

ALASKA LEGISLATURE

Representative Jonathan Kreiss-Tomkins

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Sectional Analysis | HB 186 — Off-Highway Driver's Licenses

Section 1.

Amends AS.28.10.011, the vehicle registration exemption statute. It exempts vehicles driven in off-road eligible areas by drivers with valid driver's licenses, including off-road system restricted noncommercial driver's license. The requirements for off-highway commercial driver's licenses remain unchanged to comply with federal law.

Section 2.

Adds section 28.15.126, which says the department of administration shall waive the road test and issue an off-road restricted license to driver's who meet the qualifications in off-road eligible areas.

It maintains that someone with an off-road system restricted noncommercial license cannot drive on state highways and connected roadways unless they are accompanied by a fully licensed driver: their off-highway license functions as a provisional license might.

It requires the department to publish a list of off-road areas in which drivers are eligible for off-road licenses.

Section 3.

Amends AS 28.15.201(d) to use the word "area" instead of "community" in the statute that requires drivers to use in-vehicle breathalyzer devices to more correctly reference off-road system eligible areas.

Section 4.

Amends AS 28.22.011 separates the insurance exemptions for commercial and noncommercial off-road system driver's licenses. Commercial off-road system licenses are unchanged. Noncommercial off-road system licenses, currently exempt from insurance, continue to be exempt under their new establishment criteria.

Section 5.

Uses the word "areas" instead of "communities" to include off-road system eligible areas in existing statutes on breathalyzer style devices.

Section 6.

Uses the word "areas" instead of "communities" to include off-highway restricted eligible drivers in existing statutes on breathalyzer style devices.

Section 7.

Defines an “off-road system eligible area” as an area of the state that does not have land-connected road access to a DMV office which offers road testing at least once every three months. These are the areas where drivers are eligible for off-road system restricted licenses.

Section 8.

Repeals 28.22.011(b), which required the DMV to annually publish a list of communities exempt from registration and insurance under the old eligibility guidelines.