

SENATE CS FOR CS FOR HOUSE BILL NO. 213(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 4/22/04

Referred: Rules

Sponsor(s): REPRESENTATIVES WEYHRAUCH, Crawford, Foster, Gara, Seaton, Lynn, Anderson

SENATORS Wilken, Cowdery, Bunde, Ben Stevens, Elton, Wagoner, Dyson

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to a provisional driver's license and to issuance of a driver's license;
2 and providing for an effective date."

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

4 * **Section 1.** AS 28.15.055 is amended to read:

5 **Sec. 28.15.055. Provisional driver's license.** Upon application, the
6 department may issue a provisional driver's license to a person who is at least 16 years
7 of age but not yet 18 years of age if the

8 **(1) person has been licensed under an instruction permit issued under**
9 **AS 28.15.051 or under the law of another state with substantially similar requirements**
10 **for at least six months;**

11 **(2) person's parent, legal guardian, or employer provides proof**
12 **satisfactory to the department that the applicant has at least 40 hours of driving**
13 **experience, including at least 10 hours of driving in progressively challenging**
14 **circumstances, such as driving in inclement weather and nighttime driving; and**

1 **(3) person has not been convicted of a violation of a traffic law**
 2 **within the six months before the application is filed; in this paragraph, "traffic**
 3 **law" has the meaning given to "traffic laws" in AS 28.15.261.**

4 * **Sec. 2.** AS 28.15.057 is amended to read:

5 **Sec. 28.15.057. Restrictions on driver's license issued to a person under**
 6 **18.** Except as provided under AS 28.15.051, a person who is at least 16 years of age
 7 but not yet 18 years of age may not be issued a driver's license unless the person has

8 **(1)** been licensed under an instruction permit issued under
 9 AS 28.15.051 **or under the law of another state with substantially similar**
 10 **requirements** for at least six months;

11 **(2)** [AND HAS] held a valid provisional driver's license issued under
 12 AS 28.15.055 for at least **six months; and**

13 **(3) not been convicted of violating a traffic law, or been convicted**
 14 **of violating AS 04.16.050(c), during the six months before applying for a driver's**
 15 **license; in this paragraph, "traffic law" has the meaning given to "traffic laws"**
 16 **in AS 28.15.261** [ONE YEAR].

17 * **Sec. 3.** AS 28.15.057 is amended by adding new subsections to read:

18 (b) A person authorized to drive a motor vehicle under a provisional driver's
 19 license issued under AS 28.15.055 may not

20 (1) operate a motor vehicle that is carrying any passengers

21 (A) except a passenger who is a parent, legal guardian, sibling,
 22 or a person at least 21 years of age; or

23 (B) unless at least one of the passengers is a parent, legal
 24 guardian, or person at least 21 years of age; or

25 (2) operate a motor vehicle between the hours of 1:00 a.m. and 5:00
 26 a.m., except when the person is

27 (A) accompanied by a parent, legal guardian, or a person at
 28 least 21 years of age who is licensed to drive the type or class of vehicle being
 29 used; or

30 (B) driving to or from the person's place of employment or
 31 within the scope of the person's employment and the driving is along the most

1 direct available route.

2 (c) This section does not apply to restricted licenses issued to persons to
3 operate motor vehicles in areas of the state off the road system when operating motor
4 vehicles in those areas.

5 (d) A person who violates this section is guilty of an infraction.

6 * **Sec. 4.** This Act takes effect January 1, 2005.