

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 86/2

4364 SSTA SB 278 - SB 302

1243



# RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith  
Signature of Camera Operator

11/24/89  
Date

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**COMMITTEE REPORT  
SENATE**

FURTHER: FINANCE

4/11/85

Date 11/20/85

Mr. President

The Committee on State Affairs considered SB 278  
relating to drivers license compact.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SB 278(SA)  
 new title
- same title and recommends \_\_\_\_\_
- and attached a "LETTER OF INTENT"  NEW-FISCAL NOTE
- reports it back without recommendation
- recommends referral to \_\_\_\_\_ Committee

**MEMBERS SIGNING  
DO PASS**

John DeWitt  
Tim Kelly  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**MEMBERS HAVING  
OTHER RECOMMENDATIONS**

Phil Kang No Rec  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]  
Chairman  
[Signature]  
Chairman recommendation

Edwards  
4/26/85

Original sponsor: Halford

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IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

CS FOR SENATE BILL NO. 278 (State Affairs)

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to the driver license compact and driver license fees."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

\* Section 1. AS 28.15.221(a) is amended to read:

(a) For the purpose of identifying habitually reckless or negligent drivers and habitual or frequent violators of traffic laws, the commissioner shall adopt regulations establishing a uniform system for the suspension, revocation, limitation or denial of a driver's license or driving privilege by assigning demerit points for convictions for violations of traffic laws which are required to be reported to the department under AS 28.15.191 and AS 28.37.130.

\* Sec. 2. AS 28.15.271 is amended to read:

Sec. 28.15.271. FEES. The fees for drivers' licenses and permits, including but not limited to renewals, are as follows:

- (1) all classes of drivers' licenses..... \$10 [\$ 5];
- (2) motor-driven cycles..... \$10 [\$ 2];
- (3) instruction permit..... \$3 [\$ 1];
- (4) duplicate of driver's license or instruction permit..... \$3 [\$ 2];
- (5) temporary license and renewal of permit... \$3 [\$ 1];
- (6) school bus driver's permit..... \$3 [\$ 2].

\* Sec. 3. AS 28 is amended by adding a new chapter to read:

CHAPTER 37. DRIVER LICENSE COMPACT.

ARTICLE 1. GENERAL PROVISIONS.

1           Sec. 28.37.010. COMPACT ENACTED. The Driver License Compact is  
2 enacted into law and entered into with all other jurisdictions legally  
3 joining in it in the form substantially contained in AS 28.37.110 -  
4 28.37.190.

5           Sec. 28.37.020. LICENSING AUTHORITY. In this chapter the term  
6 "licensing authority" with reference to this state means the division  
7 of motor vehicles in the Department of Public Safety. The department  
8 shall furnish to the appropriate authority of another party state the  
9 information or documents reasonably necessary to facilitate the admin-  
10 istration of AS 28.37.130 - 28.37.150.

11           Sec. 28.37.030. EXPENSES OF ADMINISTRATOR. The compact adminis-  
12 trator provided for in AS 28.37.170 is not entitled to additional  
13 compensation on account of service as the administrator, but is enti-  
14 tled to expenses incurred in connection with the duties and responsi-  
15 bilities as the administrator, in the same manner as for expenses  
16 incurred in connection with other duties or responsibilities of the  
17 office or employment.

18           Sec. 28.37.040. EXECUTIVE HEAD. In this chapter, with reference  
19 to this state, the term "executive head" means the governor.

20                           ARTICLE 2. COMPACT TERMS.

21           Sec. 28.37.110. FINDINGS AND POLICY STATEMENT. (a) The party  
22 states find that

23                   (1) the safety of their streets and highways is materially  
24 affected by the degree of compliance with state laws and local ordi-  
25 nances relating to the operation of motor vehicles;

26                   (2) violation of a law or ordinance is evidence that the  
27 violator engages in conduct that is likely to endanger the safety of  
28 persons and property;

29                   (3) the continuance in force of a license to drive is

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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 the party states to

(1) promote compliance with the laws, ordinances, and administrative regulations relating to the operation of motor vehicles by their drivers in each of the jurisdictions where those drivers operate motor vehicles;

(2) make the reciprocal recognition of licenses to drive and eligibility for them more just and equitable by considering the overall compliance with motor vehicle laws, ordinances, and administrative regulations as a condition precedent to the continuance or issuance of a license by reason of which the licensee is authorized or permitted to operate a motor vehicle in the party states.

Sec. 28.37.120. COMPACT DEFINITIONS. In this chapter

(1) "conviction" means a conviction of an offense related to the use or operation of a motor vehicle that is prohibited by state law, municipal ordinance, or administrative regulation, or a forfeiture of bail, bond or other security deposited to secure appearance by a person charged with having committed an offense described in this paragraph, and that is required to be reported to the licensing authority under AS 28.37.130;

(2) "home state" means the state that has issued and has the power to suspend or revoke the use of the license or permit to operate a motor vehicle;

(3) "state" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

Sec. 28.37.130. REPORTS OF CONVICTIONS. The licensing authority

1 of a party state shall report each conviction of a person from another  
2 party state occurring within its jurisdiction to the licensing author-  
3 ity of the home state of the licensee. The report shall clearly iden-  
4 tify the person convicted; describe the violation specifying the  
5 section of the statute, code, or ordinance violated; identify the  
6 court in which action was taken; indicate whether a plea of guilty or  
7 not guilty was entered, or the conviction was a result of the forfei-  
8 ture of bail, bond or other security; and shall include any special  
9 findings made in connection with the conviction.

10 Sec. 28.37.140. EFFECT OF CONVICTION IN PARTY STATE. (a) The  
11 licensing authority in the home state, for the purposes of suspending,  
12 revoking, or limiting the license to operate a motor vehicle, shall  
13 give the same effect to the conduct reported under AS 28.37.130 as it  
14 would if the conduct had occurred in the home state, in the case of a  
15 conviction for

16 (1) manslaughter or negligent homicide resulting from the  
17 operation of a motor vehicle;

18 (2) driving a motor vehicle while under the influence of  
19 intoxicating liquor or a narcotic drug, or under the influence of any  
20 other drug to a degree that renders the driver incapable of safely  
21 driving a motor vehicle;

22 (3) any felony in the commission of which a motor vehicle  
23 is used;

24 (4) failure to stop and render aid in the event of a motor  
25 vehicle accident resulting in the death or personal injury of another.

26 (b) As to another conviction, reported under AS 28.37.130, the  
27 licensing authority in the home state shall give the effect to the  
28 conduct that is provided by the laws of the home state.

29 (c) If the laws of a party state do not provide for offenses or

1 violations denominated or described in precisely the words employed in  
2 (a) of this section, the party state shall construe the denominations  
3 and descriptions appearing in (a) of this section as being applicable  
4 to and identifying the offenses or violations of a substantially  
5 similar nature, and the laws of the party state shall contain the  
6 provisions necessary to ensure that full force and effect is given to  
7 this section.

8       Sec. 28.37.150.    **GROUNDS REQUIRING REFUSAL TO ISSUE LICENSE.**  
9 Upon application for a license to drive, the licensing authority in a  
10 party state shall ascertain whether the applicant has ever held, or is  
11 the holder of a license to drive issued by another party state. The  
12 licensing authority in the state where application is made may not  
13 issue a license to drive to the applicant if

14           (1) the applicant has held a license, but the license has  
15 been suspended by reason, in whole or in part, of a violation, and the  
16 suspension period has not terminated;

17           (2) the applicant has held a license, but the license has  
18 been revoked by reason, in whole or in part, of a violation, and the  
19 revocation has not terminated; except that after the expiration of one  
20 year from the date the license was revoked, the person may make appli-  
21 cation for a new license if permitted by law; the licensing authority  
22 may refuse to issue a license to an applicant if, after investigation,  
23 the licensing authority determines that it will not be safe to grant  
24 to the person the privilege of driving a motor vehicle on the public  
25 highways;

26           (3) the applicant is the holder of a license to drive  
27 issued by another party state and currently in force, unless the  
28 applicant surrenders the license.

29       Sec. 28.37.160.    **APPLICATION OF OTHER STATE LAWS.**    Except as

1 expressly required by provisions of this chapter, nothing in this  
2 chapter shall be construed to affect the right of a party state to  
3 apply any of its other laws relating to licenses to drive to any  
4 person or circumstance, nor to invalidate or prevent any driver li-  
5 cense agreement or other cooperative arrangement between a party state  
6 and a nonparty state.

7       Sec. 28.37.170. ADMINISTRATOR OF COMPACT. (a) The head of the  
8 licensing authority of each party state shall be the administrator of  
9 the compact for that state. The administrators of all party states,  
10 acting jointly, shall have the power to formulate all necessary and  
11 proper procedures for the exchange of information under this compact.

12       (b) The administrator of each party state shall furnish to the  
13 administrator of each other party state the information or documents  
14 reasonably necessary to facilitate the administration of the compact.

15       Sec. 28.37.180. COMPACT AS LAW; WITHDRAWAL PROCEDURE. (a) The  
16 compact shall become effective as to any state in which the compact  
17 becomes effective as the law of that state.

18       (b) A party state may withdraw from the compact by enacting a  
19 statute repealing the compact as the law of the state, but a with-  
20 drawal may not take effect until six months after the executive head  
21 of the withdrawing state has given notice of the withdrawal to the  
22 executive heads of all other party states. Withdrawal does not affect  
23 the validity or applicability by the licensing authorities of states  
24 remaining party to the compact of any report of conviction occurring  
25 before the withdrawal.

26       Sec. 28.37.190. CONSTRUCTION AND VALIDITY; SEVERABILITY. The  
27 compact shall be liberally construed so as to effectuate its purposes.  
28 The provisions of the compact are severable and if any phrase, clause,  
29 sentence, or provision of the compact is declared to be contrary to

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the constitution of any party state or of the United States or the applicability of it to a government, agency, person or circumstance is held invalid, the validity of the remainder of the compact and the applicability of it to any government, agency, person or circumstance shall not be affected by it. If the compact is held contrary to the constitution of any party state, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - SB 278

Support

April 17, 1985

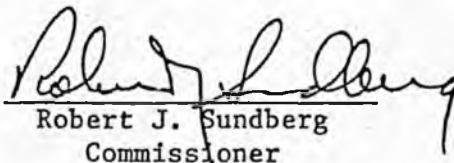
SB 278, An Act relating to the driver license compact.

The Department supports this piece of legislation with the condition the fiscal note is approved to enable us to handle the increase in workload. This type legislation is also supported by the AAMVA (American Association of Motor Vehicle Administrators).

Basically, what this bill does is bring Alaska in line with the majority of the other states in regard to the exchange and use of driving record information.

Alaska has not, for sometime, used out-of-state traffic convictions in an attempt to identify drivers who have the greatest likelihood of being in an accident so that action can be taken that will hopefully cause these individuals to drive more safely. Out-of-state violations also have not been used to remove from the road, by cancellation of the driver's license, those who are ineligible or prove unable to improve their driving enough to assure a reasonable level of safety for others. This bill takes a large step in the direction of correcting those deficiencies with our present method of operation. Our present deficiencies are due partly to conflicts in the statutes, which this bill will correct, and partly due to available work force.

The Department recommends two amendments: First, amend AS 28.15.221(a) by adding the following to the end of the sentence: "and AS 28.37.130". This amendment removes any conflict between AS 28.15.221(a) and the proposed AS 28.37.140(b). It would allow an out-of-state conviction of a person licensed in Alaska to be used the same as a conviction in Alaska in identifying habitually reckless or negligent drivers and habitual or frequent violators of traffic law. Second, amend AS 28.15.271 by increasing the fees to enable the State to recover any costs incurred by becoming a member of the Driver's License Compact. On a cost per year basis, only one state (Wyoming) charges less for a driver's license than Alaska.

  
Robert J. Sundberg  
Commissioner

*New sent*  
221 A

STATE OF ALASKA 1985 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

REQUEST

Bill/Resolution No.: SB 278  
 Title: An Act relating to the driver license compact  
 Sponsor: Halford  
 Requestor: Senate State Affairs  
 Date of Request: 4-23-85

FISCAL DETAIL

Agency Affected: Public Safety  
 Program Category Affected: Life and Property Protection  
 BRU, Program or Subprogram(s) Affected: Motor Vehicles  
Driver Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<b>OPERATING</b>						
100 PERSONAL SERVICES		80.4	84.5	88.7	93.1	97.8
200 TRAVEL						
300 CONTRACTUAL		23.1	8.5	8.9	9.3	9.7
400 SUPPLIES		.6	.6	.7	.7	.7
500 EQUIPMENT		7.8				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>111.9</b>	<b>93.6</b>	<b>98.3</b>	<b>103.1</b>	<b>108.2</b>

<b>CAPITAL</b>						
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<b>REVENUE</b>						
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FUNDING: (Thousands of Dollars)

GENERAL FUND		111.9	93.6	98.3	103.1	108.2
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		<b>111.9</b>	<b>93.6</b>	<b>98.3</b>	<b>103.1</b>	<b>108.2</b>

POSITIONS:

FULL-TIME		3	3	3	3	3
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

See Attached.

Prepared By: Bill Brown Phone: 465-4335  
 Division: Motor Vehicles Date: 4-22-85

Approved by Commissioner: [Signature] Date: 4/29/85  
 Agency: Public Safety

Distribution (by Agency preparing fiscal note):  
 Legislative Finance  
 Legislative Sponsor  
 Requestor  
 Office of Management and Budget  
 Impacted Agency(ies)

7/1/84

DETAIL

100	Personal Services		
	One Document Processing Clerk II	27.7	
	Two Document Processing Clerk I's	52.7	
			80.4
300	Contractual		
310	Postage	1.2	
360	1 CRT terminal @206 per month	2.5	
380	Professional Services DP Programming	15.0*	
382a	DP line charges - 1CRT	2.0	
	DP data circuit - 1CRT	1.5	
	Maintenance - 1CRT	.9	
			23.1
400	Commodities		
480	Normal office supplies	.6	
			.6
500	Equipment		
	3 typewriters @1,242	3.7	
	3 chairs @576	1.7	
	4 accoustical panels	1.6	
			7.8
		TOTAL	111.9

\* initial programming charge - first year only

ASSUMPTIONS:

Effective date of July 1, 1985.

Five percent inflation factor used for FY87 and subsequent years.

In the position paper, it was recommended driver's license fees (AS 28.15.271) be increased to pay for the cost of the program. If fees were doubled, revenues would increase approximately \$550,000. On a cost per year basis, the Alaska driver's license costs less now than in 1961 because when the duration of a license increased from three to five years in 1978, there was no increase in fees. On a cost per year basis, only Wyoming charges less than Alaska for a driver's license.

1.	POSITION TITLE Document Processing Clerk I				RANGE/STEP 7b	BARG. UNIT GGU	PAGE/LINE	GOV.	APPRDV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Juneau	ELECTION DISTRICT 4	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1		2		3					
	PERSONAL SERVICES									
5.	Salary		19,032							
6.	Benefits		3,436							
7.	Supplemental Benefits		1,167							
8.	Fixed Benefits		2,732							
9.	TOTAL PERSONAL SERVICES		01		26,032					
10.	Travel		02							
11.	Contractual		03							
12.	Commodities		04		100					
13.	Equipment		05		2,090					
14.	Other									
15.	TOTAL COST				28,557					
16.	RECEIPT CODE	FUNDING SOURCE								
17.		Federal Receipts 1002								
18.		G.F. Match 1003								
19.		General Funds 1004		28,557						
20.		I-A Receipts 1005								
21.		Program Receipts 1028								
		Other								
FOR B&M USE ONLY KEY NUMBER _____										

This person would enter data into the computer when an Alaska license is returned from another state when the licensee becomes licensed in that state.

A driving record would then be generated and mailed to the new licensing state.

Answer inquiries received from other states concerning an Alaska driving record.

Enter data from out-of-state driving records and convictions into microfilm retrieval system.

Equipment breakdown for this position is as follows:

Typewriter - 1,242  
 Desk - 576  
 Chair - 272

**REQUEST FOR  
NEW POSITION**

AGENCY Department of Public Safety  
 PROGRAM Life and Property Protection  
 BRU Motor Vehicles  
 COMPONENT Driver Services

Page \_\_\_\_\_ of \_\_\_\_\_  
 Revised Date \_\_\_\_\_

**FY 86**

1.	POSITION TITLE Document Processing Clerk I				RANGE/STEP 7b	BARG. UNIT GGU	PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Juneau	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE				AMOUNT					
	1		2		3					
	PERSONAL SERVICES									
5.	Salary		19,032							
6.	Benefits		3,436							
7.	Supplemental Benefits		1,167							
8.	Fixed Benefits		2,732							
9.	TOTAL PERSONAL SERVICES		01		26,367					
10.	Travel		02							
11.	Contractual		03							
12.	Commodities		04		100					
13.	Equipment		05		2,090					
14.	Other									
15.	TOTAL COST				28,557					
	RECEIPT CODE				FUNDING SOURCE					
16.					Federal Receipts 1002					
17.					G.F. Match 1003					
18.					General Funds 1004					
19.					I-A Receipts 1005					
20.					Program Receipts 1028					
21.					Other					
FOR B&M USE ONLY										
KEY NUMBER _____										

This person would be responsible to mail surrendered out-of-state licenses to the state of issuance and send an inquiry if applicant did not have the license in possession, to obtain the licensee's previous driving record. Also send notices to violator's home state when individual licensed in another jurisdiction is convicted of, or suspended/revoked for, a traffic offense in Alaska.

Review driving records received from other states, decode, and determine if they are to be added to the Alaska driving record. For those which can, code and enter on computer.

After out-of-state driving records have been microfilmed, enter data into microfilm retrieval system.

Equipment breakdown for this position is as follows:

- Typewriter - 1,242
- Desk - 576
- Chair - 272

**REQUEST FOR  
NEW POSITION**

AGENCY Department of Public Safety  
PROGRAM Life and Property Protection  
BRU Motor Vehicles  
COMPONENT Driver Services

**FY 86**

Page \_\_\_\_\_ of \_\_\_\_\_  
Revised Date \_\_\_\_\_

1.	POSITION TITLE Document Processing Clerk II				RANGE/STEP 8b	BARG. UNIT GGU	PAGE/LINE	COV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION Juneau	ELECTION DISTRICT 4	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE									
	1		2		3					
	PERSONAL SERVICES									
5.	Salary		20,136							
6.	Benefits		3,636							
7.	Supplemental Benefits		1,234							
8.	Fixed Benefits		2,732							
9.	TOTAL PERSONAL SERVICES		01		27,738					
10.	Travel		02							
11.	Contractual		03							
12.	Commodities		04		100					
13.	Equipment		05		2,090					
14.	Other									
15.	TOTAL COST				29,928					
	RECEIPT CODE				FUNDING SOURCE					
16.					Federal Receipts 1002					
17.					G.F. Match 1003					
18.					General Funds 1004					
19.					I-A Receipts 1005					
20.					Program Receipts 1028					
21.					Other					
FOR B&M USE ONLY										
KEY NUMBER _____										

Upon receipt of out-of-state driving records and license actions, this person would determine whether or not the licensee is eligible to be licensed in Alaska. If not, would take appropriate action to cancel driver's license.

Enter any license actions into computer, prepare certified copies for prosecutors, courts, etc., when necessary.

Decode driving records from other states and determine if they can be added to Alaska driving record. Add appropriate records to computer system.

Equipment breakdown for this position is as follows:

Typewriter - 1,242  
Desk - 576  
Chair - 272

REQUEST FOR  
NEW POSITION

AGENCY Department of Public Safety  
PROGRAM Life and Property Protection  
BRU Motor Vehicles  
COMPONENT Driver Services

Page \_\_\_\_\_ of \_\_\_\_\_  
Revised Date \_\_\_\_\_

FY 86

SB 278 - Driver License Compact

Currently it is possible for a negligent driver to lose his/her driver's license in another state, move to Alaska and get an Alaska driver's license.

This bill would stop that practice by allowing Alaska to exchange information on traffic convictions and license suspensions with other states.

There are 29 states currently in the compact program.

Sectional Analysis

ARTICLE 1      General provisions

ARTICLE 2

Section 28.37.110. Findings and Policy

Section 28.37.120. Definitions

Section 28.37.130. Reporting Convictions.

Licensing authorities of participating states are to exchange reports of convictions. The report should identify the person convicted, the violation, the court, the plea or forfeiture of bail/bond.

Section 28.37.140 Effect of Conviction

The home state is to treat the conviction as it would if the conviction were to have occurred in the home state.

Section 28.37.150 REFUSAL TO ISSUE LICENSE

Participating states may not issue licenses to drivers from other participating states if:

- 1) the license has been suspended due to violation and the suspension has not terminated
- 2) the license has been revoked due to violation and the revocation has not terminated

Section 28.37.160. DOES NOT AFFECT APPLICATION OF OTHER STATE LAWS

Section 28.37.170. ADMINISTERING THE COMPACT

Section 28.37.180. HOW STATES MAY WITHDRAW

Section 28.37.190. CONSTRUCTION AND VALIDITY. SEVERABILITY

Provisions of the compact are severable.

SECOND DRAFT

THE DRIVER LICENSE COMPACT

OPERATIONS MANUAL

Prepared by the  
Executive Committee of the  
Driver License Compact Commission  
with the support of the  
American Association of  
Motor Vehicle Administrators

August, 1984

D R I V E R   L I C E N S E   C O M P A C T   C O M M I S S I O N  
1201 Connecticut Avenue, N.W.; Suite 910; Washington, D.C. 20036  
Telephone 202/296-1955

TO:           All Chief Motor Vehicle Administrators and Driver  
              License Administrators

FROM:         Larry Majerus, Chairman Driver License Compact  
              Commission

SUBJECT:      Operations Manual - Driver License Compact

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Enclosed for your information and review is a DRAFT copy of the Operations Manual that is being developed for use by those states that are members of the Driver License Compact. Even if your jurisdiction is not yet a member of the compact, your review and input would be of considerable assistance in the development of this manual.

This Operations Manual is intended to be "recommended guidelines," rather than hard and fast procedures. It is not necessarily limited to compact provisions so that it could be used, in total or in part, by all jurisdictions - not just compact members. Hopefully, requests for driver records and the forwarding of conviction records to the resident state can be accomplished whether or not a state is a member of the compact.

After review, if you have any comments or suggestions, please forward them to my attention at the following address: Motor Vehicle Division; 303 N. Roberts; Helena, Montana 59620.

I would also like to extend a personal invitation for you to attend the next meeting of the Driver License Compact Commission. It will be held in conjunction with the Driver License Committee Meeting at the AAMVA International Conference in Des Moines, Iowa on Tuesday, October 2, 1984 at 9:00 a.m.

*L. Majerus*  
L.G.M.

cc: Commission Members  
      Secretariat

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I.  
EXECUTIVE SUMMARY

Unsafe drivers have always been a major threat to traffic safety, and every state in the United States has developed some procedure for limiting or withdrawing the driving privilege of those with a history of negligent driving. Without a system of communication among the states, however, it has become possible for negligent drivers to accrue numerous violations in other jurisdictions without their home state's knowledge, or to hold multiple driver licenses. Because of this, the states found it necessary to develop a system whereby a driver's complete record--including convictions in other states--is known to the home state licensing agency, and follows the driver from state to state.

The Driver License Compact was authorized by Congress and formed in 1961 to give states a means for cooperative action to control problem drivers. The DLC is an interstate compact designed to advance highway traffic safety through the use of consistent reporting procedures and the exchange of information on driver records. There are currently twenty-nine states in the DLC, and several other states comply with its major provisions.

In 1958, the Congress of the United States enacted a law reaffirming the principle that the states should bear primary responsibility for traffic safety. The law suggested the use of interstate compacts as a means of achieving cooperation and uniformity, and granted--in advance--Congressional consent to interstate compacts designed to promote safety on the highways.

The DLC contains four major provisions, which member-states are committed to uphold. These are:

1. the "one driver license" concept, which requires the surrender of an out-of-state driver license when application for a new license is made;
2. the "one driver record" concept, which maintains the necessity of one complete driving record (which moves with a driver from state to state) to determine driving eligibility in both the home state and other jurisdictions;
3. the "exchange of information" or reports of certain traffic convictions and license suspensions or revocations of out-of-state drivers with the home state licensing agency, as well as other appropriate information; and

4. the insurance of "uniform and predictable treatment" of drivers by treating offenses committed in another state by a home-state driver in the same manner as an in-state violation would be treated.

The DLC uses several procedures for meeting these four provisions. State-members make use of the National Driver Register (NDR), an information system administered by the U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA). States voluntarily contribute information on driver license revocations and suspensions to the NDR, which is currently being converted to an automated, on-line mode.

Other procedures include reporting convictions for major moving violations to a driver's home state, and requiring the surrender of another state's driver license before issuance of a new license.

The DLC continues to be a viable mechanism for promoting traffic safety by providing an effective means of determining a driver's nationwide driving record. In 1983, a Driver License Compact Commission was formed to address issues related to the DLC, and to encourage participation among non-member states.

II.

DRIVER LICENSE COMPACT MEMBERSHIP

The twenty-nine states currently participating in the DLC, with their effective dates, are:

Alabama (1966)	Indiana (1967)	New Mexico (1963)
Arizona (1963)	Iowa (1965)	New York (1965)
Arkansas (1969)	Kansas (1965)	Oklahoma (1967)
California (1963)	Louisiana (1968)	Oregon (1963)
Colorado (1965)	Maine (1963)	Tennessee (1965)
Delaware (1964)	Mississippi (1962)	Utah (1965)
Florida (1967)	Montana (1963)	Virginia (1963)
Hawaii (1971)	Nebraska (1963)	Washington (1963)
Idaho (1963)	Nevada (1961)	West Virginia (1971)
Illinois (1963)	New Jersey (1966)	

Each state in the compact has a statute which embodies the language and the provisions of the Driver License Compact.

### III.

#### HISTORY OF THE DRIVER LICENSE COMPACT

An interstate compact is a formal and contractual agreement between two or more states and may include the United States 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 other 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 expressed purpose of resolving mutual problems in interstate highway traffic. It is generally recognized that interstate motor carrier travel presents a number of complex problems for the states that need close cooperation and can often be successfully addressed by interstate agreements.

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 Governors' 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), and the American Association of Motor Vehicle Administrators (AAMVA). 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 approved entry into the DLC in 1962 and put the Compact into effect. Ten additional states joined in 1963, and the number grew to twenty 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.

A Driver License Compact Commission (DLCC), made up of motor vehicle administrators from Compact states, was established in 1983 to administer the DLC and develop a long-term plan to increase membership and service. AAMVA also serves as Secretariat of this organization.

DEFINITIONS APPLICABLE TO THE  
DRIVER LICENSE COMPACT

- AAMVA..... American Association of Motor Vehicle Administrators, an organization of state and provincial officials in the U.S. and Canada, responsible for the administration and enforcement of laws pertaining to the motor vehicle and its use.
- Conviction..... an 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.
- Highway safety compact.. agreement entered into by states for the expressed purpose of resolving mutual problems in interstate highway traffic.
- Home state..... state which 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 United States 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 nation-wide 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; currently being updated to an automated, on-line service that will allow for the exchange of information within minutes.

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

Specified offenses..... offenses specified in the Compact as universally recognized as extremely 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).

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.

V.

IMPLEMENTING THE DRIVER LICENSE COMPACT

Procedures applicable to modern and professional licensing standards have been developed and included in this operations manual. These procedures extend beyond the provisions of the Driver License Compact. The Executive Board of the DLC Commission strongly urges all states to consider implementation of these procedures to insure standardization and compatibility in driver licensing operations throughout the United States.

The DLC sets up uniform interstate procedures that are designed to prevent multiple licensing by drivers attempting to circumvent the law. The Compact provides the means for states to overcome jurisdictional limitations through cooperation and the exchange of information. The Compact cannot accomplish its purpose unless each member state uniformly adheres to its provisions.

It is extremely important that individual member states develop internal procedures that insure compliance with the four major provisions of the DLC. Procedural steps that provide for uniformity of operation and compliance by departmental employees have been established, and are recommended for all Compact participants.

The following information addresses each of the four major provisions of the Compact by providing the rationale--an explanation--of the provision and a description of recommended procedures for meeting its requirements.

A. One Driver License Concept

1. Rationale: The goal of this first objective is to prevent individual drivers from obtaining multiple driver licenses. Some negligent drivers use multiple licenses to retain driving privileges despite repeated violations warranting suspension or revocation.

Under the Compact, an individual is allowed only one valid driver license, to be issued and controlled by the state in which the driver resides. Any driving done in other states is to be done by reciprocity based on the status of the home state license. Under the Compact, such a driver is not eligible to receive a license from another state until his existing license is surrendered.

2. Recommended Procedures: Each state application for a driver license should contain a question(s) concerning any driver licenses held by the applicant within the last four years, issued by any other state(s), and should indicate that a record check will be made through the National Driver Register.

Applicants older than the minimum legal driving age who state that they have not been previously licensed should be questioned as to prior state residency. Most states have laws prohibiting false statements on driver license applications. Persons of driving age denying that they have ever previously been issued a driver license should be asked to sign a non-driving affidavit. Such an affidavit should clearly state to the applicant the penalty for providing false information.

Suggested procedures for processing original driver applications include:

- o applicant completes driver license application
- o license examiner administers appropriate test(s)
- o applicant successfully completes required test(s)
- o applicant surrenders driver license from another state before license is issued (if applicant was previously licensed)
- o applicant pays required fee
- o license/permit is produced and given to applicant
- o license examiner forwards application and surrendered license to licensing agency headquarters.

B. One Driver Record Concept

1. Rationale: The second major goal of the DLC is to insure that an individual's complete driving record, including convictions in all states in which he has driven, is used to determine driving eligibility in all states. Ideally, this complete driving record would follow the driver from state to state. Under the Compact, a driver's complete record is on file in his home state, and is made available to other states upon a change in residency and/or licensing.

2. Recommended Procedures: The application for an original driver license in any state should be used as the basis for establishment of the driving record.

In addition to the basic information such as name, date of birth, address, physical description, test results and license restrictions, the driver record should include information relating to any previous out-of-state driver license held. This should include driver record information regarding any convictions, accidents, driver improvement actions, and any suspensions or revocations.

Suggested procedures for establishment of the driver record are:

- o applications for original driver licenses are reviewed for surrendered out-of-state licenses and non-driving affidavits
- o surrendered out-of-state licenses and non-driving affidavits are forwarded to issuing/resident state with a request for driver records and supporting documents
- o upon return of requested information, the data is reviewed to determine if withdrawal of the issued license is necessary
- o driver information received from out-of-state is incorporated into the driver record in the home state.

C. Exchange of Information

1. Rationale: The "one license" and "one record" concepts constitute the heart of the Driver License Compact. Implementation of these concepts is an important step toward establishing uniformity of driver control. However, this goal can be met only through the dedicated and determined compliance with the DLC provision calling for the exchange of information among the states. The quality, uniformity and completeness of information contained in the driver record depends on the extent to which the states comply with this provision. Without it, the other provisions are virtually useless.

2. Recommended Procedures: The information contained within the National Driver Register (NDR) should be checked to verify the issuance of all original licenses. In addition, the NDR should be notified of all license withdrawals (suspensions or revocations) and license restorations (reinstatements). Suggested procedures include:

- o tapes/requests prepared and forwarded daily to the NDR on original licenses issued, license withdrawals and license restorations
- o NDR processes state tapes/requests against their files
- o NDR provides state with Form HS 1054 in the following instances:
  - (1) license issued is a possible match with a license issued or withdrawal by another state
  - (2) withdrawal is a possible match with a license issued or withdrawn by another state
- o returned Forms HS 1054 are reviewed and driver records and supporting documents are requested on all suspensions or revocations.

All convictions or withdrawals for traffic offenses by non-residents require that notification be sent to the residence or licensing state.

The state which issued the license is provided with a copy of the abstract of conviction and/or the order of withdrawal. The license is also sent to the issuing state if it was surrendered and forwarded to the department.

When requests for driver record information are received from another state, the recommended procedures are:

- o produce transcript of record
- o review transcript for accuracy; it is not necessary to forward transcripts with no record of conviction, accident, or administrative action
- o forward transcript to the requesting state

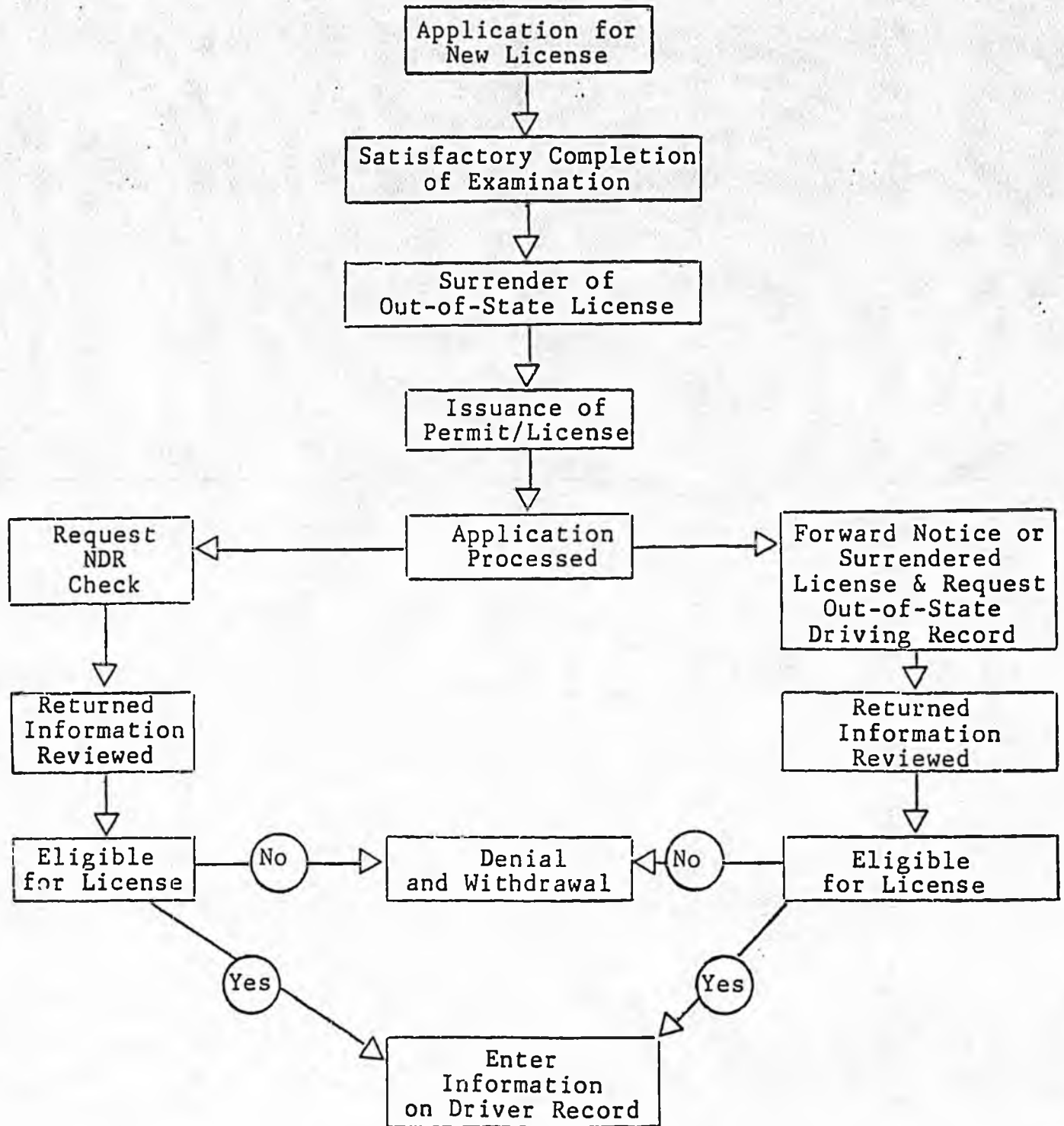
#### D. Uniform and Predictable Treatment

1. Rationale: The DLC seeks to insure uniform and predictable treatment of drivers convicted of serious traffic offenses wherever the offense and conviction occur. It is important to note that action taken pursuant to the Compact occurs in the home state, and is based upon the home state law. The laws and policies of the state where the offense(s) occurred are not considered. The state where an offense occurred can take unilateral action against the out-of-state driver's privilege to drive there, but action against the home state privileges remain the responsibility of the home state.

2. Recommended Procedures: Conviction for an offense committed in another state by a resident driver should be handled as if the violation occurred in the home state. Each conviction should be reviewed and the offense interpreted in relation to the home state's statutes. Based upon this type of review and interpretation, the suggested procedures are:

- o conviction data is entered to the subject's home state driving record
- o required administrative action is taken, such as license withdrawal for mandatory convictions, or the assignment of demerit points against the driver license (demerit points must be assessed in the same manner as if the conviction occurred in the home state)

E. Flow Chart--Processing of Applications



VI.  
CONCLUSION

The Driver License Compact is an immensely valuable tool in traffic safety efforts. Drivers who are convicted of serious traffic law violations when away from home should not escape corrective action by the state in which they are licensed. Nor should they be able to hold licenses in more than one jurisdiction and be able to "spread out" violations among them to escape the consequences of dangerous driving practices.

States traditionally have had the responsibility for licensing and controlling motor vehicle drivers, yet are limited in dealing with drivers who accumulate a record of serious moving traffic convictions in other jurisdictions. The DLC gives the party states an opportunity to enhance their ability to deal with resident drivers who have been convicted of traffic violations in other party states.

Each state stands to gain through participation in the DLC--they not only have a method to gather information on their own licensed drivers' activities in other states, but they can also be reasonably assured that violators of traffic laws cannot move to their state, apply for a driver license, and create a "clean slate." The DLC makes it difficult for drivers with bad records to maintain multiple records in order to avoid prosecution, conviction or license suspension. And everyone who uses America's roads is a little safer because of it.

## APPENDIX A

### Model Enabling Legislation

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 which will accomplish the 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 the form substantially as follows:

#### DRIVER LICENSE COMPACT

(At this point insert the exact text of the Driver License Compact as set forth in Appendix B. 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 of 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 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].

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 conflicts 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 party 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 which 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.

APPENDIX B

The Driver License 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 jurisdictions where such operators drive motor vehicles.

(2) Make the reciprocal recognition of licenses to drive and eligibility therefor more just and equitable by considering the overall compliance with motor vehicle laws, ordinances and administrative rules and regulations as a 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:

(a) "State" means a state, territory or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

(b) "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.

(c) "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 Convictions

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 violated; 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

(a) The licensing authority in the home state, for the purposes 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 of this Compact, as it would if such conduct had occurred in the home state, in the case of convictions for:

(1) Manslaughter or negligent homicide resulting from the operation of a motor vehicle;

(2) Driving a motor vehicle while under the influence of intoxicating liquor or narcotic drug, or under the influence of any other drug to a degree which renders the driver incapable of safely driving a motor vehicle;

(3) Any felony in the commission of which a motor vehicle is used;

(4) Failure to stop and render aid in the event of a motor vehicle accident resulting in the death or personal injury of another.

(b) As to other convictions, reported pursuant to Article III, the licensing authority in the home state shall give such effect to the conduct as provided by the laws of the home state.

(c) 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 denominations and descriptions appearing in the 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 affect 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 a non-party state.

## ARTICLE VII

### Compact Administrator and Interchange of Information

(a) 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.

(b) 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

(a) This Compact shall enter into force and become effective as to any state when it has enacted the same into law.

(b) Any party state may withdraw from this Compact by enacting a statute repealing the same, but no such withdrawal shall take effect until six 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 the remaining states and in full force and effect as to the state affected as to all severable matters.

APPENDIX C

The Driver License Compact

NOTICE OF CONFIRMATION

WHEREAS, The Driver License Compact was formed to provide a 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 D

Suggested Information For Use on Forms

(Suggested Language Will Be Included Upon Development)

APPENDIX E

Endorsements of the Driver License Compact

The following organizations endorse the Driver License Compact:

American Association of Motor Vehicle Administrators

Council of State Governments

International Association of Chiefs of Police

National Association of Attorneys General

National Governors' Association

National Grange

National Highway Users' Conference, Inc.

National Safety Council

President's Committee for Traffic Safety

APPENDIX F

Bylaws of the Driver License Compact Commission

ARTICLE I  
NAME

The name of this organization shall be the Driver License Compact Commission, hereafter referred to as the Commission.

ARTICLE II  
MEMBERSHIP

The membership of the Commission shall consist of the Compact Administrator, or his designee, from each jurisdiction which is party to the Driver License Compact.

ARTICLE III  
PURPOSES

The purposes for which the Commission is organized, and for which it shall be perpetuated, are:

- (1) to administer the provisions of the Driver License Compact, hereafter referred to as the Compact;
- (2) to serve as the governing body for the administration and resolution of all matters relating to the operation of this Compact;
- (3) to recommend revisions to the Compact that will enhance its objectives, goals, and benefits;
- (4) to publish, maintain, and amend an operations manual for the Compact;
- (5) to provide and promote a reasonable and uniform reporting system among member jurisdictions;
- (6) to promote closer contacts between member jurisdictions for exchange of information and solution of mutual problems;
- (7) to expand the Compact's membership;
- (8) to assist non-participating jurisdictions with matters relating to the Compact, including obtaining membership therein;
- (9) to designate a Secretariat for the Compact.

ARTICLE IV  
OFFICERS

- Section 1. The officers of the Commission shall consist of a chairman and a vice chairman, each elected by the Commission membership, and a representative of each of the four regions as defined by the American Association of Motor Vehicle Administrators, each elected by the Commission members of the respective regions. These six officers collectively shall comprise the Commission's Executive Committee.
- Section 2. These officers shall hold office for two years, and any replacements shall serve the remainder of the unexpired term.
- Section 3. Officers of the Commission shall be compact Administrators.

ARTICLE V  
ELECTION OF OFFICERS

- Section 1. Election of officers shall be at an annual meeting of the Commission.
- Section 2. The chairman and vice chairman shall be elected by the Commission members in attendance at an annual meeting. Nominations for chairman and vice chairman shall be made by committee appointed by the outgoing chairman. Additional nominations may be made from the floor by any Compact Administrator or his designee.
- Section 3. Regional representatives shall be nominated by Commission members of the respective regions and elected by regional Commission members in attendance at an annual meeting.

ARTICLE VI  
VACANCIES

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

Section 2. In event of vacancy in the office of regional representative, the chairman shall consult with the Commission members of that region and shall appoint an acting regional representative from that region to serve until the next annual meeting at which regional Commission members shall elect a regional representative to serve the remainder of the unexpired term.

ARTICLE VII  
OFFICERS' DUTIES

Section 1. The chairman shall be the Commission's chief executive officer and shall carry out the following duties:

- (a) call and preside at all meeting of the commission;
- (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 Commission, represent the Commission at official meetings and conferences, and conduct business on behalf of the Commission;
- (f) guide the Secretariat's work in support of the Commission;
- (g) perform such other duties as may be authorized and appropriate; and
- (h) provide the Commission an annual report concerning his activities and perspectives as chairman.

Section 2. The vice chairman shall assist the chairman in discharging his duties.

Section 3. The regional representatives shall maintain liaison with members of their respective regions, facilitate effective communications with them, and insure that the interests and views of regional members are known and considered as the Executive Committee conducts business on behalf of the Commission.

Section 4. The chairman, vice chairman, and regional representatives shall comprise the Executive Committee of the Driver License Compact Commission.

ARTICLE VIII  
EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall be the executive body of this Commission. As such, the Executive Committee shall direct and supervise the affairs, committees, and publications of the Commission; 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 Commission between meetings of the Commission;
- (b) determine general policies during periods between annual meetings, such policies to be subject to Commission confirmation at its next annual meeting;
- (c) authorize purposes and amounts for which funds of the Commission may be expended;
- (d) define the duties and authorize the compensation of the Secretariat for the Commission;
- (e) authorize solicitation for, and receipt of, grants, endowments, gifts, and all other offers of assistance and cooperation from appropriate sources;
- (f) employ an auditor annually to audit all accounts of receipts and expenditures of funds of the Commission, such auditor to provide copies of the report to the Secretariat and Executive Committee members;
- (g) act as necessary and appropriate to implement all resolutions and recommendations adopted by the Commission at its meetings.

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

- (a) the chairman shall give reasonable notice of all meetings called;
- (b) a majority of members shall constitute a quorum for the transaction of business; proxies shall not be used to constitute a quorum;
- (c) voting shall be by members present; an alternate representing an absent member may participate in discussion but may not vote; and

- (d) members may vote by mail or telephone conference if the chairman determines that an issue must be resolved without delay between meetings; mailing and counting ballots shall be the chairman's responsibility or that of the Secretariat, if so directed by the chairman.

ARTICLE IX  
SECRETARIAT

The Secretariat shall perform administrative and secretarial duties for the Commission. As authorized by the Commission, the Secretariat will conduct routine business; collect and analyze data; prepare and distribute materials and information; and prepare and distribute an annual report of the Commission's previous year's activities, business, and financial status. The Secretariat shall undertake other duties as may be specified by the Commission or its Executive Committee or Chairman.

ARTICLE X  
COMMISSION MEETINGS

- Section 1. The Commission shall conduct a regular annual meeting in conjunction with the annual international conference of the American Association of Motor Vehicle Administrators. It may conduct other meetings, if appropriate.
- Section 2. The Secretariat shall notify each member jurisdiction of the time and place of all meetings of the Commission at least thirty (30) days in advance, using first class mail.
- Section 3. The following rules govern voting:
- (a) each member jurisdiction shall have one vote to be cast either by the Compact Administrator or his designee from the same jurisdiction;
  - (b) whenever the subject to be voted pertains to financial assessments or dues or amendments to the Commission's bylaws, two-thirds of member jurisdictions shall constitute a quorum;
  - (c) whenever subjects to be voted are other than in (b) above, a simple majority of member jurisdictions shall constitute a quorum; and
  - (d) a quorum having been gathered, a simple majority vote is decisive on any issue.

ARTICLE XI  
PARLIAMENTARY PROCEDURE

The rules of parliamentary practice, as set forth in Robert's Rules of Order, shall govern procedures of all meetings of the Commission, the Executive Committee, or other committees.

ARTICLE XII  
FUNDS

Funds for operation of the Commission shall be derived from dues, fees, or other revenue sources as authorized by the Commission and directed by the Executive Committee.

ARTICLE XIII  
AMENDMENTS TO BYLAWS

The bylaws may be amended at any annual conference of the Commission provided that, ninety (90) days prior to the annual conference of the Commission, written notice of the proposed amendment or amendments, and the text thereof, are filed with the Chairman, the Vice Chairman, and the Secretariat. Such proposed amendment or amendments shall be submitted by the Secretariat in writing to the member jurisdictions at least sixty (60) days prior to any annual conference of the Commission. Should the Executive Committee determine that such amendment or amendments must be resolved without delay between annual conferences of the Commission, the members of the Commission may vote by mail ballot. The ballots, after the result is announced by the Secretariat or the Executive Committee, shall be filed as a part of the permanent records of the Commission.

ARTICLE XIV  
DISSOLUTION

In the event the Commission 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 Commission, as determined by the Executive Committee at that time.

Adopted this the 4th day of October, 1983 by the membership of the Commission at its Annual Conference in Newport, Rhode Island.

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Sidney B. Berry, Mississippi  
Chairman

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Virginia Roberts, West Virginia  
Region Two Representative

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Larry G. Majerus, Montana  
Vice Chairman

---

Joseph P. Rockford, Illinois  
Region Three Representative

---

Linwood F. Ross, Maine  
Region One Representative

---

Howard Hill, Idaho  
Region Four Representative



# RECORDS CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James Smith  
Signature of Camera Operator

11/24/89  
Date

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DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - SB 302

SUPPORT

January 9, 1986

SB 302 - "An act relating to the powers of the violent crimes compensation board and placing the executive director in the partially exempt service."

At this time the Administrator of the Violent Crimes Compensation Board is a classified employee in the supervisory category of the state personnel system. The intent of this legislation is to make the administrator an executive director in a partially exempt position with the members of the Violent Crimes Compensation Board able to appoint or dismiss the director.

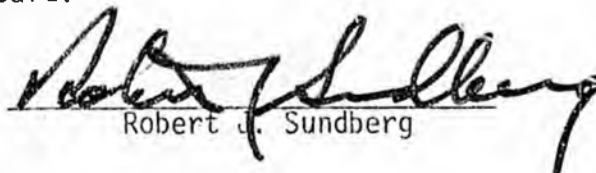
The members of the Violent Crimes Compensation Board are the persons who are knowledgeable about the duties of the executive director and who are aware whether the director is carrying out the instructions of the Board. They need to have the authority to appoint a person they feel will perform the duties and carry out the functions of the Board and if this person is not competent at the duties, the Board should have the authority to dismiss and appoint another person.

This position is critical to the efficient functioning of the Board. The Board is composed of persons in private practice who do not have the time to oversee the day to day duties of the staff. It is up to the executive director to carry out the necessary functions and wishes of the Board and to do so with a minimum involvement by the Board. The Board is ultimately responsible if the director is remiss in his or her duty and the Board must be able to replace a director in a reasonable amount of time if they note failure to carry out the functions of the Board. The Board should be able to interview and appoint a person it feels is the most qualified for the job and only the Board knows what experience and knowledge the director should have.

At the present time, if the Board becomes aware of problems in the functioning of the staff, and is unable to resolve these problems and felt it necessary to replace the director, it would require a great deal of time to replace the employee who is protected by the personnel system and union.

There are no problems at the present time, according to the Board, but it needs the authority to act in a responsible and expeditious manner, if the need arises.

The Violent Crimes Compensation Board is placed in the Department of Public Safety for administrative purposes. The title change from Administrator to Executive Director and the corresponding range difference puts this position in line with the other executive directors who serve boards and commissions, such as the executive director of the Council on Domestic Violence and Sexual Assault, and the executive director of the Parole Board.

  
Robert J. Sundberg

STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date : \_\_\_\_\_

**REQUEST**

Bill/Resolution No. : SB 302  
 Title : "An Act relating to the powers of the VCCB and placing the executive director in the partially exempt service."  
 Sponsor : Senator Josephson  
 Requestor : Senate State Affairs  
 Date of Request : 2/07/86

**FISCAL DETAIL**

Agency Affected : Public Safety  
 BRU : Violent Crimes Compensation Board  
 Components : \_\_\_\_\_

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		6.5	6.8	7.2	7.5	7.9
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>6.5</b>	<b>6.8</b>	<b>7.2</b>	<b>7.5</b>	<b>7.9</b>

<b>CAPITAL</b>						
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<b>REVENUE</b>						
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**FUNDING : (Thousands of Dollars)**

GENERAL FUND		6.5	6.8	7.2	7.5	7.9
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS :**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** Attach a separate page if necessary. The fiscal note reflects the change from Administrator at Range 20K to an Executive Director at a Range 24B. This would be an increase of \$4,785.00 (including benefits) per year. The Clerk Typist III position at Range 8C would change to a Secretary I at a Range 10A. This would be an increase of \$1,654 (including benefits) per year. Inflation is figured at 5% annually.

Prepared by : Kathy Niles Admin. Assistant Phone : 465-4336  
 Division : Commissioner's Office Date : 2/07/86

Approved by Commissioner : [Signature] Date : 2/7/86  
 Agency : Public Safety

**Distribution (by Agency preparing fiscal note) :**

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)