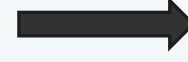


Department of Motor Vehicles

- The Department receives convictions from Nevada courts and other States
- The Department adds the conviction to the driver record
 - Most convictions by themselves do not result in loss of driving privileges, only demerit points are added to the record. (NAC483.510) i.e. speeding, reckless driving, failure to yield, etc.
 - The Department must withdraw driving privileges if there are 12 demerit points within a 12 month period. (NRS483.448)
 - Some convictions result in a withdrawal of driving privileges. i.e. Driving under the influence (DUI), Driving on Suspended/Revoked privileges, Failure to appear in court (FTA), etc.
 - The withdrawal of driving privileges is not strictly based on court convictions. They can be associated to revenue recovery, child support, etc.

Nevada Traffic Citation Flow



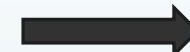
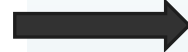
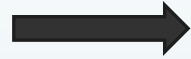
- Ticket issued
- Convicted in court
- Conviction sent to DMV

Nevada Citation and Accident Tracking System (NCATS)



- The NCATS system allows **21** out of **88** Nevada courts to transmit convictions electronically to the Department. The remaining courts send convictions by mail.
- The State is required by the Code of Federal Regulations (CFR) to post all Commercial Driver's License (CDL) convictions to a record within 10 days of the conviction.
 - The State has increased this requirement from a 10% success rate to approx. 50% success rate.
 - The State is required to post CDL convictions 100% and could be in danger of losing federal highway funds for not meeting this requirement.

Out of State Traffic Citation Flow



- Ticket issued
- Convicted in court
- Conviction sent to Nevada DMV
- Conviction sent to out of state DMV

Other Withdrawals

- In certain instances the Department will cancel, suspend or revoke privileges that are not based on a court conviction:
 - **Cancellation**
 - Revenue Recovery
 - Departmental error
 - Medical documentation required (CDL)
 - Civil penalty victims
 - Verification of United States Citizenship and Immigration Services (USCIS) documentation
 - **Suspension**
 - Truancy
 - Security Deposit for not having insurance at time of an accident (\$750 or more damage)
 - Medical Suspension
 - **Revocation**
 - Illegal Per Se (administrative action alcohol/drugs)
 - Refusal to submit to evidentiary testing



Department Process

- The DMV receives the conviction
- The conviction is added to the driver's record
 - Nothing more may happen; or
 - Based on certain criteria the driving privileges may be withdrawn for:
 - Major offenders
 - Habitual offender
 - No insurance
 - Driving on a suspended or revoked privilege
 - Points Violation
 - etc.
- Testing may be required at time of reinstatement or renewal
- Demerit points can be reduced by attending Traffic School

Department Process Cont.

- If driving privileges are withdrawn:
 - Fees are required to reinstate privileges:
 - **Noncommercial**
 - Suspension \$75.00
 - Revocation \$120.00
 - Victims fee cancellation \$35.00
 - **Commercial**
 - Noncommercial reinstatement fees listed above; and
 - Suspension \$110.00
 - Revocation \$145.00
 - Victims fee cancellation \$35.00
 - Testing may be required and include testing fees
 - **Noncommercial**
 - \$25 first test, \$10 each retest
 - **Commercial**
 - \$3 for each type of CDL knowledge test starting with the third test
 - \$25 for second and subsequent road test



Offenses Reported to the DMV

- DUI
- Failure to Appear
- Driving on Suspended or Revoked privileges
- Reckless driving
- Fictitious plates
- Fraudulent registration
- Failure to surrender driver license or registration upon demand by Police Officer
- School zone violations
- Failure to obey a Police Officer or Flagger
- Leaving the scene of an accident
- Failure to yield right of way to an emergency vehicle
- Passing a stopped school bus
- Vehicular Manslaughter

This list is not all inclusive



Registration & Insurance

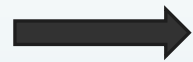
- The Department will cancel a vehicle registration based on unpaid parking tickets in Clark county
- A lapse or termination of insurance will result in a suspended vehicle registration and driver's license privileges
- Vehicle registration suspension for 2nd or subsequent DUI
 - Duration is for 5 days and \$33 to reinstate the vehicle.
- Administrative sanctions the Department may take include:
 - Smoking vehicles
 - Bad Debt
- Security Deposit for not having insurance at time of an accident
 - \$750 or more damage

Consequences of Moving to Civil Infraction

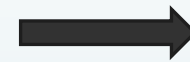
- The Department has identified *possible* high-level impact considerations of moving certain violations to civil infractions
- **Negative**
 - Loss of revenue received from reinstatements
 - Possible CDL masking of convictions
 - Per 49 CFR 384.226 The State must not mask, defer imposition of judgment, or allow an individual to enter into a diversion program that would prevent a CLP or CDL holder's conviction for any violation, in any type of motor vehicle, of a State or local traffic control law (other than parking, vehicle weight, or vehicle defect violations) from appearing on the CDLIS driver record, whether the driver was convicted for an offense committed in the State where the driver is licensed or another State.
 - Programming will be needed; Department resources are limited
- **Positive**
 - Possible cost savings from sending certified mail when withdrawing privileges
 - Possible decrease in back office workload
 - Possible decrease of applicants in offices who need to reinstate

At this time these are all unknown until further details have been determined

Sharing Information with Courts & Law Enforcement



Justice Link (JLINK)



100+ Criminal Justice Agencies

- Courts
- State
- Federal

Individuals records are a snapshot in time and are available using JLINK and include but are not limited to:

- Legal name
- Address (physical and mailing)
- License & Permit information
- Height, weight, Sex, Hair & eye color etc.

Oftentimes, individuals do not update their license/ID card address with the DMV.

Resources

Currently, 5 states are implementing/have implemented similar forms of the ACR-9

- **California**

- In the middle of implementing - Failure to Appear (FTA) – Failure to Pay (FTP)

- **Washington**

- Implemented - Non-highway related offenses, Failure to Appear (FTA) – Failure to Pay (FTP)

- **Idaho**

- Just passed a law

- **Georgia**

- Implemented

- **Vermont**

- Implemented



The American Association of Motor Vehicles Administrators (AAMVA) has assembled a best practice guide to assist states for these type of issues. An updated best practice guide should be available in the fall.