

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

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**Legislative Document**

**No. 668**

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H. P. 464

House of Representatives, January 24, 1963

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Knight of Rockland.

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**STATE OF MAINE**

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-THREE

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**AN ACT Providing for the Driver License Compact.**

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Be it enacted by the People of the State of Maine, as follows :

**R. S., c. 22-A, additional.** The Revised Statutes are amended by adding thereto a new chapter, to be numbered 22-A, to read as follows :

**'Chapter 22-A.**

**Driver License Compact.**

**Sec. 1.** The driver license compact. The driver license compact is hereby enacted into law and entered into with all other jurisdictions legally joining therein in the form substantially as follows :

**Driver License Compact.**

**Article I. Findings and declaration of policy.**

**I. Findings.** 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 such a law or ordinance is evidence that the violator engages in conduct which is likely to endanger the safety of persons and property ;

**C.** The continuance in force of 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.

**II. Policy.** 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 such operators drive motor vehicles;
- B.** Make the reciprocal recognition of licenses to drive and eligibility therefore more just and equitable by considering the overall compliance with motor vehicle laws, ordinances and administrative rules and regulations as a condition precedent to the continuance or issuance of any license by reason of which the licensee is authorized or permitted to operate a motor vehicle in any of the party states.

**Article II. Definitions.** As used in this compact:

**I. Conviction.** "Conviction" means a conviction of any offense related to the use or operation of a motor vehicle which 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 such offense, and which conviction or forfeiture is required to be reported to the licensing authority.

**II. Home state.** "Home state" means the state which has issued and has the power to suspend or revoke the use of the license or permit to operate a motor vehicle.

**III. State.** "State" means a state, territory or possession of the United States, the District of Columbia or the Commonwealth of Puerto Rico.

**Article III. Reports of conviction.** 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. Such report shall clearly identify the person convicted; describe the violation specifying the section of the statute, code or ordinance violated; identify the court in which action was taken; 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 shall include any special findings made in connection therewith.

**Article IV. Effect of conviction.**

**I. Convictions.** 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 such 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 which renders the driver incapable of safely driving a motor vehicle;

C. Any felony in the commission of which a motor vehicle is used;

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

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

III. Similar offenses. If the laws of a party state do not provide for offenses or violations denominated or described in precisely the words employed in subsection I of this article, such party state shall construe the denominations and descriptions appearing in subsection I as being applicable to and identifying those offenses or violations of a substantially similar nature and the laws of such party state shall contain such provisions as may be necessary to ensure that full force and effect is given to this article.

Article V. Applications for new licenses. 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. The licensing authority in the state where application is made shall not issue a license to drive to the applicant if:

I. License suspended. The applicant has held such a license, but the same has been suspended by reason, in whole or in part, of a violation and if such suspension period has not terminated;

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

III. Surrender of license. The applicant is the holder of a license to drive issued by another party state and currently in force unless the applicant surrenders such license.

Article VI. Applicability of other laws. Except as expressly required by provisions of this compact, nothing contained herein shall be construed to affect the right of any party state to apply any of its other laws relating to licenses to drive to any person or circumstance, nor to invalidate or prevent any driver license agreement or other cooperative arrangement between a party state and a non-party state.

Article VII. Compact administrator and interchange of information. The head of the licensing authority of each party state shall be the administrator of this compact for his state. The administrators, acting jointly, shall have the power to formulate all necessary and proper procedures for the exchange of information under this compact.

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

Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until 6 months after the executive head of the withdrawing state has given notice of the withdrawal to the executive heads of all other party states. No withdrawal shall affect the validity or applicability by the licensing authorities of the states remaining party to the compact of any report of conviction occurring prior to the withdrawal.

**Article IX. Construction and severability.** This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be 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 of the applicability thereof 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 shall not be affected thereby. If this compact shall be held contrary to the constitution of any state party thereto, the compact shall remain 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.

**Sec. 2. Licensing authority.** As used in the compact, the term "licensing authority" with reference to this State, shall mean the Secretary of State. Said Secretary of State shall furnish to the appropriate authorities of any other party state any information or documents reasonably necessary to facilitate the administration of articles III, IV and V of the compact.

**Sec. 3. Expenses.** The compact administrator provided for in article VII of the compact shall not be entitled to any additional compensation on account of his service as such administrator, but shall be entitled to expenses incurred in connection with his duties and responsibilities as such administrator, in the same manner as for expenses incurred in connection with any other duties or responsibilities of his office or employment.

**Sec. 4. Executive head defined.** As used in the compact, with reference to this State, the term "executive head" shall mean the Governor.

**Sec. 5. Duty of court.** Any court of this State, which has jurisdiction to take any action suspending, revoking or otherwise limiting a license to drive, shall report any such action and the adjudication upon which it is based to the Secretary of State within 5 days on forms furnished by the Secretary of State.'