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Martin  
2/27/17

**CS FOR HOUSE BILL NO. 82( )**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

**BY**

**Offered:  
Referred:**

**Sponsor(s): REPRESENTATIVES KREISS-TOMKINS, Claman, Ortiz, Westlake, Stutes**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to vehicle registration; relating to off-highway restricted areas; and**  
2 **relating to motor vehicle liability insurance."**

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

4 **\* Section 1.** AS 28.10.011 is amended to read:

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

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

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

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

14 (4) owned by the United States;

- 1 (5) moved by human or animal power;
- 2 (6) exempt under 50 U.S.C. App. 501-591 (Soldiers' and Sailors' Civil
- 3 Relief Act);
- 4 (7) driven or parked only on private property;
- 5 (8) the vehicle of a nonresident as provided under AS 28.10.121;
- 6 (9) transported under a special permit under AS 28.10.151;
- 7 (10) a noncommercial motor vehicle and is [BEING] driven or
- 8 moved in an area included on the list published by the department under (b) of
- 9 this section [ON A HIGHWAY, VEHICULAR WAY, OR A PUBLIC PARKING
- 10 PLACE IN THE STATE THAT IS NOT CONNECTED BY A LAND HIGHWAY
- 11 OR VEHICULAR WAY TO
- 12 (A) THE LAND-CONNECTED STATE HIGHWAY
- 13 SYSTEM; OR
- 14 (B) A HIGHWAY OR VEHICULAR WAY WITH AN
- 15 AVERAGE DAILY TRAFFIC VOLUME GREATER THAN 499];
- 16 (11) an implement of husbandry operated in accordance with the
- 17 provisions of AS 19.10.065;
- 18 (12) an electric personal motor vehicle.

19 \* **Sec. 2.** AS 28.10.011 is amended by adding a new subsection to read:

20 (b) The department shall annually publish a list of areas of the state that do not  
21 have land-connected road access to the land-connected state highway system and do  
22 not have land-connected road access to a location where the driver skills test is  
23 conducted at least once every fiscal year. The department shall make the list available  
24 at each office of the department and on the department's Internet website.

25 \* **Sec. 3.** AS 28.15.201(d) is amended to read:

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

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

1 AS 28.35.032;

2 (2) the person

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

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

7 (3) the court or department requires the person to use an ignition  
8 interlock device during the period of the limited license whenever the person operates  
9 a motor vehicle in an area [A COMMUNITY] not included in the list published by  
10 the department under AS 28.10.011(b) [AS 28.22.011(b)] and, when applicable,

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

13 (B) the person signs an affidavit acknowledging that

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

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

19 (iii) the person is required to maintain the ignition  
20 interlock device throughout the period of the limited license, to keep  
21 up-to-date records in each vehicle showing that any required service  
22 and calibration is current, and to produce those records immediately on  
23 request;

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

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

29 (6) the person has not previously been convicted of violating the  
30 limitations of an ignition interlock limited license or been convicted of violating the  
31 provisions of AS 28.35.030 or 28.35.032 while on probation for a violation of those

1 sections.

2 \* **Sec. 4.** AS 28.22.011(a) is amended to read:

3 (a) The operator or owner of a motor vehicle subject to registration under  
4 AS 28.10.011 when driven on a highway, vehicular way or area, or on other public  
5 property in the state, shall be insured under a motor vehicle liability policy that  
6 complies with this chapter or a certificate of self-insurance that complies with  
7 AS 28.20.400 unless

8 (1) the motor vehicle is being driven or moved **in an area included on**  
9 **the list published by the department under AS 28.10.011(b)** [ON A HIGHWAY,  
10 VEHICULAR WAY, OR A PUBLIC PARKING PLACE IN THE STATE THAT IS  
11 NOT CONNECTED BY A LAND HIGHWAY OR VEHICULAR WAY TO

12 (A) THE LAND-CONNECTED STATE HIGHWAY  
13 SYSTEM, OR

14 (B) A HIGHWAY OR VEHICULAR WAY WITH AN  
15 AVERAGE DAILY TRAFFIC VOLUME GREATER THAN 499]; and

16 (2) the operator has not been cited within the preceding five years for a  
17 traffic law violation with a demerit point value of six or more on the point schedule  
18 determined under regulations adopted by the department under AS 28.15.221.

19 \* **Sec. 5.** AS 28.35.030(t) is amended to read:

20 (t) Notwithstanding (b) or (n) of this section, the court shall waive the  
21 requirement of the use of an ignition interlock device when a person operates a motor  
22 vehicle in **an area** [A COMMUNITY] included on the list published by the  
23 department under **AS 28.10.011(b)** [AS 28.22.011(b)].

24 \* **Sec. 6.** 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 28.10.011(b)** [AS 28.22.011(b)].

29 \* **Sec. 7.** AS 28.22.011(b) is repealed.