

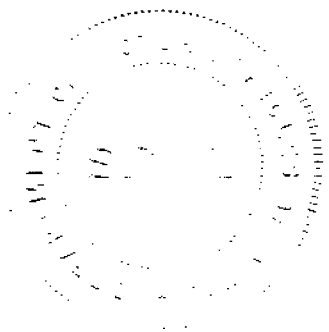


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ADMINISTRATIVE LAW DIVISION

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

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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 AAMVAnet.

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 XXXXXXXXXX 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		

(3.1.4)

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.	Eyes
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)
4200 Wilson Boulevard, Suite 1100
Arlington, VA 22203

DLC/NRVC COMPACT MEMBER JOINER DATES

<u>NRVC</u>	<u>EFFECTIVE DATE</u>	<u>DLC</u>	<u>EFFECTIVE DATE</u>
Alabama	October 1981	Alabama	1966
Alaska	<i>Not a Member</i>	Alaska	September 1986
Arizona	January 1993	Arizona	1963
Arkansas	January 1986	Arkansas	1969
California	<i>Not a Member</i>	California	1963
Colorado	January 1982	Colorado	1965
Connecticut	January 1981	Connecticut	January 1993
Delaware	February 1979	Delaware	1964
Dist. of Col.	August 1980	District of Columbia	November 1985
Florida	October 1981	Florida	1967
Georgia	February 1980	Georgia	<i>Not a Member</i>
Hawaii	January 1996	Hawaii	1971
Idaho	October 1992	Idaho	1963
Illinois	July 1984	Illinois	1963
Indiana	January 1980	Indiana	1967
Iowa	November 1980	Iowa	1965
Kansas	January 1983	Kansas	1965
Kentucky	December 1978	Kentucky	August 1996
Louisiana	November 1979	Louisiana	1968
Maine	January 1982	Maine	1963
Maryland	July 1979	Maryland	July 1978
Massachusetts	December 1987	Massachusetts	<i>Not a Member</i>
Michigan	<i>Not a Member</i>	Michigan	<i>Not a Member</i>
Minnesota	October 1978	Minnesota	January 1990
Mississippi	March 1979	Mississippi	1962
Missouri	October 1980	Missouri	October 1985
Montana	<i>Not a Member</i>	Montana	1963
Nebraska	January 1982	Nebraska	1963
Nevada	February 1990	Nevada	1961
New Hampshire	January 1982	New Hampshire	October 1986
New Jersey	July 1983	New Jersey	1966
New Mexico	January 1985	New Mexico	1963
New York	June 1982	New York	1965
North Carolina	September 1980	North Carolina	September 1993
North Dakota	July 1980	North Dakota	May 1986
Ohio	January 1985	Ohio	October 1987
Oklahoma	July 1987	Oklahoma	1967
Oregon	<i>Not a Member</i>	Oregon	1963
Pennsylvania	July 1979	Pennsylvania	October 1994
Rhode Island	April 1986	Rhode Island	January 1987
South Carolina	January 1981	South Carolina	August 1987
South Dakota	May 1980	South Dakota	November 1987
Tennessee	September 1984	Tennessee	'65/'97dropped out
Texas	January 1982	Texas	September 1993
Utah	July 1985	Utah	1965
Vermont	October 1985	Vermont	October 1987
Virginia	July 1980	Virginia	1963
Washington	October 1993	Washington	1963
West Virginia	July 1978	West Virginia	July 1972
Wisconsin	<i>Not a Member</i>	Wisconsin	<i>Not a Member</i>
Wyoming	July 1987	Wyoming	May 1987
