

March 29, 1965.

House File 607

Place on Calendar

By TRANSPORTATION COMMITTEE.

Passed House, Date *5/10, 5/17, 5/11*

Passed Senate, Date *5/28*

Vote: Ayes *88* Nays *20*

Vote: Ayes *36* Nays *15*

Approved *June 3, 1965*

*passed on file 5/12
Transportation 5/13
pass 5/20*

A BILL FOR

" An Act to enable Iowa to enter into the interstate driver license compact with other states and to designate an administrator for the compact.
"

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. The state of Iowa hereby ratifies and adopts by
2 reference the interstate driver license compact consisting of
3 nine (9) articles approved by the committee of state officials
4 on suggested state legislation of the council of state govern-
5 ments published in the program of suggested state legislation,
6 1963.

1 Sec. 2. The Commissioner of Public Safety shall be the com-
2 pact administrator for the state of Iowa. The compact admin-
3 istrator, acting jointly with like officers of other party states,
4 shall have the power to formulate all necessary and proper pro-
5 cedures for exchange of information under the compact.

EXPLANATION OF HOUSE FILE 607

Each state has rules for limiting or withdrawing the driving privileges of persons whose records indicate that they are a menace to themselves and others. If all drivers are to be accorded equal treatment, it is necessary that the driver's entire record, including convictions outside his home state, be considered.

The driver license compact which this bill proposes to adopt, provides basically two things, as follows:

1. That a driver's entire record, including out-of-state convictions, will be known to his home state so that effect may be given them.
2. That the "one license" principle applies, i.e., a person who holds a valid license in one state must turn it in before he may be issued a license by another party state.

HOUSE FILE 607

1 Amend House File 607 by striking all after the enacting
2 clause and inserting in lieu thereof the following:

3 Section 1. The commissioner of public safety is hereby au-
4 thorized to enter into drivers license compacts with other
5 jurisdictions legally joining therein in substantially the
6 following form.

7 The contracting states agree:

8 ARTICLE I—Findings and Declaration of Policy

9 a. The party states find that:

10 1. The safety of their streets and highways is materially
11 affected by the degree of compliance with state laws and local
12 ordinances relating to the operation of motor vehicles.

13 2. Violation of such a law or ordinance is evidence that
14 the violator engages in conduct which is likely to endanger the
15 safety of persons and property.

16 3. The continuance in force of a license to drive is pred-
17 icated upon compliance with laws and ordinances relating to the
18 operation of motor vehicles, in whichever jurisdiction the vehi-
19 cle is operated.

20 b. It is the policy of each of the party states to:

21 1. Promote compliance with the laws, ordinances, and
22 administrative rules and regulations relating to the operation
23 of motor vehicles by their operators in each of the jurisdictions
24 where such operators drive motor vehicles.

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

32 ARTICLE II—Definitions

33 As used in this compact:

34 a. "State" means a state, territory or possession of the
35 United States, the District of Columbia, or the Commonwealth
36 of Puerto Rico.

37 b. "Home state" means the state which has issued and has the
38 power to suspend or revoke the use of the license or permit to
39 operate a motor vehicle.

40 c. "Conviction" means a conviction of any offense related
41 to the use or operation of a motor vehicle which is prohibited
42 by state law, municipal ordinance or administrative rule or
43 regulation, or a forfeiture of bail, bond or other security
44 deposited to secure appearance by a person charged with having
45 committed any such offense, and which conviction or forfeiture
46 is required to be reported to the licensing authority.

47 ARTICLE III—Reports of Conviction

48 The licensing authority of a party state shall report each
49 conviction of a person from another party state occurring within
50 its jurisdiction to the licensing authority of the home state of
51 the licensee. Such report shall clearly identify the person
52 convicted; describe the violation specifying the section of the
53 statute, code or ordinance violated; identify the court in which
54 action was taken; indicate whether a plea of guilty or not guilty

55 was entered, or the conviction was a result of the forfeiture of
56 bail, bond or other security; and shall include any special
57 findings made in connection therewith.

58 ARTICLE IV—Effect of Conviction

59 a. The licensing authority in the home state, for the pur-
60 poses of suspension, revocation or limitation of the license to
61 operate a motor vehicle, shall give the same effect to the con-
62 duct reported, pursuant to Article III of this compact, as it
63 would if such conduct had occurred in the home state, in the
64 case of convictions for:

65 1. Manslaughter or negligent homicide resulting from the
66 operation of a motor vehicle;

67 2. Driving a motor vehicle while under the influence of
68 intoxicating liquor or a narcotic drug, or under the influence
69 of any other drug to a degree which renders the driver incapable
70 of safely driving a motor vehicle;

71 3. Any felony in the commission of which a motor vehicle
72 is used;

73 4. Failure to stop and render aid in the event of a motor
74 vehicle accident resulting in the death or personal injury of
75 another.

76 b. As to other convictions, reported pursuant to Article III,
77 the licensing authority in the home state shall give such effect
78 to the conduct as is provided by the laws of the home state.

79 c. If the laws of a party state do not provide for offenses
80 or violations demonstrated or described in precisely the words
81 employed in subdivision "a" of this article, such party state
82 shall construe the denominations and descriptions appearing in
83 subdivision "a" hereof as being applicable to and identifying
84 those offenses or violations of a substantially similar nature,
85 and the laws of such party state shall contain such provisions
86 as may be necessary to ensure that full force and effect is
87 given to this article.

88 ARTICLE V—Applications for New Licenses

89 Upon application for a license to drive the licensing author-
90 ity in a party state shall ascertain whether the applicant has
91 ever held, or is the holder of a license to drive issued by any
92 other party state. The licensing authority in the state where
93 application is made shall not issue a license to drive to the
94 applicant if:

95 1. The applicant has held such a license, but the same
96 has been suspended by reason, in whole or in part, of a viola-
97 tion and if such suspension period has not terminated.

98 2. The applicant has held such a license, but the same
99 has been revoked by reason, in whole or in part, of a violation
100 and if such revocation has not terminated, except that after
101 the expiration of one year from the date the license was revoked,
102 such person may make application for a new license if permitted
103 by law. The licensing authority may refuse to issue a license
104 to any such applicant if, after investigation, the licensing
105 authority determines that it will be safe to grant to such
106 person the privilege of driving a motor vehicle on the public
107 highways.

108 3. The applicant is the holder of a license to drive
109 issued by another party state and currently in force unless the
110 applicant surrenders such license.

111 ARTICLE VI—Applicability of Other Laws

112 Except as expressly required by provisions of this compact,
113 nothing contained herein shall be construed to affect the right
114 of any party state to apply any of its other laws relating to
115 licenses to drive to any person or circumstances, nor to inval-
116 idate or prevent any driver license agreement or other co-opera-
117 tive arrangement between a party state and a nonparty state.

118 ARTICLE VII

119 Compact Administrator and Interchange of Information

120 a. The head of the licensing authority of each party state
121 shall be the administrator of this compact for his state. The
122 administrators, acting jointly, shall have the power to formulate
123 all necessary and proper procedures for the exchange of informa-
124 tion under this compact.

125 b. The administrator of each party state shall furnish to the
126 administrator of each other party state any information or docu-
127 ments reasonably necessary to facilitate the administration of
128 this compact.

129 ARTICLE VIII—Entry Into Force and Withdrawal

130 a. This compact shall enter into force and become effective
131 as to any state when it has enacted the same into law.

132 b. Any party state may withdraw from this compact by enacting
133 a statute repealing the same, but no such withdrawal shall take
134 effect until six months after the executive head of the withdrawing
135 state has given notice of the withdrawal to the executive heads
136 of all other party states. No withdrawal shall affect the
137 validity or applicability by the licensing authorities of
138 states remaining party to the compact of any report of convic-
139 tion occurring prior to the withdrawal.

140 ARTICLE IX—Construction and Severability

141 This compact shall be liberally construed so as to effectuate
142 the purposes thereof. The provisions of this compact shall be
143 severable.

144 Sec. 2. The agencies and officers of this state and its sub-
145 divisions and municipalities shall enforce this compact and do
146 all things appropriate to effect its purpose and intent which
147 may be within their respective jurisdictions.

Filed *Adopted 5/11*
May 6, 1965.

By COMMITTEE ON TRANSPORTATION,
KEITH H. DUNTON, *Chairman*.