

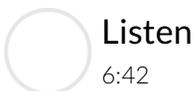
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# Debate Over Off-Highway Driver's Licenses Puts Seldovia In The Spotlight

By SHADY GROVE OLIVER • 21 MINUTES AGO

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Many communities located off the beaten path still have roads. Because there are roads, there are people who want to drive on them. That's the crux of an issue currently before the legislature on the subject of off-highway driver's licenses that's sparked debate about the definition of highways as they relate to coastal communities.



*Debate from the recent hearing on HB 82 before the House State Affairs committee*

Seldovia found itself at the center of the debate over how residents of off-highway communities get to drive. It got there because of its unique position as a remote community that's not too remote. It's a larger town, but not too large. It's the Mama Bear community in this Goldilocks debate.

"Off-highway driver's licenses were designed for off-road system communities that don't have access to Division of Motor Vehicle (DMV) offices, so they can't physically get driver's licenses from where they live. This program allows them to get driver's licenses in the mail," explained Berett Wilbur, a staffer for Rep. Jonathan Kreiss-Tomkins (D-Sitka) who is sponsoring House Bill 82.

Right now there are 1120 drivers from 294 communities that qualify for these licenses, including Nanwalek and Port Graham. Seldovia does not currently qualify.

"It is a real driver's license," said Wilbur. "You have to take a written test to get it, although the road test is waived. It's only valid in off-highway communities. If you were to go on the road system in Anchorage or Juneau, for instance, it would function like a provisional license. You would have to have a licensed driver 21 years of age or older in the car with you."

Common sense would define off-highway communities as those not connected to a physical road-type highway, Wilbur said. But, as often happens with conversations that take place over decades, through committees, and among separate organizations, this definition has become muddled over time.

"Basically we'd like to go back to the old system of using common sense to determine whether or not you should be eligible for an off-highway driver's license and that means, basically, to us, fulfilling two questions," she said. "Is your community off the road system? Yes. Does your community have a DMV? No. Then you should qualify for an off-highway driver's license."

Rep. Tomkins was approached by constituents from the southeast community of Angoon in 2012. They'd lost the ability to qualify for these special licenses and wanted to know why and if it could be changed. Over the course of a few years, people in Angoon, and those in Kake and Hoonah, who held these licenses suddenly found them no longer valid. They couldn't drive cars they had and, in some cases, had lost their only way to work through bear country.

"What we're hearing about how the rules are supposed to work and the list of communities that are actually on the eligibility list are inconsistent," Wilbur said.

HB 82 is looking to change that. Through the bill, Angoon, Kake, and Hoonah would re-qualify and Hyder and Seldovia would be brought into the fold.



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*Seldovia harbor, pictured here in 2014*

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From 1984 until 2006, there weren't really any specific provisions dictating who could or could not get off-highway licenses, meaning the DMV tried to use its best judgment to decide which communities would be eligible.

Then, in 2006, these licenses were drawn into what Wilbur called the 'Palin-era push' to formalize regulations in the state.

It's between 2011 and 2014 where the problem seems to lie. Changes to regulatory language muddied the waters for Marine Highway communities when it was decided that being able to hop on a ferry and get to a DMV office, no matter how long the trip or how high the cost, still counted as being connected to a highway.

Rep. Adam Wool (D-Fairbanks) brought up this point in recent discussion of the bill before the House State Affairs Committee.

"On the flip side of that, when you're in a community that's serviced by the marine highway system and people say we have to cut the funds because these marine highways are losing money...then the argument is, well, so are the regular highways," he said. "These are our highways. We need to support highways just like we're building a road to Valdez or Circle Hot Springs. So, the highway argument is thrown in because I think the marine highway is functioning as a highway to a lot of communities that want service of transportation."

In addition, new criteria introduced during those years called for data provided by DMV traffic counts to come into play, with communities showing too much average traffic flow no longer qualifying. For communities with extreme traffic growth in the summer months, like Seldovia, some people felt the numbers were too arbitrary to give an accurate picture of traffic.

Others, however, felt that if traffic grows in the summer months, perhaps drivers should be licensed in a stricter fashion to compensate.

Rep. Wool considered this point in speaking about Seldovia.

"It's on the ferry system. It's not that remote. It's not a 12-hour boat ride. It's close to a mainland," he said. "Over a thousand cars go there every summer and people go, hmm, maybe they should be registered, just a thought."

Seldovia's Cassidi Little was invited to provide testimony before the committee. She said she didn't even know about the licenses until a young man from town came to her asking about them.

In Seldovia, younger drivers can come into the city office and take a written test which is sent off to Juneau to be graded, she explained. If they pass, they can get a provisional license, like a learner's permit, then go to Homer, take the road test, and if they pass, get a regular license.

"The majority of the kids have a really hard time passing the test and I think it's because part of it is that the environment here differs so much from driving environments on the other side," Little said.

Seldovia drivers don't typically have to change lanes often. There are no stoplights, only a couple of yield signs, and they rarely go above 30 mph, she noted.

"And I think that having this off-highway driver's license would be a stepping stone for these young kids to gain confidence and gain knowledge on how to drive in a safe manner and it could be a stepping stone for them for that next standard driver's license that they could get later on," she said.

She also noted the license is helpful for Elders and other residents who never leave the community, not even to come across the bay, but need to use vehicles to go to the grocery store or haul materials like wood or coal.

Supporters of HB 82 say it's only fair that non-roadway-connected communities without DMV offices offer this service to their residents. Opponents say perhaps regular licenses are the way to go, especially for communities like Seldovia that find themselves right in the middle.

The next stop for the bill is its second committee of referral, House Transportation, on Tuesday, March 28, from 1-3 p.m.

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