A BILL

FOR AN ACT ENTITLED

"An Act relating to issuance of identification cards and to issuance of driver's licenses; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 18.65.310 is amended by adding new subsections to read:

(h) The department may not issue an identification card under (a) of this section to a person who has not presented to the department valid documentary evidence that the person is a citizen of the United States, a national of the United States, a legal permanent resident of the United States, or a conditional resident alien of the United States.

(i) Notwithstanding (h) of this section, the department may issue an identification card to a person who presents in person valid, documentary evidence of the person's legal status and presence in the United States. The identification card authorized under this subsection is valid only during the period of the time of the person's authorized stay in the United States and must clearly indicate that expiration
date. If the period of authorized stay is indefinite, the expiration date for the identification card is one year from the date of issue. The identification card authorized under this subsection may be renewed only upon presentation of valid, documentary evidence that the status by which the person qualified for the temporary identification card has been extended by the proper United States government authority. The department may by regulation specify what is valid, documentary evidence under this subsection except that the department may not specify that a matricula consular card is valid, documentary evidence.

* Sec. 2. AS 28.15.031(b) is amended to read:

(b) The department may not issue an original or duplicate driver's license to, nor renew or reinstate the driver's license of, a person

(1) whose license is suspended, [OR] revoked, or cancelled, or who is disqualified from obtaining a license, except as otherwise provided in this chapter;

(2) who fails to appear in court for the adjudication of a certain vehicle, driver, or traffic offense when the person's appearance is required by statute, regulation, or court rule;

(3) who is an habitual user of alcohol or another drug to such a degree that the person is incapable of safely driving a motor vehicle;

(4) [REPEALED]

(5) when the department, based upon medical evidence, has determined that, because of the person's physical or mental disability, the person is not able to drive a motor vehicle safely;

(6) [REPEALED]

(7) who has knowingly made a false statement in the person's application for a license or has committed fraud in connection with the person's application for, or in obtaining or attempting to obtain, a license, or who has not applied under oath on the form provided for the purpose of obtaining or attempting to obtain a license or permit;

(8) [REPEALED]
financial responsibility and who has not done so; or

(8) who has not presented to the department

(A) valid documentary evidence that the person is a citizen of the United States, a national of the United States, a legal permanent resident of the United States, or a conditional resident alien of the United States; a person who is seeking a renewal of, duplicate of, or change of legal name on a license is presumed to meet the requirements of this subparagraph if the license has not expired or been cancelled, suspended, or revoked and the person has not been disqualified from obtaining a license; if the department has been notified by a local, state, or federal government agency that the person seeking a renewal of, duplicate of, or change of legal name on a license is not a citizen of the United States or is not legally in the United States, then the presumption available in this paragraph does not apply; the department may by regulation specify what is valid, documentary evidence under this subparagraph except that the department may not specify that a matricula consular card is valid, documentary evidence; or

(B) in person valid, documentary evidence of the person's legal status and presence in the United States; a license issued under this subparagraph may be renewed only upon presentation of valid, documentary evidence that the status by which the person qualified for the license has been extended by the proper United States government authority; a change of name for a license issued under this subparagraph may be made only upon presentation of valid, documentary evidence that the person's name has been changed with regard to the status by which the person qualified for the license; a duplicate license for a license issued under this subparagraph may be issued only upon presentation of valid, documentary evidence that the person's status by which the person qualified for the license remains valid and in effect; the department may by regulation specify what is valid, documentary evidence under this subsection except that the department may not specify that a matricula
consular card is valid, documentary evidence.

* Sec. 3. AS 28.15.101(a) is amended to read:

(a) Except as otherwise provided in this chapter and in (d) of this section, a driver's license expires on the licensee's birthday in the fifth year following issuance of the license. A license may be renewed within one year of its expiration upon proper application, payment of the required fee, and except when a license is renewed under (c) of this section, successful completion of a test of the licensee's eyesight.

* Sec. 4. AS 28.15.101 is amended by adding a new subsection to read:

(d) A driver's license issued under AS 28.15.031(b)(8)(B) is valid only during the period of the time the person is authorized to stay in the United States and must clearly indicate the expiration date. If the period of authorized stay is indefinite, the expiration date of the license is one year from the date of issue.

* Sec. 5. This Act takes effect January 1, 2007.