

HOUSE BILL NO. 57

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES GREEN, Bunde, Toohey

Introduced: 1/16/95

Referred: Transportation, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to driver's licensing; and providing for an effective date."

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

3 * **Section 1.** AS 28.15.031(a) is amended to read:

4 (a) The department may not issue a driver's license to a person

5 (1) who is under the age of 16 years, except that the department may
6 issue a permit under AS 28.15.051 or a restricted license under AS 28.15.121; **or**

7 (2) who is at least 16 years of age but not yet 21 years of age unless
8 the person meets the requirements of AS 28.15.057.

9 * **Sec. 2.** AS 28.15.051(a) is amended to read:

10 (a) Except as provided in (b) of this section, a person who is at least 14 years
11 of age may apply to the department for an instruction permit. The department may,
12 after the applicant has successfully passed all parts of the examination under
13 AS 28.15.081 other than the driving test, issue to the applicant an instruction permit.
14 The permit allows a person, while having the permit in the person's immediate
15 possession, to drive a specified type or class of motor vehicle on a highway or

1 vehicular way or area for a period not to exceed two years. The permittee must be
2 accompanied by a person at least 25 [19] years of age who has been licensed at least
3 one year to drive the type or class of vehicle being used, who is capable of exercising
4 control over the vehicle and who occupies a seat beside the driver, or who
5 accompanies and immediately supervises the driver when the permittee drives a
6 motorcycle. An instruction permit may be renewed.

7 * **Sec. 3.** AS 28.15 is amended by adding new sections to read:

8 Sec. 28.15.055. PROVISIONAL DRIVER'S LICENSE. Upon application, the
9 department may issue a provisional driver's license to a person who is at least

10 (1) 16 years of age but not yet 18 years of age if the person has been
11 licensed under an instruction permit issued under AS 28.15.051 or under the law of
12 another state with substantially similar requirements, for at least six months; or

13 (2) 18 years of age but not yet 21 years of age.

14 Sec. 28.15.057. RESTRICTIONS ON DRIVER'S LICENSE ISSUED TO A
15 PERSON UNDER 21. (a) Except as provided under AS 28.15.051 or 28.15.055, a
16 person who is at least 16 years of age but not yet 18 years of age may not be issued
17 a driver's license unless the person has been licensed under an instruction permit
18 issued under AS 28.15.051 for at least six months and has held a valid provisional
19 driver's license issued under AS 28.15.055 for at least one year.

20 (b) Except as provided under AS 28.15.055, a person who is at least 18 years
21 of age but not yet 21 years of age may not be issued a driver's license unless the
22 person has held a valid provisional license issued under AS 28.15.055 for a period of
23 at least one year.

24 (c) A person authorized to drive a motor vehicle under an instruction permit
25 issued under AS 28.15.051 or a provisional driver's license issued under AS 28.15.055
26 may not drive a motor vehicle on a highway or vehicular way or area between the
27 hours of 1:00 a.m. and 5:00 a.m. each day. This paragraph does not apply to a person
28 authorized to drive under a provisional driver's license who is driving from the
29 person's place of residence to the person's place of employment or from the person's
30 place of employment to the person's residence and who is driving along the most
31 direct highway, vehicular way or area available between the residence and the place

1 of employment.

2 * **Sec. 4.** AS 28.15.221(b) is amended to read:

3 (b) The regulations adopted under (a) of this section **must** [SHALL] include
4 a designated level of point accumulation **that** [WHICH] identifies drivers who are
5 habitually reckless or negligent or who are habitual or frequent violators of traffic
6 laws, so as to show a disrespect for traffic laws and a disregard for the safety of other
7 persons. In formulating the point system authorized by this section, the commissioner
8 shall, in the interest of interstate uniformity, provide for suspension, revocation or
9 denial of a driver's license, privilege to drive, or privilege to obtain a license for an
10 accumulation of 12 or more points as a result of offenses committed during any
11 consecutive 12-month period or 18 or more points as a result of offenses committed
12 during any 24-month period, **except for a person licensed under an instruction**
13 **permit or provisional license. A person licensed under an instruction permit or**
14 **provisional license shall have the person's license suspended, revoked, or denied**
15 **for an accumulation of six or more points as a result of offenses committed during**
16 **any consecutive 12-month period.**

17 * **Sec. 5.** AS 28.40.100(a)(8) is amended to read:

18 (8) "driver's license" or "license," when used in relation to driver
19 licensing, means a license, **provisional license**, or permit to drive a motor vehicle, or
20 the privilege to drive or to obtain a license to drive a motor vehicle, under the laws
21 of this state [,] whether or not a person holds a valid license issued in this or another
22 jurisdiction;

23 * **Sec. 6.** This Act takes effect January 1, 1996.