

CS FOR HOUSE BILL NO. 40(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 5/1/04

Referred: Rules

Sponsor(s): REPRESENTATIVES LYNN, Chenault

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to issuance of identification cards and to issuance of driver's licenses."**

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

3 * **Section 1.** AS 18.65.310 is amended by adding a new subsection to read:

4 (h) The department may not issue an identification card under (a) of this
5 section to a person who is not a citizen of the United States, who is not an alien
6 lawfully admitted into the United States, or is not an alien with an application or
7 appeal pending seeking lawful admission to the United States. The department shall
8 by regulation establish the proof required under this subsection for a person to show
9 that the person is a citizen, an alien lawfully admitted to the United States, or an alien
10 with an application or appeal pending seeking lawful admission to the United States.
11 In this subsection, "alien" means a person who is not a citizen or national of the United
12 States.

13 * **Sec. 2.** AS 28.15.031(b) is amended to read:

14 (b) The department may not issue an original or duplicate driver's license to,
15 nor renew or reinstate the driver's license of, a person

1 (1) whose license is suspended or revoked, except as otherwise
2 provided in this chapter;

3 (2) who fails to appear in court for the adjudication of a certain
4 vehicle, driver, or traffic offense when the person's appearance is required by statute,
5 regulation, or court rule;

6 (3) who is an habitual user of alcohol or another drug to such a degree
7 that the person is incapable of safely driving a motor vehicle;

8 (4) [REPEALED

9 (5)] when the department, based upon medical evidence, has
10 determined that, because of the person's physical or mental disability, the person is not
11 able to drive a motor vehicle safely;

12 ~~(5)~~ [(6)] who is unable to understand official traffic control devices as
13 displayed in this state or who does not have a fair knowledge of traffic laws and
14 regulations, as demonstrated by an examination;

15 ~~(6)~~ [(7)] who has knowingly made a false statement in the person's
16 application for a license or has committed fraud in connection with the person's
17 application for, or in obtaining or attempting to obtain, a license, or who has not
18 applied under oath on the form provided for the purpose of obtaining or attempting to
19 obtain a license or permit;

20 ~~(7)~~ [OR (8)] who is required under AS 28.20 to furnish proof of
21 financial responsibility and who has not done so; or

22 (8) who is not a citizen of the United States or who is not an alien
23 lawfully admitted into the United States; in this paragraph, "alien" means a
24 person who is not a citizen or national of the United States; this paragraph does
25 not apply to a person who possesses a valid driver's license who is seeking a
26 renewal of that license, a duplicate of that license, or a change of legal names on
27 that license.

28 * Sec. 3. The uncodified law of the State of Alaska is amended by adding a new section to
29 read:

30 DIRECTION TO DIVISION OF MOTOR VEHICLES. The director of the Division
31 of Motor Vehicles shall provide appropriate training to employees of the division so as to

1 properly implement the provisions of this Act.