



## The Driver License Compact

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“The Driver License Compact [DLC] was created to provide uniformity among the member jurisdictions when exchanging information with other members on convictions, records, licenses, withdrawals, and other data pertinent to the licensing process.”<sup>1</sup>

### **WHAT IS THE DRIVER LICENSE COMPACT?**

Guided by the concept, “One Driver, One License, One Record,” the DLC is an interstate compact between member states to exchange information regarding the licensing process. The Compact covers a number of topics with regard to licensing, including information and procedures for reporting traffic offenses, convictions, and license suspensions of persons from another DLC member state within its jurisdiction to the offending individual’s home licensing state.

### **HISTORY OF THE DRIVER LICENSE COMPACT**

The Beamer Resolution (Public Law 85-684), adopted by Congress in 1958, paved the way for the creation of the DLC. The Beamer Resolution advanced the usually requisite congressional approval for interstate compacts, thereby encouraging states to form interstate compacts designed to further traffic safety.

Drafting of the DLC began in 1960, and in 1961 Nevada became the first state to adopt the Compact. Once Mississippi joined the DLC in 1962, “the compact became a viable interstate instrument.” By the end of the 1960s, there were 27 states party to the compact, with additional

states joining in the 1970s, 1980s and 1990s, bringing the current number of participating states to 44.



## **HOW DOES THE DRIVER LICENSE COMPACT WORK?**

For the Compact to become effective, each state desiring to become a member of the DLC must enact implementing legislation. (Should a state later choose to withdraw from the compact, it must enact a statute repealing the same.) Once enacted, member states are bound to share licensing information with other member states, including information regarding traffic offenses by, convictions of, and administrative actions against out-of-state drivers.

With respect to convictions, each state must report the conviction of an out-of-state individual to the licensing authority of that individual's home state within 15 days after receiving report of the conviction from the court. The information sent to the home licensing authority should clearly identify the individual convicted, describe the violation, identify the court where the action was taken, include the dates of both arrest and conviction, indicate whether the individual pled guilty or not guilty or whether the conviction was a result of the forfeiture of bail, bond, or other security, and should include any special findings. The report should also indicate whether the violation was committed in a commercial motor vehicle, and whether the violation was committed in a motor vehicle carrying hazardous materials.

In addition to convictions, notice of administrative actions against a driver (i.e. suspension of driving privileges in that state), as well as supporting documentation, are to be forwarded to the driver's home jurisdiction. How that suspension affects the driver's privileges in his or her home state depends on whether that state recognizes and acts upon administrative suspensions from another state. Some states are completely reciprocal, while others will only take action upon a conviction, but not an administrative action.

For the purpose of suspension, revocation, or limitation of an individual's driver's license, the home state receiving the information is supposed to give the same effect to the conduct reported as it would if the violation had occurred in the home state, applying home state laws to the out-of-state offense. Because of this, home jurisdictions may impose greater or fewer consequences than would be assessed in the state of conviction. The type of action that the driver's home state will take for moving violations will vary from state to state, but may include assessment of points and suspension of the individual's license. However, "[n]ot every driving offense will transfer back to a driver's home state. For instance a careless driving offense in one state may not transfer back to the driver's home state if that state does not have a statute for such an offense. Therefore no action will be taken by the driver's home state regarding such an offense."

## **WHO ARE MEMBERS OF THE DRIVER LICENSE COMPACT?**

There are currently 44 states that are members of the DLC. The non-member states are Georgia, Massachusetts, Michigan, Tennessee (which was a member until 1997), Wisconsin, and Nevada. Nevada, the first state to adopt the DLC, was a member until 2007 when it repealed its authorizing statute in anticipation of adopting the Driver License Agreement [DLA] as a replacement.



# TRAFFIC RESOURCE CENTER for JUDGES

State	Citation	Year Of Joinder
Alabama	Code of Ala. 1975 Secs. 32-6-30 to 32-6-36	1966
Alaska	Alaska: AS Secs. 28.37.010 to 28.37.190	1986
Arizona	A.R.S. Sec. 28-1851	1963
Arkansas	Ark. Code Ann. Secs. 27-17-101 to 27-17-106	1969
California	West's Ann. Cal. Veh. Code Sec. 15000 et seq.	1963
Colorado	C.R.S. Secs. 24-60-1101 to 24-60-1107	1965
Congress	72 Stat.635	1958
Connecticut	C.G.S.A. Secs. 14-111c	1993
D.C.	DC Code Secs. 50-1001, 50-1002	1985
Delaware	21 Del. C. Secs. 8101, 8111, to 8113	1964
Florida	West's F.S.A. Sec. 322.43 et seq.	1967
Hawaii	HRS Secs. 286C-1, 286C-2	1971
Idaho	I.C. Secs. 49-2001 to 49-2003	1963
Illinois	625 ILCS 5/6-700 et seq.	1970
Indiana	IC 9-28-1-1 to IC 9-28-1-6	1967
Iowa	I.C.A. Secs. 321C.1, 321C.2	1965
Kansas	K.S.A. 8-1212 et seq.	1965
Louisiana	LSA-R.S. 32:1420 et seq.	1968
Maryland	Md. [Transp.] Code Ann. Secs. 16-701 to 16-708	1987
Massachusetts	ALM GL 90:30B	1988
Minnesota	M.S.A. Sec. 171.50 et seq.	1989
Mississippi	Code 1972, Secs. 63-1-101 to 63-1-113	1962
Missouri	V.A.M.S. Secs. 302.600, 302.605	1985
Montana	MCA Title 61, Ch. 5, part 4	1963
Nebraska	R.S.N. Vol. 2A Appendix Sec. 1-113	1963
New Hampshire	RSA 263:77-263:81	1986
New Jersey	N.J.S.A. 39:5D-1 et seq.	1967
New Mexico	NMSA 1978 Secs. 66-5-49 to 66-5-51	1963
New York	McKinney's Vehicle & Traffic Law Sec. 516	1965
North Carolina	G.S. Secs. 20-4.21 to 20-4.30	1993
Ohio	RC 4507.60-4507.63	1987
Oklahoma	47 Okl. St. Ann. Sec. 781 et seq.	1967
Oregon	ORS 802.540, 802.550	1983
Pennsylvania	75 Pa. C.S.A. Sec. 1581 et seq.	1996
South Carolina	Code 1976, Secs. 56-1-610 to 56-1-690	1987
South Dakota	SDCL Sec. 32-12-56.1	1986
Tennessee	T.C.A. Sec. 55-50-702	1979
Texas	V.T.C.A. Tran. 523.001 et seq.	1993
Utah	U.C.A. 195353-3-601 to 53-3-607	1965
Vermont	V.S.A. 23 Sec. 3901 et seq.	1987
Virginia	Code 1950, Secs. 46.2-483 to 46.2-488	1968
Washington	RCW 46.21.010 et seq.	1963
West Virginia	W. Va. Code, Secs. 17B-1A, 17B-1A-2	1972
Wyoming	W.S. Secs. 31-7-201, 31-7-202	1987

[Source: National Center for Interstate Compacts]



## WHAT IS THE DRIVER LICENSE AGREEMENT?

“The DLA is a voluntary, reciprocal agreement among member jurisdictions to promote the ‘one identity, one driver license - one driver control record’ concept and to provide for the fair and impartial treatment of all drivers operating within their borders with respect to offenses and failures to comply.” Combining and improving elements of the Driver License Compact and Non-Resident Violator Compact, the DLA is designed to create a more efficient and uniform way for states to license individuals and share information regarding driver records and driving offenses.

Unlike with the DLC, for states to become party to the Agreement they need not enact a statute; they need only submit a Notice of Joinder (with the requisite accompanying documents) and be approved by the Board. (A state may withdraw from the DLA upon written notice to the Board.) Though the DLA Code, a list of offenses to be reported to the jurisdiction of record, is more extensive than under the DLC, it contains similar language regarding the effect that the home jurisdiction is to give reported conduct. Specifically, “The licensing authority of the Jurisdiction of Record shall give the same effect to the conduct reported to it under the Driver License Agreement as it would if such conduct had occurred in the Jurisdiction of Record.”

Despite plans that the DLA would replace the DLC, 12 years after the first state joined the DLA, only three states are party to the Agreement—Connecticut, Arkansas, and Massachusetts.

Online legal research provided by LexisNexis.





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