisdiction. This record may be in manual or in automated fashion as dictated by the jurisdiction maintaining the record.

2.3.1. Form of Record

While each jurisdiction may keep their records in whatever form or fashion they desire, certain data is required when manually transmitting a driver history record to another jurisdiction. This data will include the name of the state sending the data and identification of the Bureau, Office, Department, or Division responsible for maintaining the driver history record. No codes shall be used and all information should be printed in English language. Standard abbreviations shall be in accordance with ANSI D-20 standards. When electronic transmission of records takes place, the ANSI D-20 data elements and proposed amendments which constitute the CDLIS driver history record shall be used. (See Section 3.2. for format).

2.3.2. Data Transmitted

The data transmitted shall be in accordance with the latest version of the AAMVA standard for driver record history.

2.3.3. Length of History

Data transmitted shall include all activity occurring within ten years immediately preceding the date of request. If ten years of history is not available, all available data shall be transmitted. If desired, data for a period longer than ten years may be included, but the minimum time period is ten years for specified convictions and three years for all other convictions and for accidents. Specified convictions are manslaughter or negligent homicide, DUI, reckless driving, hit and run, failure to stop and render aid, and any felony in which a motor vehicle is used. When computing the time period for transmitting history information on convictions for traffic related information on convictions for traffic related offenses, the conviction date shall be used.

2.3.4. Inclusion of Prior History

The jurisdiction currently licensing the individual shall, within thirty days of receipt of the driver history record of the prior state, enter information from the prior record onto its record for that individual. Any data received on convictions of traffic offenses, accidents, suspensions or revocations within the past ten years shall be placed in the new record, consistent with Section 2.3.3. All other data received may or may not be included in the new record at the option of the receiving jurisdiction. The data should be retained as a part of the driver history as if it were an offense committed in the home jurisdiction.

2.3.5. Timeliness

Upon receipt of a surrendered license or affidavit, the former state of residence should respond by sending its record to the new state of residence within thirty days.

2.3.6. Heading

Any record transmitted from one jurisdiction to another shall have a proper heading so as to identify the sending jurisdiction. This heading shall not only identify the jurisdiction by name but shall also contain the name of the department or agency responsible for maintaining and supplying the record. The date the record was printed shall either be a part of the heading or shall be included as a part of the record itself.

2.3.7. Certification

Certification applies only to manually transmitted records. Any record manually transmitted from one jurisdiction to another shall be certified in some manner. This certification may be in the form of a machine imprint at the time the form was printed, through a rubber stamp imprint, an original signature of the custodian of records of the sending jurisdiction, affixing of the seal of the jurisdiction, or by any other means in common usage. When transmitting records electronically, authenti-

cation codes will be used so as to verify transmission from a sending jurisdiction.

2.4 Reports of Conviction

2.4.1. Conviction Reports Required

Each jurisdiction shall report each conviction of a person from another jurisdiction occurring within its boundaries to the home jurisdiction of the licensee.

2.4.2. Timeliness

Each jurisdiction shall report each conviction to the home jurisdiction of the licensee within fifteen days after receiving a report of the conviction from a court.

2.4.3. Form of Report

The form of the report of conviction may be any of the following:

- 2.4.3.1.** A copy of the abstract of court record.
- 2.4.3.2.** A copy of the traffic citation showing final disposition.
- 2.4.3.3.** Any paper document, magnetic medium, or electronic transmission which contains the minimum data described in section 2.4.4.

2.4.4. Data Content

Each report sent to a jurisdiction shall clearly identify the report as a report of conviction and identify the jurisdiction that is the source of the report. If the report is other than an abstract of court record, all data elements must meet applicable ANSI D-20 standards. Data for each conviction shall:

- 2.4.4.1.** Clearly identify the person convicted. Minimum data requirements are, name, address, sex, date of birth, driver license number, and any available identifying number, such as social security number.
- 2.4.4.2.** Describe the violation. Data shall include the section of the statute, code or ordinance violated along with a common English language description of the offense and coded in accordance with ANSI D-20.
- 2.4.4.3.** Identify the court in which action was taken.
- 2.4.4.4.** Specify year, month and day of both the arrest and the conviction.
- 2.4.4.5.** Indicate whether a plea of guilty or not guilty was entered, or the conviction was a result of the forfeiture of bail, bond or other security; and include any special findings made in connection therewith.
- 2.4.4.6.** Indicate whether the violation was committed in a commercial motor vehicle.

2.4.4.7. Indicate whether the violation was committed in a motor vehicle carrying hazardous materials.

2.5. Administrative Acts

2.5.1. Adverse Actions

All adverse administrative actions and decisions by a jurisdiction other than the home jurisdiction of the licensee should be forwarded to the home jurisdiction.

2.5.1.1. If an administrative suspension has been enforced on a licensee, all documentation supporting that act must be forwarded to the home jurisdiction. This includes the details of the law enforcement officer's stop, the results of the breath, blood, or urine test or the refusal to take the test, the results of any hearing held, the license confiscated, the order issued, and any other relevant information or documents.

2.5.1.2. Upon receipt of documentation reflecting administrative actions, the home jurisdiction should take action against the licensee in accordance with its own laws just as though the act causing the administrative action took place within its own borders.

2.5.2. Administrative actions of the driver licensing authority in one jurisdiction should precipitate action taken by the home licensing jurisdiction of the licensee.

2.6. Clearances

2.6.1. Clearance Required

No jurisdiction shall issue a driver license to any person identified in any of the situations outlined below until the issuing jurisdiction receives a clearance from the jurisdiction which had previously withdrawn the driving privilege.

2.6.1.1. Any driver who, at the time of application discloses that his or her driving privilege has been withdrawn as a result of a traffic violation by another jurisdiction, and whose privilege has not been restored.

2.6.1.2. Any driver reported by the National Driver Register as having his or her driving privilege currently withdrawn by another jurisdiction as a result of a traffic violation.

2.6.1.3. Any driver for whom a notification has been received from another jurisdiction as outlined in Section 2.1.4. and 2.2. of this manual, indicating that the privilege of such driver has been withdrawn as a result of a traffic violation.

2.6.1.4. Any driver who, at the time of application, discloses or is determined to be under suspension for failure to satisfy the judgment of a court having civil jurisdiction over findings of liability arising out of an accident involving a motor vehicle.

2.6.2. When States Shall Issue Clearance

2.6.2.1. A state shall issue a clearance for a person whose driving privilege has been withdrawn and who no longer lives in the state if the person meets all reinstatement requirements, including payment of reinstatement or restoration fees.

2.6.2.2. If the sole reason for continued withdrawal of the driving privilege is the failure of the person to complete one or more of the items in 2.6.2.3., the state shall issue a clearance if the person presents satisfactory evidence that a legitimate change of residency has occurred and the driver is eligible for a license from the licensing authority in the new state of residence.

2.6.2.3. The procedure in 2.6.2.2. applies to the following reinstatement requirements:

1. Vision, knowledge or behind the wheel tests,
2. Remedial school or training,
3. Medical, alcohol or other evaluation, and
4. If allowed under state law, to waive the SR-22 filing requirement.

2.6.2.4. Exception: A state shall not be required to issue a clearance if an evaluation performed in the new state of residence as provided in 2.6.2.2. indicates that the person is not fit to drive safely.

2.7 Withdrawals and Restorations

2.7.1. NDR Notification is Required

Jurisdictions shall notify the NDR of all license withdrawals as a result of traffic violations or physical or mental disabilities (suspensions or revocations), license restorations (reinstatements), and rescissions of prior withdrawal actions.

2.7.2. Timeliness

Notification of withdrawal or restoration shall be reported to the NDR within fifteen days after the driving privilege is withdrawn or restored.

2.7.3. Content of Notices

Notification required under this section shall contain at a minimum the following:

2.7.3.1. The clear identity of the driver involved, including but not limited to the following: name, sex, date of birth, driver license number, and if available, the social security number.

2.7.3.2. The date of the withdrawal.

2.7.3.3. The date of actual restoration of privilege, when that date occurs.

- 2.7.3.4.** A clear identification of the reason for withdrawal, including but not limited to the codes utilized by the NDR.

NOTE: Once the NDR's Problem Driver Pointer System has been implemented by the States, substantive data related to a license withdrawal (reason for withdrawal, date of withdrawal, etc.) will no longer be reported to the NDR.

3.0 FORMS USED FOR COMPLIANCE

3.1 Formats for Manual Transmission

- 3.1.1.** Affidavit of Non-Licensure (See 2.1.3.)
(A notarized statement)
- 3.1.2.** Transmittal of Licensure (See 2.2.1.1.)
(Sample Appendix D - Formats)
- 3.1.3.** Clearance Form (See 2.6.)
(Sample Appendix D - Formats)

3.1.3.1. General

Clearances commonly replace the surrender of a driver's license upon a change in residency. Clearances take on an appearance through typewritten letters, teletype messages, phone calls, and form letters.

A clearance in any form should be treated in the same way the actual surrender of a license is treated. The authorization to license a driver should also enable the new licensing jurisdiction to substantially decide whether or not to grant a license based on the record in your jurisdiction. While it is recognized the clearance form may take a minute to complete, the information is crucial to the new licensing jurisdiction to determine eligibility.

3.1.3.2. Form Content

The draft clearance form is designed for requesting and submitting information for both jurisdictions. It can be easily completed by hand, or adapted to a PC program. Some agencies may prefer to type them. The data categories provide a detailed summary of the person's driving record, and if suspended or revoked, what is needed for reinstatement.

3.1.3.3. Purpose

To ensure consistency and uniformity among jurisdictions to determine if a license is authorized for a new resident. Universal use of this form can simplify the screening process completed by hundreds of state employees nationwide.

3.1.3.4. Procedure

Always require the driver to surrender the driver's license or accept only the attached clearance form. If a state accepts phone clearances, the same

information should be recorded by the caller on the form and become a part of the state's records.

Treat the clearance as a license surrender. Update your records and generate a notice to the previous state of record of a change in residency and license status.

Investigate and communicate between jurisdictions for any "no record" responses.

3.1.4. Conviction Report (See 2.4.)
(Sample Appendix D - Formats)

3.1.4.1. Article III requires each jurisdiction to report convictions. Data specified by the Compact as necessary to effective recordkeeping includes:

- *Identity of the person convicted.
- *Description of the violation.
- *Identity of the court.
- *Any special findings.

3.1.4.2. Many data elements contained in various states' conviction reports are common and it is crucial that states seriously consider minimizing the amount of information exchanged which is unnecessary and using a form such as prescribed by the Compact. Use of a standard conviction report can reduce labor required to extract only critical information to key into a system, to identify a court, state, etc., and to ensure the conviction is reportable under the Compact.

3.1.5. Statement of Withdrawal/Reinstatement (See 2.7.)

3.2. Format for Electronic Transmission

- 3.2.1. Driver History Record**
- 3.2.2. Conviction Report**
- 3.2.3. Withdrawals/Restorations**

4.0 BYLAWS OF THE DRIVER LICENSE COMPACT AND NONRESIDENT VIOLATOR'S COMPACT

ARTICLE I NAME

The name of this Joint Board shall be the Driver License Compact Commission and Nonresident Violator's Compact, Executive Board, hereafter referred to as the Board.

ARTICLE II PURPOSES

The Compacts have been organized for the following purposes:

- (1) to administer the provisions of the Driver License Compact and Nonresident Violator's Compact as amended, hereafter referred to as the "Compacts";
- (2) to serve as a governing body for the resolution of all matters relating to the operations of the Compacts;
- (3) to recommend revisions to the Compacts that would enhance their objectives, goals and benefits;
- (4) to publish, amend and maintain each operations manual for the Compacts;
- (5) to publish, amend and maintain, either as a separate publication or as a part of the operations manual, a list of Compact Administrators and contact persons;
- (6) to provide and promote reasonable and uniform reporting systems between member jurisdictions;
- (7) to promote closer personal contacts between member jurisdictions for the exchange of information and solution of mutual problems relating to the Compacts;
- (8) to recommend the adoption of solutions to mutual problems relating to the Compacts;
- (9) to actively solicit the membership of nonparticipating jurisdictions into the Compacts; and
- (10) to assist all nonparticipating jurisdictions in any manner necessary or requested in obtaining membership in the Compacts.

ARTICLE III MEMBERSHIP

Section 1 - The Compacts shall be composed of one representative from each member

jurisdiction. A member jurisdiction is any jurisdiction that has adopted either compact and has filed a Resolution of Ratification with the Secretariat. The member jurisdiction shall appoint the representative and the representative shall serve and be subject to removal in accordance with the laws or rules and regulations of the member jurisdiction. The representatives shall be known as the member jurisdiction's Compact Administrator.

Section 2 - A Compact Administrator may appoint an alternate to perform the Compact Administrator's functions. The appointment of an alternate shall be effective when written notice is given to the Secretariat.

Section 3 - Each member jurisdiction shall have equal rights and privileges and shall be entitled to one vote.

ARTICLE IV OFFICERS

Section 1 - The officers of the Board shall consist of a Chair and Vice Chair, each elected by the Compact membership, and a representative of each of the four regions as defined by the American Association of Motor Vehicle Administrators, each elected by the members of the respective regions. These six officers, and the immediate past Chair of the Board, collectively shall compose the Board Executive Committee.

Section 2 - These officers shall hold office for two years with the Region I and Region III representatives having terms expiring in even years, and Region II and Region IV representatives having terms expiring in odd years. Any person who replaces an officer during the term of the office shall serve the remainder of the unexpired term.

Section 3 - Officers of the Board shall be from jurisdictions having membership in both Compacts.

ARTICLE V ELECTION OF OFFICERS

Section 1 - Election of officers shall be at the annual meetings of the Compacts.

Section 2 - The nominating committee shall consist of four members, a Chair and three members, one from each AAMVA region, as appointed by the Chair. After soliciting suggestions from members who wish to express themselves, the nominating committee, with two of its members constituting a quorum, shall nominate a candidate for Chair and Vice Chair. The Chair shall make those nominations known at the annual meetings.

Section 3 - The Chair and Vice Chair shall be elected by the Compact members in attendance at an annual meeting. The Chair and Vice Chair shall be from different regions.

Section 4 - Regional representatives shall be nominated by Compact members of the respective regions and elected by regional Compact members in attendance at an annual meeting.

Section 5 - An officer shall assume office immediately upon election. The Chair and Vice Chair shall not be elected to the same office for consecutive terms.

ARTICLE VI VACANCIES

Section 1 - The Vice Chair shall fill any vacancy in the office of Chair. The Executive Committee shall then select a new Vice Chair to serve the remainder of the unexpired term. The new Vice Chair shall be from a region other than that of the Chair.

Section 2 - In event of vacancy in the office of regional representative, the Chair shall, following consultation with the Compact members of the region, appoint an acting representative from that region to serve the remainder of the unexpired term.

ARTICLE VII OFFICER'S DUTIES

Section 1 - The Chair shall be the Executive Board's chief executive officer and shall carry out the following duties:

- (a) call and preside at all meetings of the Compacts;
- (b) call and preside at all meetings of the Executive Committee;
- (c) create, appoint and provide direction to all committees;
- (d) consult with regional members before appointing interim regional representatives to existing vacancies;
- (e) serve as official spokesman for the Compacts, represent the Compacts at official meetings and conferences, and conduct business on behalf of the Compacts;
- (f) guide the Secretariat's work in support of the Compacts;
- (g) perform such other duties as may be authorized and appropriate; and
- (h) provide the Compacts an annual report concerning the activities and the status of the Compacts.

Section 2 - The Vice Chair shall assist the Chair in discharging his duties.

Section 3 - The regional representatives shall carry out the following duties:

- (a) to serve as liaisons with members of their respective regions;
- (b) to facilitate effective communication with their regions;
- (c) to insure that the interests and views of regional members are considered as the Executive Committee conducts business; and
- (d) to investigate and attempt to resolve compliance disagreements between jurisdictions within their respective regions.

ARTICLE VIII
EXECUTIVE COMMITTEE

Section 1 - The Executive Committee shall be the executive body of the Compacts. As such, the Executive Committee shall direct and supervise the affairs, committees, and publications of the Compacts; promote its objectives; and supervise disbursement of its funds. The Executive Committee may adopt such rules and regulations for the conduct of its business as shall be deemed appropriate. Specifically, the Executive Committee shall carry out the following duties:

- (a) conduct the business of the Compact between meetings of the Compacts;
- (b) determine general policies during periods between annual meetings, such policies to be subject to Compact confirmation at its next annual meeting;
- (c) authorize purposes and amounts for which funds of the Compacts may be expended;
- (d) define the duties, approve the contract and reimbursement of the Secretariat for services to the Compacts;
- (e) authorize solicitation for, and receipt of, grants, endowments, gifts, and all other offers of assistance and cooperation from appropriate sources;
- (f) to have the Secretariat annually audit all accounts of receipts and expenditures of funds of the Compacts, and to provide copies of such audit to the Executive Committee members;
- (g) act as necessary and appropriate to implement all resolutions and recommendations adopted by the Compacts at their meetings;
- (h) to research new matters of interest to the Compacts; and
- (i) to investigate and attempt to resolve issues dealing with non-compliance with the Compacts and their operations manual.

Section 2 - The Executive Committee shall meet at least once each calendar year, with other meetings at such times and places as the Chair may direct. These meetings shall be held in accordance with the following rules:

- (a) the Chair shall give reasonable notice of all meetings called;
- (b) members present shall constitute a quorum for the transaction of business;
- (c) voting shall be by members present;
- (d) members may vote by mail or telephone conference if the Chair determines that an issue must be resolved without delay between meetings; mailing and counting ballots shall be the Chair's responsibility or that of the Secretariat, if so directed by the Chair; and
- (e) the minutes of the Executive Committee shall be submitted to all jurisdictions in each Compact.

ARTICLE IX SECRETARIAT

The Secretariat shall have the following duties:

- (1) to maintain a master membership file including names, title, addresses, and telephone numbers of all Compact Administrators, alternates and operational contacts; to notify membership of changes;
- (2) to maintain all Ratification Resolutions filed by member jurisdictions;
- (3) to take and publish minutes of meetings;
- (4) to handle correspondence;
- (5) to prepare and distribute an annual report of each Compact's previous year's activities, business and financial status;
- (6) to receive notification of problems which cannot be resolved by member jurisdictions, notify all member jurisdictions about the problem and present the problems at annual meetings for discussion and resolution;
- (7) to receive individual interpretations for information and discussion at annual meetings;
- (8) to arrange times and places for annual meetings in cooperation with the Chair;
- (9) to provide information, as requested, from sources expressing interest in joining the Compacts; and
- (10) to perform other duties as may be specified by the Chair, Executive Committee or other Compact committees.

ARTICLE X MEETINGS

Section 1 - There shall be at least one meeting held annually. The Chair shall determine the time, place and date of the annual meeting.

Section 2 - Additional meetings of each Compact may be held as scheduled by the Chair or at the request, in writing, of thirty percent of the members of the Compact.

Section 3 - General notice of any meeting shall be given at least thirty (30) days prior to the meeting. The notice shall contain a statement of the purpose and tentative agenda of the meeting. The agenda shall address each Compact's issues separately.

Section 4 - Forty percent of the membership of each Compact shall constitute a quorum.

Section 5 - Except as specifically provided for in these bylaws, all matters subject to a vote shall be decided by a plurality vote of the Compact members.

Section 6 - All meetings of committees, the Board and the membership shall be governed by Robert's Rules of Order, Newly Revised, except as otherwise provided herein.

**ARTICLE XI
FUNDING**

Section 1 - The Compact funds shall be maintained in an interest bearing bank account in the name of the Joint Executive board. All checks and withdrawals shall be signed by the Secretariat and either the Chair or Vice Chair.

Section 2 - Member jurisdictions shall be assessed annual dues, in an amount to be approved by the membership, to finance the Compacts and its Secretariat services. Annual dues will be an itemized part of the jurisdictional dues from AAMVA. Dues for new members shall not be assessed until the fiscal year following entry into the Compact.

Section 3 - A member jurisdiction shall be considered in good standing when the dues requirement of such member jurisdiction has been met under terms of these Bylaws. Only member jurisdictions in good standing shall be entitled to vote and hold office.

**ARTICLE XII
AMENDMENTS**

Amendment of these Bylaws shall be proposed and submitted to the Chair in written form. A proposed amendment shall require a two-thirds majority vote of the membership for adoption. Members shall have thirty (30) days to respond to the amendment, after the mailing date of the amendment(s) by the Secretariat. A non-response by a member jurisdiction shall be counted as a "yes" vote for amending the Bylaws.

**ARTICLE XIII
DISSOLUTION**

In the event either Compact is dissolved, unexpended and unobligated funds provided by member jurisdictions shall be returned to them in proportion to their contributions. Any remaining funds from other sources will be given to a non-profit or charitable organization or organizations having aims and objectives similar to those of the Compact, as determined by the Executive Committee at that time.

**ARTICLE XIV
SEVERABILITY**

If either Compact is dissolved by action of its members, by action of the United States Congress or by any judicial body, the remaining Compact shall have and be given full force and effect.

APPENDIX A

Model Enabling Legislation

LONG FORM

The purpose of the enabling act is to fit the Compact into the existing pattern of law in the party State. Except for the text of the Compact, which should be identical in all states, the language of the enabling act may be varied by each enacting state to fit its own law and policy. Some provision should be made for all matters covered in the model act; other provisions may be added if they are needed. Material enclosed in brackets should be replaced by specific language to accomplish the desired purpose.

Suggested Legislation

[Title should conform to state requirements]

Section 1. The Driver License Compact is hereby enacted into law and entered into with all other jurisdictions legally joining therein in and form substantially as follows:

DRIVER LICENSE COMPACT

(At this point insert the exact text of the Driver License Compact as set forth in Section 1.2. of this Manual. The text of the Compact should be enacted in identical language by all ratifying states.)

Section 2. As used in the Compact, the term "licensing authority" with reference to this State, shall mean the [name of appropriate State agency]. Said [agency] shall furnish to the appropriate authorities to any other party state any information or documents reasonably necessary to facilitate the administration of articles III, IV, and V of the Compact. [If provisions of existing law restrict the furnishing of any such materials, sufficient amendment to them should be made to permit compliance with the letter and the spirit of the Compact.]

Section 3. The Compact administrator provided for in article VII of the Compact shall not be entitled to any additional compensation on account of his service as such administrator, but shall be entitled to expenses incurred in connection with his duties and responsibilities as such administrator, in the same manner as for expenses incurred in connection with any other duties or responsibilities of his office or employment.

Section 4. As used in the Compact, with reference to this State, the term "executive head" shall mean the Governor.

Section 5. Any court or any other agency of this State, or a subdivision thereof, which has jurisdiction to take any action suspending, revoking, or otherwise limiting a license to drive, shall report any such action and the adjudication upon which it is based to the [State driver license authority] within [five] days on forms [furnished by] [approved by] the [State driver license authority].

APPENDIX A continued

Section 6. [Use this section to identify specifically those provisions of statute to which the four items enumerated in article IV(a) are equivalent and which will be given effect within the purpose of article IV(a) and (c). Also use this section to add additional offenses or violations, if any, to be given effect under article IV(b).]

Section 7. [This section may be used if it is necessary to amend other statutes to avoid possible conflict with subdivision (3) of article V.]*

Section 8. [Insert effective date.]

*Subdivision (3) of article V applies the "one-license principle" to the issuance of new licenses to applicants from other States. It provides that a person who holds a valid license in one party State must turn it in before he may be issued a license by another party State. Problems may arise unless suitable changes are made in other statutes that might conflict with this subdivision. For example, a person may reside in party state A and be gainfully employed in party state B. Under the Compact, he may not hold licenses from both States at the same time. In this situation, a problem would arise if the other statutes of the two party States required both residents and gainfully employed persons to be licensed.

SHORT FORM

(Title, enacting clause, etc.)

Section 1. The Motor Vehicle Administrator (or other designated official) is authorized and directed to execute all documents and perform all other acts necessary to enter into and carry out the provisions of the Driver License Compact.

Section 2. (Use this section to certify to the four requirements for entry into the Compact.)

1. State statute must clearly authorize the administrative official/department to enter into a reciprocal agreement such as the Driver License Compact.
2. State statutes must be in compliance with the four major provisions of the Compact with no other state statutes in conflict with any Compact provisions.
 - a. One license,
 - b. One record,
 - c. Uniform and predictable treatment of drivers, and
 - d. Exchange of driver record information.
3. An official letter, preferably in the form of a state attorney general's opinion, must be submitted attesting to provisions 1 and 2 just mentioned.
4. The state indicates, in written agreement, its intention to comply with all provisions of the Driver License Compact.)

Section 3. (Insert effective date.)

APPENDIX B

NOTICE OF CONFIRMATION

WHEREAS, The Driver License Compact was formed to provide means through which the several jurisdictions may participate in a reciprocal program to effectuate the stated policies and purposes of the Compact, and

WHEREAS, authority to enter the Compact is contained in Public Law 85-684 (The Beamer Resolution), and

WHEREAS, the Compact will serve to mutually benefit the residents, and the operation of government in the party jurisdictions.

NOW THEREFORE, in consideration of the mutual and reciprocal benefits to flow therefrom, and pursuant to the authority contained in: (insert statutory cite of authority) the "Driver License Compact" is hereby confirmed.

FURTHER PROVIDED that the desired date of entry is */was _____, 19____, and

FURTHER PROVIDED that this jurisdiction agrees to comply with the terms and provisions of the Compact.

Authority for administration of this Compact within this jurisdiction is vested in the office of _____

DATED: _____, 19 ____

For the State/Province of _____

NAME _____

TITLE _____

SIGNATURE _____

***EFFECTIVE DATE OF ENTRY MUST BE AT LEAST 60 DAYS AFTER NOTIFICATION IS GIVEN TO OTHER COMPACT MEMBERS BY THE SECRETARIAT.**

For Secretariat Use:

Notice Received _____ (date)

Notice sent to Compact members _____ (date)

APPENDIX C

DEFINITIONS

AAMVA - American Association of Motor Vehicle Administrators, an organization of State and provincial officials in the United States and Canada, responsible for the administration and enforcement of laws pertaining to the motor vehicle and its use.

Conviction - includes the forfeiture of bail deposited to secure a defendant's appearance in court, a plea of nolo contendere accepted by the court, the payment of a fine, a plea of guilty, or a finding of guilt on a traffic-violation charge. Traffic infractions are also included within this definition for the jurisdictions that have decriminalized their traffic violations.

Highway safety compact - agreement entered into by States for the express purpose of resolving mutual problems in interstate highway traffic.

Home State - State that has issued and has the power to suspend or revoke the use of the license or permit to operate a motor vehicle.

Interstate compact - a formal and contractual agreement between two or more States that may include the U.S. Government as a party; authorized by the Constitution; usually requires the consent of Congress; enforced by the Supreme Court of the United States; recognized as taking preeminence over any other ordinary and/or conflicting State statute.

License revocation - the cancellation of a person's driver license, not subject to renewal or restoration except upon application for a new license and action by the motor vehicle department after the expiration of the applicable period of time.

License suspension - the temporary withdrawal of a person's driver license, for a specific period of time designated by the motor vehicle department.

NDR - National Driver Register, a nationwide file of information provided voluntarily by the States on drivers with licensing sanctions for drunk driving and other serious traffic violations, that provides State licensing officials with a central index; administered by the Department of Transportation's National Highway Traffic Safety Administration.

Restoration - reinstatement of the driving privilege following a suspension or revocation.

Specified offenses - offenses specified in the Compact are universally recognized as dangerous and subject to the provisions of the DLC:

- (1) manslaughter or negligent homicide;
- (2) driving while intoxicated;
- (3) conviction of a felony in which a motor vehicle was used; and
- (4) conviction of failure to stop and render aid in an accident resulting in death or personal injury (hit and run).

APPENDIX C continued

State - State, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

Withdrawal - suspension or revocation of the driving privilege.

APPENDIX D

FORMATS

(3.1.2)

(#1)

State of "XXXXXXXXXX"

TRANSMITTAL OF OUT-OF-STATE DRIVER'S LICENSES

The enclosed driver licenses were surrendered by former residents of your state who have been issued "XXXXXXXXXX" drivers' licenses.

These licenses are returned to you in accordance with the "one license" principle of the Interstate Driver License Compact. We would appreciate receiving any existing driving records including accidents, convictions, revocations, or suspensions on any of these former residents. Please forward these records to:

Agency Name
Street Address/Box Number
City, State Zip

(#2)

State of "XXXXXXXXXX"

TRANSMITTAL OF OUT-OF-STATE DRIVER'S LICENSES

The enclosed driver licenses were surrendered by former residents of your state who have been issued "XXXXXXXXXX" drivers' licenses.

These licenses are returned to you in accordance with the "one license" principle of the Interstate Driver License Compact. We would appreciate receiving any existing driving records including accidents, convictions, revocations, or suspensions on any of these former residents. If the driver has a "clear record" in your state, it is not necessary to forward a driving record. We will consider no response to mean the individual has a clear record. Please forward these records to:

Agency Name
Street Address/Box Number
City, State Zip

APPENDIX D continued

(3.1.3)

STATE DRIVERS LICENSE BUREAU STREET ADDRESS/P.O. BOX # CITY, STATE, ZIP	DATE:
--	--------------

DRIVERS LICENSE CLEARANCE/STATUS OF LICENSE

TO: 	This clearance/status is valid for 30 days from the date issued.
--	--

I am now a resident of _____ and am applying for a _____ drivers license. I request verification of my license status.

PLEASE PROVIDE A CLEARANCE FOR:	MAIL CLEARANCE TO:
Name: Last First Middle	
License Number	
Date of Birth	
Address on License	
	Signature of Applicant

DRIVER RECORD STATUS - FOR USE BY LICENSING OFFICIAL ONLY

Full Name	License Expiration
License Number	License Type
Date of Birth	License Restrictions
Address	License Endorsements

STATUS	REINSTATEMENT REQUIREMENT(S)
--------	------------------------------

<input type="checkbox"/> No record of a XXXXXXXXX driver license. <input type="checkbox"/> Clear in this state. Not under suspension/revocation. <input type="checkbox"/> Pending suspension/revocation, action effective _____. <input type="checkbox"/> License cancelled. Reason: _____ <input type="checkbox"/> License denied. Reason: _____ <input type="checkbox"/> Motorcycle qualified only. <input type="checkbox"/> Other _____	<input type="checkbox"/> Accident Report <input type="checkbox"/> Accident security compliance. <input type="checkbox"/> Financial Responsibility, SR-22, etc. <input type="checkbox"/> Reinstatement fee of \$ _____. <input type="checkbox"/> Other _____ <input type="checkbox"/> Other _____
	Official Completing Authorization
	Address
	Date

CONVICTION REPORT

STATE OF			
Licensing Agency Address:			
Telephone Number:			
DRIVER INFORMATION			
Name		Drivers License #	State
Address		D.O.B.	Sex
City, State, Zip		Ht.	Wt.
VEHICLE INFORMATION			
Vehicle License #	State	Year	Make
VIOLATION INFORMATION			
Citation #	Date of Offense	Location of Offense	
Description of Violation			
Court	Conviction Date	Fine/Not Guilty	

APPENDIX E

HISTORY

An interstate compact is a formal and contractual agreement between two or more States, and may include the U.S. Government as a party. It originated in the colonial period, and is authorized by the Constitution. Interstate compacts usually require the consent of Congress, and Congress always has the authority to forbid a compact by specific enactment. The Supreme Court of the United States enforces interstate compacts, and recognizes them as taking preeminence over any ordinary and/or conflicting State statute.* Interstate compacts are enacted into State law in each participating jurisdiction, usually with identical wording.

Highway safety compacts are agreements entered into by States for the express purpose of resolving mutual problems in interstate highway traffic. Interstate motor vehicular travel creates complex problems that may be successfully overcome through the use of interstate compacts.

In 1958, Congress adopted the Beamer Resolution (Public Law 85-684), which granted congressional approval in advance to interstate compacts to further highway traffic safety.

The first major response to the Beamer Resolution came in 1960, when resolutions urging the formation of the agreement were passed by the Western Interstate Committee on Highway Policy Problems and the Western Governor's Conference. The Council of State Governments then began drafting what would become the Driver License Compact, in close cooperation with State motor vehicle administrators, the International Association of Chiefs of Police (IACP), the American Association of Motor Vehicle Administrators (AAMVA), the Insurance Institute for Highway Safety, and other national safety organizations. Assistance and comments on subsequent drafts were provided by legislators from a variety of States and from the Interstate Compact Committee of the National Conference of Commissioners on Uniform State Laws.

The Driver License Compact became a reality in 1961, when Nevada became the first State to adopt it. Mississippi entered the DLC in 1962 and the compact became a viable interstate instrument. Ten additional States joined in 1963, and the number grew to 20 by 1966.

In March 1965, the Board of Directors of the American Association of Motor Vehicle Administrators approved a recommendation that AAMVA serve as the Secretariat for States participating in the Compact. The Compact States ratified this action.

However, the promotion of the Compact languished for many years. This was overcome by NHTSA in 1980 when a contract was awarded to the Council of State Governments to study and provide recommendations on how the Compact should be strengthened. The primary recommendations from the study were that a Compact Commission should be organized, bylaws adopted, and long-term funding achieved.

**Green v. Biddle*, 21 U.S. (8 Wheat.) 1 (1823). The Court held that an interstate compact is superior in force to both prior and subsequent statutory law that is in conflict with the compact.

APPENDIX E continued

In 1982, NHTSA provided funds to AAMVA to (1) call a meeting of Compact member States, (2) form a Compact Commission as a governing body along with the officers and bylaws of that Commission, (3) develop an operations manual, and (4) promote the Compact among nonmember jurisdictions.

A Driver License Compact Commission (DLCC), made up of motor vehicle administrators from Compact member States, was established in 1983 to administer the DLC and develop a long-term plan to increase membership and service.

In 1990, the Executive Boards of both the DLCC and the Nonresident Violator Compact (NRVC) initiated action to amend both Compacts' Bylaws. The proposed amendment was aimed at establishing one joint Executive Board that would represent and act for the membership of both the DLCC and the NRVC. The amendment to the Bylaws was approved by mail ballot August 1990.

OTHER PUBLICATIONS AVAILABLE

Driver License Applicant Identification and Licensing System Security
(1979)

State Medical Advisory Boards and Problem Drinker Drivers
(1986)

Dealing with Drinking Drivers
(1986)

Improved Driver Entry System for Young, Novice Drivers
(1989)

Driver License Examiner Certification Instructor's Lesson Plan
(1985, Revised 1990)

Driver License Examiner Certification Program
(1985, Revised 1990)

Driver License Compact Operations Manual
(1985, Revised 1990)

Nonresident Violator Compact Operations Manual
(1985, Revised 1990)

Administrative Per Se -- Summary of State Forms and Procedures
(1986, Revised 1990)

Comparative Data -- State/Provincial Licensing Systems
(1986, Revised 1990)

Motorcycle Operator Licensing System
(1990)

Model Driver Screening and Evaluation Program
(1992)

ORDER THROUGH:

**American Association of Motor Vehicle Administrators (AAMVA)
4301 Wilson Boulevard, Suite 400
Arlington, VA 22203**

Earle Sweeney

**New Hampshire Department of Safety
Legislative Position Paper
Date: January 4, 2010**

Bill Title: RELATIVE TO APPLICATIONS FOR NEW LICENSES UNDER THE DRIVER LICENSE COMPACT.

Testimony before:

LSR#: 10-2174

BILL#: HB 1323

AMENDMENTS:

SAFETY'S POSITON

SUPPORT

OPPOSE as written

NO POSITION

SUGGEST AMENDMENT

REQUEST INFORMATION

Currently, the law as it is, does the following:

As proposed, the Bill is intended to do the following:

This bill allows certain persons who would currently be ineligible, to apply for NH driver's licenses under the National Driver License Compact (NDLC). If an applicant for a driver's license has held a license issued by another state, and that license was suspended by the other state, the person may, after one year from the date of the suspension, apply for a NH driver's license under Article V (b) of RSA 263:77. Upon application, the DMV Director shall make a determination as to the issuance of a license consistent with the NDLC. His or her determination shall take into consideration the person's need for a license in connection with their occupation or employment, or the need for the person or a member of their immediate family to access medical treatment. The director may issue either an original license or a 5-year probationary license under RSA 265-A: 35 (in case the out-of-state suspension was for drunken driving or reckless driving) which limits the person to a blood alcohol concentration of less than 0.03 or they are subject to a 90-day license suspension.

We believe this bill came about as the result of someone who moved to NH from

another state, and whose license was under suspension in that other state as the result of a second offense DWI conviction. The individual was required by the other state to complete certain alcohol treatment and counseling programs and to remain sober for a period of time. New Hampshire, under the terms of the NDLC, refused to issue him a NH license until he was cleared by his former state of residence. He applied to have his privilege restored in the other state and had one hearing where the hearing examiner in the other state felt he had not been true to the requirements imposed, being that he remain totally free of alcohol and he admitted that he had at least one drink in a social setting, and his request was denied and he was told that he could reapply after a set period of time allowed under the laws of that state. He wrote to them and requested restoration of his license and was again denied. He claimed he could not afford to fly out to that state for an in-person hearing. NH offered to hold the hearing for the other state and to allow them to participate by videotape, but the Secretary of State in that state, who acts as the DMV administrator, refused to allow this. NH would not license him at this point.

If this bill passes, it will water down the Problem Driver Pointer System that all states and most of the Canadian provinces subscribe to. Let's say the individual is from Maine and lost his or her license for 3 years for second offense DWI in that state, and that he or she moves to NH and after the one-year wait prescribed in the bill, he or she comes to the New Hampshire DMV seeking a license and we feel sorry for him or her and issue the license. Then, say the person returns to Maine, either permanently or on a visit and is driving on a valid NH license but his or her privilege to drive was never restored by Maine. Both states could find themselves in a difficult situation. Suppose further that this individual is caught drinking and driving, or worse yet, causes a collision. This would be more than embarrassing for NH, it could also be tragic.

It is easy to empathize with an individual who, after relocating to NH, and because of travel distance back to their former residence, feels enmeshed in red tape. However, this individual generally knew before they moved out here that there is an unsatisfied judgment from a court order to make restitution to a victim, complete alcohol treatment, or some other condition and they hope by coming to this state they can make a new start. We have been able to assist in some cases, but in others the person generally has already known what the answer would be and usually has had legal assistance in their quest.

If this bill passes we believe it will be especially problematic in the case of persons with Commercial Driver Licenses where we might put federal funding at risk. There is a serious concern at the national level about truck drivers with bad driving records attempting to move from one state to another and keep on driving. At the very least, this law could cause a rift between other states and NH if we go restoring licenses they have taken. Secondly, let's turn the proposal 180 degrees and "put the shoe on the other foot." Let's say a person has killed another individual or individuals recklessly or while DWI in a crash. In NH the next of kin are a party and have standing to attend and

Speak at a DMV hearing. Let's say NH revokes the at-fault driver's driving privilege for 5 years (we could do it for a maximum of 7). The driver appeals to our Superior and Supreme Courts and the action of the state is upheld. Now, this individual goes to some other state, waits a year and that state issues them a driver's license. That state has now become a decision maker of an out-of-state driver. If they do it very often, that state will become known as a haven for bad drivers seeking the return of their driving privilege. If NH starts that practice, we will become the haven.

We have checked the American Association of Motor Vehicle Administrators website and are unable to find where any other state or Canadian province is doing this.

If it is determined to pass this bill, at the very least we request that Section 1 be amended as follows:

other than a commercial driver's license

263:5-f Application under driver license compact:
If an applicant for a driver's license had held a driver's license issued by another State, and that license was suspended or revoked, one year after the minimum time period of any such suspension or revocation has expired and the applicant had no further arrests or convictions for moving traffic violations in this or another jurisdiction, the applicant may apply for a New Hampshire driver's license under Article V(b) of RSA 263:77. Upon such application, the director shall make a determination as to the issuance of a license consistent with the driver licenses compact. Such determination shall take into consideration the need for a license in connection with the person's occupation or employment, or the need for the person as a member of the person's immediate family to access medical treatment and any need for ongoing alcohol or drug abuse counseling or treatment and such other factors as in the director's discretion may affect the likelihood the applicant will or will not be a hazard to public safety if licensed. The Director in his or her discretion, may grant or refuse the license or may require the installation of an alcohol ignition interlock on vehicles owned or driver by the applicant. The Director may issue an original license or a probationary license under RSA 265-A:35.

The Department of Safety is therefore opposed to this legislation.

Fiscal Impact:

Complete Document

Can Be Viewed

In Bill Folder

New Hampshire 1/20/17

**CHAPTER 263
Drivers' Licenses**

Driver License Compact

Sec.

- 263:77 Driver License Compact Enacted.
- 263:78 Licensing Authority Defined.
- 263:79 Compact Administrator.
- 263:80 Executive Head Defined.
- 263:81 Report of Court.

263:77 Driver License Compact Enacted.

The commissioner of safety is hereby authorized, whenever he determines it feasible, to enter into a compact on behalf of the state of New Hampshire with any other jurisdiction legally joining therein in the form substantially as follows:

COMPACT

Article I. Findings and Declaration of Policy

(a) The party states find that:

- (1) The safety of their streets and highways is materially affected by the degree of compliance with state and local ordinances relating to the operation of motor vehicles.
- (2) Violation of such a law or ordinance is evidence that the violator engages in conduct which is likely to endanger the safety of persons and property.
- (3) The continuance in force of a license to drive is predicated upon compliance with laws and ordinances relating to the operation of motor vehicles, in whichever jurisdiction the vehicle is operated.

(b) It is the policy of each of the party states to:

- (1) Promote compliance with the laws, ordinances, and administrative rules and regulations relating to the operation of motor vehicles by their operators in each of the

Handout 1/20/10 (Reg. Ainkle)

Driving or Operating Under the Influence of Drugs or Liquor

Section 265-A:35

265-A:35 Probationary Licenses. –

I. Any person who shall apply for reissuance of his or her driver's license following revocation or suspension for an offense under RSA 265:79, RSA 265-A:2, RSA 265-A:3, or RSA 265-A:43 for an offense involving a vehicle is an "at risk" driver and his or her driver's license shall be probationary for at least 5 years following the date of reissuance.

II. No holder of a probationary license shall drive or attempt to drive a vehicle upon any way when he or she is under the influence of intoxicating liquor or any controlled drug or any combination of intoxicating liquor and controlled drugs, so that the alcohol concentration is 0.03 or more. Driving with an alcohol concentration of 0.03 or more is a per se violation of a probationary license and subjects the probationary license holder to administrative suspension of his or her driver's license for not less than 90 days and not more than 180 days. Such administrative suspension shall be in addition to any court imposed suspension or revocation periods. .08

III. Any probationary license holder whom the police have reasonable cause to believe is driving with an alcohol concentration of 0.03 or more and who refuses to submit to a test for alcohol concentration shall have his or her driver's license administratively suspended for a period of 90 days.

Source. 2006, 260:1, eff. Jan. 1, 2007.

Driving or Operating Under the Influence of Drugs or Liquor

Section 265-A:35

265-A:35 Probationary Licenses. –

I. Any person who shall apply for reissuance of his or her driver's license following revocation or suspension for an offense under RSA 265:79, RSA 265-A:2, RSA 265-A:3, or RSA 265-A:43 for an offense involving a vehicle is an "at risk" driver and his or her driver's license shall be probationary for at least 5 years following the date of reissuance.

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III. Any probationary license holder whom the police have reasonable cause to believe is driving with an alcohol concentration of 0.03 or more and who refuses to submit to a test for alcohol concentration shall have his or her driver's license administratively suspended for a period of 90 days.

Source. 2006, 260:1, eff. Jan. 1, 2007.

Driver License Compact

From Wikipedia, the free encyclopedia

Driver License Compact (DLC) is an interstate compact used by States of the United States to exchange information concerning license suspensions and traffic violations of non-residents and forward them to the state where they are licensed known as the home state. Its theme is *One Driver, One License, One Record*. The home state would treat the offense as if it had been committed at home, applying home state laws to the out-of-state offense. The action taken would include, but not be limited to, points assessed on a minor offense such as speeding and suspension of license or a major violation such as DWI/DUI. It is not supposed to include non-moving violations like parking tickets, tinted windows, loud exhaust, etc.

Contents

- 1 Overview
- 2 History
- 3 States that are members
- 4 Exceptions
- 5 Special agreements
- 6 National Driver Register

Please note that Michigan and Massachusetts are not part of the compact.

Overview

Under the Driver License Compact, in order for a driver's state to penalize him/her for an out-of-state offense, the driver's state must have the equivalent statute. If the driver's state does not have the statute, no action can be taken. For example, the State of Indiana does not have a careless driving offense whereas Colorado does. If an Indiana licensed driver gets convicted of careless driving in Colorado, the Indiana Bureau of Motor Vehicles takes no action.

During the interstate travel of offenses (dependent upon the state) only 2 points will transfer over for minor violations such as speeding.

History

The Driver License Compact came into existence with Nevada becoming the first member in 1960. Organizations in the Western States such as Governors came together to cooperate on traffic safety. Under the Beemer Resolution passed by Congress in the late 1950s, states were automatically given permission to form compacts in the areas of traffic safety. Originally, the Driver License Compact dealt with dangerous driving violations such as drunk driving, reckless driving, commission of a felony involving a motor vehicle and others. Later on, minor violations were included as well. Quite a few states joined in the 1960s but it languished in the 1970s and part of the 1980s. In the late 1980s, there was a push by the AAMVA to get states to join and in the early to mid 1990s, quite a few states joined.

The Driver License Compact is no longer being pushed since it is being superseded by the new Driver License Agreement (DLA) which also replaces the Non-Resident Violator Compact. As planned by the AAMVA, when the Driver License Agreement is ratified by Driver License Compact members, it will be no longer relevant.

States that are members

- All states are members except for Georgia, Michigan, Wisconsin, Tennessee (dropped out in 1997), and Massachusetts

Exceptions

- Some states do not assess points for minor offenses and apply the DLC for only major violations such as Colorado, Maryland, Nevada, New York and Pennsylvania
- States that are members are free to take action on violations reported from a non-member states as well
- Pennsylvania only transfers points from another state within the agreement if it meets certain conditions. See PENNDOT DLC Fact Sheet (http://www.dmv.state.pa.us/pdotforms/fact_sheets/fs-dlc.pdf)

Special agreements

- New York does assess points for minor violations received in Ontario and Quebec.
- Michigan and Ontario exchange information and take adverse action.
- Maine and Quebec exchange information and take adverse action.
- Florida and Quebec exchange information and take adverse action.

Also see: American Association of Motor Vehicle Administrators (http://www.dmv.state.pa.us/pdotforms/fact_sheets/fs-dlc.pdf), PENNDOT DLC Fact Sheet.

National Driver Register

The National Driver Register (NDR) is a computerized database of information about drivers who have had their licenses revoked or suspended, or who have been convicted of serious traffic violations such as driving while impaired by alcohol or drugs. State motor vehicle agencies provide NDR with the names of individuals who have lost their privilege or who have been convicted of a serious traffic violation. When a person applies for a driver's license the state checks to see if the name is on the NDR file. If a person has been reported to the NDR as a problem driver, the license may be denied. More (<http://www-nrd.nhtsa.dot.gov/departments/nrd-30/ncsa/NDR.html>)

Retrieved from "http://en.wikipedia.org/wiki/Driver_License_Compact"

Categories: [United States interstate compacts](#) | [United States transportation law](#)

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Driver License Agreement

From Wikipedia, the free encyclopedia

In the USA, the **Driver License Agreement (DLA)** is a new interstate compact written by the Joint Executive Board of the Driver License Compact (DLC) and the Non-Resident Violator Compact (NRVC) with staff support provided by the American Association of Motor Vehicle Administrators (AAMVA) (composed of motor vehicle and law enforcement administrators and executives). The goals of the DLA are to require each state to honor licenses issued by other member states; to require each state to report traffic convictions to the licensing state; to prohibit a member state from confiscating an out-of-state driver's license or jailing an out-of-state driver for a minor violation; and to require each state to maintain a complete driver's history, including withdrawals and traffic convictions including non-DLA states. When a DLA member state receives a report concerning their drivers from a non-DLA member state, the member state will be required to treat the report the same as if it came from a member state. As with the previous compacts, the DLA requires a state to post all out-of-state traffic convictions to the driver's record, and a state must apply its own laws to all out-of-state convictions. As with the previous compacts, the DLA allows other jurisdictions to access motor vehicle records, in accordance with the Drivers' Privacy Protection Act (DPPA) which will not apply to foreign countries, and to transfer the driver's history if the driver transfers his license.

The DLA has some changes from the NRVC. Unlike the NRVC, under the DLA, adverse action can be taken against a driver for not responding to violations such as equipment violations, registration violations, parking violations, and weight limit violations. Other changes from the NRVC are that in order for a driver to keep his license under the NRVC, he just had to respond to the citation by paying the fine. With the DLA, the driver must comply with any order from the out of state court. An example would be a driver from Arizona getting cited for tinted windows while traveling through Virginia, even though the tinted windows are legal back at home. The driver is ordered to fix the tint to meet Virginia law even though the driver left Virginia. Under the NRVC, to retain said license, the driver just pays the fine but with DLA, the driver must do what the court says including but not limited to paying a fine, but also fixing vehicle equipment, and/or community service.

In addition, unlike the DLC and NRVC, the Provinces/Territories of Canada and the States/Federal District of Mexico can participate in the DLA. The Drivers Privacy Protection Act will not apply to foreign jurisdictions. Although no mention of expanding the DLA has ever been discussed by the Joint Executive Board, in a future time, the Driver License Agreement might be expanded to include other foreign or non-foreign countries such as the European Union or Africa or Asia if a super majority of jurisdictions agree to the expansion.

Contents

- 1 History
- 2 States that are members
- 3 Controversy
- 4 Notes
- 5 Legislation and other
- 6 References

This document refers to a new interstate compact, as I referred to in the hearing. Please note that it is even more restrictive.

History

Work on the Driver License Agreement started in 1994/1995 by the Driver License Compact and the Non-Resident Violator Compact Joint Executive Board with the idea to combine and improve the compacts and make them enforceable, possibly with federal grant funding. Around the same time, Congress passed the North American Free Trade Agreement (NAFTA) and the Joint Executive Board decided jurisdictions in Mexico and Canada could join.

The Federal Government through appropriations in Congress funded the Joint Executive Board in writing the new Driver License Agreement. In 2000, the agreement was ratified by the U.S. states with 2 votes against. After the

terrorist attacks on September 11, 2001, the Joint Executive Board strengthened driver license security provisions in the DLA, and the revised DLA was again ratified by the U.S. states with some votes against. The information on who voted against the DLA is considered confidential and proprietary information by the AAMVA.

Connecticut is the first state that joined in January 2002.

States that are members

- Connecticut
- Arkansas - can join under administrative rulemaking under Act 446 as passed by the 2005 Legislative Session
- Massachusetts

Controversy

- Sharing of state driver databases not only with other states but also with foreign countries that do not follow the Drivers Privacy Protection Act.
- A stalker would be able to access information on targeted victim by bribing corrupt officials, since DLA members are required to make their databases available to ALL jurisdictions.
- No due process rights for receiving a traffic ticket or major violation such as DUI while driving out of the country but yet, the ticket when reported to the home jurisdiction can affect retention of a driver's license and cause insurance rates to increase.

Notes

- *The Driver License Agreement document (PDF)* (<http://www.numbersusa.com/PDFs/AAMVA%20Driver%20License%20Agreement%20text.pdf>)
- *Analysis* (<http://www.ncsl.org/programs/transportation/driverlicenseagree05.htm>) by the National Conference of State Legislatures (<http://www.ncsl.org/>)
- Real ID Act of 2005

Legislation and other

- AAMVA has struck a deal with NHTSA to get funding to get states to join. Found at AAMVA Memo (http://www.aamva.org/Documents/ProMemoDLA_ImplementationFunding061506.pdf)
- Legislation in the past has been sponsored in Kentucky, Michigan, Minnesota, and North Carolina to join
- There has been legislation sponsored in the US Congress to mandate that states must participate in the past such as HR10 - 9/11 Implementation Act of 2004 (<http://thomas.loc.gov/cgi-bin/bdquery/z?d108:h.r.00010:>) and HR418 - The Real ID Act of 2005 (<http://thomas.loc.gov/cgi-bin/bdquery/z?d109:h.r.00418:>) but the mandate has not made it into the final bills.
- Driver's Privacy Protection Act [1] (http://www4.law.cornell.edu/uscode/html/uscode18/usc_sec_18_00002721--000-.html)

References

- American Association of Motor Vehicle Administrators (AAMVA (<http://www.aamva.org/>))

Retrieved from "http://en.wikipedia.org/wiki/Driver_License_Agreement"

Categories: United States interstate compacts

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Voting Sheets

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on HB 1323

BILL TITLE: relative to applications for new licenses under the driver license compact.

DATE: February 2, 2010

LOB ROOM: 203

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL Interim Study (Please circle one.)

Moved by Rep. O'Brien

Seconded by Rep. Hikel

Vote: 17-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

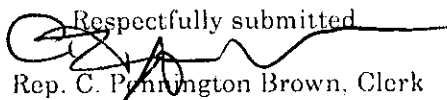
Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: Coffey/Rhodes - Unanimous

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted

Rep. C. Pennington Brown, Clerk

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on HB 1323

BILL TITLE: relative to applications for new licenses under the driver license compact.

DATE: 2/2/10

LOB ROOM: 203

Amendments:

Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. O'Brien

Seconded by Rep. Hikel

Vote: 17-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

coffee / 17/0/0
unanimous

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. C. Pennington Brown, Clerk

TRANSPORTATION

Bill #: HB 1323 Title: relative to applications for new licenses under the drivers license compact.
 PH Date: / / Exec Session Date: 2 / 2 / 10

Motion: ITL Amendment #:

MEMBER	YEAS	NAYS
Williams, Robert W, Chairman	X	
O'Brien, Michael B, V Chairman	X	
Brown, Jennifer M	—	
Brown, C. Pennington, Clerk	X	
Ingersoll, Paul H	X	
Hebert, Roger G	X	
LaPlante, Roland H	—	
Rhodes, Brian D	X	
Rokas, Theodoros V	X	
Soucy, Timothy A	X	
Stuart, Richard T	X	
Nedeau, Stephen H	X	
Katsakiores, George N	—	
Flanders, John W	X	
Veazey, John A	X	
Coffey, Jennifer R	X	
Hikel, John A	X	
Hinch, Richard W	X	
Umberger, Karen C	X	
Chinnis, Alexis	X	
Backard, Sherman	—	
Gerrity	—	

TOTAL VOTE: 17 0
 Printed: 12/18/2009

Committee Report

CONSENT CALENDAR

February 3, 2010

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on TRANSPORTATION to which was referred HB1323,

AN ACT relative to applications for new licenses under the driver license compact. Having considered the same, report the same with the following Resolution:
RESOLVED, That it is INEXPEDIENT TO LEGISLATE.

Rep. Michael B O'Brien

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	TRANSPORTATION
Bill Number:	HB1323
Title:	relative to applications for new licenses under the driver license compact.
Date:	February 3, 2010
Consent Calendar:	YES
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

The transportation committee did not support this bill in a vote 17-0. The committee was concerned that this bill would jeopardize court enforcement and New Hampshire's standing in the multi state compact. In fact, the committee feared it could cause a rift in the compact and also affect federal department of transportation driving laws. Therefore, the committee feels current law is adequate and the same with the current compact agreements

Vote 17-0.

Rep. Michael B O'Brien
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

TRANSPORTATION

HB1323, relative to applications for new licenses under the driver license compact.
INEXPEDIENT TO LEGISLATE.

Rep. Michael B O'Brien for TRANSPORTATION. The transportation committee did not support this bill in a vote 17-0. The committee was concerned that this bill would jeopardize court enforcement and New Hampshire's standing in the multi state compact. In fact, the committee feared it could cause a rift in the compact and also affect federal department of transportation driving laws. Therefore, the committee feels current law is adequate and the same with the current compact agreements **Vote 17-0.**

Original: House Clerk
Cc: Committee Bill File

Blurb

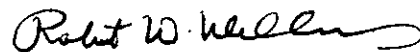
HB 1323 relative to applications for new licenses under the driver license compact.

Consent Calendar ITL

The Transportation Committee did not support this bill in a vote 17-0. The committee was concerned that this bill would jeopardize court enforcement and New Hampshire's standing in the multi-State Compact. In fact, the committee feared it could cause a rift in the compact and also affect Federal DOT driving laws. Therefore, the committee feels current law is adequate and the same with the current compact agreements.

17-0

Rep. Michael O'Brien
for the committee



COMMITTEE REPORT

COMMITTEE: TRANSPORTATION

BILL NUMBER: HB 1323

TITLE: relative to applications for new licenses under the Driver license compact.

DATE: 2/2/10 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No. _____

STATEMENT OF INTENT:

The Transportation Committee did not support this Bill in a vote 17-0. The Committee was concerned that this bill would jeopardize Court enforcement, and New Hampshire's standing in the ^{multi} State Compact. In fact, the committee ^{feared} it could cause a rift in the Compact and also affect Federal DOT Driving laws. Therefore, the committee feels current law is adequate and the ~~same~~ ^{with the} current compact agreements. ~~Adopted~~

(Signature)

COMMITTEE VOTE: 17 y 0 n

RESPECTFULLY SUBMITTED

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. Michael D. Brian
For the Committee