

HOUSE BILL NO. 98

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/31/97

Referred: Transportation, Health, Education and Social Services, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the issuance, suspension, limitation, revocation, and
2 reinstatement of drivers' licenses, permits, or privileges to drive concerning
3 alcohol-related offenses; relating to the fees charged for the reinstatement of
4 drivers' licenses, to alcohol information courses for drivers, and to youth
5 assessment and referral programs for minor drivers."

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

7 * **Section 1.** AS 28.15.183(g) is amended to read:

8 (g) Except as provided under (h) of this section, the department may not issue
9 a new license or reissue a license to a person whose driver's license, permit, or
10 privilege to drive has been revoked under this section unless the person is enrolled in
11 and is in compliance with, or has successfully completed

12 (1) an alcoholism education or rehabilitation treatment program
13 **approved under AS 47.37**, if the revocation resulted from possession or consumption

1 of alcohol in violation of AS 04.16.050 or a municipal ordinance with substantially
 2 similar elements, from operating a vehicle after consuming alcohol in violation of
 3 AS 28.35.280, or from refusal to submit to a chemical test of breath in violation of
 4 AS 28.35.285; or

5 (2) a drug education or rehabilitation treatment program, if the
 6 revocation resulted from possession or use of a controlled substance in violation of
 7 AS 11.71 or a municipal ordinance with substantially similar elements.

8 * **Sec. 2.** AS 28.15.211(d) is amended to read:

9 (d) At the end of a period of revocation or limitation following a revocation,
 10 a person whose driver's license has been revoked may apply to the department for the
 11 issuance of a new license, but shall submit to reexamination, pay all required fees
 12 including a reinstatement fee, and if the license was revoked under AS 28.15.181(a)(5)
 13 or (8), submit proof of

14 (1) enrollment in and compliance with or completion of an alcoholism
 15 education and rehabilitation treatment program **approved under AS 47.37** if the
 16 person was sentenced under AS 28.15.181(c)(1); or

17 (2) completion of and payment for an alcoholism education and
 18 rehabilitation treatment program **approved under AS 47.37** if the person was
 19 convicted under AS 28.15.181(c)(2) - (4).

20 * **Sec. 3.** AS 28.15.271(b) is amended to read:

21 (b) In addition to the fees under (a) of this section,

22 (1) a person who renews a driver's license by mail shall pay a fee of
 23 \$1;

24 (2) a person who applies for a limited driver's license under
 25 AS 28.15.201 shall pay a fee of \$100; and

26 (3) a person who applies for reinstatement of a driver's license under
 27 AS 28.15.211 shall pay a fee of

28 [(A) \$100 IF THE PERSON'S DRIVER'S LICENSE HAS,
 29 WITHIN THE 10 YEARS PRECEDING THE APPLICATION, BEEN
 30 SUSPENDED, REVOKED, OR LIMITED UNDER THE PROVISIONS OF
 31 THIS CHAPTER ONLY ONCE; OR

1 (B)] \$250 [IF THE PERSON'S DRIVER'S LICENSE HAS,
 2 WITHIN THE 10 YEARS PRECEDING THE APPLICATION, BEEN
 3 SUSPENDED, REVOKED, OR LIMITED UNDER THE PROVISIONS OF
 4 THIS CHAPTER TWO OR MORE TIMES].

5 * **Sec. 4.** AS 28.15.241(b) is amended to read:

6 (b) In addition to (a) of this section, two points shall be deducted from the
 7 assessed total upon the driver's furnishing to the department adequate proof of
 8 successful completion, within 12 months of the date of the driver's last violation, of
 9 a driver improvement course approved by the department **or an alcohol information**
 10 **course approved by the Department of Health and Social Services**. No more than
 11 one **driver improvement or one alcohol information** course may be used to obtain
 12 a reduction in points in any 12-month period.

13 * **Sec. 5.** AS 28.15.253 is amended to read:

14 **Sec. 28.15.253. Driver improvement or alcohol information courses**
 15 **[COURSE]**. Upon conviction of a violation of a traffic law that results in a driver
 16 accumulating six or more points from offenses committed during any consecutive
 17 12-month period or nine or more points from offenses committed during any 24-month
 18 period, on request of the department the court may, in addition to any other penalty
 19 authorized by law, require the driver to successfully complete a driver improvement
 20 course approved by the department **or an alcohol information course approved by**
 21 **the Department of Health and Social Services** within a period of time prescribed by
 22 the court. The department may suspend, revoke, or deny the driver's license of a
 23 person who fails to successfully complete the driver improvement course **or the**
 24 **alcohol information course** required by the court under this section within the
 25 prescribed time period.

26 * **Sec. 6.** AS 47.37.040(14) is amended to read:

27 (14) cooperate with the Department of Public Safety and the
 28 Department of Transportation and Public Facilities in establishing and conducting
 29 programs designed to deal with the problem of persons operating motor vehicles while
 30 intoxicated or under the influence of drugs, **and develop and approve alcohol**
 31 **information courses required to be taken by drivers under AS 28.15 or made**

1 **available to drivers to reduce points assessed for violation of traffic laws;**

2 * **Sec. 7.** AS 47.37.045(c) is amended to read:

3 (c) Community action against substance abuse grant funds awarded under this
4 section may be used for

5 (1) Police-In-School Liaison programs staffed by officers that are
6 certified by the Alaska Police Standards Council;

7 (2) technical assistance for neighborhood based substance abuse
8 prevention or treatment programs;

9 (3) coordinators for court ordered community service;

10 (4) preventative or educational programs for youth that involve the
11 community, parents, youth, and local schools;

12 (5) programs or projects that the division determines are effective in
13 preventing or treating substance abuse at the community level; [OR]

14 (6) supervised youth recreation programs that focus on preventing or
15 treating substance abuse; **or**

16 **(7) youth assessment and referral programs that provide substance**
17 **abuse screening services to and monitor compliance for a minor required to**
18 **participate in an alcoholism or drug education or rehabilitation treatment**
19 **program under AS 28.15.183 or before the minor's driver's license may be**
20 **reinstated under AS 28.15.211.**