

H.B. No. 120

Introduced by:

Nels J. Smith
Asst. Com. Brown
Alton "Tony" Buttsfield
Maxim E. Emrich
Ward A. Myers
A BILL
for

AN ACT to ratify and adopt the Driver License Compact as authorized by the Congress of the United States by Public Law 85-684; to define the terms contained therein; to declare a policy of this state relative to driver licenses; to authorize and direct the director of the Motor Vehicle Division of the Department of Revenue of the Board of Equalization to report convictions of drivers in this state to other compact states; to provide a reciprocal effect of the compact upon compact states; to provide for the denial of driver licenses in compact states for enumerated causes; to provide for the application of the state laws of each compact state within such a compact state; to provide for a compact administrator within each compact state; to provide for the exchange of information among the compact

administrators of the several states; to provide for the entry into force of the compact and the withdrawal from the compact; to provide for the construction and severability of the compact; to provide for the courts or other agency suspending licenses to report the suspension; and to provide an effective date.

FEB 9 1967 READ SECOND TIME

ENGROSSED

JAN 17 1967 Introduced
JAN 17 1967 Read first time
JAN 17 1967 Referred to Com. No. 10
JAN 17 1967 Delivered to Printing Com.
JAN 18 1967 Returned from Printing Com.
JAN 18 1967 Delivered to Com. No. 10

FEB 7 1967 RETURNED

RECOMMENDED DO.....PASS

PLACED ON GENERAL FILE

FEB 8 1967 CONSIDERED IN COM. OF WHOLE

Amended as follows

H.B. 120 - C of W #5 Amendment
Page 2, line 5 of title, after
"suspension" strike semi-colon
& replace with period. Strike
"and to provide an effective
date." Re-number balance of
the page. Strike Section 8 on
Page 11.

Adopted

RECOMMENDED DO.....PASS

APPROVED AS TO FORM

1 force of the compact and the withdrawal from
2 the compact; to provide for the construction
3 and severability of the compact; to provide for
4 the courts or other agency suspending licenses
5 to report the suspension,
6

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF
8 WYOMING:

9 Section 1. The Driver License Compact is hereby
10 enacted into law and entered into with all other
11 jurisdictions legally joining therein in the form
12 substantially as follows:

13 Article I

14 Findings and Declaration of Policy

15 (a) The party states find that:

16 (1) The safety of their streets and highways is
17 materially affected by the degree of compliance with
18 state and local ordinances relating to the opera-
19 tion of motor vehicles.

20 (2) Violation of such a law or ordinance is
21 evidence that the violator engages in conduct which
22 is likely to endanger the safety of persons and
23 property.

24 (3) The continuance in force of a license to
25 drive is predicated upon compliance with laws and
26 ordinances relating to the operation of motor vehi-
27 cles, in whichever jurisdiction the vehicle is operated.

1 Section 7. Any act or omission of any official
2 or employee of this state done or omitted pursuant
3 to, or enforcing, the provisions of the Driver
4 License Compact shall be subject to review by the
5 district courts of the State of Wyoming in accor-
6 dance with the provisions of the Wyoming Administra-
7 tive Procedures Act, Section 9-276.19 through Section
8 9-276.33, Wyoming Statutes 1957, as amended, the
9 Wyoming Rules of Civil Procedure, and any other
10 applicable laws of the State of Wyoming relating to
11 review and appeal.

12 Section 8. This act shall be effective from
13 and after the date of passage.

H.B.No.120

Introduced by:

Nels J. Smith, Leslie L.
Zumbrunnen, Alton "Tony"
Butterfield, Marvin E. Emrich,
George W. Hufsmith, Ward G.
Myers

A BILL

for

AN ACT to ratify and adopt the Driver License Compact as authorized by the Congress of the United States by Public Law 85-604; to define the terms contained therein; to declare a policy of this state relative to driver licenses; to authorize and direct the director of the Motor Vehicle Division of the Department of Revenue of the Board of Equalization to report convictions of drivers in this state to other compact states; to provide a reciprocal effect of the compact upon compact states; to provide for the denial of driver licenses in compact states for enumerated causes; to provide for the application of the state law of each compact state within such a compact state; to provide for a compact administrator within each compact state; to provide for the exchange of information among the compact administrators of the several states; to provide for the entry into force of the compact and the withdrawal from the compact; to provide for the construction and severability of the compact; to provide for the courts or other agency suspending licenses to report the suspension.

Jan. 17, 1967
Introduced
Read First Time

Referred to Com. No. 10
Delivered to Printing Com.

Jan. 18, 1967
Returned from Printing Com.
Delivered to Com. No. 10

Feb. 7, 1967
Returned
Recommended Do Pass
Placed on General File

Feb. 8, 1967
Considered in Com. of Whole
Amended as follows
H.B. 120 - C of W #5 Amendment Page 2,
line 5 of title, after "suspension" strike
semi-colon and replace with period. Strike
"and to provide an effective date."
Re-number balance of the page. Strike
Section 8 on Page 11.
Adopted
Recommended Do Pass

Feb. 9, 1967
Read Second Time
Engrossed

FEB 9 1967
Recommended to Com, No. 10

Date

1/17/67 Introduced, read first time, referred to Com. No. 10
____ Standing Com. Report: Do ____ Do not ____ Amend ____
____ Com. of Whole: Do ____ Do not ____ Amend ____ Indef. Postponed.
____ 2nd: Amend ____ 3rd: Amend ____ Ayes ____ Noes ____
____ Passed by Senate: Ayes ____ Noes ____

H. B. 120

Introduced by: **Nels J. Smith, Leslie L. Zumbrunnen,
Alton "Tony" Butterfield, Marvin E.
Emrich, George W. Hufsmith, Ward G.
Myers**

A BILL

for

1 AN ACT to ratify and adopt the Driver License
2 Compact as authorized by the Congress of the
3 United States by Public Law 85-684; to define
4 the terms contained therein; to declare a
5 policy of this state relative to driver
6 licenses; to authorize and direct the director
7 of the Motor Vehicle Division of the Department
8 of Revenue of the Board of Equalization to
9 report convictions of drivers in this state to
10 other compact states; to provide a reciprocal
11 effect of the compact upon compact states; to
12 provide for the denial of driver licenses in compact
13 states for enumerated causes; to provide for the
14 application of the state law of each compact state
15 within such a compact state; to provide for a
16 compact administrator within each compact
17 state; to provide for the exchange of informa-
18 tion among the compact administrators of the
19 several states; to provide for the entry into

1 force of the compact and the withdrawal from the compact;
2 to provide for the construction and severability of the compact;
3 to provide for the courts or other agency suspending licenses
4 to report the suspension.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WYOMING:

6 Section 1. The Driver License Compact is hereby enacted into
7 law and entered into with all other jurisdictions legally joining therein
8 in the form substantially as follows:

9 Article I

10 Findings and Declaration of Policy

11 (a) The party states find that:

12 (1) The safety of their streets and highways is materially
13 affected by the degree of compliance with state and local ordinances
14 relating to the operation of motor vehicles.

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

18 (3) The continuance in force of a license to drive is predicated
19 upon compliance with laws and ordinances relating to the operation of
20 motor vehicles, in whichever jurisdiction the vehicle is operated.

of this article, such party state shall construe the
24 denominations and descriptions appearing in subdi-
25 vision (a) hereof as being applicable to and identi-
26 fying those offenses or violations of a substantially
27 similar nature and the laws of such party state shall
28 contain such provisions as may be necessary to ensure

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1 vehicle which is prohibited by state law, municipal
2 ordinance or administrative rule or regulation, or
3 a forfeiture of bail, bond or other security
4 deposited to secure appearance by a person charged
5 with having committed any such offense, and which
6 conviction or forfeiture is required to be reported
7 to the licensing authority.

8 Article III

9 Reports of Conviction

10 The licensing authority of a party state shall
11 report each conviction of a person from another
12 party state occurring within its jurisdiction to
13 the licensing authority of the home state of the
14 licensee. Such report shall clearly identify the
15 person convicted; describe the violation specifying
16 the section of the statute, code or ordinance vio-
17 lated; identify the court in which action was taken;
18 indicate whether a plea of guilty or not guilty was
19 entered, or the conviction was a result of the
20 forfeiture of bail, bond or other security; and shall
21 include any special findings made in connection there-
22 with.

23 Article IV

24 Effect of Conviction

25 (a) The licensing authority in the home state,
26 for the purposes of suspension, revocation or limi-
27 tation of the license to operate a motor vehicle,
28 shall give the same effect to the conduct reported,

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

3 (1) Promote compliance with the laws, ordi-
4 nances, and administrative rules and regulations
5 relating to the operation of motor vehicles by
6 their operators in each of the jurisdictions where
7 such operators drive motor vehicles.

8 (2) Make the reciprocal recognition of
9 licenses to drive and eligibility therefor more
10 just and equitable by considering the overall com-
11 pliance with motor vehicle laws, ordinances and
12 administrative rules and regulations as a condition
13 precedent to the continuance or issuance of any
14 license by reason of which the licensee is autho-
15 rized or permitted to operate a motor vehicle in
16 any of the party states.

17 Article II

18 Definitions

19 As used in this compact:

20 (a) "State" means a state, territory or pos-
21 session of the United States, the District of
22 Columbia, or the Commonwealth of Puerto Rico.

23 (b) "Home state" means the state which has
24 issued and has the power to suspend or revoke the
25 use of the license or permit to operate a motor
26 vehicle.

27 (c) "Conviction" means a conviction of any
28 offense related to the use or operation of a motor

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1 that full force and effect is given to this
2 article.

3 Article V

4 Applications for New Licenses

5 Upon application for a license to drive, the
6 licensing authority in a party state shall ascertain
7 whether the applicant has ever held, or is the
8 holder of a license to drive issued by any other
9 party state. The licensing authority in the state
10 where application is made shall not issue a license
11 to drive to the applicant if:

12 (1) The applicant has held such a license, but
13 the same has been suspended by reason, in whole or
14 in part, of a violation and if such suspension
15 period has not terminated.

16 (2) The applicant has held such a license, but
17 the same has been revoked by reason, in whole or in
18 part, of a violation and if such revocation has not
19 terminated, except that after the expiration of one
20 (1) year from the date the license was revoked,
21 such person may make application for a new license
22 if permitted by law. The licensing authority may
23 refuse to issue a license to any such applicant if,
24 after investigation, the licensing authority
25 determines that it will not be safe to grant to such
26 person the privilege of driving a motor vehicle on
27 the public highways.

1 Article VIII

2 Entry Into Force and Withdrawal

3 (a) This compact shall enter into force and
4 become effective as to any state when it has enacted
5 the same into law.

6 (b) Any party state may withdraw from this com-
7 pact by enacting a statute repealing the same, but
8 no such withdrawal shall take effect until six (6)
9 months after the executive head of the withdrawing
10 state has given notice of the withdrawal to the exe-
11 cutive heads of all other party states. No withdrawal
12 shall affect the validity or applicability by the
13 licensing authorities of states remaining party to
14 the compact of any report or conviction occurring
15 prior to the withdrawal.

16 Article IX

17 Construction and Severability

18 This compact shall be liberally construed so as
19 to effectuate the purposes thereof. The provisions
20 of this compact shall be severable and if any phrase,
21 clause, sentence or provision of this compact is
22 declared to be contrary to the constitution of any
23 party state or of the United States or the appli-
24 cability thereof to any government, agency, person
25 or circumstance is held invalid, the validity of the
26 remainder of this compact and the applicability
27 thereof to any government, agency, person or circum-
28 stance shall not be affected thereby. If this

1 (3) The applicant is the holder of a license
2 to drive issued by another party state and currently
3 in force unless the applicant surrenders such
4 license.

5 Article VI

6 Applicability of Other Laws

7 Except as expressly required by provisions of
8 this compact, nothing contained herein shall be con-
9 strued to affect the right of any party state to
10 apply any of its other laws relating to licenses to
11 drive to any person or circumstance, nor to invali-
12 date or prevent any driver license agreement or
13 other cooperative arrangement between a party state
14 and a non-party state.

15 Article VII

16 Compact Administrator and Interchange
17 of Information

18 (a) The head of the licensing authority of each
19 party state shall be the administrator of this com-
20 pact for his state. The administrators, acting
21 jointly, shall have the power to formulate all
22 necessary and proper procedures for the exchange of
23 information under this compact.

24 (b) The administrator of each party state shall
25 furnish to the administrator of each other party
26 state any information or documents reasonably neces-
27 sary to facilitate the administration of this compact.

1 compact shall be held contrary to the constitution
2 of any state party thereto, the compact shall remain
3 in full force and effect as to the remaining states
4 and in full force and effect as to the state
5 affected as to all severable matters.

6 Section 2. As used in the compact, the term
7 "licensing authority" with reference to this state,
8 shall mean the Motor Vehicle Division of the
9 Department of Revenue of the Board of Equalization.
10 Said Motor Vehicle Division of the Department of
11 Revenue of the Board of Equalization shall furnish
12 to the appropriate authorities of any other party
13 state any information or documents reasonably neces-
14 sary to facilitate the administration of Articles
15 III, IV and V of the compact.

16 Section 3. The compact administrator provided
17 for in Article VII of the compact shall not be
18 entitled to any additional compensation on account
19 of his service as such administrator, but shall be
20 entitled to expenses incurred in connection with
21 his duties and responsibilities as such administra-
22 tor, in the same manner as for expenses incurred in
23 connection with any other duties or responsibilities
24 of his office or employment.

25 Section 4. As used in the compact, with refer-
26 ence to this state, the term "executive head" shall
27 mean governor.

1 Section 5. Any court or other agency of this
2 State, or a subdivision thereof, which has jurisdiction
3 to take any action suspending, revoking or otherwise
4 limiting a license to drive, shall report any such
5 action and the adjudication upon which it is based
6 to the Motor Vehicle Division of the Department of
7 Revenue of the Board of Equalization within twenty
8 (20) days on forms furnished by the Motor Vehicle
9 Division of the Department of Revenue of the Board
10 of Equalization.

11 Section 6. Those offenses described in Article
12 IV(a) of the compact shall refer only to the following:

13 To those crimes specified in paragraphs (a), (b),
14 (c), and (d), of subsection 2 of Section 31-273, Wyoming
15 Statutes 1957. "Felony" as used in Article IV (a) (3)
16 shall mean only an offense, which if committed in
17 this state, would constitute a felony. No conviction
18 in another compact state for an offense described
19 in Article IV(a) of the compact shall be considered
20 in this state unless the director of the Motor
21 Vehicle Division of the Department of Revenue of
22 the Board of Equalization shall have made a finding
23 with respect thereto that the prerequisites to
24 such conviction in such other compact state with
25 respect to trial by jury, burden of proof and
26 elements of offense are not less stringent than
27 such prerequisites to conviction for such offense
28 in this state.

1 Section 7. Any act or omission of any official or employee of
2 this state done or omitted pursuant to, or enforcing, the provisions of
3 the Driver License Compact shall be subject to review by the district
4 courts of the State of Wyoming in accordance with the provisions of the
5 Wyoming Administrative Procedures Act, Section 9-276.19 through Section
6 9-276.33, Wyoming Statutes 1957, as amended, the Wyoming Rules of Civil
7 Procedure, and any other applicable laws of the State of Wyoming relating
8 to review and appeal.