

### **321.513 Nonresident traffic violator compact.**

1. *Authority to compact.* The director may enter into nonresident violator compacts with other jurisdictions. The compacts shall contain in substantially the same form the following provisions:

*a. Definitions.* For purposes of the nonresident violator compact, unless the context requires otherwise:

- (1) "*Citation*" means a summons, ticket, or other official document issued by a police officer for a traffic violation containing an order which requires the motorist to respond.
- (2) "*Collateral*" means cash or other security deposited to secure an appearance for trial, following the issuance by a police officer of a citation for a traffic violation.
- (3) "*Court*" means a court of law or traffic tribunal.
- (4) "*Driver's license*" means a license or privilege to operate a motor vehicle issued under the laws of the home jurisdiction.
- (5) "*Home jurisdiction*" means the jurisdiction that issued the driver's license of the traffic violator.
- (6) "*Issuing jurisdiction*" means the jurisdiction in which the traffic citation was issued to the motorist.
- (7) "*Jurisdiction*" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.
- (8) "*Motorist*" means a driver of a motor vehicle operating in a party jurisdiction other than the home jurisdiction.
- (9) "*Personal recognizance*" means an agreement by a motorist made at the time of issuance of the traffic citation that the motorist will comply with the terms of that traffic citation.
- (10) "*Police officer*" means a peace officer as defined in section 801.4 authorized by the party jurisdiction to issue a citation for a traffic violation.
- (11) "*Terms of the citation*" means those options expressly stated upon the citation.

*b. Procedure for issuing jurisdiction.*

- (1) When issuing a citation for a traffic violation, a police officer shall issue the citation to a motorist who possesses a driver's license issued by a party jurisdiction and shall not, except as provided in subparagraph (2) of this paragraph, require the motorist to post collateral to secure appearance, if the officer receives the motorist's signed personal recognizance that the motorist will comply with the terms of the citation.
- (2) Unless prohibited by law, personal recognizance is acceptable. If mandatory appearance is required by law, the appearance must take place immediately following issuance of the citation.
- (3) Upon failure of a motorist to comply with the terms of a traffic citation, the appropriate official shall report the failure to comply to the licensing authority of the jurisdiction in which the traffic citation was issued, and that licensing authority shall transmit the information contained in the report to the licensing authority in the home jurisdiction of the motorist.
- (4) The licensing authority of the issuing jurisdiction shall not suspend for failure to comply with the terms of a traffic citation the driving privilege of a motorist for whom a report has been transmitted.

(5) The licensing authority of the issuing jurisdiction shall not transmit a report on a violation if the date of transmission is more than six months after the date the traffic citation was issued.

(6) The licensing authority of the issuing jurisdiction shall not transmit a report on a violation where the date of issuance of the citation predates the most recent effective date of entry for the two jurisdictions.

*c. Procedure for home jurisdiction.* Upon receipt of a report of a failure to comply, the licensing authority of the home jurisdiction shall notify the motorist and initiate a suspension action, in accordance with the home jurisdiction's procedures, to suspend the motorist's driver's license until satisfactory evidence of compliance with the terms of the traffic citation has been furnished to the home jurisdiction licensing authority. Due process safeguards shall be accorded.

*d. Exceptions.* The provisions of the nonresident violator compact do not apply to parking or standing violations, highway weight limit violations, and violations of law governing the transportation of hazardous materials.

*e. Additional provisions.* The nonresident violator compact may contain other provisions the director reasonably determines are necessary or appropriate for inclusion in the compact.

2. *Rules.* The department may adopt rules pursuant to chapter 17A as necessary to carry out the provisions of this section.

3. *Enforcement.* The agencies and officers of this state and its political subdivisions shall enforce the nonresident violator compacts and shall do all things appropriate to accomplish their purpose and intent.

[C81, § 321.513]

86 Acts, ch 1245, § 1937