

AMENDMENT #25

OFFERED IN THE HOUSE BY REPRESENTATIVE KREISS-TOMKINS
TO: CSHB 205(), Draft Version "H"

1 Page 1, line 1, following "Act relating to":

2 Insert "vehicle registration; relating to off-road system restricted noncommercial
3 drivers' licenses; relating to off-road system eligible areas; relating to motor vehicle
4 liability insurance; relating to"

5

6 Page 50, following line 22:

7 Insert new bill sections to read:

8 **** Sec. 83.** AS 28.10.011 is amended to read:

9 **Sec. 28.10.011. Vehicles subject to registration.** Every vehicle driven,
10 moved, or parked on [UPON] a highway or other public parking place in the state
11 shall be registered under this chapter except when the vehicle is

12 (1) driven or moved on a highway only for the purpose of crossing the
13 highway from one private property to another, including an implement of husbandry
14 as defined by regulation;

15 (2) driven or moved on a highway under a dealer's plate or temporary
16 permit as provided for in AS 28.10.031 and 28.10.181(j);

17 (3) special mobile equipment as defined by regulation;

18 (4) owned by the United States;

19 (5) moved by human or animal power;

20 (6) exempt under 50 U.S.C. App. 501-591 (Soldiers' and Sailors' Civil
21 Relief Act);

22 (7) driven or parked only on private property;

23 (8) the vehicle of a nonresident as provided under AS 28.10.121;

1 (9) transported under a special permit under AS 28.10.151;

2 (10) [BEING] driven or moved **by an operator with an off-highway**
 3 **commercial driver's license** on a highway, vehicular way, or a public parking place
 4 in the state that is not connected by a land highway or vehicular way to

5 (A) the land-connected state highway system; or

6 (B) a highway or vehicular way with an average daily traffic
 7 volume greater than 499;

8 **(11) driven or moved in an off-road system eligible area by an**
 9 **operator with a noncommercial driver's license, including an off-road system**
 10 **restricted noncommercial driver's license issued under AS 28.15.126;**

11 **(12)** [(11)] an implement of husbandry operated in accordance with the
 12 provisions of AS 19.10.065;

13 **(13)** [(12)] an electric personal motor vehicle.

14 * **Sec. 84.** AS 28.15 is amended by adding a new section to read:

15 **Sec. 28.15.126. Off-road system restricted noncommercial driver's license.**

16 (a) The department shall waive the road test and issue an off-road system restricted
 17 noncommercial driver's license to an applicant who resides and operates a motor
 18 vehicle in an off-road system eligible area of the state. A driver issued an off-road
 19 system restricted noncommercial driver's license may operate a motor vehicle in an
 20 off-road system eligible area of the state. A driver issued an off-road system restricted
 21 noncommercial driver's license may not operate a motor vehicle

22 (1) outside the off-road system eligible area of the state on a highway,
 23 vehicular way, or a public parking place in the state unless the person has or is
 24 accompanied by a person with a driver's license that is not restricted under this
 25 section; or

26 (2) outside the state.

27 (b) The department shall annually publish a list of off-road system eligible
 28 areas. The department shall make the list available at each office of the department
 29 and on the department's Internet website."
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31 **Renumber the following bill sections accordingly.**

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Page 51, following line 26:

Insert a new bill section to read:

**** Sec. 87.** AS 28.15.201(d) is amended to read:

(d) A court revoking a driver's license, privilege to drive, or privilege to obtain a license under AS 28.15.181(c), or the department when revoking a driver's license, privilege to drive, or privilege to obtain a license under AS 28.15.165(c), may grant limited license privileges if

(1) the revocation was for a misdemeanor conviction under AS 28.35.030 or a similar municipal ordinance and not for a violation of AS 28.35.032;

(2) the person

(A) has not been previously convicted and the limited license is not granted during the first 30 days of the period of revocation; or

(B) has been previously convicted and the limited license is not granted during the first 90 days of the period of revocation;

(3) the court or department requires the person to use an ignition interlock device during the period of the limited license whenever the person operates a motor vehicle in an area [A COMMUNITY] not included in the list published by the department under AS 28.15.126 [AS 28.22.011(b)] and, when applicable,

(A) the person provides proof of installation of the ignition interlock device on every vehicle the person operates;

(B) the person signs an affidavit acknowledging that

(i) operation by the person of a vehicle that is not equipped with an ignition interlock device is subject to penalties for driving with a revoked license;

(ii) circumventing or tampering with the ignition interlock device is a class A misdemeanor; and

(iii) the person is required to maintain the ignition interlock device throughout the period of the limited license, to keep up-to-date records in each vehicle showing that any required service

1 and calibration is current, and to produce those records immediately on
2 request;

3 (4) the person is enrolled in and is in compliance with or has
4 successfully completed the alcoholism screening, evaluation, referral, and program
5 requirements of the Department of Health and Social Services under AS 28.35.030(h);

6 (5) the person provides proof of insurance as required by AS 28.20.230
7 and 28.20.240; and

8 (6) the person has not previously been convicted of violating the
9 limitations of an ignition interlock limited license or been convicted of violating the
10 provisions of AS 28.35.030 or 28.35.032 while on probation for a violation of those
11 sections."

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13 Renumber the following bill sections accordingly.

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15 Page 53, following line 30:

16 Insert a new bill section to read:

17 **** Sec. 91.** AS 28.22.011(a) is amended to read:

18 (a) The operator or owner of a motor vehicle subject to registration under
19 AS 28.10.011 when driven on a highway, vehicular way or area, or on other public
20 property in the state, shall be insured under a motor vehicle liability policy that
21 complies with this chapter or a certificate of self-insurance that complies with
22 AS 28.20.400 unless **the operator has not been cited within the preceding five**
23 **years for a traffic law violation with a demerit point value of six or more on the**
24 **point schedule determined under regulations adopted by the department under**
25 **AS 28.15.221 and**

26 (1) the motor vehicle is being driven or moved **by an operator with**
27 **an off-highway commercial driver's license** on a highway, vehicular way, or a
28 public parking place in the state that is not connected by a land highway or vehicular
29 way to

30 (A) the land-connected state highway system; [,] or

31 (B) a highway or vehicular way with an average daily traffic

1 volume greater than 499; or [AND]

2 (2) the operator has a noncommercial driver's license, including an
 3 off-road system restricted noncommercial driver's license issued under
 4 AS 28.15.126 and is operating the motor vehicle in an off-road system eligible
 5 area of the state [NOT BEEN CITED WITHIN THE PRECEDING FIVE YEARS
 6 FOR A TRAFFIC LAW VIOLATION WITH A DEMERIT POINT VALUE OF SIX
 7 OR MORE ON THE POINT SCHEDULE DETERMINED UNDER REGULATIONS
 8 ADOPTED BY THE DEPARTMENT UNDER AS 28.15.221]."
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10 Renumber the following bill sections accordingly.

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 12 Page 56, following line 28:

13 Insert a new bill section to read:

14 **** Sec. 96.** AS 28.35.030(t) is amended to read:

15 (t) Notwithstanding (b) or (n) of this section, the court shall waive the
 16 requirement of the use of an ignition interlock device when a person operates a motor
 17 vehicle in an area [A COMMUNITY] included on the list published by the
 18 department under AS 28.15.126 [AS 28.22.011(b)]."
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20 Renumber the following bill sections accordingly.

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 22 Page 57, following line 30:

23 Insert new bill sections to read:

24 **** Sec. 98.** AS 28.35.032(t) is amended to read:

25 (t) Notwithstanding (g) or (p) of this section, the court shall waive the
 26 requirement of the use of an ignition interlock device when a person operates a motor
 27 vehicle in an area [A COMMUNITY] included on the list published by the
 28 department under AS 28.15.126 [AS 28.22.011(b)].

29 *** Sec. 99.** AS 28.90.990(a) is amended by adding a new paragraph to read:

30 (32) "off-road system eligible area" means an area of the state, as
 31 determined by the department, that does not have land-connected road access to an

1 office that offers road testing at least once every three months and offers a sufficient
2 number of road tests to meet public demand."
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4 Renumber the following bill sections accordingly.

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6 Page 97, line 15, following "AS 12.55.135(j);":

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Insert "AS 28.22.011(b);"

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9 Page 98, line 8:

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Delete "sec. 99"

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Insert "sec. 106"

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13 Page 99, line 11:

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Delete "sec. 86"

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Insert "sec. 89"

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17 Page 99, line 12:

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Delete "sec. 87"

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Insert "sec. 90"

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21 Page 99, line 13:

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Delete "sec. 93"

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Insert "sec. 100"

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25 Page 99, line 14:

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Delete "sec. 94"

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Insert "sec. 101"

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29 Page 99, line 15:

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Delete "sec. 95"

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Insert "sec. 102"

- 1
- 2 Page 99, line 16:
 - 3 Delete "sec. 148"
 - 4 Insert "sec. 155"
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- 6 Page 100, line 6:
 - 7 Delete "sec. 134"
 - 8 Insert "sec. 141"
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- 10 Page 100, line 7:
 - 11 Delete "sec. 135"
 - 12 Insert "sec. 142"
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- 14 Page 100, line 13:
 - 15 Delete "sec. 89"
 - 16 Insert "sec. 93"
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- 18 Page 100, line 14:
 - 19 Delete "sec. 92"
 - 20 Insert "sec. 97"
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- 22 Page 100, line 15:
 - 23 Delete "sec. 102"
 - 24 Insert "sec. 109"
 - 25
- 26 Page 100, line 16:
 - 27 Delete "sec. 104"
 - 28 Insert "sec. 111"
 - 29
- 30 Page 100, line 17:
 - 31 Delete "sec. 136"

- 1 Insert "sec. 143"
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- 3 Page 101, line 10:
- 4 Delete "sec. 96"
- 5 Insert "sec. 103"
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- 7 Page 101, line 11:
- 8 Delete "sec. 97"
- 9 Insert "sec. 104"
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- 11 Page 101, line 15:
- 12 Delete "sec. 83"
- 13 Insert "sec. 85"
- 14
- 15 Page 101, line 16:
- 16 Delete "sec. 84"
- 17 Insert "sec. 86"
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- 19 Page 101, line 17:
- 20 Delete "sec. 85"
- 21 Insert "sec. 88"
- 22
- 23 Page 101, line 18:
- 24 Delete "sec. 91"
- 25 Insert "sec. 95"
- 26
- 27 Page 101, line 21:
- 28 Delete "sec. 100"
- 29 Insert "sec. 107"
- 30
- 31 Page 101, line 22:

1 Delete "sec. 101"
2 Insert "sec. 108"
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4 Page 101, line 23:
5 Delete "sec. 103"
6 Insert "sec. 110"
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8 Page 101, line 24:
9 Delete "sec. 105"
10 Insert "sec. 112"
11
12 Page 101, line 25:
13 Delete "sec. 107"
14 Insert "sec. 114"
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16 Page 101, line 26:
17 Delete "sec. 108"
18 Insert "sec. 115"
19
20 Page 101, line 27:
21 Delete "sec. 109"
22 Insert "sec. 116"
23
24 Page 101, line 28:
25 Delete "sec. 115"
26 Insert "sec. 122"
27
28 Page 101, line 29:
29 Delete "sec. 116"
30 Insert "sec. 123"
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- 1 Page 101, line 30:
- 2 Delete "sec. 117"
- 3 Insert "sec. 124"
- 4
- 5 Page 101, line 31:
- 6 Delete "sec. 118"
- 7 Insert "sec. 125"
- 8
- 9 Page 102, line 1:
- 10 Delete "sec. 119"
- 11 Insert "sec. 126"
- 12
- 13 Page 102, line 2:
- 14 Delete "sec. 120"
- 15 Insert "sec. 127"
- 16
- 17 Page 102, line 3:
- 18 Delete "sec. 121"
- 19 Insert "sec. 128"
- 20
- 21 Page 102, line 4:
- 22 Delete "sec. 122"
- 23 Insert "sec. 129"
- 24
- 25 Page 102, line 5:
- 26 Delete "sec. 123"
- 27 Insert "sec. 130"
- 28
- 29 Page 102, line 6:
- 30 Delete "sec. 124"
- 31 Insert "sec. 131"

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- 2 Page 102, line 7:
 - 3 Delete "sec. 125"
 - 4 Insert "sec. 132"
 - 5
- 6 Page 102, line 8:
 - 7 Delete "sec. 126"
 - 8 Insert "sec. 133"
 - 9
- 10 Page 102, line 9:
 - 11 Delete "sec. 127"
 - 12 Insert "sec. 134"
 - 13
- 14 Page 102, line 10:
 - 15 Delete "sec. 128"
 - 16 Insert "sec. 135"
 - 17
- 18 Page 102, line 11:
 - 19 Delete "sec. 129"
 - 20 Insert "sec. 136"
 - 21
- 22 Page 102, line 12:
 - 23 Delete "sec. 130"
 - 24 Insert "sec. 137"
 - 25
- 26 Page 102, line 13:
 - 27 Delete "sec. 131"
 - 28 Insert "sec. 138"
 - 29
- 30 Page 102, line 14:
 - 31 Delete "sec. 132"

- 1 Insert "sec. 139"
- 2
- 3 Page 102, line 15:
- 4 Delete "secs. 152 - 154"
- 5 Insert "secs. 159 - 161"
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- 7 Page 102, line 16:
- 8 Delete "152 - 154"
- 9 Insert "159 - 161"
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- 11 Page 103, line 1:
- 12 Delete "sec. 99"
- 13 Insert "sec. 106"
- 14
- 15 Page 103, line 2:
- 16 Delete "sec. 142"
- 17 Insert "sec. 149"
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- 19 Page 103, line 6:
- 20 Delete "sec. 152"
- 21 Insert "sec. 159"
- 22
- 23 Page 103, line 8:
- 24 Delete "sec. 156(a)"
- 25 Insert "sec. 163(a)"
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- 27 Page 103, line 11:
- 28 Delete "sec. 156(b)"
- 29 Insert "sec. 163(b)"
- 30
- 31 Page 103, line 14:

1 Delete "sec. 156(b)"

2 Insert "sec. 163(b)"

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4 Page 103, line 17:

5 Delete "sec. 156(c)"

6 Insert "sec. 163(c)"

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8 Page 103, line 20:

9 Delete "sec. 156(d)"

10 Insert "sec. 163(d)"

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12 Page 103, line 23:

13 Delete "sec. 156(e)"

14 Insert "sec. 163(e)"

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16 Page 103, line 26:

17 Delete "sec. 99"

18 Insert "sec. 106"

19 Delete "sec. 156(f)"

20 Insert "sec. 163(f)"

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22 Page 103, lines 29 - 30:

23 Delete "76 - 88, 91, 93 - 95, 134, 135, 143 - 151, and 155"

24 Insert "76 - 82, 85, 86, 88 - 90, 92, 95, 100 - 102, 141, 142, 150 - 158, and 162"

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26 Page 103, line 31, through page 104, line 1:

27 Delete "89, 90, 92, 96 - 98, 100 - 133, and 136 - 140"

28 Insert "93, 94, 97, 103 - 105, 107 - 140, and 143 - 147"

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30 Page 104, line 2:

31 Delete "sec. 152"

- 1 Insert "sec. 159"
- 2
- 3 Page 92, line 2:
- 4 Delete "99, 142, 152 - 154, and 156(f)"
- 5 Insert "106, 149, 159 - 161, and 163(f)"