



LAWS OF ALASKA

2004

Source

SCS CSHB 213(FIN)

Chapter No.

AN ACT

Relating to a provisional driver's license and to issuance of a driver's license; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to a provisional driver's license and to issuance of a driver's license; and providing
2 for an effective date.

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4 * **Section 1.** AS 28.15.055 is amended to read:

5 **Sec. 28.15.055. Provisional driver's license.** Upon application, the
6 department may issue a provisional driver's license to a person who is at least 16 years
7 of age but not yet 18 years of age if the

8 (1) person has been licensed under an instruction permit issued under
9 AS 28.15.051 or under the law of another state with substantially similar requirements
10 for at least six months;

11 (2) person's parent, legal guardian, or employer provides proof
12 satisfactory to the department that the applicant has at least 40 hours of driving
13 experience, including at least 10 hours of driving in progressively challenging
14 circumstances, such as driving in inclement weather and nighttime driving; and

(3) person has not been convicted of a violation of a traffic law within the six months before the application is filed; in this paragraph, "traffic law" has the meaning given to "traffic laws" in AS 28.15.261.

* **Sec. 2.** AS 28.15.057 is amended to read:

Sec. 28.15.057. Restrictions on driver's license issued to a person under

18. Except as provided under AS 28.15.051, a person who is at least 16 years of age but not yet 18 years of age may not be issued a driver's license unless the person has

(1) been licensed under an instruction permit issued under AS 28.15.051 or under the law of another state with substantially similar requirements for at least six months;

(2) [AND HAS] held a valid provisional driver's license issued under AS 28.15.055 for at least **six months; and**

(3) not been convicted of violating a traffic law, or been convicted of violating AS 04.16.050(c), during the six months before applying for a driver's license; in this paragraph, "traffic law" has the meaning given to "traffic laws" in AS 28.15.261 [ONE YEAR].

* Sec. 3. AS 28.15.057 is amended by adding new subsections to read:

(b) A person authorized to drive a motor vehicle under a provisional driver's license issued under AS 28.15.055 may not

(1) operate a motor vehicle that is carrying any passengers

(A) except a passenger who is a parent, legal guardian, sibling, or a person at least 21 years of age; or

(B) unless at least one of the passengers is a parent, legal guardian, or person at least 21 years of age; or

(2) operate a motor vehicle between the hours of 1:00 a.m. and 5:00 a.m., except when the person is

(A) accompanied by a parent, legal guardian, or a person at least 21 years of age who is licensed to drive the type or class of vehicle being used; or

(B) driving to or from the person's place of employment or within the scope of the person's employment and the driving is along the most

direct available route.

(c) This section does not apply to restricted licenses issued to persons to operate motor vehicles in areas of the state off the road system when operating motor vehicles in those areas.

(d) A person who violates this section is guilty of an infraction.

6 * Sec. 4. This Act takes effect January 1, 2005.