



Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #796

Driver License Agreement (DOT -- Motor Vehicles)

Bill Agency

[LFB 2007-09 Budget Summary: Page 551, #2]

CURRENT LAW

The Department of Transportation (DOT), through the Division of Motor Vehicles (DMV), issues driver's licenses to eligible state residents and maintains records of traffic violations committed by licensees, by Wisconsin residents who have not been issued a license, and by nonresidents for violations occurring in Wisconsin. The Department also keeps a record of license withdrawals (license suspension, revocation, or commercial driver's license disqualification) when ordered by a court in response to a traffic conviction or for another purpose. Under certain circumstances, the Department also administratively imposes license withdrawals upon receiving record of certain convictions or upon receiving record of repeated convictions (demerit point suspension).

GOVERNOR

The following is an abbreviated summary of the Governor's provisions related to the Driver License Agreement. For the full summary, see LFB's "Summary of Governor's Budget Recommendations."

Provide \$353,600 SEG and 2.6 SEG positions in 2007-08 and \$383,900 SEG and 2.6 SEG positions in 2008-09 to implement provisions of the Driver License Agreement (DLA).

Requirement to Enter Driver License Agreement; General Provisions

Require the state, through DOT, in order to promote the efficient administration and enforcement of driver's licensing provisions, to join the agreement facilitated by the American

Association of Motor Vehicle Administrators that, as of July 1, 2009, is known as the Driver License Agreement, and that establishes standards among participating jurisdictions for the treatment and exchange of driver licensing and conviction information and other data pertinent to the licensing process. Specify that joining of the DLA shall be effective July 1, 2009. All other provisions summarized below first apply and are effective on July 1, 2009, unless otherwise specified.

Require DOT to promulgate rules as the Secretary considers necessary to effectuate the purposes of the DLA. Require DOT to also promulgate rules, timed to become effective when the state joins the agreement, to identify all violations of state law, and administrative actions under state law (as well as all equivalent violations and administrative actions of other jurisdictions, described by type or category) that are required to be recognized by the DLA as violations and administrative actions by all member jurisdictions. [This list of reciprocally-recognized traffic offenses and administrative actions is hereafter referred to as "DLA code offenses" in this summary.] Require DOT to submit the rules identifying the DLA code offenses in proposed form to the Legislative Council staff no later than July 1, 2009. Require DOT to provide publication of notice of the state's joining the DLA, including the effective date, by notice published by the Revisor of Statutes in the Wisconsin Administrative Register. Require DOT to promulgate emergency rules identifying the DLA code offenses no later than July 1, 2009, and specify that these rules shall be effective until the permanent rules take effect, or until July 1, 2009, whichever is sooner. Specify that these emergency rules may be promulgated notwithstanding the conditions that normally are required to be met for the promulgation of emergency rules.

License Sanctions and Other Changes Affecting Nonresidents

Modify provisions related to the administrative suspension or revocation of operating privileges by DOT to specify that such provisions only apply to the operating privileges of persons who are licensed in Wisconsin or of residents who have not been issued a license in another jurisdiction, reflecting the fact that under DLA, with limited exceptions, member jurisdictions take licensing actions against only their own licensees and residents. Specify, however, that the Department shall revoke or suspend, as applicable, the operating privileges of a nonresident upon receiving a record of the person's conviction for an offense committed in Wisconsin that is subject to revocation or suspension if the person is licensed or resides in another jurisdiction that is not a member jurisdiction or if the offense is not a DLA code offense.

Prohibit DOT from issuing an order disqualifying a nonresident from operating a commercial motor vehicle or from taking any other administrative action on a disqualification upon receiving notice of a conviction of the nonresident on an offense that results in disqualification.

Specify that DOT may only suspend the operating privilege of a nonresident for violations under the state's safety responsibility law, including failure to deposit security to cover uninsured damages following an accident and failure to report, or provide information regarding, an

accident, if these offenses are not DLA code offenses or if the nonresident is licensed by or resides in a nonmember jurisdiction. Require DOT to provide notice to a nonresident's home jurisdiction of an offense committed by the nonresident that is grounds for operating privilege suspension under the state's vehicle safety responsibility law, including notice of any suspension of the nonresident's operating privilege or vehicle registration.

Modify a current law provision that requires DOT to provide a copy of a record of a nonresident's traffic conviction occurring in Wisconsin, if the violation makes the nonresident subject to operating privilege suspension, revocation, or disqualification, to the licensing agency of a nonresident's home jurisdiction, as follows: (a) require DOT to forward the copy of the record within 30 days; (b) require DOT to also forward any record of a Wisconsin court's order to suspend, revoke, or disqualify a nonresident; (c) require DOT to also forward a certified copy of a notice related to the filing of an appeal of the conviction or a court's subsequent judgment on an appeal; and (d) specify that the provision is subject to current law requirements regarding the notification of the commercial driver's license system for violations involving nonresidents who hold a commercial driver's license. Require DOT to provide notice to a nonresident's home jurisdiction, subject to the same procedures, of the nonresident's conviction, and any subsequent appeal, for a violation of a DLA code violation that is not grounds for revocation, suspension, or disqualification.

Require DOT, within 30 days of receiving notice of certain information with respect to a nonresident, to send notice of the information to the driver licensing agency of the nonresident's jurisdiction, as follows: (a) a report of a chemical test indicating that the nonresident was operating a motor vehicle with a prohibited blood alcohol concentration or with a detectable amount of a controlled substance, including notice of the resultant administrative suspension; (b) a report of a chemical test indicating that the nonresident was operating a commercial motor vehicle with a blood alcohol content exceeding 0.00, including notice of the resultant out-of-service order; and (c) the results of any administrative hearing conducted following such administrative suspension or out-of-service order.

Modify provisions that require a law enforcement officer who arrests a person without a warrant for a traffic regulation to release the person if the person deposits a valid Wisconsin driver's license with the officer to eliminate the requirement that the driver's license be a Wisconsin license.

Other Provisions Affecting Nonresidents

Modify provisions related to filing proof of financial responsibility for three years upon reinstatement following a period of license suspension under the financial responsibility law to specify that such requirements only apply to Wisconsin residents. Delete provisions related to the procedures used regarding filing of financial responsibility by nonresidents, reflecting that nonresidents would no longer be required to file such proof in Wisconsin.

Modify provisions related to a court ordered assessment of a person's alcohol use following a conviction of an operating while intoxicated offense to specify that such assessment orders

would only apply to Wisconsin residents. Delete provisions related to the procedures used for the assessment of nonresidents, reflecting that nonresidents would no longer be subject to such orders.

License Sanctions Against Wisconsin Residents for Offenses Committed in Other Jurisdictions

Specify that DOT may suspend or revoke the operating privilege of any person who holds a Wisconsin driver's license or who is a resident of Wisconsin and has not been issued a license from another jurisdiction, upon receiving: (a) notice of the suspension or revocation in another jurisdiction of the person's operating privilege for an offense therein which, if committed in Wisconsin, would have been cause for suspension or revocation under any Wisconsin law or which is identified in the Department's rules as a DLA code offense for which a person is subject to suspension or revocation; or (b) circumstances occurring in another jurisdiction that, if occurring in Wisconsin, would have been cause for administrative suspension for operating a motor vehicle with a prohibited blood alcohol concentration or a detectable amount of a restricted controlled substance. Specify, however, that this provision does not apply to any suspension or revocation in another jurisdiction for failure to comply with the order of, or appear before, a court of that jurisdiction.

Effect of Traffic Offenses Committed by Wisconsin Residents in Other Jurisdictions on License Issuance and on Penalties for Subsequent Violations

Prohibit DOT from issuing a driver's license to a person whose operating privilege is suspended, revoked, or canceled by another jurisdiction for a DLA code offense or combination of DLA code offenses, except if the suspension, revocation, or cancellation was the result of the failure to comply with a judgment in that other jurisdiction and at least five years have elapsed since the suspension, revocation, or cancellation. Modify a provision that allows DOT to continue a person on probationary status beyond the period that the probationary status would otherwise expire for the repeated violation of state traffic laws, to specify that traffic offenses committed in other jurisdictions that would have been considered traffic convictions in Wisconsin may be also considered in determining whether to continue the person on probationary status. Modify a provision that requires DOT to determine whether a person should submit to a special examination to determine the person's competency to drive if the person has been arrested two or more times for certain OWI offenses to specify that arrests in other jurisdictions for similar alleged offenses shall also be counted. Modify provisions related to license suspension for the accumulation of demerit points to specify that an offense committed in another jurisdiction that would have resulted in the assessment of demerit points if the violation had occurred in Wisconsin may be considered when determining whether to order a license suspension, unless the offense was committed when the person was licensed or resided in another jurisdiction.

Specify that traffic convictions occurring in another jurisdiction shall be considered in provisions in which the penalty or license sanction depends upon the number of prior convictions

committed, affecting the following: (a) the fine and term of imprisonment for a repeat conviction for operating without a valid license; (b) the fine and possible revocation for a repeat offense of operating while suspended, operating after revocation, or operating a commercial motor vehicle while disqualified; and (c) the mandatory revocation for a second or subsequent railroad crossing offense.

Provisions Related to the Driver Record Requirements for Residents and Nonresidents and Providing Access to Records to Licensing Agencies of Other Jurisdictions

Modify the current law provision requiring the Department to keep the full driver record for each licensee or other person to specify that the full driver record is to be kept only for each Wisconsin licensee or Wisconsin resident who has not been issued an operator's license by another jurisdiction. Specify, however, that the full driver record shall be maintained for each person issued a commercial driver's license by Wisconsin or by another jurisdiction, if, in the case of a person licensed by the other jurisdiction, the person has committed a violation in Wisconsin involving a commercial motor vehicle. Specify that the full driver record of each Wisconsin licensee or resident shall include any notice received from another jurisdiction of the revocation, suspension, or cancellation of the person's operating privilege in that other jurisdiction.

Require DOT to maintain a separate driver record for each nonresident who is convicted of a violation, or who otherwise commits an offense, in Wisconsin (as opposed to the full driver record for Wisconsin residents) that includes the following: (a) a record of reports or abstract of convictions resulting from any OWI offense or improper refusal to submit to a test for blood alcohol concentration; (b) a record of any administrative suspension, notice of refusal, notice of intent to revoke, issuance of an out-of-service order, or report of test results related to a traffic stop involving the investigation of a possible violation of OWI laws; (c) a record of any suspension or revocation by DOT for a violation under the state's safety responsibility law; and (d) a record of any suspension or revocation by DOT for an offense involving a nonresident who is from a nonmember jurisdiction or for an offense that is not a DLA code offense. Specify that these provisions do not require DOT to maintain a record of any conviction other than a conviction for an offense of improperly refusing to submit to a test of blood alcohol concentration or an operating while intoxicated offense if, at the time of the conviction, the person resided in or was licensed in another jurisdiction.

Require DOT to transfer the full driver record of a Wisconsin resident or licensee to another jurisdiction within 30 days of receiving notice that the person has applied for or been issued a driver's license in, or transferred residency to, the other jurisdiction if the other jurisdiction is a member of the DLA or if the other jurisdiction accepts responsibility for maintaining the person's driver record. Specify that the Department, after such a transfer, shall not update the full driver record file if the other jurisdiction is a member of the DLA, except as required under current state or federal law for records of a person holding a commercial driver's license. Specify that if the other jurisdiction is not a member of the DLA, the Department may continue to update the full driver record with respect to any conviction committed in Wisconsin

that is not recorded by the other jurisdiction. Specify that if the Department transfers the full driver record to another DLA member jurisdiction, then the Department may update the driver record file for nonresidents, as described above. Specify that, in this case, if the person moves back to Wisconsin, the nonresident driver record file may be used to update the full driver record, with respect to any conviction, suspension, revocation, disqualification, or other information related to offenses committed in Wisconsin that do not appear in the full driver record transferred back from the other jurisdiction.

Modify a current law provision that requires the Department to request driver record information from another jurisdiction for applicants for a driver's license who are moving to Wisconsin from that other jurisdiction, to specify that such a request shall include the transfer of the full driver record if the other jurisdiction is a member of the DLA.

DISCUSSION POINTS

1. The Driver License Agreement is a multistate, reciprocal agreement related to driver licensing, driver records, and traffic regulations developed by the American Association of Motor Vehicle Administrators. The DLA is intended to replace two previous multistate driver licensing compacts, one related to the exchange of driver record information between member jurisdictions and the other related to reciprocal treatment of persons stopped for traffic offenses outside of their home state. Wisconsin is one of only two states (Michigan is the other) that never formally joined either of the prior compacts, although current statutory provisions generally conform to many of the requirements of those compacts. The DLA essentially retains provisions from both of the prior compacts and adopts enhancements related to the maintenance and sharing of driver records.

2. Perhaps the most important principle of the DLA is that each member jurisdiction is to maintain a full driver record only for residents or licensees of that jurisdiction. This is in contrast to current Wisconsin law, under which DOT maintains a record of any traffic conviction for persons who are not residents of Wisconsin but who commit traffic violations in the state. The complete driver record includes, at a minimum, a record of all offenses that are recognized as DLA code offenses under the agreement, as well as any license withdrawals resulting from traffic offenses (suspensions, revocations, or, in the case of commercial driver's licenses, disqualifications). The list of DLA code offenses includes most common traffic violations relating to safe driving and driver license integrity, such as operating while intoxicated, speeding, driving with a suspended or revoked license, reckless driving, failure to obey a traffic signal, failure to use seat belts and child safety restraints, and use of false information in applying for a driver's license.

3. The bill would establish the DLA's record requirement described in the previous point by specifying that, in general, records are to be kept only for persons licensed by the Department and persons who are Wisconsin residents but who do not hold a valid license issued by the Department or any other jurisdiction. However, the bill would require the Department to maintain a separate driver record for nonresidents that includes a record of: (a) any operating while intoxicated offenses and administrative license suspension resulting from driving with a prohibited

blood alcohol content; (b) any suspension or revocation resulting from a violation under the state's safety responsibility law; (c) violations occurring in Wisconsin that are not DLA code offenses; and (d) any traffic violations committed by a person who is a resident of a jurisdiction that is not a member of the DLA.

4. Since, under the DLA, the full driver record is maintained only by a person's home jurisdiction, a person's record is transferred from the person's home jurisdiction to a new jurisdiction when the person moves to another member jurisdiction. Accordingly, the bill would require the Department to transfer the record of a driver upon receiving notice that the person has applied for a license in another jurisdiction.

5. The full driver record maintained by the home jurisdiction is to contain a record of traffic offenses regardless of where the offenses occur. Consequently, under the bill, the Department would notify a nonresident's home jurisdiction when it receives a record of a traffic conviction committed by the person in Wisconsin, and would no longer record the offense (with the exceptions noted above) in the Wisconsin driver record. Similarly, DOT would record an offense committed by a Wisconsin resident in another member jurisdiction in the resident's driver record when it receives notice of the offense from that jurisdiction. In general, these provisions do not differ substantially from current law provisions with respect to both nonresidents who commit violations in Wisconsin and Wisconsin residents who commit violations elsewhere. However, since Wisconsin is not a member of the DLA or its precursors, information on traffic offenses committed by Wisconsin residents in other states is not always provided to DOT and other states do not always officially recognize offenses of their own residents committed in Wisconsin.

6. In addition to requiring the full driver record to be maintained only by a driver's home jurisdiction, the DLA also specifies that, in general, only the home jurisdiction is to take licensing withdrawal actions. To comply with this requirement, the bill would modify various statutory provisions related to license withdrawals to specify that DOT may only suspend, revoke, or disqualify the license of persons currently licensed by DOT or of Wisconsin residents not licensed by another state. The exceptions to this provision are that DOT would continue to administratively suspend the operating privilege of a nonresident upon receiving notice that the person operated a motor vehicle with a prohibited blood alcohol concentration, and would suspend, revoke, or disqualify the operating privilege a nonresident, as applicable, if the nonresident is from a jurisdiction that is not a member of the DLA.

7. As noted above, the DLA would generally eliminate the distinction, for the purposes of the driver record, between offenses committed in a person's home jurisdiction and offenses committed in another jurisdiction. Consequently, the bill would clarify several statutory provisions related to the counting of prior convictions for the purposes of imposing a penalty to specify that similar convictions occurring in other jurisdictions shall be counted. For instance, since the penalty for operating with a suspended license depends upon the number of prior offenses committed, the bill would specify that such offenses occurring in other jurisdictions shall be counted when determining the number of prior convictions.

8. Under the DLA, member jurisdictions are prohibited from issuing a license to a person whose license has been withdrawn in another jurisdiction. Although this is generally the case under current law, the DLA would standardize the sharing of information to help prevent the fraudulent application for licenses. Accordingly, the bill would require DOT to provide electronic access to the driver record file to other jurisdictions to facilitate this purpose.

9. The DLA is intended to establish consistent policies with respect to adjudication of traffic tickets regardless of whether the driver is a resident or nonresident of the jurisdiction in which the ticket is issued. Since Wisconsin is not a member of the DLA or its precursors, there is no certainty that a nonresident receiving a traffic citation in Wisconsin will be compelled to abide by any judgment resulting from the citation. That is, currently, a nonresident's state either may not be informed of the judgment or may not formally recognize the judgment in the person's driver record. In these cases, the only consequence of the failure to pay a traffic forfeiture may be that the nonresident's Wisconsin operating privileges are suspended, something that does not affect the person's operating privileges in his or her home jurisdiction. Under the DLA, all member jurisdictions would recognize all DLA code violations occurring in other states, and take appropriate licensing actions for the failure to comply with a judgment. This aspect of the agreement is cited as a potential benefit of the DLA, since it can be difficult to enforce compliance with traffic judgments against nonresidents.

10. In addition to the reciprocal recognition of traffic convictions between member jurisdictions, the DLA also establishes reciprocity with respect to traffic stop procedures. Under current law, a person who is issued a citation in Wisconsin may be required to make a monetary deposit to cover the amount of the forfeiture and associated assessments. However, a person with a Wisconsin driver's license may surrender the license in lieu of the deposit, which allows the deposit to be paid later. Under the bill, a driver's license issued by another jurisdiction would also be acceptable collateral in lieu of a monetary deposit, reflecting the DLA's traffic stop reciprocity provisions.

11. Some provisions of the DLA are similar to requirements of the federal Real ID Act. The bill contains statutory changes related to both items, but because of the overlapping provisions, some changes needed for compliance with both are included in the LFB summary for the DLA, while others are included under the item on the Real ID Act. In particular, provisions related to giving other jurisdictions access to the driver records of Wisconsin licensees would be required under the Real ID Act, but are summarized under the DLA item because of their central role in the agreement. If the DLA provisions are removed from the bill and the Committee decides to adopt the provisions in the bill necessary to comply with the Real ID Act, the record sharing provisions summarized above would have to be retained. Conversely, the DLA requires member jurisdictions to meet certain standards for identity and driver record verification prior to issuing a new license, but since the Real ID Act requirements are generally more stringent than those of the DLA, the bill would adopt the Real ID requirements and these changes are summarized under the Real ID Act item. Similarly, compliance with both the Real ID Act and the DLA would require the Department to conduct criminal background checks on new employees, a change which is summarized under the Real ID Act. If the Real ID Act provisions are removed, but the Committee decides to adopt the

provisions necessary to join the DLA, these provisions would have to be retained in the bill, with some modifications to eliminate the more stringent Real ID Act requirements. The Real ID Act provisions in the bill are discussed in LFB Issue Paper #795.

12. The Department has indicated that membership in the DLA would facilitate the process used by the federal government to annually certify compliance with the Real ID Act. Although membership is not clearly required to comply with the Real ID Act, it appears that the federal Department of Homeland Security may require states to abide with the key provisions of the agreement as part of the process of determining if the states are meeting the Real ID Act requirements. In particular, the DLA requirements related to maintaining a single driver record for each person and the provisions related to identity fraud prevention measures are likely to be points of emphasis. The Department of Homeland Security has not yet issued final rules establishing Real ID Act implementation requirements.

13. Since some issues concerning Real ID Act compliance remain uncertain, the Committee may decide to remove those provisions from the bill for consideration at a later point, once more information is available. Given the overlap between the Real ID Act provisions and the DLA provisions, the Committee could also decide to consider the DLA provisions later. Although the DLA item in the bill is a budgetary initiative, with funding provided to implement the statutory provisions, it contains numerous policy changes that could be considered more thoroughly outside the budget process.

14. In addition to including provisions necessary to join the DLA, the bill includes provisions (also included in the DLA summary) that are somewhat related to the DLA requirements, but would not be strictly required by the agreement. For instance, since, under the DLA, Wisconsin would no longer take licensing action against nonresidents from other member jurisdictions, the bill would eliminate provisions related to filing proof of financial responsibility following a period of suspension for violations under the state's safety responsibility law. Also, the bill would eliminate the requirement that a nonresident convicted of an operating while intoxicated offense submit to an assessment of his or her alcohol use. Because the state could no longer compel compliance with these provisions through the use of operating privilege withdrawals, the Department determined that eliminating these provisions would be consistent with the principles of the DLA.

15. Other provisions in the bill that would not be required by the DLA relate to vehicle sanctions. Under current law, when a person is convicted of a repeat operating while intoxicated offense, the court may order the person's vehicle to be immobilized for a period of time. When such an order is made, DOT is notified of the order and is required to prohibit the vehicle from being sold during the time prior to when the order is executed. The bill would specify that DOT would only take this action in cases where the vehicle is registered in Wisconsin. The bill would create similar procedures with respect to ignition interlock device orders. As with the changes to proof of financial responsibility and alcohol assessment provisions, DOT requested that these provisions be included because it was determined that they were consistent with DLA principles, even though they would not be required in order to join the agreement.

16. The bill includes other changes that would not be required by the agreement, but which were included in the bill to simplify the procedures related to license withdrawals. First, the bill would eliminate the requirement that courts take possession of a person's license upon a court-ordered withdrawal and forward the seized license to DOT. Instead, courts would be permitted to take possession of a license, but instead of forwarding the license to DOT, would be required to destroy the license. Second, the bill would modify provisions related to the counting of traffic offenses under the habitual traffic offender law committed by nonresidents who later become Wisconsin residents.

17. An additional item in the bill, also not required by the DLA, would delete a provision that requires DOT and courts to revoke the license of a person for committing a fourth offense within a five-year period of operating while suspended, operating after revocation, or operating a commercial motor vehicle while disqualified. While the other provisions in the bill that are not required under the DLA are generally consistent with the principles of the agreement or make relatively minor modifications to license withdrawal procedures, the decision to eliminate mandatory revocation represents a more substantive departure from the DLA. The Committee could remove this provision if the Committee determines that a decision on this item would be best considered outside of budget deliberations.

18. If the Committee decides to approve the DLA provisions discussed in this paper, a few changes would need to be made. Most of these are technical drafting changes, but a more substantive change would be required to provisions establishing the dates by which emergency rules expire and the date that permanent rules are submitted in draft form. Under the bill, the Department would be required to identify the list of DLA code offenses by rule and these rules would have to be submitted to the Legislative Council in draft form by July 1, 2009. Also by July 1, 2009, the Department would be required to promulgate emergency rules that are in effect while the permanent rules are proceeding through the legislative review process. However, the bill states that the emergency rules would expire no later than July 1, 2009, the date when the permanent rules may be just beginning the review process. Upon further review, DOT indicates that the provision related to emergency rules would be unnecessary if the permanent rules can be completed prior to July 1, 2009. In this case, the deadline for the submission of draft rules could be changed to October 1, 2008, allowing nine months to complete the rule review process.

19. The bill would provide \$353,600 SEG and 2.6 SEG positions in 2007-08 and \$383,900 SEG and 2.6 SEG positions in 2008-09 for implementing the DLA act provisions. Of this funding amount, \$260,000 in each year would be for data processing changes that would be done in conjunction with modifications for compliance with the Real ID Act. The remaining funding, \$93,600 in 2007-08 and \$123,900 in 2008-09 would be salary, fringe benefit, and support costs associated with the additional 2.6 positions. The Department believes that adopting the DLA provisions would result in an increase in license withdrawals, due to better sharing of information on traffic offenses committed by Wisconsin residents in other jurisdictions. The new positions would be dedicated to this additional workload. However, since the DLA provisions would not take effect until the beginning of the 2009-11 biennium, this funding would not be needed in the 2007-09 biennium, and could be removed.

20. Subsequent to the introduction of the bill, DOT reestimated the cost of implementing the Real ID Act based on draft rules issued by the Department of Homeland Security. Since the cost of implementing that act is now estimated at \$9.9 million higher than the amount of funding provided in the bill, DOT has suggested that implementation of the DLA provisions could be delayed. Under the Department's revised proposal, \$55,400 and 1.0 position in 2008-09 would be retained to conduct various activities in preparation for DLA implementation in 2009-10.

ALTERNATIVES TO BILL

A. DLA Statutory Provisions

1. Approve the Governor's recommendation to adopt provisions necessary to comply with the Driver License Agreement and other provisions related to driver's license withdrawals and the treatment of vehicle sanctions involving nonresidents. Modify the provision to include technical changes and to specify that the draft rules implementing the DLA changes must be submitted by October 1, 2008, instead of July 1, 2009, and to eliminate the provision regarding emergency rules.

2. Approve the Governor's recommendation, with modifications as described in Alternative #1, but eliminate the provision that would delete the current law requirement that the Department of Transportation and courts revoke the license of a person who is convicted of a fourth or subsequent offense of operating while suspended, operating after revocation, or operating a commercial motor vehicle while disqualified.

3. Delete provisions related to the Driver License Agreement and other items summarized under this item, except for provisions related to the sharing of driver record information with other jurisdictions that are needed to comply with the Real ID Act.

4. Delete provision.

B. Funding for DLA Implementation

1. Approve the Governor's recommendation to provide \$353,600 SEG and 2.6 SEG positions in 2007-08 and \$383,900 SEG and 2.6 SEG positions in 2008-09 to implement provisions of the Driver License Agreement.

ALT B1	Change to Bill		Change to Base	
	Funding	Positions	Funding	Positions
SEG	\$0	0.00	\$737,500	2.60

2. Modify the Governor's recommendation by deleting \$93,600 SEG and 2.6 SEG positions in 2007-08 and \$123,900 SEG and 2.6 SEG positions in 2008-09, to remove positions and

funding for handling additional workload associated with a projected increase in license withdrawals.

ALT B2	Change to Bill		Change to Base	
	Funding	Positions	Funding	Positions
SEG	-\$217,500	- 2.60	\$520,000	0.00

3. Modify the Governor's recommendation by deleting \$353,600 SEG and 2.6 SEG positions in 2007-08 and \$328,500 SEG and 1.6 SEG positions in 2008-09. This alternative would retain \$55,400 and 1.0 position in preparation for implementing DLA provisions in the 2009-11 biennium.

ALT B3	Change to Bill		Change to Base	
	Funding	Positions	Funding	Positions
SEG	-\$682,100	- 1.60	\$55,400	1.00

4. Delete provision.

ALT B4	Change to Bill		Change to Base	
	Funding	Positions	Funding	Positions
SEG	-\$737,500	- 2.60	\$0	0.00

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