

CHANGE PROPOSAL ACD015 – ALLOW CERTAIN WITHDRAWAL ACDs TO BE SENT AS OUT-OF-STATE WITHDRAWALS

Date Received: 1/8/2019

Source (Organization/Person): AAMVA – CDLIS Working Group

1 Description of Trigger or Reason for the Change Proposal

CDLIS WG reviewed the following withdrawal codes to determine if they should be sent as out-of-state withdrawals through CD16 *Report Out-of-State Withdrawal*:

- W45 - Withdrawal for driving a CMV while disqualified for a previous violations in a CMV
- W80 - Failed employer-directed drug test
- W81 - Refusal to submit to an employer-directed drug test

Although these codes are usually applied by the driver's SOR, a driver could move to avoid an unfavorable outcome, which would be the case if the employees were employed in the same state they are licensed (employees may not always be employed in the same state as they are licensed). For these reasons, the withdrawal ACDs listed above should be added to the list of ACDs that may be sent as part of the CD16 ROOSW transaction.

2 Impact Assessment (Including which entities are impacted)

Entity	Impact
AAMVA	Development changes, documentation changes and User Acceptance Testing (UAT) would be required. Changes to training material about the affected ACD codes
Jurisdictions	May need to modify system code to allow for these ACDs to be sent ROOSW. May need to modify system code to receive these withdrawals with these codes from other SDLAs. Structured testing will be required.
FMCSA	No impact

3 Entities to Be Involved in Reviewing the Details of the Change Proposal

FMCSA, ACD WG and AAMVA.

4 Pros and Cons

Pros	Cons
Ensure that the driver’s NSOR has all the information needed to take appropriate actions when issuing a license.	<ul style="list-style-type: none"> • Code and documentation changes required at the Central Site. • User acceptance testing required. • Code changes may be required at jurisdiction’s driver systems to send and receive these ACD codes. • Structured testing required.

5 Detailed Explanation of the Change Proposal

5.1 Changes to ACD Manual v5.2.2

Location	Current Version	Updated Version
3.1.5.2 Using ACD Codes B20 though B26 and ACD code W45	<p>Only the SOR can evaluate the driver’s history to determine if a prior withdrawal is a result of offenses committed in a CMV. Jurisdictions that are not the SOR cannot determine based on an NDR pointer that the federally mandated withdrawal is required. Even if the driver has a pointer on NDR from the CDLIS SOR, only the SOR knows if the driver was suspended at the time of the citation (i.e., the pointer may have been posted after the citation date of the infraction in the SOW).</p>	<p>Only the SOR can evaluate the driver’s history to determine if a prior withdrawal is a result of offenses committed in a CMV. Jurisdictions that are not the SOR cannot determine based on an NDR pointer that the federally mandated withdrawal is required. Even if the driver has a pointer on NDR from the CDLIS SOR, only the SOR knows if the driver was suspended at the time of the citation (i.e., the pointer may have been posted after the citation date of the infraction in the SOW).</p> <p>Although only the CDLIS SOR can impose the W45 withdrawal, it can be sent as out-of-state withdrawal. This would only occur if the driver moved to avoid being retested. Jurisdictions that receive a W45 withdrawal in a Report Out-of-State Withdrawal transaction should contact the SOW (old SOR) to determine the correct course of action.</p>

Change Proposal

Location	Current Version	Updated Version
3.1.5.19 Using ACD Codes W80 and W81	The W80 and W81 codes are used by those jurisdictions that have passed legislation requiring the results of employer-directed drug test be forwarded to the jurisdiction SDLA. These codes can only be applied by a driver's SOR. Therefore, neither code will be valid in the Report Out-of-State Withdrawal transaction and will not be valid as conviction codes.	The W80 and W81 codes are used by those jurisdictions that have passed legislation requiring the results of employer-directed drug test be forwarded to the jurisdiction SDLA. Although only the CDLIS SOR can impose either the W80 or W81 withdrawal, they can be sent as out-of-state withdrawals. This would only occur if the driver moved in an effort to avoid being retested (drivers may not always be employed in the licensing jurisdiction). Jurisdictions that receive a W80 or W81 withdrawal in a Report Out-of-State Withdrawal transaction should contact the SOW (old SOR) to determine the correct course of action.
E.7.2 Withdrawal Reasons for Specific Convictions (WRS) Group /W80/Notes	Code W80 is used by those jurisdictions that have passed legislation requiring the results of employer-directed drug test be forwarded to the jurisdiction SDLA. This code can only be applied by a driver's SOR. Not valid for withdrawals with an effective date before November 9, 2009.	Code W80 is used by those jurisdictions that have passed legislation requiring the results of employer-directed drug test be forwarded to the jurisdiction SDLA. Not valid for withdrawals with an effective date before November 9, 2009.
E.7.2 Withdrawal Reasons for Specific Convictions (WRS) Group /W81/Notes	Code W81 is used by those jurisdictions that have passed legislation requiring the results of employer-directed drug test be forwarded to the jurisdiction SDLA. This code can only be applied by a driver's SOR. Not valid for withdrawals with an effective date before November 9, 2009.	Code W81 is used by those jurisdictions that have passed legislation requiring the results of employer-directed drug test be forwarded to the jurisdiction SDLA. Not valid for withdrawals with an effective date before November 9, 2009.

6 Change History

Version	Date	Author	Description
1.0	2/6/2019	T. Bauza	Change proposal created
2.0	4/24/2019	T. Bauza	Change proposal approved by ACD working group.
2.1	8/26/2019	T. Bauza	Proposed addendum to CDLIS CP226 – Section E.7.2 changes added.
2.2	10/23/2019	T. Bauza	Proposal approved by ACD working group (simple majority).
2.3	7/14/2021	T. Bauza	Changes applied in AuthorIT.