

# 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.