

## American Association of Motor Vehicle Administrators



Neil D. Schuster  
President and CEO

Charles O'Donnell, Chair of the Board  
Registrar of Motor Vehicles  
New Brunswick Department of Public Safety

April 21, 2010

The Honorable Anne Ferro  
Administrator, Federal Motor Carrier Safety Administration  
Docket Management Facility (M-30)  
U.S. Department of Transportation  
West Building Ground Floor  
Room W12-140  
1200 New Jersey Avenue, SE  
Washington, DC 20590-001

### **Re: Docket # FMCSA-2009-0370 Limiting the Use of Wireless Communication Devices**

Dear Administrator Ferro:

The American Association of Motor Vehicle Administrators (AAMVA) commends the Federal Motor Carrier Safety Administration on their dedication to reduce the safety risks associated with distracted driving. AAMVA strongly supports the safety components contained in the notice of proposed rulemaking that prohibit text messaging on handheld devices by interstate commercial truck and bus drivers.

While we commend this rule and its intent, we do note that there may be some compatibility issues between the federal proposal and state law. Current guidance for the Commercial Driver License Information System (CDLIS) is for the state of record to act on convictions received from other jurisdictions as if they occurred in that state of record. This rule seems to indicate that the conviction must be acted upon even if the state of record does not have a law prohibiting texting while driving. AAMVA would like to receive guidance on how to best alleviate the discrepancy between the proposal stated in the rule and the reconciliation of statutes between states operating CDLIS.

AAMVA anticipates that the impacts on the actual AAMVA Code Dictionary (ACD) used for CDLIS conviction codes would be minimal. AAMVA has in place a process for updating and releasing amended or added codes on an annual basis.

AAMVA thanks FMCSA for its continued efforts to increase national roadway safety. Earlier this year, AAMVA joined numerous other safety organizations to promote Congressional efforts in educating the public on the consequences of distracted driving. Our organization has long urged Congress to work

towards this issue, and we believe that the proposal outlined by FMCSA will be an important first step in doing so. Should you have any questions or concerns with the feedback provided, please don't hesitate to contact me directly at (703) 522-4200; or [nschuster@aamva.org](mailto:nschuster@aamva.org).

Best Regards,

**ABXΔ**

Neil D. Schuster  
President & CEO