



Senate Bill 194
Sectional Analysis

"An Act relating to electronic identification cards; relating to electronic drivers' licenses and permits; relating to motor vehicle liability insurance; and providing for an effective date."

Section 1. AS 18.65.310(a)

Adds the word **physical** specifying that the department shall issue a **physical** identification card upon the payment of a \$15 fee.

Section 2. AS 18.65.310

Adds new subsections:

(s) The department may issue an electronic identification card to those who possess a physical identification card, pay an additional \$50 fee, and retain a physical identification card.

(t) The department shall adopt regulations for issuing and use of electronic identification cards.

(u) Department of Public Safety (DPS) representatives and peace officers may not search, view, or access other contents of the mobile electronic device without consent.

(v) DPS representatives and peace officers are not liable for damages of the mobile electronic device unless for intentional misconduct.

Section 3. AS 18.65.320(b)

Adds the word **physical** specifying that a person whose **physical** identification card has been cancelled must return that card within 10 days of receiving the cancellation notice or be subject to a \$100 fine.

Section 4. AS 18.65.330

Amends section by adding definition of electronic identification cards:

(2) "electronic identification cards" a data file specific to an individual that

(a) displays the current identification card

(b) is available on a mobile electronic device through an app that allows the individuals data file to be downloaded from the department.

Section 5. AS 28.05.051

Adds the word **physical** specifying that revoked **physical** licenses shall be immediately returned to the department upon receiving notice and allows the DOA commissioner, officers, or employees, as well as Judges and court employees to take possession of **physical** licenses.

Section 6. AS 28.15.011(b)

Adds the words **physical or electronic** specifying that drivers must possess a **physical or electronic** Alaskan drivers' license.

Section 7. AS 28.15

Adds new section:



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Sec. 28.15.126 Electronic licenses and permits. (a) DOA may issue electronic drivers' licenses or permits to a person who possess a physical license or permit and drivers shall retain their physical license.

(b) The commissioner shall adopt regulations to issue electronic licenses or permits and they may adopt regulations to require physical licenses in certain circumstances.

(c) The department shall display a notice of seizure, revocation, cancellation or limitation across the front of the persons electronic drivers license.

Section 8. AS 28.15.131(a)

Adds the words **physical or electronic** specifying that drivers must have a **physical or electronic** license in immediate possession when driving and drivers must surrender their license when required by DPS representatives or peace officers.

Section 9. AS 28.15.131

Adds new subsections:

(c) DPS representatives or peace officers cannot search, view or access other contents of the mobile electronic device without consent.

(d) DPS representatives or peace officers are not liable for damages of the mobile electronic device unless for intentional misconduct.

Section 10. AS 28.15.151(a)

(5) the department shall maintain files of every application for an electronic driver's license or permits and the permits and licenses issued by the department.

Section 11. AS 28.15.165(b)

Adds the word **physical** specifying the seizure of a person's **physical** drivers' license.

Section 12. AS 28.15.166(a)

Adds the word **physical** specifying that a person may request administrative review for the seizure of their **physical** driver's license in AS 28.15.165 and if the license has not been surrendered to the department, it shall be at the time of the request.

Section 13. AS 28.15.182(d)

Adds the word **physical** specifying that the court shall require the surrender of the **physical** driver's license when imposing limitations in (c) of this section.

Section 14. AS 28.15.183(b)

Adds the word **physical** specifying that the peace officer shall seize a person's **physical** driver's license after reading the notice in (a) of this section.

Section 15. AS 28.15.184(a)

Adds the word **physical** specifying a person may request administrative review for the seizure of their **physical** driver's license in AS 28.15.183(a) and if the license has not been surrendered to the department, it shall be at the time of the request.



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Section 16. AS 28.15.187(b)

Adds the word **physical** specifying that a peace officer shall seize the persons **physical** driver's license after reading them the notice in (a) of this section.

Section 17. AS 28.15.189(a)

Adds the word **physical** specifying a person requesting administrative review for notice received under AS 28.15.187 and if the license has not been surrendered to the department, it shall be at the time of the request

Section 18. AS 28.15.191(c)

Adds the word **physical** specifying a **physical** license shall be surrendered if the court suspends, revokes, or limits a license.

Section 19. AS 28.15.191(g)

Adds the words **physical** specifying that a **physical** license shall be surrendered as a condition of parole or probation.

Section 20. AS 28.15.191(h)

Adds the word **physical** specifying that the board of parole shall require the surrender of the persons **physical** license.

Section 21. AS 28.15.201(b)

Adds the word **physical** specifying that a **physical** driver's license shall be surrendered when a court imposes limitations under (a) of this section.

Section 22. AS 28.15.271(a)

Increases the licensing fees and adds fee for electronic drivers' licenses or permits

- (1) Noncommercial licenses from [\$20] to **\$31**
- (2) Commercial licenses from [\$100] to **\$155**
- (3) Instruction permits from [\$15] to **\$23**
- (4) Duplicate drivers' license or permit from [\$15] to **\$23**
- (5) Temporary license or renewal of permit from [\$5] to **\$8**
- (6) School bus driver endorsement renewal from [\$5] to **\$8**
- (7) **Electronic drivers license or permit \$50**

Section 23. AS 28.20.560

Adds the word **physical** specifying that if a person whose license or registration is revoked under this chapter, they shall immediately return their **physical** license or registration to the department.

Section 24. AS 28.22.019(d)

Amends section by requiring DPS representative or peace officer who is presented with proof of motor vehicle liability insurance on a mobile electronic device to promptly return the device once they verify the person possesses liability insurance.



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Section 25. AS 28.22.019

Adds new subsection:

(f) A DPS representative or peace officer is immune from liability if the mobile electronic device being used to determine the persons motor vehicle liability insurance status is damaged.

Section 26. AS 28.22.041(d)

Adds the word **physical** specifying that when imposing limitations under this section the department shall require the surrender of the driver's **physical** license.

Section 27. AS 28.33.100

Adds a new subsection

(g) the department may issue electronic commercial drivers licenses.

Section 28. AS 28.33.140(i)

Adds the words **physical** specifying that if the court disqualifies a person from driving a commercial motor vehicle the person shall surrender their **physical** license.

Section 29. AS 28.35.034

Adds the word **physical** specifying that a person must surrender their **physical** license or permit if it has been revoked under AS 28.15.165 or AS 28.15.181.

Section 30. AS 28.90.990(a)

Adds a new paragraph:

(33) defines electronic driver's license or permit as a data file that is specific to an individual that
(A) displays the current drivers license and
(B) is available on a mobile electronic device thorough an app that allows the individuals data file to be downloaded from the department.

Section 31. AS 33.16.150(i)

Adds the words **physical** specifying that in addition to other conditions of parole imposed under this section the board shall require the surrender of the **physical** driver's license or identification card and forward them to the department.

Section 32.

Provides the Department of Administration the ability to adopt regulations necessary to implement this Act.

Section 33.

Provides an immediate effective date for Section 32 of this Act.

Section 34.

Provides an effective date of January 1, 2023 for this Act except as provided for in Section 33.

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