

ALASKA LEGISLATURE

Representative Jonathan Kreiss-Tomkins

Sponsor Statement | HB 82 Off-Highway Driver's Licenses

HB 82 fixes recent regulatory changes to Alaska's off-highway driver's license program, returning to the common-sense rules the program successfully operated under for more than thirty years.

Historically, drivers in 294 Alaskan communities which are 1) off the road system and 2) do not have a DMV office qualify for off-highway driver's licenses (OHDs). Residents in eligible off-highway communities can get OHDs through the mail by taking a written test; the road test is waived. Without OHDs, the only options for rural Alaskans to drive legally in their home communities is to take a plane or ferry to a city with a DMV office, pay for a hotel, find a car, and schedule and take a road test in an unfamiliar city with unfamiliar driving conditions. OHDs allow rural people to drive legally without having to shoulder disproportionate costs and inconvenience for services other Alaskans can get at home.

But in the last five years, new regulations were passed which work against the purpose of the off-highway license program. As of 2014, if any segment of any road in an off-highway community has an average daily traffic count of more than 499 (the Department of Transportation's estimate of how many times any road is driven over during any given day), that community is not eligible for off-highway driver's licenses. Traffic count is not a meaningful metric for off-highway licensure. Off-road communities either have DMV offices, and their residents can easily get regular licenses, or they don't have DMV offices, and their residents should qualify for off-highway licenses. Traffic count is irrelevant.

Traffic counts also change. Under the current regulations, off-highway communities are at risk of getting their eligibility revoked each time the Dept. of Transportation (DOT) studies traffic. And because there is no systematic way to transfer traffic count data, as collected by DOT, to the DMV, the new regulations are being enforced inconsistently: some communities have been allowed to remain eligible despite violating the new criteria, while others have been removed. Drivers may not know whether their community is no longer eligible until they apply for an off-highway license and are turned down.

HB 82 was drafted in close cooperation with the Division of Motor Vehicles to make sure the off-highway licenses program returns to the workable, common-sense rules that the program operated under for almost thirty years: if a community is off the road system, and doesn't have a DMV, it qualifies for off-highway licenses. The bill would re-add Kake, Hoonah, Angoon, Hyder, and Seldovia to the list of communities that can get OHDs, and would protect access to OHDs for other off-highway communities. HB 82 fulfills the intent of the OHDL program, removes the arbitrary metric of traffic count, ends the current inconsistency in enforcement, and sets up a clear and simple system that both DMV and the public can easily navigate.