



# ACD 5.0.0 Release Highlights

Dates: April 16, 2013 3:00 pm EDT  
April 17, 2013 9:00 am EDT

# Overview

- ACD Working Group
- Release Numbering
- Timelines
- Changes
  - Additions
  - Revisions
  - Clarifications
  - Updates
  - Errata

# ACD WG Members

- Chair – Steve Monson (CO)
- Federal Government
  - FMCSA – Carlos Dequina
  - NHTSA – Miriam Chege, Christine Holdsworth
- Jurisdictions

Darin Ashby (IL)	Linda Grant (ME)
Kelly McClanahan (MO)	Greg Noose(MT)
Steve Laubach (OK)	Tammy Massey (NC)
Erin Murphy(NY)	Karla Evans (WI)
- Legal Services Liaison – Glenn Dubin (DC)
- AAMVA Staff Liaison – Greg Sensiba

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# Release Numbering

- Three places

5.0.0



Minor corrections

Jurisdiction Request

Federal Mandate



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# Timelines



Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
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- **February**

- ACD WG discussions for next release complete
- AAMVA begins drafting new
  - ACD Manual
  - Change document
  - Implementation guide (if required)

# Timelines

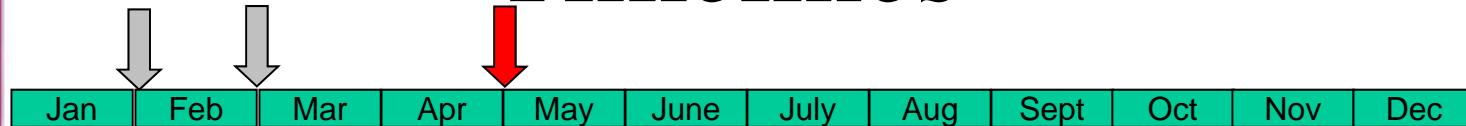


- March

- AAMVA provides final documentation to WG, FMCSA, and NHTSA for review

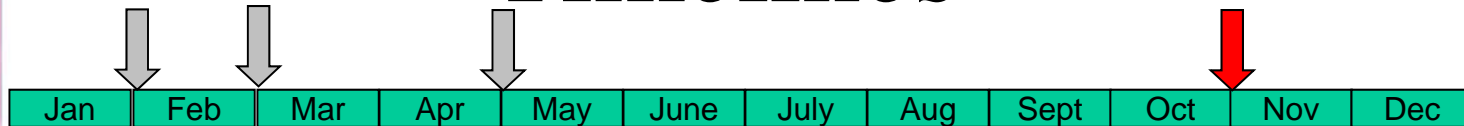


# Timelines



- May
  - ACD Manual release
  - WG begins considering changes for next release
  - Central Site coding and testing begins

# Timelines



- November
  - Implementation of May release
    - Changes for Central Site in production
    - Earliest date on which jurisdictions can start using new/revised ACD codes
  - Cut-off for any new requests for ACD additions/changes/deletions



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# Additions

- New Code
  - D30 (Falsify Offense)
    - ‘Misrepresentation of identity or other facts on application for, including required self-certifications, for CLP or CDL’
    - To satisfy the requirement in 49 CFR §383.73(j) [previously assigned to the D02]
    - Withdrawal must be for at least 60 days
    - Valid on or after September 1, 2013
      - Convictions with a citation date on or after 7/8/2011
      - Withdrawals with an effective date on or after 7/8/2011

# Additions (continued)

- New Code
  - D31 (Falsify Offense)
    - ‘Fraud related to the issuance of a CLP or CDL’
    - To satisfy the requirement in 49 CFR §383.73(k)(1)
    - For fraudulent activity other than on the application
    - Withdrawal must be for at least 1 year
    - Valid on or after September 1, 2013
      - Convictions with a citation date on or after 7/8/2011
      - Withdrawals with an effective date on or after 7/8/2011

# Additions (continued)

- New Code
  - W27
    - ‘Failure to make an appointment within 30 days of receiving notification that re-testing is necessary [when fraud is suspected]’
    - To satisfy the requirement in 49 CFR §383.73(k)(2)
    - No underlying conviction allowed
    - Eligibility date = ‘INDEF’
    - Valid on or after September 1, 2013
      - Convictions with a citation date on or after 7/8/2011
      - Withdrawals with an effective date on or after 7/8/2011

# Additions (continued)

- New Code
  - W28
    - ‘Failure to retest or failure of scheduled test(s) [when fraud is suspected]’
    - To satisfy the requirement in 49 CFR §383.73(k)(2)
    - No underlying conviction allowed
    - Eligibility date = ‘INDEF’
    - Valid on or after September 1, 2013
      - Convictions with a citation date on or after 7/8/2011
      - Withdrawals with an effective date on or after 7/8/2011



# Additions (continued)

- New Code
  - W82
    - ‘Failure to surrender license or permit when directed by jurisdiction’
    - No underlying conviction allowed
    - Valid on or after September 1, 2013
      - Convictions with a citation date on or after 9/1/2013
      - Withdrawals with an effective date on or after 9/1/2013





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# Revisions

- Retired the following:
  - E31 (Defective brakes)
  - E33 (Defective hazmat safety devices)
  - E34 (Defective lights)
  - E36 (Defective school bus equipment)
  - E37 (Defective tires)
  - F66 (Unsafe condition of vehicle)

# Revisions (continued)

- Included CLP holders where penalties for CDL holders are stated throughout the document
- Revised the definition of the F34 to ‘Stopping, standing, or parking: obstructing or impeding traffic with a motor vehicle’ (addition of the phrase ‘with a motor vehicle’)

# Revisions (continued)

- Revised the definition of the B51 to ‘Expired or no non-commercial license or permit’
- Modified the definition of the D02
  - ‘Misrepresentation of identity or other facts on application, including required self-certifications, for non-commercial permit or license’

# Revisions (continued)

- Guidance on setting the CDL Holder Indicator modified to include CLP holders in section 2.4
- M86 (Using a Hand-held Mobile Telephone While Driving) – description changed to ‘Violating Prohibitions on Using a Hand-held Mobile Telephone While Driving’

# Revisions (continued)

- With the publication of the final cellular phone rule, the M86 (Violating Prohibitions on Using a Hand-held Mobile Telephone While Driving) is now a serious traffic violation in Table 2 to 49 CFR §383.51(c)

# Revisions (continued)

- Added 'B57' (Driving a CMV without a CDL in the driver's possession) to Table 3 (**Rules for Setting the Hazmat Indicator for Conviction ACD Codes Requiring the CMV Indicator = '1'**)

# Revisions (continued)

- **Removed section 3.2.1 Validating Conviction and Withdrawal Information** since the information is included in other AAMVA documentation



# Revisions (continued)

- **Renamed Table 9 **Withdrawals Where an Underlying Conviction Is Optional or Not Allowed****
  - combined footnotes into table
  - added W27, W28, and W82 to list of withdrawals where an underlying conviction is not allowed

# Revisions (continued)

- Updated citations to federal regulations because of changes to paragraph numbering in the final permit rule
- Updated definitions of the following ACD codes to indicate that they must have occurred while operating a motor vehicle
  - A35 (Possession of open alcohol container)
  - U02 (Resisting arrest)

# Revisions (continued)

- Replaced Appendix C with a more consolidated reference to the FMCSRs
- Revised the definition of the W51 in Appendix E to be consistent with all other W51 definitions
- Added the dates various ACD codes became effective to the 'Notes' column in Appendix E

# Revisions (continued)

- Added clarification to Example F1.3 for jurisdictions whose laws require a withdrawal for the administrative *per se* and the court conviction
- Added new example F2.4 to discuss multiple convictions for B20-B26 and the use of the W40 (The accumulation of two or more convictions for major offenses)

# Revisions (continued)

- Glossary
  - Deleted entries not referenced in the Manual
  - Revised some entries
  - Added missing entries



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# Clarifications

- Footnote added to Table 2 (**Rules for Setting the ACD Detail Field, for a Given Conviction ACD Code**) requiring detail for D45, D53, and D56 (Failure to Appear/Pay/Comply — FTA/FTP/FTC) only if the citation date is on or after October 1, 2005



# Clarifications (continued)

- Clarified that retired codes cannot be sent in the ACD Detail Field for FTA/FTP/FTC convictions in Table 6 (**Rules for Reporting and Receiving Convictions and Withdrawals with Current or Retired ACD Codes**)
- Clarified in section 3.2.3 what is meant by ‘hazmat or passenger CMV’



# Clarifications (continued)

- Added clarification to use of the B51 convictions used before the B57 was implemented
- Added clarification that withdrawal codes W30, W31, W40, W41, W50, W51, W52, W60, and W61 can only be used as withdrawals for CLP or CDL-holders and those 'required to have a CLP or CDL'

# Clarifications (continued)

- Added new entry in section 3.2.5 (USING SPECIFIC ACD CODES) to clarify the usage of the B65 (Failed to file medical certification/disability information) when a driver's medical certificate and/or variance expires

# Clarifications (continued)

- Clarified in section 3.2.6.8 – D45, D53, and D56 (Failure to Appear/Pay/Comply – FTA/FTP/FTC) that
  - the CMV indicator for FTA/FTP/FTC convictions must be ‘2’
  - the conviction linked to an FTA/FTP/FTC withdrawal must have the conviction ACD code the same as the withdrawal ACD code
  - when the ACD Detail field is required for FTA/FTP/FTC convictions

# Clarifications

## (continued)

- Clarified that RRGVC violations are subject to penalties in the federal regulations only if they occur in a CMV
- Clarified that the requirement for all withdrawals to be consecutive in 49 CFR §383.51(a)(5) applies only to withdrawals required in Tables 1 – 4 of 49 CFR §383.51(b) – (e)

# Clarifications (continued)

- NOTEs added in section 3.2.5.16 – W40 and W41 (Accumulation of multiple convictions for major offenses)
  - used exclusively for a conviction of a major offense after reinstatement for a driver disqualified for life
  - for a W40 withdrawal to be reinstated, it must be by the jurisdiction that originally imposed it



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# Updates

- Ensured definitions for the following ACD codes are consistent throughout the document:
  - B19 (Violating a driver or vehicle out-of-service order while transporting hazardous materials that require a placard or operating a vehicle designed to transport 16 or more passengers, including the driver)
  - B27 (Violating a driver or vehicle out-of-service order (for violations not covered by B19))



# Updates (continued)

- Updated definition of the Hazmat Indicator in section 2.4 to reflect definition of hazardous materials in 49 CFR §383.5
- Updated some Uniform Vehicle Code (UVC) references in Appendix E





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# Errata

- Corrected reference to Appendix D (removed) in note after Table 5 (**Examples of CDLIS Driver History Actions**)
- Corrected FMCSR references for four codes
- Added (Using a Hand-held Mobile Telephone While Driving) to ‘Serious’ FMCSR category

## Errata (continued)

- Corrected '6-Year Window' entry in Appendix F3.1
  - when 'Conviction A Arrives'
  - when 'Conviction C Arrives'

# Questions

# ?