

SENATE CS FOR HOUSE BILL NO. 11(JUD)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 5/9/97
Referred: Finance

Sponsor(s): REPRESENTATIVES GREEN, Dyson

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 who is
5 (1) under the age of 16 years, except that the department may issue a
6 permit under AS 28.15.051 or a restricted license under AS 28.15.121; **or**
7 (2) at least 16 years of age but not yet 18 years of age unless the
8 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 22 [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 16 years
 10 of age but not yet 18 years of age if the person has been licensed under an instruction
 11 permit issued under AS 28.15.051 or under the law of another state with substantially
 12 similar requirements for at least six months.

13 **Sec. 28.15.057. Restrictions on driver's license issued to a person under 18.**

14 (a) Except as provided under AS 28.15.051 or 28.15.055, a person who is at least 16
 15 years of age but not yet 18 years of age may not be issued a driver's license unless
 16 the person has been licensed under an instruction permit issued under AS 28.15.051
 17 for at least six months and has held a valid provisional driver's license issued under
 18 AS 28.15.055 for at least one year.

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

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

29 (b) The regulations adopted under (a) of this section **must** [SHALL] include
 30 a designated level of point accumulation **that** [WHICH] identifies drivers who are
 31 habitually reckless or negligent, or who are habitual or frequent violators of traffic

1 laws, so as to show a disrespect for traffic laws and a disregard for the safety of other
 2 persons. In formulating the point system authorized by this section, the commissioner
 3 shall, in the interest of interstate uniformity, provide for suspension, revocation or
 4 denial of a driver's license, privilege to drive, or privilege to obtain a license for an
 5 accumulation of 12 or more points as a result of offenses committed during any
 6 consecutive 12-month period or 18 or more points as a result of offenses committed
 7 during any 24-month period, **except for a person licensed under an instruction**
 8 **permit or provisional license. A person licensed under an instruction permit or**
 9 **provisional license shall have the person's license suspended, revoked, or denied**
 10 **for an accumulation of eight or more points as a result of offenses committed**
 11 **during any consecutive 12-month period.**

12 * **Sec. 5.** AS 28.15.241(b) is amended to read:

13 (b) In addition to (a) of this section, two points shall be deducted from the
 14 assessed total upon the driver's furnishing to the department adequate proof of
 15 successful completion, within 12 months of the date of the driver's last violation, of
 16 a driver improvement course approved by the department, **except that**

17 **(1) not** [. NO] more than one **driver improvement** course may be
 18 used to obtain a reduction in points in any 12-month period; **and**

19 **(2) a driver improvement course for a person under 21 years of age**
 20 **must be a course that is designed to benefit persons under 21 years of age and**
 21 **must be certified by a national organization.**

22 * **Sec. 6.** AS 28.15.253 is amended to read:

23 **Sec. 28.15.253. Driver improvement course.** Upon conviction of a violation
 24 of a traffic law that results in a driver accumulating six or more points from offenses
 25 committed during any consecutive 12-month period or nine or more points from
 26 offenses committed during any 24-month period, on request of the department, the
 27 court may, in addition to any other penalty authorized by law, require the driver to
 28 successfully complete a driver improvement course approved by the department within
 29 a period of time prescribed by the court. **A driver improvement course approved**
 30 **under this section for a person who is under 21 years of age must be a course that**
 31 **is designed to benefit persons under 21 years of age and must be certified by a**

1 **national organization.** The department may suspend, revoke, or deny the driver's
2 license of a person who fails to successfully complete the driver improvement course
3 required by the court under this section within the prescribed time period.

4 * **Sec. 7.** AS 28.40.100(a)(8) is amended to read:

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

10 * **Sec. 8.** This Act takes effect January 1, 1998.