

# **Policy Positions**

*of the*

*American Association of*

*Motor Vehicle Administrators*

*Reflecting action taken by the membership  
through the 2006 Policy Process*

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## **PREFACE**

### **AAMVA CUSTOMER SERVICE COMMITMENT**

The motor vehicle agencies of member jurisdictions are committed to responding to customer needs in an efficient, courteous, and professional manner. It is the position of the American Association of Motor Vehicle Administrators (AAMVA) that all jurisdictional members develop customer service standards that focus on improving customer satisfaction, enhancing service delivery standards and employee empowerment.

AAMVA fully supports the development of training programs designed to keep employees of motor vehicle agencies apprised of new programs, technologies, policies, procedures and laws that impact the delivery of service to the motoring public. It is further the position of AAMVA that all motor vehicle agencies coordinate and develop user-friendly technologies, educational materials and outreach programs that enhance customer service delivery through other means.

AAMVA seeks to promote the concept that motor vehicle agencies strive to promote customer service principles, information sharing about customer service enhancements and encourages all member jurisdictions to recognize their employees who deliver excellent service to their internal and external customers. [*Adopted 1999*]

## DRIVER LICENSING AND CONTROL

### 01 GENERAL/DEFINITIONS

#### 1. GENERAL

Lawful operation of a motor vehicle is a conditional privilege. A person must pass a driver license examination to obtain the driving privilege. The examination requirements should show the ability to operate a motor vehicle in conformity with motor vehicle and traffic laws and an understanding for the safety of other users of our roadways. The driver license represents this privilege. Keeping the driver license depends upon continued safe and lawful operation. [*Amended 1994*]

#### 2. DRIVER LICENSE COMPACT

AAMVA supports the one license/one record concept as set forth in both the U.S. and Canadian Driver License Compacts and *Uniform Vehicle Code*. Each driver has one driving privilege, as confirmed by a driver license issued by his/her jurisdiction of residence. The jurisdiction of residence maintains the driving record. Each member jurisdiction is urged to bring its laws and regulations into compliance with the U.S. and Canadian Compacts and *Uniform Vehicle Code*. AAMVA also supports endorsements on the driver license to show type of classification and/or restrictions related to designated vehicle type. [*Amended 1994*]

#### 3. MOPEDS

AAMVA recommends that operators of power-assisted pedal vehicles, commonly known as mopeds, hold an operator's license, wear an approved safety helmet and eye protection, and be subject to the rules of the road. [*Amended 1986*]

#### 4. NON-RESIDENT VIOLATORS COMPACT (NRVC)

AAMVA supports the concept of entry into a Non-resident Violators Compact by member jurisdictions as an effective means for reciprocal enforcement of the respective jurisdictional vehicle and traffic laws.

AAMVA membership further recommends that the Association be designated as Secretariat for the Non-Resident Violators Compact. It is also recommended that the necessary funding, to enable AAMVA to properly perform the functions as Compact Secretariat, be provided by Non-Resident Violators Compact members, or by any other means that can be mutually agreed upon by the members of AAMVA and the members of the Compact.

#### 5. RECIPROCITY

AAMVA recommends that the issuance of driver licenses be limited to the applicant's jurisdiction of residence. It further recommends that a new resident of a state or province, when applying for a driver license in that jurisdiction, be required to surrender all driver license(s) currently in their possession.

AAMVA also recommends that each jurisdiction recognize properly licensed motor vehicle operators, who are residents of other states or provinces, whether such operator is gainfully employed, a full-time student, or a tourist.

## 02 THE LICENSE

### 1. ARMED FORCES

AAMVA recommends that its United States member jurisdictions should provide for:

1. Recognition of a driver license issued by the Armed Forces of the United States in a foreign country, for a period of 45 days following return to the United States.
2. Recognition of a valid license issued by the state of domicile to a member of the Armed Forces or a spouse. [*Amended 1986*]

### 2. CLASSIFIED DRIVER LICENSE

Driving privileges shall be based on an individual's demonstrated capability for operating particular sizes and types of motor vehicles. There shall be only one driver license, issued by the resident jurisdiction, with all classifications and endorsements entered upon this single document. Driver license classifications should be issued for operating the following classes of vehicles:

CLASS "A"—Any combination of two or more vehicles, including all vehicles under Classes "B" and "C," but not including vehicles in Class "M."

CLASS "B"—Any single vehicle, in excess of 26,000 pounds GVW, or any such vehicle towing a vehicle not in excess of 10,000 pounds GVW, and any bus capable of carrying more than 15 passengers including the driver, and all vehicles in Class "C," but not including vehicles in Class "M."

CLASS "C"—Any single vehicle not in excess of 26,000 pounds GVWR, or any such vehicle towing a vehicle not in excess of 10,000 pounds GVW, except buses included in Class "B," and Class "M" vehicles.

CLASS "M"—Motorcycles, mopeds and motor-driven cycles.

CLASS "P"—Learner's Permit. Applicable to all types of vehicles for which the applicant desires a driver license, but is not presently licensed to drive. (Note: A driver with a bus license, desiring to upgrade to a tractor/semitrailer would utilize a Class "P" permit. However, such permit would only be valid when the holder was accompanied by a licensed driver, qualified in the vehicle being operated, acting as an instructor.)

There should be endorsements to the above classifications for the drivers of tankers and hazardous materials based upon knowledge tests covering the safety requirements as follows:

ENDORSEMENT "T"—A tanker endorsement required on any A or B classified licenses for a vehicle transporting, as its primary cargo, any liquid or gaseous material within a tank attached to the vehicle.

ENDORSEMENT "H"—A hazardous material endorsement required on all A, B, or C classified licenses for any vehicle transporting hazardous materials requiring placarding as defined by D.O.T. regulations.

Unusual vehicles should be assigned to the most appropriate class, and either restricted or endorsed for driver license classification. The above driver license classifications are intended to be minimums and individual jurisdictions should be able to add additional endorsements if desired.

Jurisdictions should inspect and approve training programs for commercial drivers based upon established training standards. Successful completion of state-approved training programs may be used to waive the driver test portion of the state examination requirements for issuance of an appropriate classified license.

AAMVA believes that it is important that the applicant be examined in the type(s) of vehicle(s) he will be operating. Moreover, learners permits for Class "M" vehicles should be restricted to daytime use, and that they should prohibit the learner from carrying passengers. [*Amended 1987*]

### **3. HARDSHIP DRIVER LICENSE**

AAMVA recommends that issuance of a "hardship" or "work" permit to operate a motor vehicle, to an individual convicted of an offense requiring a mandatory license suspension or revocation, be done only in conjunction with an approved driver license rehabilitation program.

### **4. SOCIAL SECURITY NUMBER USE AS IDENTIFIER**

AAMVA endorses the use of the Social Security Number as a primary, or secondary identifier for purposes of driver licensing, and strongly urges each of its member-jurisdictions to include each driver's Social Security Number in the driver record data base for that purpose.

### **5. UNIQUE IDENTIFIER**

A unique identifier shall be assigned to the holder of a driver license or identification card. For those individuals who possess a Social Security Number, that number shall be used as the unique identifier. For individuals who do not possess a Social Security Number, a unique number shall be developed and assigned. The unique identifier need not be present on the face of the driver license or ID card, but must be contained on the record maintained by the driver licensing agency. [*Adopted 1995*]

### **6. INFORMATION TO BE PRESENT ON DRIVER'S LICENSES/ID CARDS**

Jurisdictions shall include the following information, at a minimum, on drivers licenses / ID cards they issue:

- jurisdiction name,
- indicator that the document is a temporary permit, driver license or ID card, whichever is applicable,
- driver license / ID card number,
- information pertaining to the card holder which may include, but is not limited to his/her:
  - full name
  - date of birth
  - color photograph or image
  - address (mailing or residential, as determined by the issuing agency)
  - physical description, which may includes gender, height, weight, eye and hair color
  - signature
- issuance date,
- expiration date,
- social security number: the SSN can be captured visually or by electronic means on the DL / ID, or the jurisdiction can electronically verify the number with SSA and record the verification

- on the driver's record,
- for driver's licenses, the license classification, and any applicable restriction(s) or endorsement(s). [*Adopted 1997*]

## **7. DRIVER LICENSE & ID CARD PHYSICAL SECURITY FEATURES**

Jurisdictions issuing driver licenses and identification documents shall incorporate one or more overt security features (e.g., optically variable devices) designed to limit tampering, counterfeiting, photocopying, or otherwise duplicating the license or document for fraudulent purposes and to limit use of the license or document from impostors. Jurisdictions should also include one or more covert security features (e.g., machine-readable technologies) to further safeguard the license or document. Acceptable security features include, but are not limited to the following:

- Block graphics
- Card stock, layered with colors
- Core Inclusion
- Deliberate Errors or Known Flaws
- Directional Metamerism
- Embossed Characters
- Fine Line Background
- Ghost Image or Ghost Printing
- Holograms
- Ink taggants
- Kinegrams
- Laser Engraving
- Laser Perforation
- Machine-readable Technologies (e.g., magnetic stripe, bar codes)
- Metallic and Pearlescent Inks
- Microprinting
- Moiré Pattern
- Opacity Mark
- Optical variable Device (Optical Variable Security Features)
- Optical variable ultra-high-resolution lines
- Optically Variable Inks
- Overlapping Data
- Pastel Print
- Radio Frequency Technology
- Rainbow Printing
- Redundant Data
- Retroreflective devices
- Seal/signature over photo/information
- Security Code
- Security Laminate
- Security Thread
- Specialized Inks
- Thin-film Interference Filters
- Transparent Holograms

- Ultraviolet (UV) Printing
- Void Pattern. [*Amended 1999*]

### **03 DRIVER EDUCATION/TESTING**

#### **1. CERTIFICATION OF DRIVER EXAMINERS**

AAMVA recommends that all member jurisdictions adopt the program for Certification of Driver Examiners as the model standard for driver examiner training.

The program for Certification of Driver Examiners was developed by AAMVA, in cooperation with the National Highway Traffic Safety Administration. It contains curriculum guidelines for driver examiner training, to assist individual jurisdictions in conducting training programs which, when successfully completed, will qualify driver examiners to be certified. [*Adopted 1982*]

#### **2. DRIVER EDUCATION**

AAMVA recommends that safe driving courses should be included in all junior and senior high schools — both public and private. It further recommends that:

1. Driver education and training courses should stress knowledge of traffic laws and regulations, accident prevention, development of healthy social attitudes toward driver responsibility and behind-the-wheel training.
2. Such courses should be strengthened by providing regularly scheduled courses in our colleges and universities for training of driver education instructors.
3. Provisions should be made for adequate supervision of instruction and instructional personnel.
4. Schools should recognize that the licensing of drivers is a function of the appropriate state or provincial driver licensing authority, and that course graduates should be required to take, and pass, the regular driver license examination.

### 3. DRIVER IMPROVEMENT PROGRAM

A driver improvement program is an integral part of a sound driver control management system. The goal of the program shall be crash prevention. A driver improvement program shall provide for uniformity, promote the one-license, one-driver-control-record concept and provide a smooth transition when a driver moves from one jurisdiction to another.

Program components shall consist of identification, treatment and withdrawal actions. The number of convictions and crashes on the person's driver control record shall be used to determine which drivers are in the program and at what stage.

Novice drivers shall be treated in an accelerated program. All drivers shall be required to work their way out of the system gradually through a period of conviction and collision-free driving. [*Amended 1996*]

### 4. DRIVER LICENSE EXAMINING

*Examination Content* — AAMVA believes that the driver license examination can be utilized as an effective highway safety tool, if it is administered in a comprehensive, professional manner. The Association recommends that the following be included in such an examination:

1. A test for visual acuity, as well as other appropriate vision testing, with referral to a Medical Advisory Board, if needed; (see also Policy for Driver Licensing & Control, 04-1)
2. Physical screening to record any obvious physical impairments that might inhibit an applicant's ability to operate a motor vehicle safely;
3. A test to determine an applicant's knowledge of road signs and signals;
4. A test to determine an applicant's knowledge of traffic laws and/or safe driving practices;
5. An actual road test, in which the applicant is required to demonstrate general driving ability, including backing, turning, parking, observance of signs, signals, and traffic laws, as well as the ability to control and manipulate the vehicle, in the type(s) of vehicle(s) to be driven. [*Amended 1983*]

*Examining Procedures* — AAMVA recommends that uniform examining standards, policies and procedures be established by each state or provincial licensing agency. It further recommends that all examinations be administered by qualified personnel, with adequate time scheduled for a comprehensive and complete examination for each applicant. Results of all drivers licensing examinations should be reported on a detailed, standard form.

### 5. DRIVER TRAINING SCHOOLS

AAMVA recommends that each jurisdiction establish standards for licensing and operation of private driver training schools. [*Amended 1986*]

## 6. MANUALS

AAMVA recommends that each state and provincial driver license agency prepare, and keep current, the following manuals:

1. A driver license manual, or handbook, that contains information to permit an applicant to safely operate a motor vehicle on the jurisdiction's highways, as well as to obtain a driver license for the type(s) of vehicle(s) that they desire to operate.
2. A detailed and definitive driver's license examiner's manual.
3. A detailed and definitive manual for all driver improvement personnel, including hearing officers.

A uniform driver's manual — which can be easily adopted for each AAMVA member jurisdiction's use — should be developed, maintained and periodically updated by the International Standing Committee on Driver Licensing and Control in order to facilitate uniformity between the jurisdictions. [*Amended 1985*]

## 7. RENEWAL EXAMINATION

AAMVA recommends periodic re-examination of all drivers, at least once each four years. It urges that such a re-examination include a visual screening test, and, where appropriate, a written and/or driving test.

The Association also urges that drivers whose records show a pattern of either violations and/or accidents be given a diagnostic-type re-examination, as a means for confirming a particular driving problem, as well as to prescribe driver improvement programming to ameliorate this deviant driver behavior. [*Adopted 1982*]

## 04 MEDICAL ADVISORY BOARD

### 1. MEDICAL REPORTING

AAMVA recommends that state and provincial licensing agencies cooperate fully with organizations and individuals representing the medical profession, state health agencies, the Veteran's Administration, and other appropriately interested entities, to encourage reporting to driver license agencies the presence of any physical and/or mental disabilities that might inhibit an individual's ability to operate a motor vehicle in a safe manner, in order that appropriate remedial action can be initiated.

AAMVA endorses *Functional Aspects of Driver Impairment: A Guide for State Medical Advisory Boards*, developed by the Association, in cooperation with the National Highway Traffic Safety Administration (NHTSA), utilizing the medical profession and health safety specialists—as containing the appropriate guidelines for medical advisory board reporting of driver impairment.

AAMVA urges member jurisdictions not to license those persons who require telescopic devices to meet minimum visual acuity standards established by the jurisdiction. [*Amended 1983*]

## **2. MOTOR VEHICLE TRAUMA AS A MAJOR PUBLIC HEALTH PROBLEM**

AAMVA recognizes motor vehicle-related trauma as a major public health problem requiring leadership by the medical community, in concert with highway safety professionals, to ameliorate it. The Association resolves to join with the American Association for Automotive Medicine (AAAM) in establishing a coalition of medical and non-medical organizations from the public and private sectors to develop a broad based public health approach to reducing motor vehicle-related trauma.

## **05 DRIVER LICENSE ADMINISTRATION**

### **1. EXCHANGE OF DRIVER RECORDS**

Jurisdictions should exchange driver record information, including driving records, convictions, and withdrawals. These records are available upon request from other jurisdictions at no cost when used in the enforcement of driver license matters.

Convictions from other jurisdictions should be used by the jurisdiction of residence in its driver improvement and control programs. Upon a change of jurisdiction of record, the complete driving history record should be forwarded to the new jurisdiction of record.

AAMVA supports the Commercial Driver License Information System (CDLIS), Driver License Reciprocity (DLR), and Inter-Provincial Records Exchange (IRE) communication networks. These networks provide for the electronic exchange of driver records and information between jurisdictions.

### **2. FEES**

AAMVA recommends that driver license fees not be used as a source of state income, and that such fees should be used for driver license administration purposes only. The Association believes that the amount charged for a license should be limited to a level to adequately support a sound, progressive program for drivers licensing and driver improvement activities.

### **3. SUSPENSION/REVOCAION**

The privilege of obtaining a driver license is subject to suspension and revocation for the same reasons that a driver license may be suspended or revoked. The sanctioning action should be executed by the jurisdiction of record, thereby conserving the one privilege/one record concept.

AAMVA endorses immediate action toward license suspension of offenders arrested or charged with driving while intoxicated (DWI) or driving under the influence (DUI). These Per Se laws require an adequate public information program to help deter other potential offenders.

AAMVA urges jurisdictions to adopt Per Se laws. [*Amended 1992*]

#### **4. DISQUALIFICATION OF COMMERCIAL MOTOR VEHICLE DRIVERS**

Jurisdictions shall report all convictions, administrative actions and collisions for all commercial drivers to the jurisdiction of record after such conviction/action becomes final. The jurisdiction of record shall disqualify a driver for all convictions/administrative actions/collisions reported according to their laws and regulations. Disqualification action shall be taken as if the offense were committed in the jurisdiction of record. [*Amended 1995*]

#### **5. LINKING RECORDS**

Jurisdictions shall electronically link computerized records for any person who changes his/her name. Jurisdictions shall maintain a record of the persons' previous name and link the record with the old name to the record with the new name.

Jurisdictions shall also link records for a person who has an old name in a jurisdiction, moves to another jurisdiction and changes his/her name and applies for a license/ID card in the new jurisdiction, using the new name. A jurisdiction shall maintain record for any old names for new residents. On-line retrieval of all linked records must be possible. [*Adopted 1995*]

#### **6. ONE LICENSE/ONE DRIVER CONTROL RECORD**

A person shall have one license and one driver control record (DCR). The jurisdiction that issued the last license shall be designated as the jurisdiction of record, shall maintain the DCR of the individual and shall follow procedures as outlined in Appendix G. The DCR shall be the record on which licensing and withdrawal decisions are made. [*Adopted 1995*]

#### **7. ALL DRIVER POINTER SYSTEM**

An all driver pointer system shall be established to assist jurisdictions in licensing drivers and to assist law enforcement in dealing with drivers stopped for traffic offenses.

A jurisdiction shall receive one status response for any driver record when making an inquiry to the all driver pointer system. Responses from the all driver pointer system and the National Driver Register shall be combined to provide the appropriate response to the jurisdiction. [*Adopted 1995*]

#### **8. ELECTRONIC TRANSFER OF INFORMATION/IMAGES**

Driver license and ID card records shall be electronically transmitted if requested for review prior to issuance from the "old" jurisdiction to the "new" jurisdiction when a person applies for a license/ID card in a "new" jurisdiction.

An electronic exchange of images/signatures shall be completed if suspicious circumstances/documents are present upon an application for a driver license or an identification card. The exchange can be completed from central office to field office and/or from jurisdiction to jurisdiction. An image/signature comparison should also be completed if a National Driver Register (NDR) check shows the applicant's driving privilege is withdrawn and s/he indicates the withdrawal is invalid/incorrect or if potential duplicate records are identified. [*Adopted 1995*]

## 9. ESTABLISHMENT/MAINTENANCE OF RECORDS FOR ID CARD HOLDERS

A computerized record shall be established/maintained for identification card holders as well as for the holders of a driver's license. Standard information including the first, middle and last names; date of birth; and unique identifier number shall be required for all applicants. The record shall be established based on the applicant's complete name as listed on the primary document. [Adopted 1995]

## 10. ACCEPTABLE IDENTIFICATION DOCUMENTS

Any applicant for an original or initial driver license or identification card shall be required to submit at least one primary document and one secondary document as approved by the Driver Licensing and Control Committee. A primary document must contain the applicant's full name and date of birth and must be verifiable.

Additional documentation may be required by the licensing agency if the documentation provided is questionable.

Licensing agencies shall publish information which contains identification procedures and lists acceptable documents.

### Primary Documents

- U.S. or Canadian photo driver license
- U.S. or Canadian photo ID card
- Microfilm / copy of a driver license or ID card certified by the issuing agency
- Certificate of birth (U.S. or Canadian issued). Must be original or certified copy, have a seal and be issued by an authorized government agency such as the Bureau of Vital Statistics or State Board of Health. Hospital issued certificates and baptismal certificates are not acceptable.
- INS documents (must be a valid unexpired document) as follows:
  - Certificate of Naturalization (N-550, N-570, or N-578)
  - Certificate of Citizenship (N-560, N-561 or N-645)
  - Northern Mariana Card
  - American Indian Card
  - U.S. Citizen Identification Card (I-179 or I-197)
  - Resident Alien Card (I-551)
  - Temporary Resident Identification Card (I-688)
  - Record of Arrival and Departure (in a valid Foreign Passport) (I-94)
  - Valid foreign Passport containing an I-551 stamp
  - U.S. Re-entry Permit (I-327)
  - Refugee Travel Document (I-571)
  - Employment Authorization card (I-688A, I-688B, I-766)
  - Record of Arrival and Departure, stamped "Refugee" (I-94) (*Refugee I'94's will likely not be in a foreign passport*)
- Canadian Immigration Record and Visa or Record of Landing (IMM 100)
- Active Duty, Retiree or Reservist military ID card

- Valid Passport, U.S. or Canadian. *If foreign passport, appropriate INS document is also required.*
- U.S. or Canadian issued learner's permit. An out-of-state or province issued permit is acceptable only if it contains a photo.
- Canadian Department of Indian Affairs issued ID card. *Tribal issued card is not acceptable. U.S. issued Department of Indian Affairs card is not acceptable.*

### Secondary Documents

- All primary documents
- Court order. Must contain full name, date of birth and court seal. *Examples include adoption document, name change document, gender change document, etc. Does not include abstract of criminal or civil conviction.*
- INS documents listed above, under Primary Documents, which are expired one year or less
- Bureau of Indian Affairs Card / Indian Treaty Card. Tribal ID card is NOT acceptable. NOTE: *Some Tribal ID Cards are actually more reliable than the BIA card. Motor vehicle agencies should make a determination on whether to accept the card based on their own research of what is acceptable.*
- Employer photo ID card
- Foreign birth certificate. *Must be translated by approved translator.*
- Health insurance card, i.e., Blue Cross / Blue Shield, Kaiser, HMO.
- IRS / state tax form. W-2 NOT acceptable.
- Marriage certificate / license
- Medical records from doctor / hospital
- Military dependent ID card
- Military discharge / separation papers
- Parent / guardian affidavit. Parent / guardian must appear in person, prove his/her identity and submit a certified / notarized affidavit regarding the child's identity. *Applies only to minors.*
- Gun permit
- Pilots license
- School record / transcript. Must be certified.
- Social security card. Metal card is NOT acceptable.
- Social insurance card (for Canadian residents only).
- Student ID card. Must contain photo.
- Vehicle title. Vehicle registration NOT acceptable.
- Photo public assistance card
- Prison release document.

Additional documentation may be required at the jurisdiction's discretion if documentation submitted is questionable or if the issuing agency has reason to believe the person is not who s/he claims to be.

In exceptional circumstances where a primary/secondary document contained on this list is not available, personnel authorized by the licensing agency may accept alternative documents to verify a person's identity. [Amended 1997]

## **11. DRIVERS LICENSE/IDENTIFICATION CARD ISSUANCE**

If a jurisdiction chooses to issue both a drivers license and an identification card to the same person, information regarding the ID card issuance must either be contained on the driver record or the ID card record must be linked to the driver record. [*Adopted 1996*]

## **12. NAME CHANGE REQUIREMENTS**

The name listed on the driver's license/ID card should be identical to the name contained on the primary document. In order for a name other than that listed on the primary document to be placed on the driver's license/ID card, one of the following documents must be submitted:

1. court order,
2. divorce decree, or
3. marriage license/certificate. [*Amended 1996*]

## **13. PERSONAL INFORMATION OBTAINED FROM MOTOR VEHICLE RECORDS**

See policy for Information Technology (01-5).

## **14. DRIVER HISTORY RECORDS**

See policy for Traffic Safety and Law Enforcement (03-13).

## **06 HIGHWAY SAFETY**

### **1. COMPREHENSIVE ALCOHOL COUNTERMEASURE PROGRAM**

Driving while under the influence of alcohol (or other drugs) is the most serious highway safety problem faced by AAMVA member jurisdictions. [*Amended 1986*]

There is a continuing need for coordinated, cooperative efforts in combating this serious traffic safety menace.

AAMVA recommends that its member jurisdictions support, and become actively involved with, other organizations in national, state and local initiatives directed at the intoxicated driver problem, and that increased efforts be initiated to identify, regulate and control these problem drivers by:

1. Creating effective operational programs of law enforcement agencies, the courts and licensing agencies. For additional information on law enforcement, as it relates to alcohol safety programs, see Policies for Traffic Safety and Law Enforcement (04-1). They should be based on a general deterrence approach. Programs that focus solely on the comparatively few drunk drivers arrested in a given year will not necessarily reduce alcohol-related crashes. Programs must be oriented toward deterring the majority of drunk drivers who are never arrested, in addition to "treating" the few who are.
2. Coordinating enforcement, prosecution, adjudication, education or treatment, public information, and licensing into a systems approach. Integrating and coordinating these functions is imperative. These functions currently exist in most states, provinces and local governmental entities, but they must operate as a coordinated system.

3. Establishing the concept of program self-sufficiency. Making those who create the problem pay for its solution is good public policy. This can be accomplished by assessing fines, court costs and treatment fees, so that convicted offenders defray program costs.
4. Placing appropriate program emphasis and responsibility at the appropriate level: local, state/provincial and federal; as well as by generating community support for comprehensive programs through citizen action groups, and by other means.
5. Changing societal attitudes through education programs so that long-term prevention will result. General deterrence programs offer promise of controlling the present drinking driver population. However, in the long run, legal measures must be supplemented by new social norms that make drunk driving socially unacceptable behavior. This will require more effective education programs in schools and communities, so that responsible attitudes toward alcohol use and driving can be developed in the pre-driver population.
6. Providing for program evaluation and effectiveness. It is essential that each jurisdiction build into its programs an evaluation model to determine its effectiveness and efficiency. *[Adopted 1982]*

AAMVA endorses the Alcohol Countermeasures Program of the U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA).

*Programs for Primary and Secondary Grade School Children* — AAMVA supports the development of a nationwide alcohol/drug prevention and education program for primary and secondary school children, aimed at providing alcohol/drug abuse prevention and education services to students in their formative years.

Since the elementary school years are a critical period in the formation of future values and decisions regarding alcohol and drug use, the program should emphasize the development of skills to make a conscious choice to reject these substances. *[Amended 1988]*

## **2. GRADUATED DRIVER LICENSING SYSTEM**

AAMVA supports a Graduated Driver Licensing System (GDLS) to ease beginning drivers into the traffic environment under controlled exposure to progressively more difficult driving experiences. The GDLS should be designed to help novice drivers of all ages improve their driving skills and acquire on-the-road experience by progressing through driver licensing stages before unrestricted licensure. Jurisdictions should follow guidelines outlined in the AAMVA guideline series document entitled "Graduated Driver Licensing Systems for Young Novice Drivers."

The system should consist of three licensing stages: learner's permit, intermediate or provisional license, and full or unrestricted license. Novice drivers shall be required to demonstrate responsible driving behavior in each stage before advancing to the next stage. *[Adopted 1997]*

## 07. PRIVACY POLICY

[Adopted 2004]

Licensing information systems (both those currently in place and planned but not yet established) contain the personal information that is reasonable and necessary to accurately identify the individuals who hold credentials. This information must be internally safeguarded, securely transmitted and properly interpreted. Decisions have been made and will continue to be made concerning the kinds of information that shall be kept and exchanged. While some of these issues involve technology, others involve MVA management oversight and commitment. A foremost policy issue is the need to recognize and protect the privacy of individuals. Eight principles of privacy have been developed and have been endorsed by AAMVA and its jurisdictional representatives to properly address privacy issues and concerns that arise out of motor vehicle administration.

The eight privacy principles are:

1. **Openness:** Each MVA shall inform the public of all systems and databases that are being established or have been established. The public shall be informed of the nature of the information systems that are maintained and used for the purposes of administration of the laws that pertain to the licensing of drivers.
2. **Individual participation:** Each individual shall have the right and the reasonable opportunity to examine the data kept on himself/herself by the MVA and request the making of corrections to that data.
3. **Collection limitation:** Each MVA shall assess the need for personal data elements and shall have a clear and current list of required personal data elements for all credentials issued.
4. **Data quality:** Each MVA shall ensure that all personal data that is used is accurate, complete, current and verified.
5. **Use limitations:** Each MVA shall specify how it uses personal information and shall adhere to this specification. Changes of use shall be preceded by management review and appropriate notice to the public.
6. **Disclosure limitation:** Each MVA shall adhere to a specified disclosure limitation that indicates what personal information may be disclosed and how it may be disclosed.
7. **Security:** Each MVA shall protect all personal data kept, in accordance with best practices for data security.
8. **Accountability:** Each MVA shall ensure it has a means to actively oversee and enforce the previously mentioned principles.

## FINANCIAL RESPONSIBILITY

### **01 INSURANCE INFORMATION/REQUIREMENTS**

#### **1. INSURANCE REQUIREMENTS**

AAMVA supports minimum requirements for motor vehicle liability policies of \$10,000/\$20,000 for bodily injury and \$10,000 for property damage. [*Amended 2004*]

#### **2. RESPONSES TO INSURANCE VERIFICATION REQUEST**

Whenever a jurisdiction requests insurance verification from an insurance company, the jurisdiction shall use the negative insurance verification process. [*Amended 1995*]

#### **3. SENDING OF CANCELLATION/TERMINATION NOTICES**

The insurance company should send notification to the jurisdiction within 30 days after the effective date of said cancellation/termination. [*Amended 2004*]

#### **4. RELEASE OF FUTURE PROOF REQUIREMENTS FOR NON-RESIDENTS**

Each jurisdiction shall adopt laws, rules or policies which allow it to clear and release to another jurisdiction a person with an active or reinstated withdrawal action, when the person is required to maintain proof of financial responsibility until a pre-determined date.

The withdrawing jurisdiction may reinstate the future proof requirements if the person moves to that jurisdiction. [*Amended 1995*]

#### **5. INSURANCE COMPANY REPORTING**

Jurisdictions which require insurance companies to report coverage, or lack of coverage, for individual motorists shall accept electronic transmission of the data in the format of an Automobile Liability Insurance Reporting X.12 811 transaction set. At a minimum, this information shall include certifications of liability insurance in force, notifications of insurance cancellation and notification of transfer of coverage from one vehicle to another. [*Adopted 1996*]

### **02 SUSPENSION/REVOCAION/REINSTATEMENT**

#### **1. NON-RESIDENT WITHDRAWAL INFORMATION**

Certified non-resident withdrawal actions sent to a non-resident's home jurisdiction shall include the driver's name, license/identification number, date of birth and, if available, registration plate number and jurisdiction of issuance of the vehicle involved in the incident.

Non-residents shall not be required to carry any evidence of insurance other than that required by their home jurisdictions. [*Amended 1995*]

## **2. NON-RESIDENT JUDGMENT “WITHDRAWAL” RESTORATION**

An order restoring an individual’s driving privilege and/or vehicle registration, issued in a non-resident judgment case, shall indicate whether the judgment has been satisfied, or whether an approved stipulation permitting payment of the judgment by installments has been filed. A copy of the restoration order shall be forwarded to the jurisdiction(s) to which the withdrawal was certified. *[Amended 1995]*

## **03 FORMS AND RECORD EXCHANGE**

### **1. ELECTRONIC TRANSFER OF INSURANCE INFORMATION**

AAMVA supports uniform programs for the electronic reporting of insurance information between the insurance industry and the jurisdictions. The association endorses the electronic exchange of SR-22/26 filings and the use of the requirements for Model Motor Vehicle Liability Insurance Reporting. *[Amended 1998]*

## **04 UNINSURED MOTOR VEHICLE RATE STANDARDS**

### **1. STANDARD MEASUREMENT OF UNINSURED MOTOR VEHICLE RATE**

AAMVA supports the measurement of the uninsured motor vehicle or uninsured motorist rate by the use of one of the methods recommended in the paper “Standardizing the Way We Measure the Uninsured Motor Vehicle Rate [Published Fall 2001].” When a jurisdiction discloses its uninsured rate it should indicate the method used.

#### **4 Measurement Methods** (See Appendix I)

1. Database Method of Calculating Uninsured Motorist Rates
2. Random Sampling Method
3. Law Enforcement Method
4. Crash Statistics Method

*[Adopted 2002]*

## **MOTOR CARRIERS**

### **01 RECIPROCITY**

*[Revised 2004]*

#### **01.1. General**

It is the position of AAMVA that vehicle reciprocity should be established between jurisdictions. Jurisdictions should adhere to the following policy in relation to reciprocity:

1. Unless otherwise provided in a formal reciprocity agreement, reciprocity should be determined by the reciprocating jurisdictions.

2. Reciprocity should not be construed as permitting operation in a jurisdiction in excess of maximum height, weight, width or length allowed by the laws or applicable rules and regulations of such jurisdiction or to authorize operation in excess of maximum height, weight, width or length or any other limitation for which a vehicle is registered.
3. Reciprocity should not be extended on license plates with zone or special purpose limitations beyond the geographical zone of operations or outside the special purpose limitation for which the plates were issued.
4. Violations should be dealt with in accordance with the laws of the jurisdiction in which the violations occur.
5. 5. Inter-jurisdictional exchange of information shall be as provided under the Uniform Vehicle Registration, Pro-ration and Reciprocity Agreement, or the International Registration Plan, as applicable, and otherwise upon mutual agreement as to the requirements of each jurisdiction with reference to proper licensing and qualification and as to the nature of receipts or identification forms which must be carried on a vehicle to properly identify it.
6. The International Registration Plan should be adopted by each AAMVA member jurisdiction.
7. AAMVA encourages member jurisdictions to implement or to continue to provide a system for the issuance of temporary registration permits for commercial vehicles. It further recommends that all jurisdictions recognize the validity of such temporary registration permits issued with, or without, corresponding external insignia.
8. The Registration Reciprocity Agreement should be adopted by all AAMVA member jurisdictions for vehicles not covered by the International Registration Plan.

### **01.2. Interstate**

It is the position of AAMVA that commercial vehicles operating interstate should be required to carry full information about their registration and ownership, in addition to other information that each jurisdiction may require.

AAMVA disapproves of the multiple titling of vehicles operating in interstate commerce and approves single registration under reciprocal agreements.

## **02 BASE STATE AGREEMENT**

*[Revised 2004]*

### **02.1. Agreements**

AAMVA supports the adoption of the *Uniform Vehicle Code* provisions to permit motor vehicle administrators or reciprocity commissions to enter into vehicle registration reciprocity agreements or compacts.

In addition, when needed, jurisdictions should enact specific enabling legislation to:

1. Enter into and become a member of the International Registration Plan;

2. Promulgate rules and regulations to carry out the provisions of this Plan;
3. Specify that, if provisions set forth in the Plan are different from provisions otherwise provided by statute, the Plan provisions shall prevail; and to
4. Provide complete authority for the registration of fleet vehicles upon an apportionment or allocation basis without reference to or application of any other statutes.

In addition, AAMVA encourages jurisdictions to:

1. Enter into arrangements whereby appropriately registered vehicles transporting cargo in "in-transit" operations, that is operating with "closed doors" across the area affected, will be authorized to operate without imposition of taxes or fees;
2. Give consideration to extending reciprocity on a comprehensive and equitable basis.

#### **02.2. Base Jurisdiction Agreement for Fuel Tax**

AAMVA supports the International Fuel Tax Agreement (IFTA), a base jurisdiction agreement for fuel tax administration.

#### **02.3. International Registration Plan**

AAMVA supports the International Registration Plan (IRP). IRP is a base jurisdiction registration reciprocity agreement for apportioned registration.

In implementation of the IRP, the following recommendations are made:

1. That jurisdictions make every effort to enter into the IRP without recourse to "exceptions" and in the event that the filing of exceptions cannot be avoided, that jurisdictions which must file such exceptions do so as a temporary expedient only and not as a device to avoid compliance with the Plan.
2. IRP member jurisdictions should establish an educational enforcement grace period of 120 days for carriers based in a new member jurisdiction entering into the IRP.
3. It is recommended that the major portion of the registration fee be placed on the power unit and that only a nominal fee be placed on a trailing unit.
4. IRP member jurisdictions are to follow the audit procedures as outlined in the Audit Procedures Manual.
5. IRP member jurisdictions are encouraged to use the IRP website as a tool for resource information.

### **03 REGISTRATION**

#### **1. LEASED VEHICLES**

AAMVA recommends that uniform regulations should be developed governing the registration of leased or augmented vehicles.

#### **2. COMMERCIAL VEHICLE REGISTRATION EXPIRATION EXTENSIONS**

AAMVA encourages all jurisdictions to make a concerted effort to let commercial vehicle registrations expire on the scheduled date.

The wide practice of registration expiration extensions coupled with problems insuring timely notification of extensions makes law enforcement of commercial vehicle registration difficult. [Adopted 1989]

## **04 SAFETY**

*[Revised 2004]*

### **04.1 . Federal Motor Carrier Safety Legislation**

See Policy for Vehicle Inspection and Safety (03-1)

### **04.2 . Motor Carrier Safety**

See Policy for Traffic Safety and Law Enforcement (05-1)

## **05 UNIFORMITY**

*[Revised 2004]*

### **05.1. State Coordination to Achieve Uniformity**

All member jurisdictions of AAMVA are urged to work together with other appropriate agencies, in their respective home jurisdictions, taking whatever legislative and/or administrative actions that are necessary to implement a uniform process that diminishes the procedural burdens of the interstate motor carrier in the areas of registration, fuel tax collection, and third structure taxes.

## **06 TAX POLICY**

*[Revised 2004]*

### **06.1. Federal Heavy Vehicle Use Tax**

*Implementation with Respect to International Trucking* — AAMVA believes:

1. That the U.S. heavy vehicle use tax should be paid on a prorated basis by all heavy trucks engaged in international transportation ; and
2. That the proration of this tax should be computed on a fleet basis according to the ratio of fleet miles traveled in the United States to total fleet miles.

Also, AAMVA encourages and supports the development of a vehicle specific system to electronically verify the payment of the Federal Heavy Vehicle Use Tax as a further step to implement a total electronic credentialing system that allows for the full automation of commercial vehicle registration. In addition, AAMVA opposes the use of any decals in this process.

## **06.2. Federal Weight Distance Tax**

AAMVA opposes any involvement by the states in the administration, collection or verification of a Federal Weight Distance Tax.

## **06.3. Third Structure Taxes**

*[Revised 2005]*

Third structure taxes which may detrimentally affect the free flow of commerce between member jurisdictions should not be imposed when such taxes are not subject to waiver through reciprocity.

## **07 OTHER**

*[Revised 2004]*

### **07.1. One Stop Shop Concept**

AAMVA encourages all jurisdictions to adopt and implement a "One Stop Shop" concept for jurisdictional processing, administrative requirements and enhancing service for motor carriers.

### **07.2. Registration Elements for Electronic Bypass**

To ensure only compliant motor carriers and vehicles are bypassing enforcement facilities and to ensure uniformity in the various electronic screening systems, the following shall be the minimum requirements verified when determining a motor carrier's qualifications for electronic clearance privileges:

1. The motor carrier shall be in good standing.
2. If required, the single state registration regulated by US DOT must be current.
3. The carrier shall have an IFTA status of in good standing with their IFTA requirements.
4. The carrier shall have proper safety credentials in accordance with CVSA policy.

### **07.3. IRP Clearinghouse**

AAMVA strongly encourages all IRP jurisdictions to become active participants in the IRP Clearinghouse. The IRP Clearinghouse enables jurisdictions to electronically exchange motor carrier and fee information between jurisdictions and establishes an electronic remittance netting function with concurrent Electronic Funds Transfer capability through a central IRP bank. The system tracks all amounts due to/from a base jurisdiction, from/to all foreign jurisdictions and provides reports on the information.

### **07.4. PRISM**

AAMVA supports the federal-state safety program PRISM (Performance and Registration Information Systems Management) and encourages the States to become active participants of the program. PRISM is designed to utilize the commercial vehicle registration process of the States by determining the safety fitness of the motor carrier prior to issuing license plates and by motivating the carrier to improve its safety performance either through an improvement process or the application of registration sanctions.

## **07.5. CVISN**

AAMVA supports and encourages the states to participate in CVISN, Commercial Vehicle Information Systems and Networks (CVISN). CVISN is the collection of information systems and communication networks that support commercial vehicle operations (CVO). It is a way for existing and newly-designed information systems to exchange information through the use of standards and available communications infrastructure which includes information systems owned and operated by federal and state governments, motor carriers, and other stakeholders. CVISN will enable government agencies, the motor carrier industry, and other parties engaged in CVO safety and regulation to exchange information and conduct business transactions electronically.

## **07.6. Motor Carrier Advisory Committees**

AAMVA supports the establishment of a Motor Carrier Advisory Committee in each jurisdiction. The Advisory Committee should consist of jurisdictional officials and industry representatives. It should review administrative procedures and discuss issues of mutual interest pertaining to the motor carrier industry.

# **INFORMATION TECHNOLOGY**

## **01 GENERAL**

### **1. GENERAL**

AAMVA believes that the establishment of an objective systems support and evaluation capability, and the initiation of a coordinated approach to the exchange of information and assistance among the jurisdictions should be a high priority. [*Adopted 1983*]

AAMVA believes that each member jurisdiction should have a central repository of records, which includes—but, is not limited to—information on accidents, arrests, convictions, and written warnings. Such records should be available on a round-the-clock basis to all law enforcement agencies throughout the jurisdiction.

Our Association supports compulsory reporting of all traffic accidents. Such reports should be made to a central bureau for analysis and use in accident prevention, driver improvement, highway design, and other highway safety applications, subject to safeguards for protection of privacy.

### **2. DATA AND INFORMATION EXCHANGE**

AAMVA endorses the use of uniform standards for electronic exchange of driver, vehicle, and all other related information among member jurisdictions. [*Amended 1999*]

### **3. AUTOMATED MOTOR CARRIER SUPPORT SYSTEM**

See Policy for Motor Carriers (07-1)

### **4. NATIONAL CRIME INFORMATION CENTER AND COMPUTERIZED CRIMINAL HISTORY PROGRAMS**

AAMVA opposes any effort to abandon, diminish or interrupt federal involvement in the

Computerized Criminal History (CCH) program. We believe such action would be both premature and detrimental to nationally established and recognized goals and objectives for the criminal justice community.

Therefore, our Association recommends to the Attorney General of the United States that the National Crime Information Center (NCIC) and CCH programs, as presently administered by the Federal Bureau of Investigation (FBI), be continued. [Amended 1999]

## **5. PERSONAL INFORMATION OBTAINED FROM MOTOR VEHICLE RECORDS**

In the interest of public safety, AAMVA supports the use of the Internet or any other on-line service to access personal data from Motor Vehicle Records (MVRs) only when adequate controls exist to ensure the data are used by authorized persons or entities legally entitled to receive them and that persons can not access this data for stalking or other unlawful activities. Furthermore, AAMVA supports the sale or subsequent use of personal data from MVRs only when the person or entity receiving it agrees to control the access to such data to ensure the data only are used for lawful purposes. AAMVA supports legislative authority to enforce this policy. [Adopted 1997]

## **6. PARTICIPATION IN THE NATIONAL MOTOR VEHICLE TITLING INFORMATION SYSTEM**

See Policy for Vehicle Registration and Title (01-18). [Adopted 1999]

# **02 STANDARDS AND RECOMMENDATIONS**

## **1. DATA ELEMENT DICTIONARY**

AAMVA endorses the use of the American National Standards Institute (ANSI) *D-20 Data Element Dictionary* as the standard for development of jurisdictional data bases and for inter-jurisdictional communications utilizing the approved AAMVA exchange policy (see MVIS Policy 01.2). Our Association endorses the use of this *Dictionary* in all applicable matters pertaining to motor vehicle administration. We further endorse adoption of the ANSI D-20 Data Element Dictionary as a standard by all jurisdictions.

AAMVAnet shall be responsible for the continued maintenance of the ANSI D-20 Data Element Dictionary. [Amended 1999]

## **2. ELECTRONIC INFORMATION EXCHANGE**

AAMVA supports the use of proprietary AMIE or ANSI X.12 structure for the exchange of data between U.S. member jurisdictions. AAMVAnet shall be responsible for the continued maintenance of the AMIE structure.

AAMVA further supports the use of either AMIE or ANSI X.12 data exchange for U.S. member jurisdictions for data exchange with its trading partners and exploratory use of UN EDIFACT as a future standard. [Amended 1999]

## **3. MOTOR VEHICLE TRAFFIC FATALITY CLASSIFICATION**

AAMVA recommends that the American National Standards Institute (ANSI) D16.1, 1976 Standard be followed with respect to classifying delayed deaths from traffic accidents.

**4. AAMVANET CODE DICTIONARY/CCMTA EQUIVALENCY TABLE**

U.S. jurisdictions shall utilize the AAMVANet Code Dictionary (ACD) and Canadian jurisdictions shall use the CCMTA Conviction Equivalency Table A to define data being exchanged. [*Amended 1995*]

## **5. MAGNETIC STRIPE STANDARDS**

AAMVA supports use of national and international standards as guidelines to its member jurisdictions wherever possible. Specifically, to magnetic stripe standards, AAMVA's policy is:

Driver licenses used by member jurisdictions incorporating magnetic stripe should conform to ISO standards for length, width, and thickness of the card as used in the international financial and retail infrastructure so as to be compatible with currently used document readers and automatic teller machines.

AAMVA's policy emphasizes the development of standards for recording specific identification data on Track 2 in a format consistent with current ISO standards for financial and retail cards. A subcommittee of the MVIS Standing Committee will develop and distribute to all jurisdictions such proposed standards and upon consensus submit a request for certification to the American National Standards Institute (ANSI), the United States, ISO member.

Additional motor vehicle driver license-related data standards will be developed by the same subcommittee to guide the recording of and reading of Tracks 1 and 3 on magnetic stripe. These standards, likewise, will be distributed to all jurisdictions and adopted upon consensus.

## **6. DIGITAL IMAGING STANDARDS POLICY**

The American Association of Motor Vehicle Administrators supports the development of uniform standards for the processing and transmission of driver license information using digital imaging technology. It is the policy of AAMVA that all jurisdictions should use the report "Best Practices Image Standards For Photographs And Signatures" developed by the MVIS Subcommittee on Image Compression, Techniques and Procedures, as approved by the Board of Directors, as a guideline to facilitate the inter-jurisdictional transmission and use of digital images related to driver license documents.

## **7. DEVELOPMENT OF UNIFORM STANDARD FOR BAR CODE INFORMATION**

The American Association of Motor Vehicle Administrators (AAMVA) supports the development of uniform standards for the use of bar code information for inter-jurisdictional use in motor vehicle and driver business applications. It is the policy of AAMVA that all jurisdictions should use a best practices and standards report developed by a subcommittee of the MVIS Standing Committee.

*[Adopted 1993]*

## VEHICLE REGISTRATION AND TITLE

### 01 GENERAL

#### 1. GENERAL

AAMVA adheres to the well-established principle that the titling and registration of a motor vehicle is the duty and responsibility of the member jurisdictions. The Association believes that the member jurisdictions should be free to title and register motor vehicles, both new and used, in accordance with their own laws.

AAMVA supports the titling of motor vehicles in all jurisdictions, the use of standard terminology and forms for registration and title application, and the central recording of security interest and other liens. [*Amended 1994*]

#### 2. MOTOR VEHICLE RECORD INFORMATION EXCHANGE

It is the policy of AAMVA to allow for the exchange, without cost, of the motor vehicle records between the various jurisdictions when such information is to be used in the enforcement of motor vehicle and/or driver license-related matters.

#### 3. MOPED REGULATIONS

AAMVA believes that power-assisted vehicles, commonly known as mopeds, should be defined as motor vehicles and subject to the same regulations as currently govern motorcycles and motor-driven cycles.

#### 4. MOTOR HOMES AND MULTI STAGE VEHICLES

*Definitions* — AAMVA offers the following definition of “motor home:”

A new vehicular unit, designed to provide temporary living quarters, built into, as an integral part of, or permanently attached to, a self-propelled motor vehicle chassis or van. The vehicle must contain permanently installed independent life support systems which meet the ANSI/NEPA 501c Standard, and provide at least four of the following facilities: cooking, refrigeration or ice box, self-contained toilet, heating and/or air conditioning, a potable water supply system, including a faucet and sink, separate 110-125 volt electrical power supply, and/or an LP gas supply.

The three basic types of motor homes are specified as follows:

Type A: a raw chassis upon which is built a driver’s compartment and an entire body which provides temporary living quarters as defined above.

Type B: a completed van-type vehicle which has been altered to provide temporary living quarters as defined above.

Type C: an incomplete vehicle upon which is permanently attached a body designed to provide temporary living quarters as defined above.

For titling and registration purposes, and to clarify this policy, the following definitions are recommended:

**First-Stage Manufacturer:** a person who manufactures an incomplete motor vehicle so that it becomes a completed motor home.

**Final-Stage Manufacturer:** a person who performs manufacturing operations on an incomplete motor vehicle so that it becomes a completed motor home.

**Multi-Stage Vehicle:** a motor vehicle that requires manufacturing operations, performed by separate manufacturers, to produce a completed motor home.

**Complete Vehicle:** a multi-stage motor home that does not require any additional manufacturing operations to perform its intended functions, except addition of readily attachable components or minor finishing operations.

**Minor Finishing Operations:** includes painting, upholstering, or other cosmetic modifications.

**Readily Attachable Components:** includes any mirror, extra light, or tire and rim assembly.

**Incomplete Motor Vehicle:** an assemblage of power train, steering system, and braking system to the extent that those systems are to be a part of the completed vehicle and that requires additional manufacturing operations, except addition of readily attachable components or minor finishing operation, to become a completed motor home.

*Coding* — The Association supports use of a non-duplicative coding system to identify the final-stage manufacturer of multi-stage manufactured motor homes.

*Multi-Stage Vehicle Titling* — In the interest of uniformity and consistency of procedure, AAMVA urges jurisdictions to follow this suggested procedure for titling and registering multi-stage vehicles:

1. The first stage manufacturer shall assign a vehicle identification number (VIN) to each vehicle which conforms to AAMVA definition above. The multi-stage manufacturer of type "A" motor homes shall affix the VIN in a conspicuous place.
2. The VIN identifying the completed vehicle—after multi-stage manufacture—shall be the first-stage manufacturer's VIN on the incomplete chassis or van, and shall be the only VIN which is recorded in the motor vehicle agency's files.
3. To convey ownership of a new motor home, the assignment shall be made on the multi-stage Certificate of Origin (CO). The first-stage and final-stage CO shall accompany the Application for Title and the title document shall reflect the first-stage manufacturer's VIN and the multi-stage manufacturer's name.
4. The multi-stage manufacturer's CO shall conform to the model uniform second-stage manufacturer's CO (UF-22) developed by AAMVA/American National Standards Institute (ANSI) D-19.4 Subcommittee.
5. The make of the multi-stage manufacturer shall be used to describe the complete vehicle and recorded in the motor vehicle agency files and on the title.
6. The model year of a new complete vehicle shall be the only year recorded in the motor vehicle agency files and on the registration and title.
7. All multi-stage manufacturers and jurisdictions shall uniformly enter the code "MH" for Motor Home in the "Body Style" area on the manufacturers CO or the data record. There

shall also be an alpha character suffix (A, B or C) to clearly describe the type of motor home for identification purposes.

#### **5. MOTOR VEHICLE THEFT**

AAMVA supports the Anti Car Theft Act of 1992 (Public Law 102-519) as part of its continuing efforts to combat auto theft. AAMVA also supports the recommendations 1.1 through 8.1 contained in the final report, dated February 10, 1994, of the Motor Vehicle Titling, Registration and Salvage Advisory Committee established pursuant to the Act. AAMVA opposes recommendation 8.2 which would require that a portion of federal highway funding be withheld from any state that does not comply with the provisions of the federal legislation implementing the recommendations of the committee, within three years after enactment.

#### **6. NATIONAL CRIME INFORMATION CENTER**

To assure that certificates of title are not issued for stolen vehicles, AAMVA asks that the states and provinces utilize the National Crime Information Center file before titling motor vehicles previously registered in another jurisdiction.

#### **7. NOTARY REQUIREMENTS**

It is the position of AAMVA that notary requirements on motor vehicle documents are an unnecessary burden on the administrator and the public. AAMVA recommends that notary public requirements be eliminated on all motor vehicle forms.

#### **8. OUT-OF-STATE VEHICLE REGISTRATION**

When jurisdictions register an out-of-state vehicle, AAMVA recommends return of the "original Certificate of Title" document, rather than a "notice of title surrendered," to the issuing jurisdiction without undue delay.

#### **9. RESIDENT - DEFINITION**

For purposes of motor vehicle regulation and taxation, AAMVA offers the following definition of "resident:"

1. Any person, except a tourist or student, who owns, leases or rents a place of domicile within a jurisdiction and who, regardless of domicile, remains in the jurisdiction for a consecutive period of six months or more.
2. Any person, other than a commuter from another jurisdiction, who is gainfully employed in the jurisdiction in a permanent capacity.
3. Any individual, partnership, company, firm, corporation or association which maintains a main or branch office or warehouse facility within the jurisdiction or which bases and operates motor vehicles in the jurisdiction.
4. Any individual, partnership, company, firm, corporation or association which operates motor vehicles in intrastate haulage in the jurisdiction.

#### **10. SCOFFLAW IDENTIFICATION FOR TRAFFIC VIOLATIONS**

For those jurisdictions with laws which require motor vehicle administrators to refuse vehicle registration to those delinquent in payment of penalties incurred for parking violations, it is critical that law enforcement provide positive identification of vehicle owners to avoid misidentification.

AAMVA policy is that law enforcement be required to provide the vehicle registration (plate) number, style, and the violation date unless the jurisdiction has reached agreement with law enforcement or appropriate official on other combinations of information which would positively identify the correct vehicle. [*Amended 1996*]

#### **11. VEHICLE IDENTIFICATION NUMBER (VIN)**

It is the position of AAMVA that both a public and a confidential Vehicle Identification Number (VIN) should be attached to all vehicles sold in the United States, and that this number should be used for titling, registration and other purposes.

#### **12. VIN INSPECTION**

In order to verify ownership of vehicles being titled from other jurisdictions and thereby deter auto theft, AAMVA urges all jurisdictions to include an inspection of the VIN as a part of the titling process. Titles should be withheld pending the results of VIN investigations.

Since rental vehicles are not always available for such inspection, AAMVA urges all member jurisdictions to waive the VIN inspection requirement for one-way rental vehicles if the application for title and registration is accompanied by a certification signed by an authorized agent of the rental company verifying that the VIN has been reviewed and determined to be correct. [*Amended 1995*]

#### **13. VIN REPLACEMENT AND ASSIGNMENT SYSTEMS**

In the past, the various jurisdictions have used several different replacement and assignment VIN systems. Aware that a uniform standard would aid auto theft efforts, AAMVA recommends adoption by all jurisdictions of the Vehicle Equipment Safety Commission (VESC) regulation.

#### **14. VIN UNIFORMITY**

Historically, AAMVA has supported a system of VIN uniformity established by the Association in cooperation with the Vehicle Equipment Safety Commission (VESC). However, in 1978, the National Highway Traffic Safety Administration (NHTSA) of the U. S. Department of Transportation promulgated a rule incorporating a different system of VIN uniformity. This rulemaking action was challenged by the VESC in the Fourth Circuit Court, and the Court ruled in favor of NHTSA. Since it is now apparent that the NHTSA VIN is the one which the motor vehicle manufacturers must follow, it is the position of AAMVA that member jurisdictions should now

adhere to the NHTSA VIN system. The Association continues to support the use of standard Society of Automotive Engineers (SAE) terminology by all users, the formatting of VIN specifications for use by jurisdictions, and determination by the proper jurisdictional authority that all agencies using the VIN receive the manufacturers' VIN specifications required.

#### **15. STANDARDIZATION OF THE IDENTIFICATION, REGISTRATION AND TITLING OF KIT CARS AND STREET RODS**

The American Association of Motor Vehicle Administrators (AAMVA) endorses and encourages jurisdictions to adopt the model kit car and street rod definitions and procedures contained in Appendix E as a guide in developing legislation or regulations governing the identification, registration, and titling of these vehicles. [*Adopted 1992*]

#### **16. PERSONAL INFORMATION OBTAINED FROM MOTOR VEHICLE RECORDS**

See Policy for Information Technology (01-5).

#### **17. UNIFORM METHODS OF RECORD RETENTION AND ACCESS**

AAMVA supports the development of working relationships with all Native American tribal entities or aboriginals in their jurisdictions to assure the availability of vehicle data from those entities that are issuing vehicle titles or registrations. [*Adopted 1998*]

#### **18. PARTICIPATION IN THE NATIONAL MOTOR VEHICLE TITLE INFORMATION SYSTEM (NMVTIS)**

AAMVA supports the National Motor Vehicle Title Information System (NMVTIS) and recommends participation by all U.S. member jurisdictions. Also, it recommends linking the Canadian provinces to the system. AAMVA also supports seeking additional federal funding to assist states with implementation and maintenance. [*Adopted 1999*]

## **02 TITLING**

### **1. FEDERALLY OWNED VEHICLES CERTIFICATE OF RELEASE**

AAMVA asks that federal agencies use the following procedures when transferring federally owned vehicles:

1. A transfer of ownership should be executed on a single uniform document, preferably a Certificate of Title containing:
  - (i) a security feature;
  - (ii) a control number; and
  - (iii) an odometer disclosure statement.
2. The information required on the ownership document should be typewritten or computer generated.

3. There should be a limited number of persons authorized to sign the transfer ownership document.
4. The ownership document should be completed in full and contain accurate vehicle information.
5. A procedure should be developed for issuing a duplicate ownership document when the original has been lost or stolen. [*Amended 1990*]

## **2. GRAY MARKET VEHICLE YEAR MODEL DETERMINATION**

The year model of gray market vehicles should be determined in an order of priority, based on the following criteria:

- The year model used by a specific manufacturer to designate a discrete vehicle model irrespective of the calendar year in which the vehicle was actually produced.
- An ownership document issued by that vehicle's country of origin.
- Any vehicle manufactured during a 12-month period beginning September 1 and ending August 31 shall bear the production year of the calendar year in which August 31 occurs.
- The year model by certification of the importer of record. The certification can be verified against vehicle production dates, based upon substantially similar. The year model can be compared with same make and similar models of the same make of vehicle. [*Amended 1990*]

## **3. CERTIFICATE OF ORIGIN**

AAMVA recommends that the Certificate of Origin (CO) be required for conveying ownership of all new vehicles. The CO document should be uniform in all jurisdictions, conforming with the format, standards, and specifications developed by AAMVA, as set forth in Appendix "B" of this publication.

AAMVA also urges manufacturers of motive and non-motive powered vehicles to adopt a standard machine-readable Certificate of Origin, utilizing OCR-A font, as set forth in the American National Standards Institute (ANSI) Standard X3-17-1977, which provides the criteria for character set and print quality for optical character recognition. The Association further recommends that all jurisdictions move to adoption and implementation of the OCR-A Standard.

Our Association further recommends that vendors of the uniform Certificate of Origin be instructed that applicants who wish to purchase the uniform Certificate of Origin documents must furnish verification from an AAMVA member jurisdiction that such applicant is recognized as a bona fide manufacturer or distributor before the order can be accepted.

AAMVA and member jurisdictions shall make available upon request to qualified vendors and any other interested parties a list of jurisdiction contact persons for the purpose of verifying applicant qualifications. The list shall be maintained by AAMVA and distributed to all member jurisdictions. It shall be the jurisdiction's responsibility to notify AAMVA concerning changes within their jurisdiction affecting the list.

All duplicate Certificates of Origin issued by the manufacturer and used as replacement for the original Certificate of Origin shall incorporate the same security features as the original. The duplicate shall state clearly on the face that it is a "Duplicate." The vehicle and owner information on the duplicate shall be identical to the original Certificate of Origin, and any discrepancy, except the date issued, shall invalidate the duplicate.

All continuation documents, issued by manufacturers and used to facilitate additional transfers between dealers, shall have the same security features as the original Certificates of Origin. The continuation shall state clearly on the face that it is a "Continuation," with page number, and must be used in conjunction with the original Certificate of Origin to be considered valid. The vehicle information on the continuation shall be identical to the original except for the issuance date, and any discrepancy shall invalidate the continuation. [*Amended 1990*]

**4. MANUFACTURER'S STATEMENT OF ORIGIN (MSO)/MANUFACTURER'S CERTIFICATE OF ORIGIN (MCO) DATA IN NATIONAL CRIME INFORMATION CENTER (NCIC) FORMAT**

In the interest of reducing fraud and vehicle theft, AAMVA supports the manufacturers use of standardized codes when transmitting MCO/MSO data electronically. Furthermore, in accordance with the National Motor Vehicle Title Information System (NMVTIS) specifications, AAMVA supports the use of the NCIC codes, as found in the latest edition of the NCIC Code Manual, as the standard for the electronic transmission of all MCO/MSO data. In particular, special emphasis should be placed on the vehicle's make, series, model and body type, and the vehicle's major and minor colors. AAMVA supports the cooperation of manufacturers, the Department of Justice, Federal Bureau of Investigation and if necessary, federal legislative authority to enforce this policy. [*Adopted 1999*]

**5. MODEL YEAR IN TITLE/REGISTRATION RECORDS FOR PASSENGER CARS TRUCKS, MOTORCYCLES AND TRAILERS**

AAMVA recommends that, effective with the 1983 model year, jurisdiction title or registration examination procedures for passenger cars, trucks, motorcycles, and trailers (other than multi-stage manufactured vehicles, such as motor homes) should include a comparison of the captioned model year with the model year code contained in the Vehicle Identification Number, as shown on the Certificate of Origin, New Vehicle Information Statement, bill of sale, or dealer report of sale.

The Association further recommends that if the captioned model year in the documents differs from the model year code in the VIN, the title or registration of the vehicle should be withheld until the documents are corrected, as may be provided for by the law or regulation of the jurisdiction.

**6. ODOMETER REQUIREMENTS**

The Association urges implementation by member jurisdictions of odometer security procedures in compliance with federal law and encourages the jurisdictions to engage in a mutual exchange of information relating to odometer violations. AAMVA supports federal odometer law requirements to strengthen criminal penalties, to broaden disclosure, and to make improvements in standard data collection and the reporting of irregularities.

AAMVA urges all jurisdictions to record the current odometer mileage reading on all title documents including a notation that the recorded mileage reading is actual, not actual, or exceeds

mechanical limits. AAMVA does not support any federal legislation which would require a procedure for recording of odometer information on registration records or a program which would require that a registration card be required to accompany a title application.

Member jurisdictions of the American Association of Motor Vehicle Administrators should not refuse to process interstate certificate of title transactions supported by documentation that meet the minimum federal requirements for odometer disclosure. [*Amended 1990*]

#### **7. SINGLE AXLE TOW DOLLY**

Because a new generation tow bar has been developed that allows front-wheel-drive vehicles to be towed by substituting an axle and wheels for the unusable front axle and wheels of the front-wheel-drive vehicle to be towed, AAMVA urges all jurisdictions to adopt the following definition for the tow bar, along with the policy of titling and registering said device:

“Single Axle Tow Dolly is a vehicle towed by a self-propelled motor vehicle and designed and used exclusively to transport another self-propelled motor vehicle and upon which the front or rear wheels of the towed self-propelled motor vehicle are mounted, while the other wheels of the self-propelled motor vehicle remain in contact with the ground.”

AAMVA urges that the device defined above not be titled or registered, not be treated as a separate vehicle when used in combination with another vehicle (i.e., when a tow dolly is being towed with the front or rear wheels of another vehicle mounted thereon). AAMVA further urges that the above-mentioned device be subject to equipment safety requirements such as lighting and safety chains. [*Adopted 1983*]

#### **8. SPECIALLY CONSTRUCTED AND RECONSTRUCTED MOTOR VEHICLES**

The Association defines “specially constructed” motor vehicles as those that are not constructed under a distinctive make, type, or year model. “Reconstructed” motor vehicles are motor vehicles that are materially altered from their original construction by the removal, addition, or substitution of essential parts, new or used.

Aware that there is currently no uniform method of registering these types of vehicles, or establishing proof of ownership, AAMVA urges member jurisdictions to:

1. Require the examination and inspection of all such vehicles, prior to registration and titling, for the purpose of establishing rightful ownership.
2. Require that such examinations and inspections be performed by an authorized peace officer or DMV employee experienced in the identification of vehicles and component parts.
3. Adopt the uniform model of identifications outlined below.
4. Adopt the proposed Vehicle Equipment Safety Commission (VESC) regulation.

All jurisdictions should use the following brands on title documents, and should carry such brands forward if indicated on title documents surrendered from other jurisdictions.

- a. **RECONSTRUCTED** — A vehicle that is materially altered from its original construction by the removal, addition or substitution of new or used essential parts. (This definition

replaces brands such as glider kit, assembled, rebuilt, specially constructed, and excludes new multistage manufactured vehicles and all vehicles made with new parts.)

- b. **REBUILT SALVAGE** — A salvage vehicle which has been rebuilt and inspected for the purpose of registration and title. (This definition includes vehicles which have been damaged by water and vehicles on which insurance companies have paid total loss claims, and excludes a recovered stolen vehicle having no damage.)
- c. **NON-USA-STD** — A motor vehicle not originally manufactured in compliance with U.S. emission and/or safety standards. [*Amended 1987*]

#### **9. TITLING OF VEHICLES BEING TRANSFERRED TO ANOTHER JURISDICTION WITHOUT PROPER OWNERSHIP DOCUMENTS**

AAMVA urges all member jurisdictions that accept substitute evidence of ownership and issue a non-transferable/non-negotiable title to forward either a notice, or a copy of the application for non-transferable/non-negotiable title, to the jurisdiction in which the title is held. The Association further recommends that all member jurisdictions appropriately flag their title and registration records, or data system, when receiving a notice from another jurisdiction that a non-transferable or non-negotiable title has been issued and record the jurisdiction in which such document(s) have been issued for a vehicle.

#### **10. TITLING OF VEHICLES BUILT IN MULTI-STAGES**

AAMVA recommends that in titling vehicles built in multi-stages that the Certificate of Origin (CO) should be surrendered from the first-stage and the final-stage manufacturer. (See RTVDM Policy 01-4 for complete details of registration and titling process.)

#### **11. TITLING OF TRAILERS**

Since some jurisdictions title trailers and others do not, owners of trailers from jurisdictions not issuing trailer titles have difficulty in establishing proof of ownership for licensing in jurisdictions that do title trailers. AAMVA recommends that all member jurisdictions should title trailers. The Association further recommends that this title serve as the sole document required for transfer of this vehicle from one jurisdiction to another.

## **12. UNIVERSAL CERTIFICATE OF TITLE**

**AAMVA, in its concern for the counterfeiting and fraudulent use of title documents, endorses the concept of a universal certificate, uniform in terms of design and security features, as set forth in Appendix A of this publication.**

AAMVA endorses guidelines for a universal uniform certificate of title with the minimum specifications for printing and design set forth in Appendix A of this publication. These guidelines also specify the National Motor Vehicle Title Information System (NMVTIS) requirements for the data elements listed. [Amended 2000]

## **13. FEDERAL STANDARDS FOR IMPORTED VEHICLES NOT ORIGINALLY MANUFACTURED FOR U.S. DISTRIBUTION**

AAMVA supports the Imported Vehicle Safety Compliance Act of 1988 (Public Law 100-562) and the Canadian Motor Vehicle Safety Act and regulations. The purpose of these acts is to ensure compliance with applicable vehicle safety requirements for all vehicles imported into the United States and Canada—including non-complying vehicles imported by persons other than the original manufacturers, commonly referred to as “gray market” vehicles. All AAMVA member jurisdictions in the United States and Canada should take steps to withhold titling and/or registration of any vehicle not originally manufactured for U.S. or Canadian distribution until the owner (or other person presenting the vehicle for titling and registration) presents satisfactory evidence, issued by the federal governments, that all requirements for permanent legal entry into the U.S. and/or Canada have been met. [Amended 1994]

## **14. DUPLICATE TITLE CERTIFICATE ISSUING PROCEDURES**

AAMVA supports recommendation 3, duplicate title issuance contained in the final report, dated February 10, 1994, of the Motor Vehicle Titling, Registration and Salvage Advisory Committee established pursuant to the Anti Car Theft Act of 1992. [Amended 1995]

## **15. TITLING CANADIAN VEHICLES IMPORTED INTO THE UNITED STATES**

Applications for certificates of title covering vehicles imported into the United States from Canada should be supported with the following evidence:

1. A “New Vehicle Information Statement” vehicle title or registration certificate plated or unplated.
2. A “Bill of Sale” in proper form per the jurisdiction’s requirements.
3. Proof of proper United States Customs clearance (United States Customs Entry Form #7501), properly stamped and signed.

These requirements are suggested because Canadian jurisdictions do not issue titles for vehicles, and there has been inconsistency among jurisdictions as to which documents are accepted as evidence of ownership and/or clear title for vehicles being imported into the U.S. from Canada. [Adopted 1989]

## **16. UNIFORM WATERCRAFT TITLING**

The American Association of Motor Vehicle Administrators encourages those jurisdictions responsible for titling watercraft to adopt the following principles to promote uniform watercraft titling and/or registration.

1. The determination of which watercraft to title should be based on length and mode of propulsion;
2. A Hull Identification Number (HIN) inspection should be conducted in all jurisdictions prior to titling, unless the watercraft was previously titled in that jurisdiction;
3. A HIN inspection fee should be charged;
4. Watercraft Dealers' should be licensed by all jurisdictions;
5. Dealer licensing requirements and bonding requirements should be comparable to bonding requirements for vehicle dealers;
6. The "AAMVA Model Watercraft Title Act" found in Appendix F may be used as a model law by all jurisdictions. [*Adopted 1992*]

## **03 REGISTRATION**

### **1. COMMERCIAL VEHICLES DECLARED GROSS WEIGHT**

AAMVA approves the use of declared gross weight in registering commercial vehicles and recommends that gross weight be shown on the registration certificate.

### **2. TRACTOR-TRAILER COMBINATIONS**

The major portion of a registration fee for tractor and semi-trailer combinations should be the fee charged for use of the power unit. Only a nominal fee should be assessed for the trailer.

### **3. ESTABLISH A UNIFORM SYSTEM OF DISABLED PARKING**

AAMVA endorses guidelines issued by the U.S. Department of Transportation for the establishment of a uniform system of disabled parking to enhance access and the safety of persons with disabilities which limit or impair their ability to walk. [*Amended 1992*]

### **4. LEASED VEHICLES**

It is the position of AAMVA that, in the event that a vehicle is leased for a period of 30 days or more:

1. Lessor's name and address should be on the certificate of title.
2. Lessor's name and lessee's name and address should be on the registration.
3. The driver's name should not be included on the certificate of title or registration because of the potential for frequent change.
4. A standardized fleet identification number should be used.

5. A brand reflecting leased vehicle status should not be included on the certificate of title.  
[Amended 1995]

## 5. MULTI-YEAR REGISTRATION PROCEDURES FOR FLEETS OF VEHICLES

AAMVA endorses the concept of multi-year registration of trailer fleets, and authorizes the Registration, Title, Vehicle Dealers and Manufacturers Standing Committee's Subcommittee on Forms and Procedures to develop and report on uniform procedures for such multi-year registration.

AAMVA encourages its member jurisdictions to seek the necessary legislative authority to allow the issuance of multi-year vehicle fleet registrations. The Association further encourages its members to consider new systems, with necessary safeguards, which will afford more efficient registration of fleet vehicles.

## 6. RECREATIONAL PARK TRAILER

A 'recreational park trailer' is a recreational vehicle primarily designed and intended to provide temporary living quarters for recreation, camping or seasonal use. It is built on a single chassis, mounted on wheels with a gross trailer area not exceeding 400 square feet in the setup mode. Each recreational park trailer is certified by its manufacturer as complying with the ANSI A119.5 standard for recreational park trailers

All US based recreational park trailers, upon the presentation of an acceptable certificate of origin with a properly created 17 digit Vehicle Identification Number (VIN), shall be titled by the jurisdictional authority in the state where domiciled, with sales/*excise or similar* taxes collected and any applicable liens perfected.

Recreational park trailers which meet the size requirements for highway transport without a special movement permit may be registered and assigned license plates. Recreational park trailers that are allowed highway movement only with a special highway movement permit may not be registered and would be subject to the laws in the state where domiciled.

The recreational park trailer should be subject to the same laws and regulations as are applied to all other towable recreational vehicles including, but not limited to, any licensing, bonding, and franchise or warranty requirements currently applicable to such manufacturers and/or their dealers.

## 04 LICENSE PLATES

### 1. LICENSE PLATES

AAMVA endorses the concept of a uniform motor vehicle registration license plate system. In addition, AAMVA recommends that member jurisdictions adopt the following standards:

1. Two registration license plates should be issued for all passenger type vehicles and single unit trucks. One plate can be issued for tractors, motorcycles, and all types of trailers.
2. License plates should prominently display the name of the jurisdiction and the registration number. The date of registration expiration shall be displayed on the vehicle by means of a retroreflecting validating sticker on the rear license plate, except on vehicles that are required or permitted to have only one license plate, or those plates manufactured with an expiration

date and for which a sticker is not required. Secondary decals should be placed on the windshield for jurisdictions that have multiple uses for the stickers. New validating stickers may be issued upon renewal of registration in lieu of issuing new plates for the vehicle.

3. License plates should be manufactured in two sizes, depending on their use. Passenger type vehicles, tractors, trucks, trailers, etc., should be issued standard 6" x 12" plates. Smaller plates measuring 4" x 7" may be used on motorcycles or other small vehicles.
4. License plates can be issued for multi-year periods and should be reissued on a regular basis to insure that the information they display remains legible.
5. Fully retroreflective license plates should be adopted and used.
6. Motor vehicle agencies should consult with jurisdictional, and if applicable local law enforcement representatives, prior to adopting new license plate standards or designs. (See footnote below.)\*
7. Jurisdictions should use a standardized format for all license plates, including specialty plates.
8. License plates must be readable in daylight and night using low beam headlights, under optimal conditions at a distance of no less than 75 feet.
9. Duplication of alpha/numeric combinations is discouraged to allow accurate retrieval of vehicle registration information.
10. Retroreflective decals should be color-coded and with durable printing. Motor vehicle agencies should consult with jurisdictional, and if applicable local law enforcement representatives, prior to adopting new color schemes for registration stickers.
11. If a jurisdiction chooses to issue only one registration plate on passenger vehicles and single unit trucks, the jurisdiction should require that any decorative plate permitted to be displayed on the vehicle should be fully retroreflectorized under all conditions for highway safety purposes.
12. For purposes of this policy, a plate will be considered to be fully reflectorized under all conditions if the base retroreflective sheeting used for its' manufacture meets the following initial retroreflective specifications (see table below):

Color	Entrance Angle	
	-4°	40°
White	50	16
Yellow	25	10
Orange	25	10
Lemon-Yellow	25	10
Gold	25	10
Green	18	7
Blue	18	7
Red	9	3

13. For purposes of this policy, decorative plate means a license plate or other metal device that is not issued for registration purposes by a jurisdiction or agency responsible for the registration of the vehicle. A decorative plate may contain alpha or numeric characters but the alpha or numeric characters are not recorded in the jurisdictional records and are not a part of the registration records maintained by the jurisdiction. [*Amended 2006*]

**2. REQUIRING SPECIAL DESIGNATION OF PLATES ISSUED TO RENTAL VEHICLES**

It is the policy of the American Association of Motor Vehicle Administrators that jurisdictions should not require the use or display of special license plates or identifying designations on plates issued to rental vehicles.

**3. TEMPORARY LICENSE PLATES**

AAMVA endorses the concept of a uniform temporary license plate system where an on-line dealer registration system is not available. In addition, AAMVA recommends that member jurisdictions adopt the following standards:

1. Temporary license plates should be placed on the rear of the vehicle, and should be visible to law enforcement.
2. Expiration dates should be 2 inches in height for easy identification by law enforcement.
3. Temporary license plates should contain security features to prevent alteration and duplication, and to deter counterfeiting.
4. Motor vehicle agencies should consult with jurisdictional, and if applicable local law enforcement representatives, prior to adopting new temporary license plate standards or designs.
5. Issuance of temporary license plates needs to be reported to the motor vehicle agency within a reasonable time frame to be determined by the agency. Temporary license plates are not to be used as an alternative to permanent registration. [*Adopted 1997*]

## **05 DAMAGED VEHICLES**

### **1. DISPOSITION OF NEW VEHICLES DAMAGED IN TRANSIT**

AAMVA recommends establishment of uniform and effective procedures for the sale, repair or destruction of new vehicles damaged in transit.

## **06 DEALERS/MANUFACTURERS**

### **1. LICENSING OF BUSINESSES ENGAGED IN MOTOR VEHICLE-RELATED ACTIVITIES**

As part of the effort to identify and deter those who would illegally engage in the automotive business, AAMVA supports the licensing by member jurisdictions of all manufacturers, distributors, brokers, dealers, salvage dealers and recyclers, repair shops, used parts dealers and wholesalers, and those in related businesses.

AAMVA encourages the control of all off-site sales by the licensing authority of the jurisdiction. No vehicle dealers should be allowed to operate other than at his or her established place of business where a license has been issued, unless a supplemental license or permit is issued by the licensing authority. [*Amended 1989*]

### **2. NON-RESIDENT VEHICLE DEALER LICENSE COMPACT**

AAMVA adopts as a model the Non-Resident Vehicle Dealer License Compact, approved by the working group under the direction of the Registration, Title, Vehicle Dealers and Manufacturers (RTVDM) Committee, as set forth in Appendix D of this publication. [*Adopted 1990*]

## **TRAFFIC SAFETY AND LAW ENFORCEMENT**

### **01 GENERAL**

#### **1. GENERAL**

AAMVA recommends that member jurisdictions should maintain a review of their traffic enforcement programs, in order to effect a uniform policy on enforcement, which includes:

1. Continued, aggressive and effective enforcement of all traffic laws.
2. Assignment of all available traffic personnel to patrol high accident density highways.
3. Follow-up of enforcement effort with effective driver improvement programs.
4. Full use of selective enforcement techniques, as opposed to uniform geographical distribution of forces. In this connection, our Association believes in the general use of

one-man patrols, unless special hazards make use of two-man patrols necessary. The use of marked or unmarked police patrol vehicles should be an administrative decision of the police executive.

5. Greater emphasis — through public information media — on educating the public to the necessity of voluntarily complying with all traffic laws to reduce accidents.

## **2. AUTO THEFT**

All references to auto theft in this chapter relate to prosecutory aspects. The administrative aspects of auto theft are included in the Registration, Title, Vehicle Dealers, and Manufacturers section.

In view of the continued incidence of auto theft as one of the most costly and frequent crimes, and considering the high ratio of stolen vehicles that become involved in traffic crashes and violent crime, AAMVA supports the U.S. Department of Justice in the campaign against auto theft, and encourages all jurisdictions to vigorously prosecute of all persons charged with automobile theft, including maximum prosecution by federal authorities.

Aggressively implement the Federal Anti-Car Theft Act of 1992. [*Amended 1995*]

## **3. RADIO FREQUENCIES FOR ENFORCEMENT AGENCIES**

AAMVA recognizes the importance of adequate radio frequencies to meet current and future law enforcement needs. [*Amended 1995*]

## **02 ACCIDENTS**

### **1. TRAFFIC CRASH INVESTIGATION**

AAMVA supports authority being provided to state and provincial law enforcement agencies to investigate traffic crashes, to determine if they have been caused by a traffic violation, and in such cases, to prosecute upon information and belief for the violation(s) resulting in the traffic crash(es). AAMVA further encourages jurisdictions to adopt legislation, based on the *Uniform Vehicle Code*, to give law enforcement agencies authority to take enforcement action, as evidence may warrant, during a traffic crash investigation. [*Amended 1995*]

## **03 TRAFFIC SAFETY/ENFORCEMENT**

### **1. CROSS-COUNTRY AUTO RACES**

AAMVA actively condemns high-speed motor vehicle cross-country races conducted on public highways. [*Adopted 1984*]

### **2. DRIVER LICENSE SUSPENSION**

In an effort to deal with the serious problem of unlicensed drivers and drivers who drive after their license is suspended or revoked, AAMVA supports the following principles and encourages member jurisdictions to do likewise:

1. Maintain current, readily available, information concerning drivers whose licenses have been suspended, revoked, denied or canceled.
2. Within legal parameters, intensify the use of road checks for detection of driver license and vehicle violations.
3. Arrest and prosecute drivers apprehended for driving while under suspension, revocation, or cancellation.
4. Provide for an easily accessible system for checking validity and the enforcement of driver license laws by all enforcement agencies.
5. Adopt laws to increase punishment for repeat offenders. [*Amended 1995*]

### **3. SAFETY BELT USE STATUTES**

AAMVA supports passage of safety restraint and child safety restraint usage legislation, in the form of a primary law, at the state and provincial level. However, this support is not intended to prevent or delay the use of automatic and supplemental restraint technologies in motor vehicles. [*Amended 1995*]

#### 4. SPEED LIMITS

AAMVA supports the establishment of uniform speed regulations by all member-jurisdictions based on provisions in the *Uniform Vehicle Code*, containing the following elements:

1. The establishment of appropriate uniform speed limits for each roadway for all vehicles based on engineering and traffic studies, and a *reasonable and prudent* rule designed to control speeds unsafe for existing conditions.
2. Appropriate and adequate signs for all roads.
3. Appropriate sanctions for violators.
4. A commitment on the part of law enforcement to consistently enforce the speed limits on all roads using state-of-the-art equipment and technologies.
5. A strong program of public information and education designed to promote compliance with speed limits through increasing public awareness of the risk of speeding.

#### Laser and Radar Detectors

AAMVA opposes the manufacture and sale of electronic devices, used by individuals in motor vehicles to detect the presence of speed-measuring equipment in use by police except when such devices are for the use of authorized law enforcement agencies. AAMVA supports concurrent jurisdiction between federal and state agencies in the enforcement of laws that prohibit manufacture and sale of such devices.

#### Federal Sanctions

AAMVA opposes federally mandated programs of compliance monitoring and sanctioning with regard to the international and national maximum speed limits. AAMVA concurs with the following findings of the United States Department of Transportation (U.S. DOT)\*

1. A compliance formula has no apparent effect on highway safety.
2. A compliance formula can have a negative effect on allocation of highway safety resources.
3. Compliance formulas now have little credibility or support.
4. Any attempt to set a pass/fail level would necessarily be arbitrary and would create a potential penalty for some states whose enforcement efforts and fatality experience are superior to those of other states not threatened with sanctions.
5. The compliance problem cannot be reduced to a simple formula.

In addition, the U.S. General Accounting Office has found little relationship between federal compliance requirement and the level of state's highway safety or enforcement efforts. The position of AAMVA is that incentives would more effectively promote improvements in highway safety. [Amended 1997]

\* Report to Congress: Speed Enforcement Program Plan, National Highway Traffic Safety Administration, Washington, 1991, p. 13.

## **5. SPEED DETECTION DEVICES**

AAMVA supports the use of radar, aircraft, speed-watch, electronic, laser and other scientific devices in speed detection. [*Amended 1995*]

## **6. CHARGE REDUCTION**

Because of the magnitude of loss of life resulting from hazardous traffic violations, such as driving under the influence of alcohol and/or drugs, AAMVA opposes the reduction of such charges to lesser offenses by prosecutors and judges. In addition, AAMVA opposes the practice of “deferred sentencing.” [*Amended 1995*]

## **7. UNIFORM ARREST**

AAMVA recommends that member jurisdictions follow the uniform policy in handling arrests of out-of-state traffic violators, as prescribed in the Non-resident Violators Compact. Violations should be dealt with in accordance with the laws of the jurisdiction in which the violations occur.

## **8. UNIFORM TRAFFIC TICKET**

AAMVA supports the adoption and use by member jurisdictions of a “Uniform Traffic Ticket,” which is numbered serially for easy auditing purposes. In addition, AAMVA encourages member jurisdictions to enact auditing regulations which establish accountability and responsibility for all tickets. [*Amended 1995*]

## **9. LIGHTING NOT REGULATED BY FEDERAL STANDARDS**

See Policy for Vehicle Inspection and Safety (03-10)

## **10. TINTED GLAZING OF VEHICLE WINDOWS**

See Policy for Vehicle Inspection and Safety (03-8)

## **11. USE OF SPEED IN MOTOR VEHICLE ADVERTISING**

AAMVA encourages vehicle manufacturers, retail dealers, and their advertising agencies to discontinue advertising, which glorifies excessive speed or reckless driving such as:

- Advertising that emphasizes high performance and “0-60” as a euphemism for speed.
- Advertising images, particularly on TV, which represent motor vehicles in high-speed maneuvering and skids, often on wet pavement.
- Advertising which implies or states a particular motor vehicle is perfectly safe for high-speed driving because of “road holding” characteristics.
- Advertising which emphasizes speedometers marked well above 100 mph, or tachometers pushed to the “red line.” [*Adopted 1992*]

## **12. TRAFFIC ENFORCEMENT SUPPORT**

AAMVA supports the concept and encourages member jurisdictions to maintain traffic police agency size and effort commensurate with increases in vehicle registrations and subsequent demands for services and to continually evaluate the standards for the selection and training of police personnel.

AAMVA supports the exemption of all sworn law enforcement officers from the provisions of the Age Discrimination in Employment Act. [*Amended 1995*]

## **13. DRIVER HISTORY RECORDS**

It is the policy of AAMVA that jurisdictions track all traffic convictions and dispositions, including programs such as diversions, through the adjudication and administrative process by adopting comprehensive and integrated traffic information/record systems among motor vehicle administrators, law enforcement agencies, courts, and prosecutors. [*Adopted 2000*]

## **04 DRIVING UNDER THE INFLUENCE**

### **1. DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS**

AAMVA supports the implementation of the following practices by member jurisdictions to enhance highway safety by combating incidents of driving while under the influence of alcohol and/or drugs:

1. A management policy that establishes as a top priority enforcement and administrative sanctions for impaired driving offenses, aggressive enforcement of traffic laws by uniformed personnel, and incentives for excellence and innovation in traffic law enforcement.
2. Improved problem identification through detailed investigation and analysis of crashes to determine the precise scope and nature of the traffic crash problem.
3. Development of a police traffic resource allocation plan which makes the most effective use of limited resources. The plan should address the most prevalent crash occurrences and causes.
4. Implementation of training programs which will improve skills in detecting and apprehending impaired drivers. The training should include Standardized Field Sobriety Testing techniques.
5. Establishment of policies that streamline the processing of impaired drivers by simplifying and reducing paper work.
6. Encouragement of the maximum use of chemical and scientific tests, including pre-arrest breath test devices to aid in the detection of impaired drivers.
7. Adoption of "implied consent laws" and laws establishing a presumption that drivers with an alcohol concentration of .08 percent or greater are under the influence.
8. Adoption of "implied consent laws" that make it a per se violation for any driver under the age of 21 to have a alcohol concentration of .02 percent or greater.

9. Adoption of laws establishing .04 percent or greater alcohol concentration as the presumptive level for commercial vehicle operators, and requiring commercial drivers to be placed out-of-service if there is any presence of alcohol.
10. Conduction of sobriety check points which meet the requirements of law.
11. Encouragement of other associations to adopt the above policy.
12. Designation of AAMVA as a repository of current alcohol countermeasure information for every jurisdiction. [*Amended 1995*]

## **05 COMMERCIAL VEHICLE ENFORCEMENT**

### **1. MOTOR CARRIER SAFETY**

AAMVA supports the implementation by member jurisdictions of a vigorous training and enforcement program, designed to increase compliance with rules of the road and driver hours of service, to detect and prosecute drivers of commercial vehicles who operate after consuming alcohol or drugs, and to detect mechanical defects through participation in the Commercial Vehicle Safety Alliance (CVSA) or other appropriate means. Specifically, AAMVA supports the CVSA Training Program which provides specialized training for dealing with the inspection of commercial vehicles, and urges all jurisdictions to implement this program.

AAMVA also supports the continued federal incentives and support to the jurisdictions for increased uniform standards efforts in the area of commercial vehicle safety, including a uniform traffic crash reporting and data collection system, with control in such system vested at the jurisdiction level. [*Amended 1995*]

### **2. TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS MATERIALS**

AAMVA supports the development and coordination by all jurisdictions, having highway safety responsibilities of comprehensive programs, as authorized by law, that encompass the following areas:

1. The uniform adoption of laws/regulations relating to the safe transportation of hazardous materials consistent with regulations issued by the United States Department of Transportation and found in Title 49, Code of Federal Regulations or the Transportation of Dangerous Goods Act of Canada.
2. The establishment of proactive enforcement programs to assure compliance with regulations by shippers, carriers, and manufacturers of hazardous materials. Inspections and audits, both fixed site and on-highway, are necessary to reduce and prevent the potential for transport-related hazardous materials incidents.
3. The development of information systems to enhance the dissemination of accurate information regarding hazardous materials, resources, and the coordination of efforts among jurisdictions.

4. The creation of on-scene capability to manage hazardous materials spills to decrease the risk of harm to the public's safety and the environment. Such management capability should include specifications on a single agency authority at the scene.
5. The training of law enforcement and emergency-response personnel in three areas:
  - a) Regulations training in transporting hazardous materials and the inspection of vehicles and business terminals to assure compliance with laws and regulations enacted;
  - b) Personal protection and hazardous material training meeting the emergency responder levels outlined in the 1992 N.F.P.A. 472 Standards and in O.S.H.A 1910.120 (q); and
  - c) Hazardous materials incident scene-management procedures that utilize unified incident command and critical incident management practices. [*Amended 1995*]

### **3. WEIGHING OF COMMERCIAL VEHICLES**

AAMVA urges that personnel assigned to weighing commercial vehicles be provided sufficient authority to permit them to carry out such duties effectively. Specifically, such personnel should have full police powers, with authority to require that vehicles be driven a reasonable distance for weighing; and if such vehicles are found to be overweight, to require that excess weight be removed immediately, or to permit the vehicle to be moved to a place where such excess weight can be removed safely.

## **06 DRIVER LICENSE INFORMATION EXCHANGE AND IDENTITY VERIFICATION**

### **1. IMAGE EXCHANGE**

AAMVA endorses the concept of providing access to digital photos (images) on record at the motor vehicle agency to approved certified law enforcement agencies for the purpose of verifying identity. **Specific procedures for the request and exchange of such images will be left to the specific motor vehicle agency. Included in the policies for the exchange of such images should be a list of penalties and sanctions for the misuse of such images. AAMVA does not endorse the policy of requesting images for the use in police "photo line-ups".**

### **2. SECURITY SCREENING**

AAMVA recommends that when a motor vehicle agency conducts a transaction relating to a specific customer, such as issuance of a driver's license or registration of a motor vehicle, the agency perform a query, by batch or real-time processes, of the customer's name, date of birth, and if available, driver's license number or unique identifier against available law enforcement wanted and threat databases.

AAMVA further recommends that any security screening alert resulting from such a query be transmitted directly to the law enforcement agency responsible for the database, not back to the motor vehicle agency that initiated the query, and that no intervention action be required by, nor expected from, non-law enforcement personnel within the motor vehicle agency.

## UNIFORM LAWS AND PROCEDURES

### 01 UNIFORM LAWS

#### 1. STATUTES TO SUBSTITUTE ALCOHOL CONCENTRATION FOR BLOOD ALCOHOL CONTENT

Jurisdictions should amend their statutes as necessary to bring them into compliance with the *Uniform Vehicle Code* by replacing the term “blood alcohol content” with a term which more accurately reflects the bodily substance tested. [*Amended 1995*]

#### 2. UNIFORM VEHICLE CODE

AAMVA recognizes the importance of, and need for, uniformity in motor vehicle laws and procedures. In accordance with this recognition, we endorse the *Uniform Vehicle Code* as a statutory guide and recommend its adoption in each jurisdiction.

AAMVA pledges its support and cooperation to the National Committee on Uniform Traffic Laws and Ordinances in its efforts to maintain and update the *Uniform Vehicle Code* so that the *Code* may continue to reflect the best in motor vehicle and driver control and regulation. AAMVA believes that the experience and expertise of member administrators and chiefs of enforcement can be of great benefit to the National Committee in continuing this effort.

#### 3. UNIFORM LAW COMPARISON STUDIES

Jurisdictions should have their legal services representative conduct an annual comparison of their motor vehicle and traffic laws with the *Uniform Vehicle Code* and other appropriate model legislation. This comparison should be the basis for revisions and recodification so that the jurisdiction’s laws conform with such model legislation. [*Amended 1995*]

#### 4. ADMISSIBILITY OF EVIDENCE OF NON-USE OF SAFETY BELT IN MITIGATION OF DAMAGES

The effectiveness of occupant restraints in reducing deaths, serious injuries and monetary loss has been proven and is widely recognized. Motor vehicle operators involved in accidents with unrestrained operators of other motor vehicles should not be held responsible for losses which occur to such other persons to the extent those losses could reasonably have been avoided or diminished by the use of restraints. AAMVA urges the courts, tribunals and legislatures of the member jurisdictions to allow the introduction of evidence of failure to wear an occupant restraint as a factor in mitigation of damages arising out of a motor vehicle collision. [*Adopted 1985*]

## **02 UNIFORM PROCEDURES**

### **1. INFORMATION EXCHANGE**

Member jurisdictions should utilize the AAMVA Bulletin Board to alert Association headquarters staff and other AAMVA members to significant legislation and court decisions.

AAMVA further recommends that member jurisdictions provide to other jurisdictions, upon request, assistance regarding legal actions or other problems. [*Amended 1995*]

### **2. RECORD RETENTION**

Jurisdictions should maintain records of all motor vehicle and driver licensing transactions, including convictions, suspensions or withdrawals, in a manner which permits retrieval of clear and accurate reproductions of such records. [*Amended 1995*]

### **3. ACCIDENT PREVENTION**

AAMVA supports a balanced program of accident prevention and highway safety. Essential elements of such a program shall include:

1. Uniform laws based on the *Uniform Vehicle Code* and other model legislation.
2. Uniform traffic signs, signals and markings.
3. Uniform accident reporting, including implementation and use of a central records system.
4. A standard driver licensing program.
5. Driver education courses in the schools, including behind-the-wheel instruction.
6. Efficient and effective enforcement of motor vehicle laws.
7. Periodic motor vehicle inspection.
8. Competent traffic engineering.
9. A comprehensive program of public information and safety education.
10. Competent research. [*Amended 1995*]

## VEHICLE SAFETY AND INSPECTION

### **01 GENERAL**

#### **1. ALL TERRAIN VEHICLES**

All Terrain Vehicle (ATV) or an Off-Highway Vehicle (OHV) should be defined as “any motorized off-highway vehicle 50 inches (1270 mm) or less in width, having a dry weight of 700 pounds (318) kg or less, traveling on three or more low-pressure tires, designed for operator use only with no passengers, having a seat or saddle designed to be straddled by the operator, and handlebars for steering control.”

ATVs should not be registered for highway use, even if retrofitted with the equipment required for highway vehicles, and motor vehicle administrators should use available statutory authority to refuse registration for any ATV and encourage adoption of appropriate legislation, as needed, to assure that ATVs are not registered for highway use. A means of registration for the purpose of identification and control in off-highway use may be desirable. [*Amended 1997*]

#### **2. MOTOR CARRIER SAFETY**

See Policy for Traffic Safety and Law Enforcement (05-1)

#### **3. SLOW MOVING VEHICLE EMBLEM**

Recognizing that some means of common identification of slow moving vehicles is needed, AAMVA recommends adoption of the American Society of Agricultural Engineers (ASAE) S-276.3 Standard as contained in Society of Automotive Engineers (SAE) Standard SAE J943 by all member jurisdictions.

#### **4. RAISED VEHICLES**

AAMVA encourages jurisdictions to adopt standards for raised vehicles, and recommends the American Automobile Manufacturers' Association Guidelines for state bumper height regulations. [*Amended 1995*]

### **02 INSPECTION**

#### **1. GENERAL**

AAMVA recognizes that vehicle inspection is a vital part of any overall traffic safety effort. Therefore, AAMVA recommends that member jurisdictions should adopt and implement annual, or semi-annual, or any other type of vehicle inspection program which addresses the needs of a particular jurisdiction. Such other type of program should also address other provisions which are pertinent to safe operation of vehicles on the highways.

Therefore, the Association recommends that member jurisdictions endorse and support vehicle inspection programs, in accord with the 1981 revision prepared by the AAMVA Engineering and Vehicle Inspection Standing Committee.

Enforcement agencies should accept the responsibilities for removal from the highways of mechanically unsafe vehicles. Furthermore, in order to assure continued public and legislative

support of state-operated and state-appointed programs, AAMVA recommends that its member jurisdictions should strengthen the monitoring and supervision of the inspection process.

## **2. COMMERCIAL VEHICLE SAFETY ALLIANCE**

AAMVA supports and endorses the Commercial Vehicle Safety Alliance (CVSA) Truck Inspection Program concept as a supplement to a jurisdiction's Periodic Motor Vehicle Inspection (PMVI) program or for implementation by any jurisdiction without a PMVI program. [*Adopted 1982*]

## **3. EXHAUST EMISSION INSPECTION**

AAMVA recommends that inspection of exhaust emission control systems when required, should be incorporated into motor vehicle safety inspection programs. This can be successfully accomplished when:

1. Instrumentation becomes available at a cost factor acceptable to the member jurisdictions, and when such instrumentation is capable of being used effectively by an inspector. Such instruments must accurately measure harmful pollutants emitted in the exhaust gases on a uniform calibrated scale.
2. Data has been obtained and analyzed, from which performance criteria is established, for acceptable and tolerable levels of exhaust emission control system deterioration.
3. Repair, adjustment or replacement of a system, or component, can readily be obtained, economically, by the vehicle owner.

## **4. FEDERALLY OWNED VEHICLES**

AAMVA recommends that all federally owned vehicles should be required to meet the same inspection requirements as vehicles owned and operated by the general public.

## **5. FEDERAL INSPECTION STANDARD CHANGE**

AAMVA recommends that Section F of the Highway Safety Program Standard Number 4.4.1 (*Periodic Motor Vehicle Inspection*) be amended to eliminate the requirement calling for the publishing of summaries of records of all inspection stations at least annually, and substitute therefore a requirement for publishing annually a summary of the inspection programs of the various states, which shall be based on a sampling and projection basis, which the Association believes fully complies with the intent of Section F.

## **6. INSPECTION STANDARDS**

The current volume of the Association publication *Vehicle Inspection Handbook* should be used as the basis for minimum motor vehicle inspection requirements in member jurisdictions.

Member jurisdictions should cooperate to conform their commercial motor vehicle regulations, pertinent to parts and accessories necessary for safe operation of vehicles, to the basic requirements contained in Part 393 (*Parts and Accessories Necessary for Safe Operation*) of the U.S. Department of Transportation's Bureau of Motor Carrier Safety Regulations. [*Amended 1997*]

## **7. TRAINING**

AAMVA recommends that adequate and uniform training be provided to all motor vehicle inspection personnel.

#### **8. UNIFORM VEHICLE INSPECTION RECIPROCITY AGREEMENT**

AAMVA recommends adoption of the Uniform Vehicle Inspection Reciprocity Agreement by all member jurisdictions which operate either an annual or semi-annual motor vehicle inspection program.

### **03 EQUIPMENT**

#### **1. FEDERAL MOTOR CARRIER SAFETY LEGISLATION**

AAMVA supports the concept of international uniformity in motor carrier equipment regulation.

The Association is opposed to federal safety legislation which would adversely affect the authority of the jurisdictions to regulate intrastate commerce or would impose involuntary administrative burdens on the jurisdictions. [*Amended 1997*]

#### **2. LICENSE PLATE COVERS/FRAMES**

AAMVA is opposed to use of transparent covers for license plates because they create reflections which obscure the characters on the plate. The Association recommends that license plates should be mounted and lighted in such a way that they will neither interfere with, nor be obscured by, attachments of trailer hitches and other coupling devices. License plate frames shall not cover any part of the plate numerals, letters, and/or validation tabs.

#### **3. RESTRAINT DEVICES: USE OF APPROVED TYPES FOR INFANTS AND CHILDREN IN MOTOR VEHICLES**

AAMVA endorses the mandatory use of child restraint systems which comply with the U.S. Motor Vehicle Safety Standard 213 or with the Canadian Motor Vehicle Safety Standard 213 for infants and young children riding in motor vehicles.

Jurisdictions should adopt regulations requiring the proper installation and use of restraint systems for infants and young children. [*Amended 1997*]

#### **4. SAFETY GLAZING**

AAMVA recommends that safety glass requirements should be in conformity with Federal Motor Vehicle Safety Standard 205 or Canada Motor Vehicle Safety Standard 205.

#### **5. VEHICLE BRAKE WEAR WARNING DEVICE**

AAMVA supports and endorses the use of brake wear warning devices for motor vehicles. AAMVA also supports and endorses comprehensive brake system inspections to assure vehicles operated on our highways are equipped with brake systems adequate to control the movements of, stop and hold of such vehicle, as may be necessary for safe operation. These inspections should be performed in accordance with AAMVA's PMVI Criteria and Procedures Handbook. [*Amended 1995*]

#### **6. USE OF PLASTIC MATERIALS IN BALL JOINTS**

AAMVA is opposed to the practice of injecting plastic materials into steering and suspension ball joints of motor vehicles for the purpose of eliminating or reducing free play caused by wear, because the injected plastic material may prevent grease from circulating to critical wear portions of the joint, thereby accelerating wear and eventual failure. [*Adopted 1988*]

#### **7. DAYTIME RUNNING LIGHTS**

Since motor vehicles manufactured in Canada and/or for the Canadian market are required to be equipped with daytime running lights (DRL), which come on automatically and cannot be turned off when the vehicle is operating, and U.S. Motor Vehicle Safety Standards permits the use of DRLs as optional equipment, AAMVA urges all jurisdictions to rescind or amend any laws which prohibit the use of DRLs. [*Amended 1995*]

#### **8. TINTED GLAZING OF VEHICLE WINDOWS**

AAMVA opposes the use or application of an aftermarket film or other substance to the windshield of a motor vehicle. AAMVA opposes the use or application of an aftermarket film or other substance applied to the front windows adjacent to the driver or front seat passenger, or the windows located behind the driver, that results in either a total light transmittance of less than 50%± 3%, or the level of light transmittance permitted for that vehicle in FMVSS No. 205, whichever is less. Any film or other substance applied to the windows of a motor vehicle shall not have reflectivity in excess of 20%± 3%. [*Amended 1994*]

#### **9. HEADLAMP AIM**

In order to overcome the high rejection rate of misaimed headlamps on vehicles-in-use, and in view of the headlamp intensity increase to 150,000 candlepower permitted by Federal Motor Vehicle Safety Standard 108 and Canada Motor Vehicle Safety Standard 108, AAMVA recommends that vehicle manufacturers design and construct headlamp assemblies to retain the appropriate aim, with a greater degree of reliability. [*Amended 1995*]

**10. LIGHTING NOT REGULATED BY FEDERAL STANDARDS**

1. AAMVA recommends the adoption of laws which would:
  - A. Prohibit the use of flashing, oscillating, modulating, or rotating lights of any color on a vehicle while parked or operated upon the highway, street or other public vehicular area, except as specifically authorized by law.
  - B. Prohibit the use of lamps or other lighting devices which do not meet minimum applicable United States, Canadian, or jurisdictional standards.
2. Each jurisdiction should carefully consider the reason for use and impact of any optional or novelty lighting device to be used on a motor vehicle while parked or operated upon any highway. AAMVA strongly encourages the approval of any optional lighting device only if it enhances the safe operation of the motor vehicle and promotes visibility or conspicuity, and is not contrary to the applicable standards in 49 C.F.R. 571.108, or CMVSS 108. [*Adopted 1994*]

**11. MOTOR VEHICLE SAFETY EQUIPMENT COMPLIANCE**

AAMVA supports the concept that all motor vehicle safety equipment should meet uniform standards as established by the Society of Automotive Engineers, the American National Standards Institute, Inc., the U.S. Department of Transportation, Transport Canada, the Canadian Standards Association, and the American Society for Testing Materials.

AAMVA further supports the establishment by all member jurisdictions of procedures to use a certification program to ensure that safety equipment used on motor vehicles in their jurisdictions meets these standards. AAMVA also supports having all member jurisdictions review their applicable statutes to ensure that adequate authority exists to establish such procedures.

[*Amended 1998*]

## **MISCELLANEOUS POLICY STATEMENTS**

### **1. COOPERATION WITH OTHER AGENCIES AND ORGANIZATIONS**

AAMVA appreciates and values the assistance of agencies and public information media engaged in conducting programs designed to protect motorists and pedestrians, as well as to facilitate the movement of vehicles with safety and convenience. The Association urges all member jurisdictions, and the staffs of their respective agencies, to fully cooperate with these agencies and organizations.

AAMVA recognizes the value of public support groups in traffic safety programs, and considers it a duty of state and provincial leaders to take the initiative in the establishment of such groups, as well as to stimulate the interest and activity of existing groups.

### **2. INTERDISCIPLINARY COOPERATION**

AAMVA supports and encourages the cooperation and exchange of information among motor vehicle administrators, law enforcement officials, highway engineers, revenue officials and other related agencies in the interests of highway safety. Such cooperative efforts should include some of the following activities:

1. Forums at the state, provincial and local levels for the exchange of information and ideas relating to improved highway safety through roadway design, traffic flow and control measures, and enforcement strategies.
2. Efforts to work for standardization of data elements, definitions, and reporting for data collected at the national and international levels and used by all jurisdictions.
3. Participation with national and international traffic safety organizations in the development of national and international traffic safety goals. [*Adopted 1995*]

### **3. COOPERATION WITH LEGISLATORS**

AAMVA believes that legislators should be kept informed about the goals and objectives of the motor vehicle agencies, as well as the goals and objectives of AAMVA.

The Association cordially invites members of the legislative bodies of its member jurisdictions to attend AAMVA Regional and Annual International Conferences. It further urges such legislators to take part in our deliberations, and to cooperate in our efforts to secure uniform motor vehicle and traffic laws, needed reciprocity authority, and other matters necessary to better service the motoring public.

AAMVA also urges the formation of regional groups to promote closer working relationships and understandings between motor vehicle and traffic law enforcement officials and members of legislatures.

#### **4. PROGRAM EVALUATION**

AAMVA recommends that member jurisdictions evaluate the cost/effectiveness of on-going Association programs on a timely basis and share their findings with other member jurisdictions.

#### **5. SANCTIONS ON STATE FEDERAL-AID HIGHWAY MONIES**

AAMVA strongly opposes the so called "10 percent penalty clause" in the Highway Safety Act of 1966, which provides for the Secretary of Transportation imposing sanctions on 10 percent of a state's Federal-Aid Highway monies for non-compliance with Highway Safety Program Standards. The Association strongly recommends that this sanction's provision be repealed by the U.S. Congress.

#### **6. RESEARCH**

AAMVA recommends that each member jurisdiction have the authority and facilities for research in motor vehicle traffic control, driver licensing standards and controls, automotive safety and signaling devices, driver education, and the relationship of each of these general categories to accident cause and prevention.

The Association urges member jurisdictions to initiate and carry on research to measure the effectiveness of driver improvement actions; and AAMVA further urges that results of such studies should be made available to the Association for evaluation and dissemination to other member jurisdictions.

AAMVA also urges acceleration of an effort to enlist the support and assistance of universities and colleges, as well as other qualified research agencies, in conducting appropriate research projects in all areas of motor vehicle administration and traffic law enforcement.

When representatives of research groups operating under federal grants contact state motor vehicle and traffic enforcement agencies for information, requests should be directed to the AAMVA headquarters.

#### **7. POSTAGE RATES**

AAMVA believes that third-class postage rates should be permitted for use by the states in distributing registration renewal notices. It strongly recommends that uniform fees and regulations should be established governing such distribution.

#### **8. SUPPORT FOR PRESIDENT'S HIGHWAY SAFETY TASK FORCE REPORT**

AAMVA supports the recommendations contained in the report of the President of the United States' Task Force on Highway Safety, "Mobility Without Mayhem;" and especially concurs with the recommendation calling for a strong national commitment from the President of the United States and the U.S. Congress to designate highway safety as a major national goal.

**9. SUPPORT FOR ALLIANCE FOR TRAFFIC SAFETY**

AAMVA strongly supports the Alliance for Traffic Safety as a recognized vehicle for implementation of the Highway Safety Program Standards, through its marshaling of support for state implementing of needed legislation.

**10. DRIVER COMPETENCY AWARENESS CAMPAIGN**

Licensing agencies should develop working relationships with alternative transportation agencies, social service providers, physicians, and traffic safety organizations such as the Department of Veterans Affairs, American Automobile Association (AAA), Area Agency on Aging and the American Association of Retired Persons. Through these relationships, drivers could receive referrals for screening of their driving performance. These screenings would assist drivers in determining if they would need full evaluation and further classroom instruction, a physical or mental evaluation, or counseling. [*Adopted 1999*]

**APPENDIX A**

**AAMVA RECOMMENDED UNIVERSAL CERTIFICATE OF TITLE GUIDELINES AND MINIMUM SECURITY FEATURES**

**SIZE**

Title size should be large enough to include odometer information and disclosure statements required by the Truth in Mileage Act of 1986. A title smaller than 7" x 8" generally does not contain sufficient space for this purpose.

AAMVA, therefore, recommends a title size specification range of 7" x 8" as minimum and 8 1/2" x 11" as the maximum

**MODEL FORMAT FIELDS**

<b>DATA</b>	<b>Location</b>	<b>Printed Format</b>	<b>Justification for Inclusions</b>	<b>NMVTIS Data Field System Requirements</b>
1. Name of Jurisdiction	Top, center of form either in or beneath border		If used for NMVTIS, must meet NMVTIS data field requirements.	2 characters
2. Words "Certificate of Title"	Top, center of form either in or beneath border			N/A
3. VIN	First line of vehicle data, top portion of form, left justified		If used for NMVTIS, must meet NMVTIS data field requirements.	30 characters maximum
4. Year	First line of vehicle data, top portion of form, immediately to the right of "VIN"	Four digits, e.g., 2010	Compliance with Y2K.  If used for NMVTIS, must meet NMVTIS data field requirements.	4 characters
5. Make	First line of vehicle data, top portion of form, immediately to the right of "Year"	Complete English description of Make, no abbreviations/special codes	If used for NMVTIS, must meet NMVTIS data field requirements.	4 characters

DATA	Location	Printed Format	Justification for Inclusions	NMVTIS Requirements
6. Model	First line of vehicle data, top portion of form, immediately to the right of "Make"	Complete English description of model, no abbreviations/special codes	Identifies the vehicle and provides for complete description	N/A
7. Vehicle Body	First line of vehicle data, top portion of form, immediately to the right of "Model"	Complete English description of body style, no abbreviations/special codes	If used for NMVTIS, must meet NMVTIS data field requirements.	3 characters
8. Title Number	First line of vehicle data, top portion of form, immediately to the right of "Vehicle Body"	Title number should be no more than 10 digits/characters.  If there is an inventory control number or other identifier printed on the title, the number should be identified as such or the statement "This is not a title number" should be printed adjacent to that number.	If used for NMVTIS, must meet NMVTIS data field requirements.	17 characters
9. Date Issued	Second line of vehicle data, top portion of form, left justified.		If used for NMVTIS, must meet NMVTIS data field requirements.	8 characters

DATA	Location	Printed Format	Justification for Inclusions	NMVTIS Requirements
10. Odometer Miles, Status (i.e., actual, not actual, over mechanical limits)	Second line of vehicle data, top portion of form, to the right of Date Issued	Print the odometer miles with an asterisk at the beginning and end, e.g., *9123*, A	Federal requirement. If used for NMVTIS, must meet NMVTIS data field requirements.	9 characters
11. Fuel Type	Second line of vehicle data, top portion of form, to the right of Odometer Miles	Print complete English description	If used for NMVTIS, must meet NMVTIS data field requirements.	1 character
12. Tax Paid	Second line of vehicle data, top portion of form, to the right of Fuel Type	Print dollar amount of taxes paid	Serve as proof that SUT has been paid.	N/A
13. Empty Weight	Second line of vehicle data, top portion of form, to the right of Sales Tax Paid		Used by jurisdictions to determine fees. Prevents manual research by staff.	N/A
14. Gross Weight	Second line of vehicle data, top portion of form, to the right of Empty Weight		Used by jurisdictions to determine fees. Prevents manual research by staff.	N/A
15. GVWR	Second line of vehicle data, top portion of form, to the right of Gross Weight		Federal requirement. GVWR is used as a determining factor to see if emissions are required.	N/A

DATA	Location	Printed Format	Justification for Inclusions	NMVTIS Requirements
16. Vehicle Color	Third line of vehicle data top portion of form, left justified		Add "Color" of vehicle.	Primary- 3 character NCIC code
17. Odometer Brand	Third line of vehicle data, top portion of form, under Odometer Miles/Status		If used for NMVTIS, must meet NMVTIS data field requirements.	1 Unit
18. Brands	Third line of vehicle data, top portion of form, to the right of Odometer Brand	For state-specific brands, print "Brand" and the name of the Originating state on the form.	If used for NMVTIS, must meet NMVTIS data field requirements.	7 characters
19. Owner(s) Name and Address	Top half of form beneath vehicle data.		If used for NMVTIS, must meet NMVTIS data field requirements.	N/A
20. Lienholder(s) Name and Address	Lower portion of form beneath vehicle data			N/A

DATA	Location	Printed Format	Justification for Inclusions	NMVTIS Requirements
21. Lienholder's Release	Adjacent, or below appropriate lien information			N/A
22. PDF417 Barcode	Lower right portion of face of form		Improvements in technology; provides document security, accuracy of information and easier availability of information.	N/A
23. Owner Reassignment	Lower portion of face of form		Provides ease of ownership transfer for customer.	N/A
24. Dealer Reassignments	Reverse side of form, upper to middle portion of the form	Include at least three (3) Dealer Reassignments on the title form	Standardizes the number of dealer reassignments.	N/A
25. Application for Title & Registration	Reverse side of form, lower portion		Convenience for customers.	N/A

① Name of Jurisdiction

② CERTIFICATE OF TITLE

③ Vin	④ Year	⑤ Make	⑥ Model	⑦ Vehicle Body	⑧ Title Number	
⑨ Date Issued	⑩ Odometer Miles	⑪ Fuel	⑫ Sales Tax Pd.	⑬ Empty Wt	⑭ Gross Wt	⑮ GVWR
⑯ Vehicle Color	⑰ Odometer Brand	⑱ Brands				

⑲

Owner's Name and Address

⑳

㉑

Lienholder's Name and Address

Lienholder's Release

㉒

PDF417 Barcode

㉓

Owner Reassignment

24

Dealer Reassignment #1

Dealer Reassignment #2

Dealer Reassignment #3

25

Application for Title and Registration

**APPENDIX A (continued)**

**MINIMUM SECURITY GUIDELINES**

The following security features are guidelines for use in all title documents:

1. Engraved Border                      A border produced from engraved art work.
  
2. (a) Prismatic                      A rainbow printing that is used as a deterrent to colorcopying, and/or  
  
    (b) Copy Void Pantograph        The word "void" (multi-lingual) appears when the document is copied with the latest color copier/scanning technology.
  
3. Fluorescent Inks                    Fluoresces under ultraviolet light and reacts to any attempt to erase in such a manner as to be immediately detectable. And/or, fluorescent fibers incorporated into the paper visible with ultra-violet light.
  
4. Background Security Design       A repetitious design consisting of a pattern that hinders counterfeiting efforts.
  
5. Sensitized Security Paper        Paper that is reactive to chemicals commonly used to alter documents.
  
6. Non-optical Brightener            Paper without added optical paper brighteners that will not fluoresce under ultraviolet light.
  
7. Microline                          A line of small alphacharacters in capital letters that requires a magnifying glass to read.
  
8. Consecutively numbered         Documents that contain a number that is consecutively numbered for control purposes.

**APPENDIX A (continued)**

- |  |  |
|--|--|
| 9. Complex Colors  | Colors that are developed by using a mixture of two or more of the primary colors (red, yellow and blue) and black, if required.   |
| 10. (a) Watermark<br>(b) Intaglio Print<br>(c) A Security Laminate*,<br>(d) Hot-Stamped 3-Dimensional Hologram | With or without security thread, and/or<br>With or without latent image, and/or<br>and/or<br>and/or  |
| 11. Thermochromatic Ink  | Ink reacts to human touch and momentarily changes color or disappears.   |
| 12. Toner Retention Paper  | Laser printed title documents incorporates the ink into the paper allowing the retention of the toner and retaining the toner image so it cannot be scraped or flaked off. |

\*Security Laminate is defined as a transparent laminate material with proprietary security technology features and processes that are not available on the commercial market, and that will protect documents of value from compromise from counterfeiting, data alteration, photo substitution, duplication (including color photocopying) and simulation by use of materials and technologies that are commonly available.

At the discretion of the jurisdictions, all title documents should include either additional features or methods to ensure document integrity. Such additional features or methods may be those available from commercial paper printers and/or suppliers or a method(s) of printing data on the document for the purpose of electronic validation of the data base record and/or data retrieval.

A secure process is also required for any separate reassignment document used in addition to the certificate of title in connection with transfer of ownership transactions. As a minimum, such document should be printed on sensitized security paper.

**APPENDIX B**

**SPECIFICATIONS FOR PRINTING A MANUFACTURERS CERTIFICATE OF ORIGIN (CO) FOR MOTOR VEHICLE STANDARDS**

SECURITY FEATURES - All Certificates of Origin should contain the following nine security features:

1. Paper
  - (a) Sensitized Security Paper—paper that is reactive to chemicals commonly used to alter documents.

- (b) Non-Optical Brightener Paper—paper without added optical brighteners which will not fluoresce under ultraviolet light.
- 2. Engraved Border—a border produced from engraved art work which shall appear on the front of the document.
- 3. (a) Prismatic—rainbow printing which is used as a deterrent to color copying, and/or  
(b) Copy Void Pantograph - the word “void” appears when the document is copied.
- 4. Complex Colors—colors which are developed by using a mixture of two or more of the primary colors (red, yellow or blue) and black if required.
- 5. Erasable Fluorescent Background Inks—fluoresces under ultraviolet light and reacts to any attempt to erase in such a manner as to be immediately detectable.
- 6. Background Security Design—a repetitious design consisting of a pattern which hinders counterfeiting efforts.
- 7. Microline—a line of small alpha characters in capitol letters which requires a magnifying glass to read.
- 8. Consecutively Numbered—documents that contain a number which is consecutively numbered for control purposes.
- 9. (a) Security Thread—with or without watermark, and/or  
(b) Intaglio Print—with or without latent image.

DOCUMENT SIZE — “Certificates of Origin” size specifications shall be seven (7) inches by eight (8) inches.

PAPER STOCK — Sixty (60) pound offset or equivalent durability.

CONSTRUCTION — Unless otherwise specified by the user, the forms should be constructed and fan-folded for use on high-speed pinfed computer printer and/or continuous typewriters.

LAYOUT — Text matter space for 1/10 inch horizontal and 1/6 inch deep characters per AAMVA H-12 Policy for standard format.

FACILITY SECURITY — To insure the integrity of the manufacturers “Certificate of Origin,” the user should require the vendor to maintain secure printing and storage facilities. [*Revised 1990*]

## APPENDIX C

### **Model Salvage Vehicle Titling Legislation**

#### **Salvage, Rebuilt Salvage, Flood, and Nonrepairable Vehicles**

##### **Sec. 3- X01 Definitions**

- (1) MOTOR VEHICLE -- as used in this Article, motor vehicle has the same meaning as found in Section 1-142 of this Code, however, it does not include vehicles with a GVWR of more than 10,000 pounds.
- (2) SALVAGE VEHICLE -- means:
  - (a) any motor vehicle which has been damaged, destroyed, wrecked, or submerged in water to the extent that the total estimated or actual cost of parts and labor to rebuild or reconstruct the vehicle to its pre-accident condition and for legal operation on the roads or highways exceeds 75 percent of the retail value of the vehicle prior to such damage, as set forth in a current edition of any nationally recognized compilation, including automated data bases, of retail values, as approved by the department. The value of repair parts for purposes of this paragraph shall be determined by using the current published retail cost of the original equipment manufacturer parts or the actual retail cost of the repair parts to be used in the repair. The labor cost of repairs for purposes of this paragraph shall be computed by using the hourly labor rate and time allocations that are reasonable and customary in the automobile repair industry in the community where the repairs are performed.
  - (b) any motor vehicle, without regard to whether such vehicle meets the preceding 75 percent threshold which :

- (i) an insurance company acquires ownership of pursuant to a damage settlement, not including a settlement in connection with a recovered theft vehicle, unless such motor vehicle sustained sufficient damage to meet the 75 percent threshold ; or;
  - (ii) the vehicle owner designates as a Salvage Vehicle by obtaining a Salvage Title, without regard to the extent of the motor vehicle's damage and repairs.
- (3) SALVAGE TITLE -- means a certificate of title issued by the department designating a motor vehicle a Salvage Vehicle.
- (4) REBUILT SALVAGE VEHICLE -- means any motor vehicle previously issued a Salvage Title, which has passed state anti-theft and safety inspections to ensure that the motor vehicle was rebuilt to required standards, and has been issued a certificate indicating that the motor vehicle has passed the required anti-theft and safety inspections.
- (5) REBUILT SALVAGE TITLE -- means a certificate of title issued by the department for a vehicle previously designated a Salvage Vehicle which has passed required state anti-theft and safety inspections, and is now designated a Rebuilt Salvage Vehicle.
- (6) NONREPAIRABLE VEHICLE -- means any motor vehicle which is incapable of safe operation for use on roads or highways and which has no resale value except as a source of parts or scrap only or which the owner irreversibly designates as a source of parts or scrap.
- (7) NONREPAIRABLE VEHICLE CERTIFICATE -- means a motor vehicle ownership document issued by the department designating that vehicle a Nonrepairable Vehicle.
- (8) FLOOD VEHICLE --means a motor vehicle that has been submerged in water to the point that rising water has reached over the door sill and has entered the passenger or trunk compartment.

**Sec. 3-X02 Duty to Apply for Salvage Vehicle Title -- Nonrepairable Vehicle Certificate**

- (1) Unless an insurance company has made a damage settlement arising out of damage sustained to a Salvage Vehicle or a Nonrepairable Vehicle, the vehicle owner shall apply to the department for a Salvage Title or Nonrepairable Vehicle Certificate, whichever is applicable, before the motor vehicle is repaired or the ownership of the motor vehicle is transferred. In no event shall such application be made more than 30 days after the vehicle is damaged.
- (2) Every insurance company, which pursuant to a damage settlement, acquires ownership of a vehicle that has incurred damage requiring the vehicle to be designated a Salvage Vehicle or Nonrepairable Vehicle, shall apply to the department for a Salvage Title or Nonrepairable Vehicle Certificate within 15 days after the title is assigned and delivered by the owner to the insurance company, with all liens released.
- (3) Every insurance company which makes a damage settlement for a vehicle that has incurred damage requiring such vehicle to be designated a Salvage Vehicle or Nonrepairable Vehicle, but does not acquire ownership of the vehicle, shall  
Alternative 1:  
notify the vehicle owner of the owner's obligation to apply to the department for a Salvage Title or Nonrepairable Vehicle Certificate for the motor vehicle, and shall notify the department of this fact in accordance with procedures established by the department.  
Alternative 2:  
withhold payment of the claim until the vehicle owner applies for a Salvage Title or a Nonrepairable Vehicle Certificate
- (4) The lessee of any vehicle which incurs damage requiring the vehicle to be designated a Salvage or Nonrepairable Vehicle shall notify the lessor of this fact within 30 days of the damage.
- (5) The lessor of any motor vehicle which has incurred damage requiring the vehicle to be titled as a Salvage or Nonrepairable Vehicle, shall apply to the department for a Salvage

Title or Nonrepairable Vehicle Certificate within 21 days after being notified of this fact by the lessee.

- (6) Every person acquiring ownership of a motor vehicle that meets the definition of a Salvage or Nonrepairable Vehicle, for which a Salvage Title or Nonrepairable Vehicle Certificate has not been issued, shall apply to the department for the required document prior to any further transfer of such vehicle, but in no event, more than 30 days after ownership is acquired.

**Sec. 3-X03 Duty to Notify Lessors, Purchasers, Department of Flood Vehicle Status**

- (1) Every owner of a vehicle that becomes a Flood Vehicle shall, at or prior to the time ownership is transferred, give the transferee written notice that the vehicle is a Flood Vehicle.
- (2) Every lessee of a vehicle that becomes a Flood Vehicle, shall, within 15 days of the occurrence, give the lessor written notice that the vehicle is a Flood Vehicle.
- (3) Every vehicle owner transferring ownership of a Flood Vehicle shall at the time of such transfer notify the department of the vehicle's Flood Vehicle designation in accordance with procedures established by the department.

**Sec. 3-X04 Department to Designate Salvage, Flood, and Nonrepairable Vehicles**

- (1) Upon notification of a vehicle's designation as a Salvage Vehicle, or Nonrepairable Vehicle, and payment of appropriate fees, the department shall issue, a Salvage Title, or Nonrepairable Vehicle Certificate, as appropriate in accordance with procedures established by the department.
- (2) Each Salvage Vehicle Title issued by the department shall, in addition to complying with requirements of Sec. 3-107 of this Chapter, be conspicuously labeled with this designation on its face.
- (3) Upon notification of a vehicle's designation as a Flood Vehicle, and payment of appropriate fees, the department shall conspicuously label this Flood Vehicle status on the face of the vehicle's title.
- (4) Each Nonrepairable Vehicle Certificate shall contain the same identifying information and comply with format, size and security requirements applicable to certificates of title by Sec. 3- 107 of this Chapter, and shall be conspicuously labeled with this designation on its face.

- (5) The designation of a motor vehicle's status shall be conspicuously labeled on the face of any subsequent title, including any duplicate title, issued by the department for the vehicle.
- (6) The department shall maintain the preceding designations of a vehicle's status as a permanent part of each vehicle's record, and shall include this information as part of any electronically transmitted or printed vehicle record provided by the department for that motor vehicle

**Sec. 3-X05 Restrictions on Use and Transfer of Salvage Vehicles**

- (1) No motor vehicle for which a Salvage Title has been issued shall be registered by the department for use on the roads or highways of this state unless it has been issued a Rebuilt Salvage Title.
- (2) The ownership of a Salvage Vehicle shall only be transferred through the use of a Salvage Title.
- (3) No Salvage Vehicle shall be issued a Rebuilt Salvage Title unless the Salvage Vehicle has been repaired or rebuilt, and passed a ~~n anti-theft~~ and safety inspection by a person or persons licensed or employed by a State under a program approved by the department, [ or other designated agency] and an inspection for stolen parts by a certified State or local law enforcement official, under a program approved by the department.

**Sec. 3-X06 Restrictions on Use and Transfer of Nonrepairable Vehicles**

- (1) No motor vehicle for which a Nonrepairable Vehicle Certificate has been issued shall be titled or registered by the department for use on the roads or highways of this state.
- (2) Ownership of the motor vehicle for which a Nonrepairable Vehicle Certificate has been issued may only be transferred two times.

- (3) Whenever a motor vehicle has been flattened, baled, shredded, or otherwise destroyed, whichever comes first, the motor vehicle title or Nonrepairable Vehicle Certificate for the vehicle shall be surrendered to the department within 30 days.
- (4) The department shall update its record to indicate the destruction of such vehicle and no further ownership transactions for the vehicle shall be permitted. If at the time the vehicle is destroyed it is titled in another state, the department shall notify the state where the vehicle is titled of the surrender of the title or Nonrepairable Vehicle Certificate and of the vehicle's destruction.

**Sec. 3-X07 Procedures for Titling Rebuilt Salvage Vehicles**

- (1) The department shall not issue a Rebuilt Salvage Title for a motor vehicle with a Salvage Title unless the vehicle has passed required state anti-theft and safety inspections. A motor vehicle for which a Rebuilt Salvage Title has been issued may be registered for use on the roads and highways of this state.
- (2) Every owner of a motor vehicle designated as a Salvage Vehicle shall, as a condition of having that vehicle designated a Rebuilt Salvage Vehicle, present to the department the Salvage Title, along with a certificate, which complies with the security and guideline standards established by the department, indicating that the vehicle has passed the required anti-theft and safety inspections.
- (3) Upon satisfaction of the preceding requirements, the department shall issue a Rebuilt Salvage Title, and shall maintain this designation as a permanent part of the vehicle's record, and shall include this information as part of any electronically transmitted or printed vehicle record provided by the department for that motor vehicle.
- (4) Each Rebuilt Salvage Title issued by the department shall, in addition to complying with requirements of Sec. 3-107 of this Chapter, be conspicuously labeled with the designation "Rebuilt Salvage Vehicle --Anti-theft and Safety Inspections Passed" on its face.

- (5) If the vehicle for which a Rebuilt Salvage Title is issued sustained such damage by being submerged in water, the department shall also conspicuously label this Flood Vehicle status on the face of the Rebuilt Salvage Title.
- (6) Ownership of a Rebuilt Salvage Vehicle shall only be conveyed through the use of a Rebuilt Salvage Title.
- (7) After a Salvage Vehicle has passed the required State anti-theft and safety inspections, the inspection official shall affix a secure decal stating "Rebuilt Salvage Vehicle --Anti-theft and Safety Inspections Passed" to the driver's door jamb of the vehicle and issue to the owner of the vehicle a certificate indicating that the motor vehicle has passed the required anti-theft and safety inspections. The decal and certificate must comply with permanency and security requirements established by the department.

## **APPENDIX D**

### **NON-RESIDENT VEHICLE DEALER LICENSE COMPACT**

#### **ARTICLE I**

##### **PURPOSE AND POLICY**

The party jurisdictions, desiring by common action to facilitate the flow of interstate commerce involving vehicle dealers in such party jurisdictions, and in order to protect the party jurisdictions' dealers and residents from frauds, impositions and abuses by dealers who buy and/or sell vehicles wholesale in such party jurisdictions, have found that they can accomplish their common goals by entering the non-resident dealer license compact.

If a party jurisdiction has substantial evidence of a violation or of a conviction resulting from a party jurisdiction's laws by a non-resident dealer which could result in a dealer license limitation, suspension and/or cancellation of license in that party jurisdiction, the party jurisdiction shall convey that information to the non-resident dealer's home jurisdiction.

If the home jurisdiction dealer license administrator can limit, suspend, and/or cancel a dealer license in their jurisdiction for such violations or convictions as reported against a non-resident dealer, the home jurisdiction license administrator may institute an action to limit, suspend, and/or cancel the dealer license of a non-resident dealer or deny such license to a dealer applicant who applies for license after the license administrator receives any party jurisdiction's substantial evidence about that non-resident dealer.

#### **ARTICLE II**

##### **DEFINITIONS**

As used in this compact:

- (a) "Conviction" means a conviction of any offense related to the buying and/or selling of vehicles which is prohibited by jurisdiction law, municipal ordinance or administrative rule or regulation, or forfeiture of bail, bond or other security deposited to secure the appearance by a person charged with having committed any such offense, and which such convictions, administrative actions, or forfeitures are required to be reported to the licensing authority.
- (b) "Head of the vehicle dealer licensing authority" means the governor, or designee, or other authority as set forth by jurisdiction law.
- (c) "Home jurisdiction" means the jurisdiction which has issued the vehicle dealer license, registration or certificate of authority.
- (d) "Jurisdiction" means a state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Canadian Provinces, or any other foreign nation, country or territory.

- (e) "License" means any vehicle dealer license, registration, certificate or other authority issued under or granted by the laws of the granting jurisdiction which would allow a vehicle dealer to buy and/or sell vehicles.
- (f) "Licensing authority" with reference to this Compact means the government unit that issues licenses.
- (g) "Non-resident vehicle dealer" is a person who is licensed in his or her home jurisdiction but not in the party jurisdiction and is engaging in the buying and/or selling of vehicles wholesale in the party jurisdiction.
- (h) "Party jurisdiction" is a jurisdiction other than the home jurisdiction in which the out-of-state or foreign dealer is buying and/or selling vehicles at wholesale.
- (i) "Vehicle" for the purposes of this Compact is any conveyance as defined by a party jurisdiction.
- (j) "Wholesale" is the purchase, sale or transfer of a vehicle or vehicles between licensed vehicle dealers.

### **ARTICLE III**

#### **REPORTS OF CONVICTION**

The licensing authority of a party jurisdiction may report each action taken in that jurisdiction resulting in the suspension, revocation or limitation of a license to all other party jurisdictions. Such report shall clearly identify the person; describe the violation specifying the section of the statute, code or ordinance violated; identify the court or administrative hearing in which action was taken; indicate whether a plea of guilty was entered, or if 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**

The licensing authority in the home jurisdiction for the purpose of suspension, revocation, limitation, or an administrative action of the license to operate as a vehicle dealer, may give the same effect to the conduct reported, pursuant to Article III of this Compact, as if such conduct had occurred in the home jurisdiction to insure that full force and effect is given to this Article.

### **ARTICLE V**

#### **APPLICATIONS FOR NEW LICENSES**

Upon application for a dealer's retail or wholesale license to buy and/or sell vehicles, the licensing authority in a home jurisdiction may ascertain whether the applicant has ever held or is the holder of a license issued by any other party jurisdiction. The licensing authority in a jurisdiction where an application is made may elect to not issue a license if the applicant has held such a license in a party jurisdiction, but the license is currently suspended, revoked or limited by reason, in whole or in part, by a violation of the party jurisdiction laws.

## **ARTICLE VI**

### **APPLICABILITY OF OTHER LAWS**

Except as expressly required by provision of this Compact, nothing contained herein shall be construed to affect the right of any party jurisdiction to apply any of its other laws relating to a license issued by the licensing authority.

## **ARTICLE VII**

### **COMPACT ADMINISTRATOR AND INTERCHANGE OF INFORMATION**

(a) The head of the vehicle dealer licensing authority of each party jurisdiction shall be the administrator of this Compact for his or her jurisdiction. The administrators, acting jointly, shall have the power to formulate all necessary and proper procedures for the exchange of information under this Compact.

(b) The administrator of each party jurisdiction may furnish to the administrator of each other party jurisdiction any information or documents reasonably necessary to facilitate the administration of this Compact.

## **ARTICLE VIII**

### **RECIPROCITY**

Entrance into the compact means that a party jurisdiction will allow a non-resident, licensed as a vehicle dealer in and by his/her home jurisdiction of residence, to buy and/or sell vehicles wholesale to or from any vehicle dealer who is authorized by the party jurisdiction to do business in that jurisdiction, provided that, prior to doing business with such vehicle dealer, such non-resident dealer must show evidence to the party jurisdiction of the current dealer license issued to them by the non-resident's home jurisdiction and such non-resident dealer must comply with the party jurisdiction's laws regulating resident vehicle dealer licenses.

## **ARTICLE IX**

### **ENTRY INTO FORCE, EFFECTIVE DATE, AND WITHDRAWAL**

(a) This Compact shall enter into force and become effective as to any jurisdiction when duly authorized agents sign the Compact.

(b) Any party jurisdiction may withdraw from this Compact but no such withdrawal shall take effect until 6 months after the head of the dealer licensing authority of the withdrawing

jurisdiction has given written notice of the withdrawal to the heads of all other party jurisdictions. A repeal of enabling legislation will terminate that party jurisdiction's inclusion in the Compact. No withdrawal shall affect the validity or applicability by the licensing authorities of jurisdictions remaining party to the Compact of any report of conviction occurring prior to the withdrawal.

## ARTICLE X

### 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 laws of any party jurisdiction or of the United States or the applicability thereof to any government, agency, person or circumstances 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 laws of any jurisdiction party thereto, the Compact shall remain in full force and effect as to the remaining jurisdictions and in full force and effect as to the jurisdiction affected as to all severable matters.

## ARTICLE XI

### DUE PROCESS

Except as expressly required by provisions of this Compact, nothing contained herein shall be construed to affect the due process notice and hearing rights of an applicant, licensee, registrant or certificate holder relating to obtaining, retaining or restricting a license to buy and/or sell vehicles wholesale or retail according to the laws of the home jurisdiction and party jurisdiction.

## APPENDIX E

### MODEL KIT CAR AND STREET ROD DEFINITIONS AND PROCEDURES

#### DEFINITION OF A KIT CAR

A kit car is a passenger or light truck type vehicle assembled from a manufactured kit, either as a complete kit to construct a new vehicle, which consists of a prefabricated body and chassis, or a kit composed of a prefabricated body to be mounted to an existing vehicle chassis and drivetrain, commonly referred to as a donor vehicle.

#### TITLE AND REGISTRATION PROCEDURES

Manufactured New Vehicle Kit: The year of the vehicle shall be the year reflected on the MCO. The make shall be "KITV" (Kit Vehicle).

Manufactured Body Kit: The year of the vehicle shall be the year as reflected on the MCO or, if no MCO exists, the year of application for title. The make shall be "KITV" (Kit Vehicle).

Vehicle Identification Number: The VIN of a new vehicle kit shall be taken from the MCO belonging to that vehicle.

The VIN of a body kit shall be as reflected on the MCO or, in the absence of an MCO, a jurisdiction assigned vehicle identification number.

Documents Required: An owner shall supply an MCO or acceptable ownership document for the new vehicle kit.

An owner shall supply a title or acceptable ownership document for the donor vehicle, and bills of sale or invoices for all major components used in the construction of the vehicle.

### **DEFINITION OF A STREET ROD**

A street rod is a motor vehicle, other than a motorcycle, either manufactured prior to 1949, or a motor vehicle which has been assembled or manufactured to resemble a motor vehicle manufactured prior to 1949, which has been modified in its body style or design through the use of non-original or reproduction components, such as the frame, engine, drivetrain, suspension or brakes in a manner that does not adversely affect its safe performance as a motor vehicle or render it unlawful for highway use. An existing motor vehicle which is incidentally repaired, restored or modified, by adding or replacing parts is not a street rod vehicle.

## TITLE AND REGISTRATION PROCEDURES

Vehicles Manufactured Prior to 1949 That Have Been Modified in Its Body Style or Design:

The make and year shall be the make and year the vehicle resembles. The title shall be branded as a street rod.

Vehicles Assembled or Manufactured to Resemble a Motor Vehicle Manufactured Prior to 1949:

The make shall be "STRD" (street rod), and the year shall be the year in which it was assembled or manufactured.

Vehicle Identification Number: A state issued VIN shall be assigned when the original VIN is absent from the body and frame of a vehicle manufactured prior to 1949.

A state issued VIN shall be issued to a vehicle assembled or manufactured to resemble a vehicle manufactured prior to 1949 when no VIN is present or more than one VIN is present on the vehicle.

Documents Required: The owner shall provide a title, or acceptable ownership document for the body/frame, and bills of sale or invoices for all major parts used in the modification of the vehicle.

## APPENDIX F

### AAMVA MODEL WATERCRAFT TITLE ACT - 1992

#### Section 1. - Definitions

- (a) Generally, in this subtitle, the following words have the meaning indicated:
- (b) "Certificate" means any certificate of title issued.
- (c) "Dealer" means any person who engages in whole or in part in the business of buying, selling or exchanging \_\_\_\_ or more new and unused vessels, or used vessels, or both, in any one calendar year, either outright or on conditional sale, bailment, lease, Chattel mortgage, or otherwise, and who has an established place of business for sale, trade and display of vessels.
- (d) "Department" means the \_\_\_\_\_ department acting directly or through its duly authorized officers or agents.
- (e) "Lien holder" means a person holding a security interest.
- (f) "Manufacturer" means any person engaged in the business of manufacturing, building or assembling \_\_\_\_ or more new and unused vessels in any one calendar year for the purpose of sale or trade.

- (g) “Motorboat” means any vessel equipped with propelling machinery, whether or not the machinery is the principal source of propulsion.
- (h) “Operate” means to navigate or otherwise use a vessel.
- (i) “Operator” means the person who operates or has charge of the navigation or use of a vessel.
- (j) “Owner” means a person, other than a lien holder, having interest in or title to a vessel. The term includes a person entitled to use or possess a vessel subject to an interest in another person, but it does not include a lessee under a lease not intended as security.
- (k) “Security interest” means an interest which is reserved or created by an agreement which secures payment or performance of an obligation.
- (l) “State of principal use” means the state on whose waters a vessel is used or to be used most during a calendar year.
- (m) “Use” means to operate, navigate or employ a vessel. A vessel is in use whenever it is upon the water.
- (n) “Vessel” means every description of watercraft, other than a seaplane, used or capable of being used as a means of transportation on water or ice. Ice boats are regarded as watercraft. The term includes the vessel’s motor, spars, sails, and accessories.
- (o) “Proceeds” include whatever is received when collateral is sold, exchanged, collected or otherwise disposed of. The term also includes the account arising when the right to payment is earned under a contract right. Money, checks, and the like are cash “proceeds.” All other proceeds are “non-cash proceeds”.
- (p) “Waters of the state” means any water within the jurisdiction of the state, the marginal sea adjacent to the state, and the high seas when navigated as part of a ride or journey to or from the shore of the state.

Section 2. - Owner’s Certificate of Title—In General

- (a) Application—Except as provided in subsection (d), any owner of a vessel principally used on the waters of the state that is required by the department to be numbered shall apply to the department for a certificate of title for the vessel.
- (b) Contents and form—Each certificate of title shall contain the information and be issued in a form the department prescribes.
- (c) Prerequisite to issuance of certificate of number—The department may not issue or renew a certificate of number to any vessel required to be registered and numbered in the state unless the department has issued a certificate of title.

- (d) Exception for person owning vessel with valid certificate of number (on effective date)—A person who (on effective date) is the owner of a vessel with a valid certificate of number issued by the state is not required to file an application for a certificate of title for the vessel unless any part of that person's interest in the vessel is transferred.
- (e) Application requirements: Form; oath; contents—Every owner of a vessel subject to titling under the provision of this subtitle shall apply to the department for issuance of a certificate of title for the vessel within \_\_\_ days after acquisition. The application shall be on forms the department prescribes and accompanied by the required fee. The application shall be signed and certified that statements made are true and correct to the best of the applicant's knowledge, information, and belief under penalty of perjury. The application shall contain the date of sale and purchase price of the vessel or the fair market value if no sale immediately preceded the transfer and any additional information the department requires. If the application is made for a vessel last previously registered or titled in another state or foreign country, it shall contain this information and any other the department requires.
  - (i) Dealer buying or acquiring vessel for resale—A dealer who buys or acquires a new or used vessel for resale is not required to apply for and obtain a certificate of title as provided in this subtitle.
  - (ii) Dealer transferring vessel requiring title—Every dealer transferring a vessel requiring titling under this subtitle shall assign the title to the new owner or, in the case of a new vessel, assign the manufacturer's statement of origin (MSO)/manufacturer's certificate of origin (MCO).

- (f) Department record of title certificates—The department shall maintain a record of each certificate of title it issues.
- (g) Sale, purchase, etc., without certificate prohibited—effective \_\_/\_\_/\_\_, no person may sell, assign or transfer a \_\_\_\_\_ model year vessel titled by the state without delivering to the purchaser or transferee a certificate of title with an assignment on it showing title in the purchaser or transferee's name. No person may purchase or otherwise acquire a \_\_\_\_\_ model year vessel required to be titled by the state without obtaining a certificate of title for it in the purchaser's name.

Section 3.- Fees; Duplicates

- (a) Fee for issuance of original and duplicate certificate—The department shall charge a \$ \_\_\_\_\_ fee to issue a certificate of title, a transfer of title, a duplicate, or corrected certificate of title.
- (b) Application to department; lost, destroyed, or damaged certificate—If a certificate of title is lost, mutilated, destroyed, or becomes illegible, the first lien holder or, if there is none, the owner named in the certificate as shown by the department's records shall, within \_\_\_ days, obtain a duplicate by applying to the department. The applicant shall furnish information concerning the original certificate and the circumstances of its loss, mutilation, or destruction as the department requires. Mutilated or illegible certificates shall be returned to the department with the application for a duplicate.
- (c) Marking and delivery of certificate—The duplicate certificate of title shall be clearly marked "duplicate" and mailed or delivered to the applicant.
- (d) Recovery of lost original certificates—If a lost original certificate of title for which a duplicate has been issued is recovered, the original shall be surrendered promptly to the department for cancellation.

Section 4.- Obtaining Manufacturer's Statement Of Origin (MSO) or Manufacturer's Certificate Of Origin (MCO)

A manufacturer or dealer may not transfer ownership of a new vessel without supplying the transferee with the manufacturer's statement of origin (MSO)/manufacturer's certificate of origin (MCO) signed by the manufacturer's authorized agent. The MSO/MCO shall contain all of the information required by the department.

Section 5.- Hull Identification Number of Vessel

- (a) Required for certain vessels: procedures for issuance—Every vessel in which construction began after October 31, 1972, shall have a hull identification number assigned and affixed as required by the Federal Boat Safety Act of 1971. The department shall determine the procedures for application and for issuance of the hull identification number for home built boats.

- (b) Destruction, removal, alteration of manufacturer's hull identification number prohibited - A person may not destroy, remove, alter, cover or deface the manufacturer's hull identification number, the plate bearing it, or any hull identification number the department assigns to any vessel without the department's permission.

**Section 6.- Dealer's Record Of Vessels Bought, Sold Or Transferred**

Every dealer shall maintain for \_\_\_ years a record of any vessel bought, sold, exchanged, or received for sale or exchange. This record shall be open to inspection by department representatives during reasonable business hours.

**Section 7.- Transfer or Repossession of Vessel by Operation or Law**

- (a) If ownership of a vessel is transferred by operation of law, such as by inheritance, order in bankruptcy, insolvency, replevin, or execution sale, the transferee, within \_\_\_ days after the transferee has acquired the right to possession of the vessel by operation of law, shall mail or deliver to the department satisfactory proof of the transferee's ownership as the department requires, together with an application for a new certificate of title and the required fee, prior to resale of the vessel.
- (b) If a lien holder repossesses a vessel by operation of law and holds it for resale, he shall secure a new certificate of title and shall pay the required fee.

**Section 8.- Lien Perfection Generally**

- (a) A security interest in a vessel is not valid against creditors of the owner or subsequent transferees or secured parties of the vessel unless perfected as provided under Section 8 through 13.
- (b) A security interest is perfected by the delivery to the department of the existing certificate of title, manufacturer's statement of origin (MSO), manufacturer's certificate of origin (MCO), and an application for certificate of title on a form provided or approved by the department containing information regarding the security interest and upon payment of a filing fee of \$\_\_\_\_. The security interest is perfected as of the time of its creation if delivery and payment to the department are completed within \_\_\_ days of the date of its creation; otherwise, perfection is as of the time of its delivery and payment.

**Section 9.- Execution of Application; Time When Perfected; Endorsement of Certificate**

If an owner creates a security interest in a vessel;

- (1) The owner shall immediately execute the application in the space provided on the certificate of title or MSO/MCO or a separate form the department prescribes, naming the secured party on the certificate of title or MSO/MCO, showing the name and address of the secured party and the date of the security agreement and cause the certificate of title or MSO/MCO and application to be delivered to the department.

- (2) At the time of delivery of the documents described in paragraph (1) of this section to the department, the secured party shall pay to the department a filing fee as required for perfection of the security interest under Section 8(b). The security interest is perfected as of the time of its creation if delivery and payment to the department are completed within \_\_\_ days of the date of its creation; otherwise, perfection shall be as of the time of its delivery and payment.
- (3) Upon receipt of the certificate of title or MSO/MCO, application, and the required filing fee, the department shall record the name and address of all secured parties on the existing certificate of title or on a new certificate.

#### Section 10.- Assignability

- (a) A secured party may assign, absolutely or otherwise, all or part of that party's security interest in the vessel to a person other than the owner without affecting the interest of the owner or the validity of the security interest, but any person without notice of the assignment is protected in dealing with the secured party as the holder of the security interest, and the secured party remains liable for any obligation as secured party until the assignee is named as secured party on the certificate of title.
- (b) The assignee shall delivery to the department the certificate of title, if available, and an assignment by the secured party named in the certificate of title in the form the department may prescribe, accompanied by a filing fee as required for perfection of the security interest under Section 8(b). The assignee's delivery and payment to the department are completed within \_\_\_ days of the date of its creation; otherwise, perfection is as of the time of its delivery and payment.

#### Section 11.- Relief Upon Satisfaction

Upon the satisfaction of a security interest in a vessel, the secured party shall enter a release upon the certificate of title or securely attach to the certificate of title a release of security interest in whatever form as prescribed or acceptable to the department, and within \_\_\_ days mail or deliver the certificate of title with attached release to the owner.

#### Section 12.- Adoption of Rules and Regulations

The department shall adopt necessary rules and regulations to implement the provisions of Sections 2 through 11.

#### Section 13.- Exclusive Method

The method provided in Sections 8 through 13 of perfecting and giving notice of security interests is exclusive.

#### Section 14.- Forms

The department shall prescribe and provide suitable forms of applications, certificates of title, notice of security interests and all other notices and forms necessary to carry out Section 2 through Section 14.

## **APPENDIX G**

### **ONE LICENSE/ONE DRIVER CONTROL RECORD**

#### **1. FORMAT AND CONTENT**

The Driver Control Record (DCR) shall be maintained by the Jurisdiction of Record (JOR) in the format described in the AAMVAnet Code Dictionary (ACD) and the Interprovincial Record Exchange (IRE) documentation which have been adopted by the Driver Licensing and Control Committee of AAMVA and the Driver and Vehicle Committee of CCMTA/CCATM.

Generally, the required data includes, but is not limited to the following:

- name, address and other identifying information about the driver,
- a licensing history including dates when licenses were issued and withdrawn and jurisdiction(s) where those actions occurred,
- a history of collision information,
- a list of convictions, and
- a list of withdrawal actions, including license suspensions and administrative actions.

#### **2. ACTION BY THE ISSUING JURISDICTION**

When a jurisdiction (issuing jurisdiction) receives notice of a conviction, collision or administrative action for a person not licensed by the jurisdiction, the jurisdiction (subject to the limitations as delineated in the immediately subsequent paragraph) shall forward the notice of conviction, collision or administrative action to the Jurisdiction of Record (JOR).

Only convictions that have been described in the AAMVAnet Code Dictionary (ACD) and the Interprovincial Record Exchange (IRE) documentation which have been adopted by the driver license and control committee of AAMVA and the driver and vehicle committee of CCMTA, shall be forwarded to the JOR. The issuing jurisdiction shall not take withdrawal action for drivers licensed by the Jurisdiction of Record.

#### **3. ACTION BY THE JURISDICTION OF RECORD**

The JOR shall acknowledge receipt of the notice of conviction, collision or administrative action, place it on the Driver Control Record (DCR) and take any appropriate withdrawal action, notify the driver and require the pertinent compliance responses, e.g., SR-22 filing, payment of reinstatement fee, retesting, etc. All withdrawal actions shall be based on the laws and procedures of the JOR.

#### **4. CHANGE IN JURISDICTION OF RECORD**

When a jurisdiction issues a license to a driver who was licensed by another jurisdiction, the new jurisdiction then becomes the JOR.

The new JOR shall notify the old JOR of its licensing action and shall acknowledge its responsibility to maintain the DCR.

The necessity and eligibility to become licensed in a particular jurisdiction are determined by the requirements found in the laws and regulations of that jurisdiction. Nothing in this policy has any force or effect on the licensing jurisdiction's requirements.

5. CONVICTIONS NOT FOUND ON THE ACD CODE LIST

Nothing in this policy precludes a jurisdiction from maintaining its own driver records and to take withdrawal actions based on any convictions not found in the ACD code list. However such withdrawal actions shall be effective only in the jurisdiction which takes the action.

The record of such convictions and any withdrawal actions taken based on such convictions shall not be made part of the Driver Control Record, nor entered on any driver control national data file, e.g., CDLIS, PDPS, NLETS, NCIC, etc.

## APPENDIX H

### **PROCEDURES FOR THE ADOPTION OF OFFICIAL AAMVA POLICY POSITIONS (Spring Track)**

1. The Chair of the International Board of Directors shall appoint a Policy Review Committee at the Annual International Conference (AIC) that will have oversight of the policy process. The Policy Committee will be composed of a member of the Executive Committee, the four Regional Presidents and a representative from the Legal Services Discipline. The Executive Committee member will serve as the Chair of the Policy Committee. The four Regional Presidents shall serve as each region's Policy Committee Representative.
2. Proposed policies may be sponsored by regional and international standing committee chairs and member jurisdictions in good standing.
3. The following format shall be followed:
  - Title
  - Policy Statement  
(Any policy that amends existing AAMVA policy should indicate language being deleted from current policy by striking through such language. New language to be added to an existing policy should be underlined.)
  - Purpose addressed in clear and concise manner
  - Statement of background and relation to existing policy, if any
  - Analysis of fiscal impact on AAMVA and jurisdictions
  - Analysis of customer service delivery impacts on AAMVA jurisdictions
  - Name, full address, e-mail, telephone and fax numbers of sponsor
  - Implementation Plan  
(A statement shall be included as how best to implement a proposed policy through model law, best practices or other means. The standing committee having jurisdiction over such policy shall monitor jurisdictional implementation use.)
4. Proposed policies shall be introduced twice a year. The Spring track shall begin with a call for proposed policies on April 1. The first track will begin April 1<sup>st</sup> and end following the Annual International Conference. Proposed policies must be submitted to the chair of the Policy Committee by April 15.

5. The Policy Committee will review each proposed policy to ensure it complies with format requirements, and to determine how it affects existing AAMVA policies.
6. The chair of the Policy Committee shall forward the policies to the representatives of the Legal Services Discipline for review of legal sufficiency. The Legal Services representatives shall provide comments on legal sufficiency to the Policy Committee within 15 days.
7. The Policy Committee shall forward any comments or revisions proposed by Legal Services to the sponsor and/or chair of the international standing committee having jurisdiction over the policy so that they may consider comments offered by Legal Services. The chair of the international standing committee will submit in writing the committee's comments to the Chair of the Policy Committee.
8. The Policy Committee will notify the International Board of Directors at its spring meeting of the intent to forward proposed policies to the jurisdictions.
9. . The Policy Committee will send the proposed policies to all member jurisdictions in order that they may send comments and recommendations to the Policy Committee. Comments shall be due within 15 days from the date they are submitted to the jurisdictions.
10. The Policy Committee will recommend to the International Board of Directors that it, endorse, not endorse, or amend proposed policies based on regional comments.
11. The International Board of Directors will review all proposed policies, the recommendations of the policy committee, and any comments at the Annual International Conference Board meeting. The Board shall recommend to endorse, not endorse, or amend the proposed policies at the spring Board meeting.
12. Proposed policies shall be circulated to all member jurisdictions for a vote by ballot through electronic means (or other means as deemed appropriate) to coincide with or immediately following the Annual International Conference with a summary of the recommendations and comments made during the review and approval process.

Each official ballot shall contain the following:

1. a ballot number assigned by the Board,
2. a ballot date, which shall be the date of distribution by the Board,
3. a vote due date which shall be 30 days from the date of distribution, and
4. a complete statement of the proposed policy.
5. a Board recommendation

Any member not casting a vote shall be deemed to have abstained, and such abstention shall not be considered in determining passage or failure of a proposed policy. Each

member jurisdiction shall be entitled to one vote and shall designate the person who shall cast the vote.

A jurisdiction's action on a ballot may be:

- Pass
- Do not pass
- Abstention

Jurisdictions indicating an abstention or recommendation that the proposed policy not pass may submit a written explanation with their ballots.

Immediately upon closing of the voting period, the Board shall prepare a report of the ballot by ballot number and shall list the vote and comments of all jurisdictions.

13. A proposed policy approved by a majority of member jurisdictions in good standing and casting a pass or do not pass vote shall be adopted. The International Board of Directors will certify such adoption and advise all member jurisdictions accordingly.
14. The Chair of the International Board of Directors will share disapproved or amended policies with the standing committee(s) having jurisdiction. These policies may be introduced using the procedures as outline in the Fall Track.

## **PROCEDURES FOR THE ADOPTION OF OFFICIAL AAMVA POLICY POSITIONS (Fall Track)**

1. The Chair of the International Board of Directors shall appoint a Policy Review Committee at the Annual International Conference (AIC) that will have oversight of the policy process. The Policy Committee will be composed of a member of the Executive Committee, the four Regional Presidents and a representative from the Legal Services Discipline. The Executive Committee member will serve as the Chair of the Policy Committee. The four Regional Presidents shall serve as each region's Policy Committee Representative.
2. Proposed policies may be sponsored by regional and international standing committee chairs and member jurisdictions in good standing.
3. The following format shall be followed:
  - Title
  - Policy Statement  
(Any policy that amends existing AAMVA policy should indicate language being deleted from current policy by striking through such language. New language to be added to an existing policy should be underlined.)
  - Purpose addressed in clear, concise, understandable English
  - Statement of background and relation to existing policy
  - Analysis of fiscal impact on AAMVA and jurisdictions
  - Analysis of customer service delivery impacts on AAMVA jurisdictions
  - Name, full address, e-mail, telephone and fax numbers of sponsor
  - Implementation Plan  
(A statement shall be included as how best to implement a proposed policy through model law, best practices or other means. The standing committee having jurisdiction over such policy shall monitor jurisdictional implementation use.)

The Fall Track shall begin October 1 and end in March. Proposed policies may be sponsored by regional and international standing committee chairs and member jurisdictions in good standing. Proposed policies must be submitted to the Policy Committee by October 15.

4. The Policy Committee will review each proposed policy to ensure it complies with format requirements, and to determine how it affects existing AAMVA policies.
5. The chair of the Policy Committee shall forward the policies to the representatives of the Legal Services Discipline for review of legal sufficiency. The Legal Services representatives shall provide comments on legal sufficiency to the Policy Committee within 15 days.

6. The Policy Committee shall forward any comments or revisions proposed by Legal Services to the chair of the international standing committee having jurisdiction over the policy so that they may consider comments offered by Legal Services. The chair of the international standing committee will submit in writing the committee's comments to the Chair of the Policy Committee.
7. The Policy Committee will send the proposed policies to all member jurisdictions in order that they may send comments and recommendations to the Policy Committee. Comments shall be due within 15 days from the date they are submitted to the jurisdictions.
8. The Policy Committee will recommend to the International Board of Directors that it endorse, not endorse, or amend the proposed policies based on jurisdictional comments.
9. The International Board of Directors will review all proposed policies, the recommendations of the policy committee, and any comments at its winter meeting. The Board shall recommend to endorse, not endorse, or amend the proposed policies.
10. Proposed policies shall be circulated to all member jurisdictions for a vote by ballot through electronic means (or other means as deemed appropriate) following review by the Board, no later than March 1, with a summary of the recommendations and comments made during the review and approval process.

Each official ballot shall contain the following:

1. a ballot number assigned by the Board,
2. a ballot date, which shall be the date of distribution by the Board,
3. a vote due date which shall be 30 days from the date of distribution, and
4. a complete statement of the proposed policy.
5. a Board recommendation

Any member not casting a vote shall be deemed to have abstained, and such abstention shall not be considered in determining passage or failure of a proposed policy. Each member jurisdiction shall be entitled to one vote and shall designate the person who shall cast the vote.

A jurisdiction's action on a ballot may be:

- Pass
- Do not pass
- Abstention

Jurisdictions indicating an abstention or recommendation that the proposed policy not pass may submit a written explanation with their ballots.

Immediately upon closing of the voting period, the Board shall prepare a report of the ballot by ballot number and shall list the vote and comments of all jurisdictions.

11. A proposed policy approved by a majority of member jurisdictions in good standing and casting a pass or do not pass vote shall be adopted. The International Board of Directors will certify such adoption and advise all member jurisdictions accordingly.

12. Proposed policies that are not approved by a majority of member jurisdictions will be sent back to the chair of the standing committee(s) having jurisdiction over the policy in order that they may be considered at the next scheduled policy cycle.

*Amended by the AAMVA Board of Directors, August 2005.*

## APPENDIX I

### STANDARDIZING THE WAY WE MEASURE THE UNINSURED MOTOR VEHICLE RATE

#### PREFACE

Nationwide enforcement of financial responsibility (FR) laws has become more and more important in recent times. However, evaluation of the effectiveness of enforcement has always been elusive, since the end result – the number of people brought into compliance through enforcement methods, has been extremely difficult to measure. The reasons for this are:

- The number of motorists not in compliance is dynamic and ever changing
- Tracking the number of non-compliant customers has limited effectiveness
- Data on customers with adequate “insurance” or financial responsibility is inaccurate
- Data maintenance on initiations and cancellations of insurance is untimely and inadequate
- Limitations on resources available to jurisdictions due to legislative constraints
- Inaccuracies in jurisdictions’ databases on registrations
- Errors in programming leading to inaccurate assessment of data and results

The above constraints are enumerated to highlight that it would be ludicrous for any jurisdiction or entity to claim that an absolutely accurate measurement of insured vehicles or the number of uninsured vehicles or motorists is possible. On the contrary, these constraints are highlighted to make the reader aware that any measurement should be accepted with the full knowledge that the final result has these limitations.

The Uninsured Motorist Rate Working Group was established by the Financial Responsibility Committee of AAMVA, with the specific purpose of identifying the constraints and coming up with recommendations to measure the uninsured motorist/motor vehicle rate. It was also decided that since the laws are not identical in the different jurisdictions, it might be necessary to come up with more than one method of measuring the uninsured, so that jurisdictions with similar laws on financial responsibility can adopt similar methods.

**The recommendations are by no means binding. Each jurisdiction may adopt its own method, or adopt one of these recommendations with a slight modification to suit the specific jurisdiction’s unique requirement.**

#### National Survey

It was important for the working group to gather important data and assess the needs of the various jurisdictions before embarking on this venture of calculating UMR. With this in mind, the working group prepared a survey to assess the following elements:

1. The number of vehicles in each jurisdiction by vehicle type in broad categories
2. The number of driver licenses issued in each jurisdiction
3. Types of FR laws in force in various jurisdictions
4. Current methods of calculating the UMR, wherever such measurement is done

5. Purpose for which jurisdictions calculate UMR
6. How FR laws are enforced in the different jurisdictions

The above data was broken into 23 simple questions and mailed to all jurisdictions. Responses were received from 35 jurisdictions and tabulated. **The survey clearly indicated a need for some uniformity in calculating the UMR, and that such calculation was essential to make evaluation of the enforcement of our laws more effective.**

#### **Uninsured Motor Vehicle Rate vs Uninsured Motorist Rate**

The working group discussed at length whether the number of uninsured motor vehicles or the number of uninsured motorists must be measured. Many jurisdictions enforce FR on both vehicles and motorists. However, when the basic purpose of financial responsibility is analyzed, if every vehicle is insured, then the victims in an automobile crash will be duly compensated within the limits of the law. The purpose of enforcing the laws on motorists is to improve their driving abilities when once they prove to be problem drivers.

Members of the insurance industry also confirmed that automobile insurance follows the vehicle and not the driver, and will be the primary coverage in case of crashes. A policy held by an individual who does not own a vehicle becomes primary, only when they rent a vehicle and deny the renter's coverage, or when they drive an uninsured vehicle. Further, it is easier to track vehicles without a valid registration or a tag for a match with insurance data, rather than tracking a driver license with an insurance policy. Many jurisdictions and companies do not obtain driver license numbers as data integral to a policy. Considering these, the group members decided that the measurement methods should focus on uninsured motor vehicles rather than motorists. **The UMR will therefore denote Uninsured Motor Vehicle Rate.** *(Reference: For more information and a more detailed explanation, please refer to "Estimating Uninsured Vehicle & Unregistered Vehicle Rates: Sensitivity to Data and Assumptions", by Lyn Hunstad, California Department of Insurance, published in July 1999.)*

### Limitations to the Methods

As explained at the outset, the measurement of insured and uninsured vehicles has inherent constraints. This is due to the nature of registration data maintained throughout the nation. No two databases are alike, the terms applied to various types of vehicles are different, and their registration methodology is also different. Evolution of technology, particularly use of computers, has made it more demanding that every aspect of a vehicle such as type, make, model, weight, color, usage, applications, etc., be codified and appropriately changed whenever warranted. This has posed enormous problems for the administrators due to internal resource constraints. As a result, in many instances, different types of vehicles have been combined into a single code, thereby making clear identification difficult. These make enforcement more difficult. For example, if all passenger vehicles of all types, including taxis are codified in a single code, but taxis are exempt from financial responsibility laws, then obtaining an accurate number of vehicles requiring insurance will be extremely difficult. The same would apply to fleet vehicles.

Mr. Hunstad, in his article referred above, provides a statistical method to calculate the number of registered vehicles in a jurisdiction. His method, however, requires someone with sound knowledge of statistics, and the ability of the jurisdiction to generate the types of raw data required in her methods. Further, there are many assumptions, each of which would have an error factor due to the estimation of several key data elements, such as: a) vehicles with more than one invalid data field, b) vehicles registered out of jurisdiction but not captured within the jurisdiction's database, c) assuming movements of vehicles in and out of a jurisdiction follows a uniform distribution, d) estimating double counting of vehicles with more than one registration in one year, etc. The more elements estimated, the higher would be the error factor.

The group also decided that it is important to keep the focus of the group to finding the **most reasonable solution to a difficult problem**, rather than get unduly focused on excessive technicalities, which could make each problem area an end in and of itself.

In keeping with the objectives of reasonableness, the group decided that vehicles would be identified into those that would be included for the measurement of the UMR, and those that would be excluded. It was also decided that a survey would be conducted to obtain additional data from various jurisdictions that would be relevant for the conclusion of the study.

**Types of Motor Vehicles Included for UMR Calculation**

For the purposes of calculating the Uninsured Motor Vehicle Rate, the definition of “Motor Vehicles” will **include**:

- 1) Privately owned passenger vehicles to **include**: Cars, Pick-ups, Sports Utility Vehicles and Mini-vans
- 2) Non-fleet business vehicles

The definition of “Motor Vehicles” for UMR calculations will **exclude**:

- 1) Semi-Trucks
- 2) RVs and Motor Homes
- 3) Motorcycles
- 4) Trailers
- 5) Government vehicles
- 6) Buses
- 7) Passenger Vehicles for hire (taxis, limousines, etc.)

**Note:** There are instances when an insurer fails to pay damages and injuries on an **insured vehicle due to a violation of the insurance policy terms**. Such vehicles will be considered as insured and **will not be included as an uninsured vehicle**.

The survey results indicated that a majority of registered vehicles in any jurisdiction comprises of the types of vehicles in the “included” category above. Further, the cost and expense of purchasing and maintaining the types of vehicles excluded above are so high that a vast majority of the owners maintain insurance on those vehicles and such owners are not the problems for victims in any jurisdiction. Their liability is so high that generally they maintain required insurance. Since the purpose of measurement of UMR is to identify irresponsible owners and drivers and make them financially responsible, this is restricted to the types of vehicles/owners most often found to cause problems to victims.

Based on current practices and ease of calculation, four methods to calculate UMR have been identified and are described below. These are: 1) Database Method; 2) Random Sampling Method; 3) Law Enforcement Method; and 4) Crash Statistics Method.

**METHOD ONE: THE DATABASE METHOD OF CALCULATING UMR**

**Note:** This method is applicable only to those jurisdictions that maintain an insurance database and the industry's book of business.

**Base Formula: Stage 1**

$$100\% \text{ minus } \left\{ \frac{\text{VEHICLES INSURED PER INSURANCE DATABASE*}}{\text{VEHICLES REQUIRING INSURANCE PER REGISTRATIONS**}} \right\}$$

- \* Vehicles insured will be based on matching vins with current registration
- \*\* Registrations includes only current registrations on the day UMR calculated  
Vehicles per definition stated earlier.

**Example:** Vehicles insured: 5,000,000 Vehicles with valid registration: 6,000,000  
 UMR:  $100\% - (5,000,000/6,000,000) = 100\% - 83.33\% = 16.67\%$

**Stage 2:** Improved accuracy: This will be a second level of sophistication for jurisdictions which maintain data on the number of vehicles claimed to be insured by customers who are not posted on the insurance database, but subsequently verified as insured by insurance carriers.

$$(\text{Stage 1 result}) \text{ minus } \left\{ \frac{\text{VEHICLES VERIFIED AS INSURED}}{\text{VEHICLES REQUIRING INSURANCE}} \right\}$$

**Example:** Vehicles verified as insured: 300,000 Registered vehicles: 6,000,000  
 UMR:  $16.67\% - (300,000/6,000,000) = 16.67\% - 5\% = 11.67\%$

**Stage 3:** Improved accuracy: This will be a third level of sophistication for jurisdictions that can identify the NET percent of electronic transactions submitted by carriers for vehicles with valid insurance, which could not be updated on the database due to technical errors in coding, etc.

$$(\text{Stage 2 result}) \text{ minus } \left\{ \frac{\text{INSURED MV REJECTED DUE TO CODING ERROR}}{\text{VEHICLES REQUIRING INSURANCE}} \right\}$$

**Example:** Vehicles rejected for coding errors: 200,000 Registered vehicles: 6,000,000  
 UMR:  $11.67\% - (200,000/6,000,000) = 11.67\% - 3.33\% = 8.34\%$

**METHOD TWO: THE RANDOM SAMPLING METHOD**

In any sampling method, the most important element is to select the right sample size. It is also important to understand the universe and to ensure that it is homogenous. Sample size selected from a specific area of a jurisdiction, or a specific demographic will not be accurate when extrapolated for

the entire jurisdiction. A random sample should reflect the characteristics of the entire jurisdiction and distributed as normal distribution. Sample size is NOT directly proportional to the population we are dealing with. Also, the three concepts pivotal to scientific sampling are: confidence level, precision and error rate.

**Confidence level** is the degree to which we are justified in believing that the estimate based on a sample drawn at random will fall within a specified range, usually expressed as a percentage. For example, a 95% confidence level means that there are 95 chances out of a hundred that the sample results will not vary from the true characteristics of the whole population by more than a certain specified amount. 5 chances out a hundred they will. The confidence level for a sample can never be 100%.

**Precision** is the range within which the estimation of the population characteristics will fall at the stipulated confidence level, and is usually expressed as a plus-or-minus percentage. Once the confidence level, say 95%, and precision of 2% is determined, the estimate obtained from the sample may permit us to say that we are 95% confident that the UMR is  $15\% \pm 2\%$ , or falls within a range of 13% to 17%.

**Error rate** is an estimate of the maximum number of errors occurring in the sample. For our purpose, we shall assume that it will be 5%.

Once the confidence level and precision have been determined, the sample size can be determined. (There is a third factor, variability, which can be measured. However, measurement of variability would be irrelevant to our purpose and quantifying the various parameters determining variability for this exercise would make it impossible to measure.) To improve the effectiveness, and keep it cost-beneficial, it is recommended that this exercise be completed once a quarter. Further, each jurisdiction could be divided into four quadrants, and vehicle owners selected from each quadrant. This would make the sample homogenous. The sample size would be almost identical, if the population size in each quadrant is similar. In jurisdictions with fewer than 1 million population, it is sufficient to measure the jurisdiction as a single homogenous area and not divide into four quadrants.

**It is important to ensure that when the quadrants are determined there are no unique demographic factors within a quadrant that would skew the result. For example, in a quadrant populated predominantly with low-income neighborhoods, one small segment has a high population of very high-income families. In such cases, some consideration must be given to "rezoning" the quadrant to avoid misleading results. Now let us select the method for sample size. The sample size indicates the minimum, and can be increased.**

**Random Sample Method (Contd.)**

The formula to establish sample size has two parts. The first is used to obtain the sample for an infinite population. The second adjusts the size to the population being considered.

**The first formula:**

$$n(e) = \frac{Z^*(p)(1-p)}{\quad}$$

**A\*** Note: \* indicates to the power of 2

- Where: **n(e)** = First estimate of sample size  
**Z** = Standard Deviation Factor (from table enclosed)  
**p** = Error rate (Assumed at 5%)  
**A** = Desired precision (evaluator decides)

The second formula: uses the first estimate of sample size and adjusts it to fit the population:

$$n(f) = \frac{n(e)}{1 + (n(e) / N)}$$

- Where: **n(f)** = Final Sample size  
**n(e)** = First estimate of sample size (from formula 1)  
**N** = Population

**Example:** For a universe of 1,000 (N), with a desired confidence level of 95%, a precision rate of ± 2% (A), and error not more than 5% (p), the sample size will be calculated thus:

<u>First Formula</u>	<u>Second Formula</u>
$1.96^* (.05)(.95)$	<b>456</b>
$n(e) = \frac{\quad}{0.02^*}$	$n(f) = \frac{\quad}{1 + (456/1,000)}$
$= \frac{3.8416 \times .05 \times .95}{.0004} = \underline{456}$	$= \frac{456}{1.456} = \underline{313}$

(Note: \* indicates to the power of 2) Final Sample size: 313

Once the sample size has been decided, the following steps must be taken to estimate the UMR. The sample population should be only vehicle owners with valid registration selected randomly.

- Step 1: Mail a notice to the sample population, requesting insurance verification.
- Step 2: Verify if any of the mail was returned undeliverable.
- Step 3: Replace those undelivered with new ones to complete sample size. Repeat process until complete and there is nothing undelivered.
- Step 4: Send all responses with insurance information to carriers for verification.
- Step 5: Non-responses should be counted as uninsured.
- Step 6: Total of all denied policies and non-responses are the **total uninsured**.

**Final Formula:** 
$$\frac{\text{Total Uninsured in random sample}}{\text{Sample Size}} \times 100 = \text{UMR\%}$$

**Example:** Sample size is 500.  
 Received finally, 460 responses with insurance information.  
 Carriers verified and confirmed 448, denied 12.

Total uninsured = 40 (non-responses) + 12 denied by carriers = 52  
 UMR = 52/500 = 10.4%

**Note:** When a jurisdiction is divided into quadrants, the formula could be applied for the results from all quadrants as one calculation, or UMR calculated individually for each quadrant, as decided by the jurisdiction. If calculated individually, the average of the four UMR % would be the jurisdiction's UMR. It is unnecessary to calculate the weighted average since sample sizes would mostly be similar, even though not identical.

**Factors Required to Achieve Given Confidence Levels**

(Confidence Levels in percentages converted to standard deviation units, based on the normal distribution curve.)

<b><u>Confidence Level</u></b>	<b><u>Factor</u></b>
99.9	3.2905
99.7	3.0000
99.5	2.8070
99.0	2.5758
98.0	2.3263
95.5	2.0000
95.0	1.9600
90.0	1.6449
85.0	1.4395
80.0	1.2816
<b><u>Confidence Level</u></b>	<b><u>Factor</u></b>
75.0	1.1503
70.0	1.0364
68.3	1.0000
60.0	0.8416
50.0	0.6745
40.0	0.5244
30.0	0.3853
20.0	0.2534
10.0	0.1257

(**Note:** All information, examples, explanations, and the above table are from "*The Practice of Modern Internal Auditing*" by Lawrence B. Sawyer, CIA. While this book is prescribed for auditing purposes, the techniques have been adapted for this study.)

**METHOD THREE: THE LAW ENFORCEMENT METHOD**

This is perhaps the simplest method and not the most accurate. However, this could give an estimate, within a wider range, of the seriousness of the UMR problem.

Law Enforcement Officers routinely cite drivers of motor vehicles for driving without insurance. This finally leads to convictions or dismissals. However, the driver record may have other convictions as well. Hence the following formula is applied:

$$\text{UMR}\% = \frac{\text{Number of driver records with convictions for lack of insurance}}{\text{Number of driver records with all convictions}} \times 100$$

**Example:**

$$\begin{aligned} \text{Convictions in driver records for lack of insurance in 1999} &= 20,000 \\ \text{All convictions of all types in driver records in 1999} &= 500,000 \\ \text{UMR} &= (20,000/500,000) \times 100 = 4\% \end{aligned}$$

(It must be pointed out that it is generally recognized that violators have repeat violations and safe drivers have few or no convictions. Hence the result obtained by this method may be a slightly inflated number and not necessarily as accurate as the other three methods.)

**METHOD FOUR: THE CRASH STATISTICS METHOD**

This method simply uses the number of motor vehicles identified as uninsured in crashes during the crash investigation. Considering that this sample is a specific segment of the universe and not a random selection, the results may not be quite as accurate as the database method or the random sampling method. The UMR is calculated under this method as under:

$$\text{UMR}\% = \frac{\text{Number of Vehicles Uninsured in Crashes}}{\text{Number of Vehicles Involved in Crashes}} \times 100$$

If total vehicles involved in crashes is not available, multiply number of accidents by 1.84. 1.84 is the factor recommended by NHTSA as a nationwide average vehicle per accident.

**Example:**      Uninsured vehicles in 2000 crashes = 200    Total vehicles in crashes = 4,000

$$\text{UMR}\% = (200/4000) \times 100 = 5\% \text{ or } (200/2000 \times 1.84) \times 100 = 5.43\%$$

## **CONCLUSION**

This report has been prepared to assist jurisdictions, in a most cost-beneficial manner, measure the seriousness of financial responsibility violations in the jurisdiction. These methods could provide uniformity between like jurisdictions, as expressed in the survey, and also provide a mechanism for legislators in the various jurisdictions when addressing issues for pertinent legislation. These methods are by no means the only methods, nor are they expected to yield absolutely accurate results. However, they are excellent indicators of the possible violations and will help provide focus for efficient enforcement of the financial responsibility laws in each jurisdiction.