

ALASKA LEGISLATURE

Representative Jonathan Kreiss-Tomkins

HB 82 — Off-Highway Driver's License Follow-Up Questions

House Transportation Hearing | March 28, 2017

Follow-ups have been to individual committee members on specific points of inquiry that came up in the House Transportation hearing on March 28, 2017. Here's a compilation of questions and answers for all committee members for their reference.

1. Is there a history of safety complaints from rural places which are exempt from insurance and registration (which qualify for off-highway licenses) as a result of their exempt status? Does an off-highway licensed driver have to follow the same laws that address safety as a regular licensed driver? (Rep. Neuman)

No. According to Department of Public Safety Legislative Liaison Allison Hanzawa, the Department did not get safety complaints as a result of off-highway licenses and their exemption from registration and insurance. There are complaints that occur when other laws are broken in exempt areas (such as driving while intoxicated), but the consequences for exempt drivers who break those laws are the same as they are for regularly licensed drivers. Their licenses can also be similarly revoked if they break those laws.

2. How does Kathie Wasserman and the Alaska Municipal League feel about HB 82? (Rep. Sullivan-Leonard)

Ms. Wasserman's takeaway was that HB 82 was a bill she was probably wouldn't have looked at without prompting. She said that AML focuses on bills that either take away local control or create an unfunded mandate for municipalities, and it didn't sound like HB 82 did either.

She said she looked at the letters of support and said it seemed like the bill "helped communities do what they need to do," which AML was good with.

3. How will HB 82 affect large communities off the road system with significant populations, which are not the intended user group for off-highway driver's licenses, but might qualify under the law — for example, a town like King Salmon? (Representative Kopp)

The town of King Salmon itself has DMV, so it doesn't currently qualify off-highway driver's licenses, nor would it if HB 82 were to pass. But the theoretical question is still worth addressing.

We've worked closely with the DMV to make sure that there are no large "problem" communities (communities that may be isolated, but are urban or large enough that they really shouldn't be exempt from vehicle registration, insurance, and getting regular licenses) that would get added to the off-highway list.

Right now there's only a tiny donut hole of communities (Kake, Angoon, Seldovia, Hyder, and Hoonah) which HB 82 would affect, because the communities don't fall under one of three categories:

- 1) they are already eligible for off-highway license,
- 2) they have a DMV in their town, or
- 3) they're connected to the road system.

Under HB 82, those five communities would become eligible for licenses, and fall into category 1.

There are only two ways for additional problem communities to develop: a community that is currently small and eligible for off-highway licenses could radically grow in size, or a DMV office could close in a large community. The DMV already has the power to deal with the first problem -- they can offer road testing in the community, either through a contract agent, by opening a DMV office, or sending someone to do road tests every few months.

Under HB 82, they would also have the power to deal with the second problem — HB 82 gives the DMV a year to decide if a community should become off-highway license eligible, or whether it would be better to set up a system offering road testing on a regular basis. For a town like King Salmon, it seems likely that the DMV would choose the latter approach, but as the state experts on licensing, it would be up to the Division to decide.