

2016 -- H 7534 SUBSTITUTE A AS AMENDED

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LC004690/SUB A/2
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - RECIPROcity AGREEMENTS -
FOREIGN DRIVER LICENSES

Introduced By: Representatives Kennedy, Shekarchi, and McNamara

Date Introduced: February 10, 2016

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-10-2 of the General Laws in Chapter 31-10 entitled "Operators'
2 and Chauffeurs' Licenses" is hereby amended to read as follows:

3 **31-10-2. Persons exempt from licensing requirements.** -- The following persons are
4 exempt from the licensing requirements of this chapter:

5 (1) Any employee of the United States government while operating a motor vehicle
6 owned by or leased to the United States government and being operated on official business;

7 (2) A nonresident who is at least sixteen (16) years of age and who has in his or her
8 immediate possession a valid operator's license issued to him or her in his or her home state or
9 country may operate a motor vehicle in this state only as an operator;

10 (3) Any individual who holds an active work or study visa validly issued by the United
11 States Citizenship and Immigration Services and who is at least sixteen (16) years of age and who
12 has in his or her immediate possession a valid operator's license issued to them by their native
13 country may operate a motor vehicle in this state only as an operator for the duration of the term
14 of the issued visa. However, prior to operating a motor vehicle in this state such individuals
15 qualifying under this section must complete an application provided by the Rhode Island division
16 of motor vehicles and present the Rhode Island division of motor vehicles with a certification
17 from the individual's country's consulate or embassy attesting to the validity of the operator's
18 license issued by his or her country.

1 (4) Any individual who holds a green card validly issued by the United States Citizenship
2 and Immigration Services and who is at least sixteen (16) years of age and who has in his or her
3 immediate possession a valid operator's license issued to him or her in his or her country may
4 operate a motor vehicle in this state only as an operator for the duration of the term of the issued
5 green card. However, prior to operating a motor vehicle in this state such individuals qualifying
6 under this section must complete an application provided by the Rhode Island division of motor
7 vehicles and present the Rhode Island division of motor vehicles with a certification from the
8 individual's country's consulate or embassy attesting to the validity of the operator's license issued
9 by his or her country.

10 ~~(3)~~(4) A nonresident who is at least eighteen (18) years of age and who has in his or her
11 immediate possession a valid chauffeur's license issued to him or her in his or her home state or
12 country may operate a motor vehicle in this state either as an operator or chauffeur. Subject to the
13 age limits applicable to chauffeurs in this state, that license shall be accepted as a chauffeur class
14 I license. Notwithstanding the foregoing, a nonresident must submit an application for a chauffeur
15 class I license which must be approved before a nonresident may be employed as a chauffeur in
16 this state;

17 ~~(4)~~(5) Any nonresident who is at least eighteen (18) years of age, whose home state or
18 country does not require the licensing of operators, may operate a motor vehicle as an operator
19 only, for a period of not more than ninety (90) days in any calendar year, if the motor vehicle so
20 operated is duly registered in the home state or country of that nonresident;

21 ~~(5)~~(6) Any operator of any traction engine, road roller, farm tractor, crane, power shovel,
22 well-borer, and any other road and building construction machinery and equipment, other than a
23 truck used for the transportation of materials.

24 SECTION 2. Section 31-2-22 of the General Laws in Chapter 31-2 entitled "Division of
25 Motor Vehicles" is hereby amended to read as follows:

26 **31-2-22. Authority to enter into reciprocity agreements.** -- (a) Notwithstanding any
27 other provisions of law, the administrator of the division of motor vehicles is authorized to enter
28 into reciprocal agreements on behalf of the state with the duly authorized representatives of any
29 state of the United States, the District of Columbia, or a state or a province of a foreign country,
30 providing for the registration of vehicles on an apportionment or allocation basis. In exercising
31 this authority, the administrator of the division of motor vehicles is expressly authorized to enter
32 into and to become a member of the International Registration Plan, or any other designation that
33 may, from time to time, be given to such a plan. The administrator of the division of motor
34 vehicles is further authorized to promulgate and to enforce any rules and regulations that may be

1 necessary to carry out the provisions of the International Registration Plan or any other agreement
2 entered into under authority set forth in this section.

3 (b) The International Registration Plan, and any other agreement authorized to be entered
4 into by the administrator of the division of motor vehicles, shall take precedence over any state
5 law or regulation that may be in conflict with the aforementioned agreements.

6 (c) Notwithstanding any other provisions of law, the administrator of the division of
7 motor vehicles is authorized to enter into operator license agreements or other cooperative
8 arrangements on behalf of the state with the duly authorized representatives of a foreign country
9 or political entities equivalent to Rhode Island state government within a foreign country
10 providing for the reciprocal recognition of operator's licenses. The administrator of the division of
11 motor vehicles shall adopt and enforce rules and regulations setting forth the standards required
12 for such agreements, which said rules and regulations shall contain, at a minimum, that the
13 individual seeking such reciprocity have a valid passport with a legally issued United States visa
14 or green card, a valid operator's license from the country where the individual seeking reciprocity
15 permanently resides with an attached driving record satisfactory to the administrator, a
16 certification from the individual's country's consulate or embassy attesting to the validity of the
17 operator's license issued by his or her country and verification from an employer or academic
18 institution certifying the individual's employment or enrollment.

19 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES - RECIPROCITY AGREEMENTS -
FOREIGN DRIVER LICENSES

1 This act would exempt individuals validly licensed in their country and holding a validly
2 issued study or work visa or green card from the state's licensing requirements. Further this act
3 would authorize the administrator of the division of motor vehicles to enter into driver operator
4 license or other cooperative agreements on behalf of the state with foreign countries or foreign
5 political entities.

6 This act would take effect upon passage.

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