



LAWS OF ALASKA

1968

Source

HB 613

Chapter No.

215

AN ACT

Relating to commercial driver training schools.

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

* Section 1. AS 28 is amended by adding a new chapter to read:

CHAPTER 17. COMMERCIAL DRIVER TRAINING SCHOOLS.

Sec. 28.17.010. DUTY OF COMMISSIONER OF PUBLIC SAFETY TO ADOPT REGULATIONS AND TO ENFORCE CHAPTER. (a) The commissioner of public safety shall adopt and prescribe those regulations concerning the administration and enforcement of this chapter which are necessary to carry out the intent of this chapter and to protect the public. The commissioner shall inspect the school facilities and equipment of applicants and licensees and examine applicants for instructor's licenses.

(b) The commissioner shall administer and enforce the provisions of this chapter and the regulations promulgated under it and may call upon the commissioner of education for assistance in developing and formulating regulations.

Sec. 28.17.020. LICENSES FOR DRIVER TRAINING SCHOOLS. (a) No commercial driver training school may be established nor any existing school continued on or after January 1, 1969, unless the school applies for and obtains from the commissioner a license in the manner and form prescribed by the commissioner.

(b) The regulations shall state the requirements for a school license, including requirements concerning location, equipment, courses of instruction, instructors,

previous records of the school and instructors, financial statements, schedule of fees and charges, character and reputation of the operators and instructors, insurance in an amount and with provisions the commissioner considers necessary to protect the interests of the public, and any other matters the commissioner may prescribe for the protection of the public.

Sec. 28.17.030. LICENSES FOR INSTRUCTORS. (a) No person may act as an instructor on or after January 1, 1969, unless he applies for and obtains from the commissioner a license in the manner and form prescribed by the commissioner.

(b) The regulations shall state the requirements for an instructor's license, including requirements concerning moral character, physical condition, knowledge of the courses of instruction, motor vehicle laws and safety principles and practices, previous personal and employment records, and other matters the commissioner may prescribe for the protection of the public.

Sec. 28.17.040. LICENSE FEES. All licenses shall expire on the last day of the calendar year and may be renewed upon application to the commissioner as prescribed by regulation. Each application for an original or renewal school license shall be accompanied by a fee of \$25, and each application for an original or renewal instructor's license shall be accompanied by a fee of \$5. All fees collected shall be deposited in the general fund of the state. No license fee may be refunded in the event a license is rejected, suspended, or revoked.

Sec. 28.17.050. SUSPENSION OR REVOCATION OF LICENSE. The commissioner may refuse to issue, or may suspend or revoke a license in any case where he finds the applicant or licensee has violated a provision of this chapter or a regulation adopted under it. A suspended or revoked license shall be returned to the director by the licensee.

Sec. 28.17.060. EXEMPTIONS. The provisions of this chapter do not apply to a person giving driver training lessons without charge, to employers maintaining driver training schools without charge for their employees only, nor to schools or classes conducted by colleges, universities and high schools for regularly enrolled full-time students as a part of a normal program for the institutions.

Sec. 28.17.070. PENALTIES. A person who violates a provision of this chapter is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$100, or by imprisonment for not more than 30 days, or by both.

Sec. 28.17.080. DEFINITIONS. In this chapter, unless the context otherwise requires,

(1) "commercial driver training school" or "school" means a business enterprise conducted by an individual, association, partnership, or corporation, for the education and training of persons, either practically or

theoretically, or both, to operate or drive motor vehicles and charging a consideration or tuition for its services;

(2) "commissioner" means the commissioner of public safety;

(3) "instructor" means a person, whether acting for himself as operator of a commercial driver training school or for a school for compensation, who teaches, conducts classes of, gives demonstrations to, or supervises practice of, persons learning to operate or drive motor vehicles.