



CHANGE PROPOSAL ACD021 – LIST ACD CODES THAT REQUIRE CMV INDICATOR EQUAL "1"

Date Received: 15 March 2021

Source (Organization/Person): CDLIS Working Group

Description of Trigger or Reason for the Change Proposal

The paragraph preceding table 3 in Section 2.4 CMV, HAZMAT, AND CDL HOLDER INDICATORS in the ACD manual is confusing in terms of which conviction ACD codes require to have the CMV Indicator set to "1" (Yes) when recorded in the Driver History Record or transmitted to the State of Record. It appears to say that the ACD codes currently listed in table 3 are the only ones that have this requirement.

This change proposal aims to clarify the mentioned paragraph and add a new table listing all current ACD codes that must have the CMV Indicator set to "1."

Impact Assessment

Impact on Systems

Entity	Impact
AAMVA	ACD Manual update and publication.
Jurisdictions	No impact

Pros and Cons

Pros	Cons
Clarification of rules to set the CMV Indicator to "Yes."	

Detailed Description

Proposed Changes to "2 DESCRIPTION OF THE ACD CODES AND QUALIFYING

INFORMATION”

Location	Current Version	Updated Version
2.4 CMV, HAZMAT, AND CDL HOLDER INDICATORS	Certain ACD codes require the Conviction Commercial Vehicle Indicator (DCVCOM) and/or Conviction Hazmat Indicator (DCVHAZ) to be set to specific values. The following table lists the only ACD codes for which the CMV indicator can and must be set to ‘1’ (‘Yes’). For all other ACD codes, the CMV and Hazmat Indicators must be set to the appropriate code based on the vehicle and cargo at the time of the citation. The table includes a column describing the ACD code and a column indicating the valid values for the Hazmat Indicator.	Certain conviction ACD codes require the Conviction Hazmat Indicator (DCVHAZ) to be set to specific values. The following table lists the valid values for the Conviction Hazmat Indicator for ACD codes when the CMV indicator (DCVCOM) is set to “1” (Yes). The table includes a column describing the conviction ACD codes and a column indicating the valid values for the hazmat indicator.

New Table: Conviction ACD Codes Requiring the CMV Indicator = ‘1’

The following table lists the current conviction ACD codes for which the CMV indicator must be set to “1” (Yes).

Table 4 – Conviction ACD Codes Requiring the CMV Indicator = “1”

Conviction ACD Code	Description
A04	Driving or operating a CMV under the influence of alcohol with BAC of at least .04 but not greater than .079.
A94	Administrative Per Se for BAC of at least .04 but not greater than .079 while driving or operating a CMV.
B19	Driving or operating a CMV in violation of a driver or vehicle out-of- service order while transporting hazardous materials as defined in §383.5 or while driving or operating a vehicle designed to transport 16 or more passengers, including the driver.
B27	Driving or operating a CMV in violation of a driver or vehicle out-of-service order (for violations not covered by B19).
B56	Driving or operating a CMV without obtaining a CLP or CDL
B57	Driving or operating a CMV without a CLP or CDL in the driver’s possession
E03	Operating without hazmat safety equipment as required by law
E04	Operating without hazmat placards/markings as required by law
E53	Failure to use hazmat safety devices as required
M10	For all individuals driving or operating a CMV, failure to obey a traffic control device or the directions of an enforcement official at a railroad-highway grade crossing.
M20	For individuals driving or operating a CMV who are not required to always stop, failure to slow down at a railroad-highway grade crossing and check that tracks are clear of approaching train.

Conviction ACD Code	Description
M21	For individuals driving or operating a CMV who are not required to always stop, failure to stop before reaching tracks at a railroad-highway grade crossing when the tracks are not clear.
M22	For individuals driving or operating a CMV who are always required to stop, failure to stop as required before driving onto railroad-highway grade crossing.
M23	For all individuals driving or operating a CMV, failing to have sufficient space to drive completely through the railroad-highway grade crossing without stopping.
M24	For all individuals driving or operating a CMV, failing to negotiate a railroad highway grade crossing because of insufficient undercarriage clearance.
U09	Negligent homicide while driving or operating a CMV
U10	Causing a fatality through the negligent driving or operation of a CMV
U11	Using a CMV in the commission of severe forms of trafficking in persons.

Implementation Considerations

Irrespective of the date of publication, the effective date of the change may be tied to the date the validation changes, if any, are implemented in SPEXS.

Release History

Version	Date	Author	Description
1.0	3/15/2021	T. Bauza	Created.
1.0	3/16/2021	T. Bauza	Submitted for internal comments.
1.1	5/24/2021	T. Bauza	Updated according to ACD WG meeting minutes 4/28/2021
1.2	6/25/2021	T. Bauza	Approved by ACD working group with updates described in ACD WG meeting minutes of 6/23/2021.
1.3	7/114/2021	T. Bauza	Applied changes in AuthorIT.