



STATE OF RHODE ISLAND

**DIVISION OF MOTOR VEHICLES
ADMINISTRATION OFFICE**

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March 4, 2025

The Honorable Robert E. Craven, Sr.
Chair, House Committee on Judiciary
State House
Providence, RI 02903

**RE: 2025 H-5657- AN ACT RELATING TO MOTOR AND OTHER VEHICLES
– MOTOR VEHICLE OFFENSES**

Dear Chair Craven:

The Division of Motor Vehicles ("DMV") writes to express opposition to House Bill 5657, An Act Relating to Motor and Other Vehicles-Motor Vehicle Offenses.

The proposed bill would afford motorists the ability to prevent certain moving violations from being recorded on their driving record up to two times each year. Such practice runs afoul of federal law regulating commercial driver's licenses ("CDLs") and would hinder the State's ability to enforce laws that keep Rhode Island highways safe by preventing motorists with multiple moving violations from operating upon them.

Federal law extensively regulates the DMV's issuance and administration of CDLs. The DMV is required to follow the standards set forth in 49 CFR Parts 383 and 384 when making determinations on the initial or continued eligibility of an individual to operate a commercial motor vehicle. Specifically, 49 CFR § 384.226 prohibits states from taking any action that would prevent any motor vehicle conviction from appearing on a CDL holder's driving record. Enforcement of this bill with respect to CDL holders would likely subject the DMV to adverse findings by the Federal Motor Carrier Safety Administration, which could lead to the loss of up to eight percent (8%) of federal-aid highway funds. Additionally, enforcement of this bill would hinder the DMV's decision-making process on initial CDL applications as it would remove from consideration moving violations that would currently prevent issuance of an initial CDL under state law because they demonstrate the applicant's lack of ability, capacity, and fitness to operate commercial motor vehicles, which are generally much larger and more dangerous than personal vehicles.

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Both R.I. Gen. Laws § 31-27-24, the Colin Foote Law, and Chapter 31-40 of the General Laws, Habitual Offenders, provide for enhanced penalties against motorists that commit multiple moving violations. Enforcement of this bill could allow problem drivers to evade further consequences for their multiple violations. This would create more dangerous conditions on Rhode Island roadways by allowing them to continue operating motor vehicles when they should otherwise be prohibited.

Finally, while the DMV opposes the proposed bill for the reasons stated above, the proposed bill would require the DMV to make significant modifications to the code and operating system of its computer system, RIMS, to permit the judicial branch to determine if motorists are eligible to utilize the proposed procedure or if they have already been afforded its advantages twice that year, similar to programing that allows the judicial branch to determinate the eligibility of motorists for relief under the good driving statute, R.I. Gen. Laws § 31-41.1-7. A year is necessary to effectuate this change to allow the DMV simultaneously to continue to develop enhanced online transaction capabilities as well as additional federally mandated CDL licensing upgrades.

Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Walter R. Craddock", written in a cursive style.

Walter R. Craddock, Esq.
Administrator

Cc: The Honorable Members of the House Committee on Judiciary
The Honorable Ramon A. Perez
Nicole McCarty, Esquire, Chief Legal Counsel to the Speaker
Thomas A. Verdi, Director, Department of Revenue