

HOUSE BILL No. 6011

May 16, 2018, Introduced by Rep. Noble and referred to the Committee on Transportation and Infrastructure.

A bill to allow the state of Michigan to enter into a compact for the sharing of information among the states regarding convictions, records, driver licenses, withdrawals, and other data relevant to the driver licensing process.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. The governor of this state may enter into a compact as
2 described in this act on behalf of the state of Michigan with any
3 of the states of the United States who legally join in that
4 compact.

5 Sec. 2. This act shall be known and may be cited as the
6 "driver's license compact".

7 Sec. 3. The driver's license compact as contained in this
8 section is hereby entered into law and entered into with all other
9 jurisdictions legally joining therein in the form substantially as

1 follows:

2 DRIVER'S LICENSE COMPACT

3 ARTICLE I

4 Findings and Declaration of Policy

5 (a) The party states find that:

6 (1) The safety of their streets and highways is materially
7 affected by the degree of compliance with state and local
8 ordinances relating to the operation of motor vehicles.

9 (2) Violation of such a law or ordinance is evidence that the
10 violator engages in conduct which is likely to endanger the safety
11 of persons and property.

12 (3) The continuance in force of a license to drive is
13 predicated upon compliance with laws and ordinances relating to the
14 operation of motor vehicles, in whichever jurisdiction the vehicle
15 is operated.

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

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

21 (2) Make the reciprocal recognition of licenses to drive and
22 eligibility therefor more just and equitable by considering the
23 overall compliance with motor vehicle laws, ordinances and
24 administrative rules and regulations as a condition precedent to
25 the continuance or issuance of any license by reason of which the
26 licensee is authorized or permitted to operate a motor vehicle in
27 any of the party states.

1 ARTICLE II

2 Definitions

3 As used in this compact:

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

7 (b) "Home state" means the state which has issued and has the
8 power to suspend or revoke the use of the license or permit to
9 operate a motor vehicle.

10 (c) "Party state" means a state that is a party to this
11 compact.

12 (d) "Conviction" means a conviction of any offense related to
13 the use or operation of a motor vehicle which is prohibited by
14 state law, municipal ordinance or administrative rule or regulation
15 or a forfeiture of bail, bond or other security deposited to secure
16 appearance by a person charged with having committed any such
17 offense and which conviction or forfeiture is required to be
18 reported to the licensing authority.

19 ARTICLE III

20 Reports of Conviction

21 The licensing authority of a party state shall report each
22 conviction of a person from another party state occurring within
23 its jurisdiction to the licensing authority of the home state of
24 the licensee. Such report shall clearly identify the person
25 convicted, describe the violation specifying the section of the
26 statute, code or ordinance violated, and indicate whether a plea of
27 guilty or not guilty was entered or the conviction was a result of

1 the forfeiture of bail, bond or other security and shall include
2 any special findings made in connection therewith.

3 ARTICLE IV

4 Effect of Conviction

5 (a) The licensing authority in the home state, for the
6 purposes of suspension, revocation or limitation of the license to
7 operate a motor vehicle, shall give the same effect to the conduct
8 reported, pursuant to Article III of this compact, as it would if
9 such conduct had occurred in the home state in the case of
10 convictions for:

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

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

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

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

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

25 (c) If the laws of a party state do not provide for offenses
26 or violations denominated or described in precisely the words
27 employed in subdivision (a) of this article, such party state shall

1 construe the denominations and descriptions appearing in
2 subdivision (a) of this article as being applicable to and
3 identifying those offenses or violations of a substantially similar
4 nature and the laws of such party state shall contain such
5 provisions as may be necessary to ensure that full force and effect
6 is given to this article.

7 ARTICLE V

8 Applications for New Licenses

9 Upon application for a license to drive, the licensing authority in
10 a party state shall ascertain whether the applicant has ever held
11 or is the holder of a license to drive issued by any other party
12 state. The licensing authority in the state where application is
13 made shall not issue a license to drive to the applicant if:

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

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

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

1 surrenders such license.

2 ARTICLE VI

3 Applicability of Other Laws

4 Except as expressly required by provisions of this compact, nothing
5 contained herein shall be construed to affect the right of any
6 party state to apply any of its other laws relating to licenses to
7 drive to any person or circumstance, nor to invalidate or prevent
8 any driver license agreement or other cooperative arrangement
9 between a party state and a nonparty state.

10 ARTICLE VII

11 Compact Administrator and Interchange of Information

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

17 (b) The administrator of each party state shall furnish to the
18 administrator of each other party state any information or
19 documents reasonably necessary to facilitate the administration of
20 this compact.

21 ARTICLE VIII

22 Entry Into Force and Withdrawal

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

25 (b) Any party state may withdraw from this compact by enacting
26 a statute repealing the same, but no such withdrawal shall take
27 effect until six months after the executive head of the withdrawing

1 state has given notice of the withdrawal to the executive heads of
2 all other party states. No withdrawal shall affect the validity or
3 applicability by the licensing authorities of states remaining
4 party to the compact of any report of conviction occurring prior to
5 the withdrawal.

6 ARTICLE IX

7 Construction and Severability

8 This compact shall be liberally construed so as to effectuate the
9 purposes thereof. The provisions of this compact shall be severable
10 and if any phrase, clause, sentence or provision of this compact is
11 declared to be contrary to the constitution of any party state or
12 of the United States or the applicability thereof to any
13 government, agency, person or circumstance is held invalid, the
14 validity of the remainder of this compact and the applicability
15 thereof to any government, agency, person or circumstance shall not
16 be affected thereby. If this compact shall be held contrary to the
17 constitution of any state party thereto, the compact shall remain
18 in full force and effect as to the remaining states and in full
19 force and effect as to the state affected as to all severable
20 matters.

21 Enacting section 1. This act takes effect 90 days after the
22 date it is enacted into law.

23 Enacting section 2. This act does not take effect unless House
24 Bill No. 5542 of the 99th Legislature is enacted into law.