

COUNCIL OF THE DISTRICT OF COLUMBIA

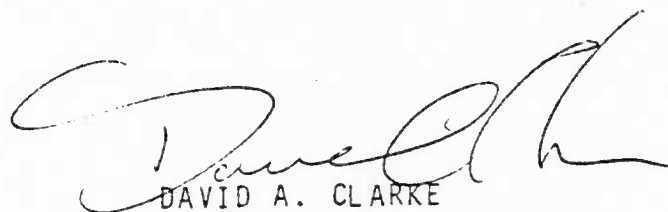
NOTICE

D.C. LAW 5-184

"Driver License Compact Adoption Act of 1984".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 5-355 on first and second readings, December 4, 1984 and December 18, 1984, respectively. Following the signature of the Mayor on January 11, 1985, this legislation was assigned Act No. 5-249, published in the February 15, 1985 edition of the D.C. Register, (Vol. 32 page 850) and transmitted to Congress January 24, 1985 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 5-184, effective March 16, 1985.



DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January	24,25,28,29,30,31
February	1,4,5,6,7,19,20,21,22,25,26,27,28
March	1,4,5,6,7,8,11,12,13,14,15

EFFECTIVE DATE MAR 16 1985

D.C. ACT 5 - 249

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JAN 11 1985

To adopt the Driver License Compact and to provide for the administration and implementation of the compact; and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "Driver License Compact Adoption Act of 1984".

Sec. 2. The Driver License Compact is adopted and entered into with all jurisdictions legally joining in it in the form substantially stated as follows:

"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 laws 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

CODIFICATION
New chapter
14 of title
40 entitled
"Driver
License Com-
pact"

New,
D.C. Code,
sec. 40-1401
(1985 supp.)

jurisdiction the vehicle is operated.

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

"(1) Promote compliance with laws, ordinances, and administrative rules and regulations relating to the operation of motor vehicles and their operators in each of the jurisdictions where such operators drive motor vehicles.

"(2) 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 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) 'Conviction' means a conviction for 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.

"(b) 'Compact administrator', when used with reference to the District of Columbia, means the Director of the Department of Public works or his or her designee.

"(c) 'District' means the District of Columbia.

"(d) 'Executive head', when used with reference to the District of Columbia, means the Mayor of the District of Columbia or the Mayor's designated representative.

"(e) '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.

"(f) 'Licensing authority', when used with reference to the District of Columbia, means the Department of Public Works.

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

"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 violated; identify the court in which action was taken; indicate whether a plea of 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 offense reported, pursuant to Article III of this compact, as it would if such offense 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 a 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; and

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

"(b) As to other convictions, reported pursuant to Article III, the licensing authority in the home state shall give such effect to the offense as is 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 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

"Application 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 conviction for 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 conviction for 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 nonparty 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 or her 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 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 remaining states and in full force and effect as to the state affected as to all severable matters."

Sec. 3. (a) By June 30th of each year, the Mayor shall submit to the Council of the District of Columbia a report that shall include, but not be limited, to the following:

(1) the number of reports of convictions received by the District of Columbia ("District") from other states

New,
D.C. Code,
sec. 40-1402
(1985 supp.)

pursuant to this act;

(2) a brief description of the traffic violations upon which the convictions were based and the number of reports received for each violation;

(3) the number of revocations and suspensions issued by the District for each violation; and

(4) the number of reports of convictions sent to each state by the District pursuant to this act including a brief description of the traffic violations upon which the convictions were based and the number of reports issued for each violation.

(b) The Mayor shall issue rules to implement the provisions of this act pursuant to title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code, sec. 1-1501 et seq.), and the rules shall at least govern what affect convictions in other states shall have in the District.

Sec. 4. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act,