

Part 6 Drivers' License Compact

53-3-601 Short title.

This part is known as the "Drivers' License Compact."

Enacted by Chapter 234, 1993 General Session

53-3-602 Definitions.

As used in this part:

- (1) "Executive head" means the governor.
- (2) "Licensing authority" means the department, the division, or both as the text may require.

Enacted by Chapter 234, 1993 General Session

53-3-603 Ratification.

The Drivers' License Compact is ratified for the state and is entered into with all other jurisdictions legally joining in the compact.

Renumbered and Amended by Chapter 234, 1993 General Session

53-3-604 Text of compact -- Party states to report traffic violations and exchange driving record information in home state of driver.

DRIVERS' LICENSE COMPACT

ARTICLE I

Findings and Declaration of Policy

(1) The party states find that:

- (a) The safety of their streets and highways is materially affected by the degree of compliance with state and local ordinances relating to the operation of motor vehicles.
- (b) Violation of a law or ordinance relating to the operation of motor vehicles is evidence that the violator engages in conduct that is likely to endanger the safety of persons and property.
- (c) A license to drive is predicated upon compliance with laws and ordinances relating to the operation of motor vehicles, in whichever jurisdiction the vehicle is operated.

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

- (a) promote compliance with the laws, ordinances, and administrative rules and regulations relating to the operation of motor vehicles by their operators in each of the jurisdictions where the operators drive motor vehicles; and
- (b) make the reciprocal recognition of licenses to drive and eligibility for licenses more just and equitable by considering the over-all compliance with motor vehicle laws, ordinances, and administrative rules and regulations as a condition precedent to renewing a license authorizing or permitting operation of a motor vehicle in any of the party states.

ARTICLE II

Definitions

As used in this compact:

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

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

(3) "Conviction" means a conviction of any offense related to the use or operation of a motor vehicle that 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 offense, and which conviction or forfeiture is required to be reported to the licensing authority.

ARTICLE III

Reports of Conviction

(1) 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.

(2) The report shall clearly:

- (a) identify the person convicted;
- (b) describe the violation specifying the section of the statute, code, or ordinance violated;
- (c) identify the court in which action was taken;
- (d) 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
- (e) include any special findings made in connection with the conviction.

ARTICLE IV

Effect of Conviction

(1) 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 the conduct had occurred in the home state, in the case of convictions for:

- (a) manslaughter or negligent homicide resulting from the operation of a motor vehicle;
- (b) driving a motor vehicle while under the influence of intoxicating liquor or a narcotic drug, or under the influence of any other drug to a degree that renders the driver incapable of safely driving a motor vehicle;
- (c) any felony in the commission of which a motor vehicle is used; and
- (d) failure to stop and render aid in the event of a motor vehicle accident resulting in the death or personal injury of another.

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

(3) If the laws of a party state do not provide for offenses or violations denominated or described in precisely the words employed in Subsection (1) of this article, the party state shall construe the denominations and descriptions appearing in Subsection (1) as applying to and identifying those offenses or violations of a substantially similar nature and the laws of the party state shall contain provisions as necessary to ensure that full force and effect is given in this article.

ARTICLE V

Applications for New Licenses

(1) 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.

(2) The licensing authority in the state where application is made shall not issue a license to drive to the applicant if the applicant:

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

(b) has held a license, but the license has been revoked by reason, in whole or in part, of a violation and if the revocation has not terminated, except that after the expiration of one year from the date the license was revoked, the person may make application for a new license if permitted by law, which the authority may refuse to issue if, after investigation, the licensing authority determines that it will not be safe to grant to the person the privilege of driving a motor vehicle on the public highways; or

(c) is the holder of a license to drive issued by another party state and currently in force unless the applicant surrenders the license.

ARTICLE VI

Applicability of Other Laws

Except as expressly required by this compact, nothing in this part affects the right of any party state to apply any of its other laws relating to licenses to drive to any person or circumstance, or invalidates or prevents any driver license agreement or other cooperative arrangement between a party state and a nonparty state.

ARTICLE VII

Compact Administrator and Interchange of Information

(1) (a) The head of the licensing authority of each party state is the administrator of this compact for his state.

(b) The administrators, acting jointly have the power to formulate all necessary and proper procedures for the exchange of information under this compact.

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

ARTICLE VIII

Entry into Force and Withdrawal

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

(2) Any party state may withdraw from this compact by enacting a statute repealing the compact, but no withdrawal takes 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.

(3) A withdrawal may not 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

(1) This compact shall be liberally construed to effectuate the purposes of the compact.

(2) The provisions of this compact are 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 of the compact 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 is not affected by the holding.

(3) If this compact is held contrary to the constitution of any party state, the compact remains 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.

Renumbered and Amended by Chapter 234, 1993 General Session

53-3-605 Furnishing information and documents.

The department shall furnish to the appropriate authorities of other party states any information or documents reasonably necessary to facilitate the administration of Articles III, IV, and V of the compact.

Renumbered and Amended by Chapter 234, 1993 General Session

53-3-606 Expenses of compact administrator.

The compact administrator provided for in Article VII of the compact is not entitled to any additional compensation on account of his service as administrator, but is entitled to expenses incurred in connection with his duties and responsibilities as administrator, in the same manner as for expenses incurred in connection with any other duties or responsibilities of his office or employment.

Renumbered and Amended by Chapter 234, 1993 General Session

53-3-607 Court and agency reporting of actions to department.

Any court or other agency of this state, or a subdivision of the state that has jurisdiction to take any action suspending, revoking, or otherwise limiting a license to drive, shall report any action suspending, revoking, or limiting a license to drive and the adjudication upon which it is based, to the department within ten days, in a manner specified by the department.

Amended by Chapter 85, 2001 General Session