

**ALASKA STATE LEGISLATURE
HOUSE TRANSPORTATION STANDING COMMITTEE**

April 1, 2003

2:28 p.m.

MEMBERS PRESENT

Representative Jim Holm, Co-Chair
Representative Beverly Masek, Co-Chair
Representative Hugh Fate
Representative Vic Kohring
Representative Dan Ogg

MEMBERS ABSENT

Representative Mary Kapsner
Representative Albert Kookesh

COMMITTEE CALENDAR

HOUSE BILL NO. 93

"An Act relating to boating safety; repealing secs. 3, 5, 7, 9, 11, 14, 16, 18, 20, 23, 26, 27, and 30, ch. 28, SLA 2000; and providing for an effective date."

- MOVED CSHB 93(TRA) OUT OF COMMITTEE

HOUSE BILL NO. 213

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

- HEARD AND HELD

CS FOR SENATE BILL NO. 71(TRA)

"An Act relating to funding for transportation projects; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

SENATE BILL NO. 83

"An Act naming the Sven Haakanson, Sr. Airport at Old Harbor."

- SCHEDULED BUT NOT HEARD

PREVIOUS ACTION

BILL: HB 93

SHORT TITLE: REPEAL BOATING SAFETY SUNSET

SPONSOR(S): REPRESENTATIVE(S) WEYHRAUCH

Jrn-Date	Jrn-Page		Action
02/12/03	0186	(H)	READ THE FIRST TIME - REFERRALS
02/12/03	0186	(H)	TRA, STA
02/18/03		(H)	TRA AT 1:30 PM CAPITOL 17
02/18/03		(H)	<Bill Hearing Postponed to 2/25/03> -- Meeting Canceled
02/25/03		(H)	TRA AT 1:30 PM CAPITOL 17
02/25/03		(H)	Heard & Held
02/25/03		(H)	MINUTE(TRA)
03/27/03		(H)	TRA AT 1:30 PM CAPITOL 17
03/27/03		(H)	Scheduled But Not Heard
04/01/03		(H)	TRA AT 1:30 PM CAPITOL 17

BILL: HB 213

SHORT TITLE: PROVISIONAL DRIVER'S LICENSE

SPONSOR(S): REPRESENTATIVE(S) WEYHRAUCH

Jrn-Date	Jrn-Page		Action
03/26/03	0640	(H)	READ THE FIRST TIME - REFERRALS
03/26/03	0640	(H)	TRA, L&C
03/26/03	0640	(H)	REFERRED TO TRANSPORTATION
04/01/03		(H)	TRA AT 1:30 PM CAPITOL 17

WITNESS REGISTER

LINDA SYLVESTER, Staff
to Representative Bruce Weyhrauch
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the proposed committee substitute for HB 93 and presented HB 213 on behalf of Representative Weyhrauch, the bills' sponsor.

GREGORY BROWNING, Assistant Chief of Police
Juneau Police Department
City and Borough of Juneau
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 213 and answer questions from the members.

KERRY HENNINGS, Driver Licensing Manager
Division of Motor Vehicles
Department of Administration
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 213 and answered questions from the members.

CHRISTINE ROWINSKI
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 213.

AL NEAR
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 213.

CINDY CASHEN, Director
Mothers Against Drunk Driving, Juneau Chapter
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 213.

WESTON EILER, Senior
Juneau-Douglas High School
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 213.

JOHN GEORGE, Lobbyist
for National Association of Independent Insurers
Juneau, Alaska

POSITION STATEMENT: Testified in support of HB 213.

ACTION NARRATIVE

TAPE 03-14, SIDE A

Number 0001

CO-CHAIR JIM HOLM called the House Transportation Standing Committee meeting to order at 2:28 p.m. Representatives Holm, Masek, Fate, and Kohring were present at the call to order. Representative Ogg arrived as the meeting was in progress.

HB 93-REPEAL BOATING SAFETY SUNSET

CO-CHAIR HOLM announced that the first order of business would be HOUSE BILL NO. 93, "An Act relating to boating safety; repealing secs. 3, 5, 7, 9, 11, 14, 16, 18, 20, 23, 26, 27, and 30, ch. 28, SLA 2000; and providing for an effective date."

Number 0072

CO-CHAIR MASEK moved to adopt the proposed committee substitute (CS) Version 23-LS0230\Q, Ford, 3/21/03, as a work draft; she requested unanimous consent.

CO-CHAIR HOLM announced that without objection Version Q was before the committee.

Number 0123

LINDA SYLVESTER, Staff to Representative Bruce Weyhrauch, Alaska State Legislature, spoke on behalf of the bill's sponsor, explaining that the proposed committee substitute eliminates non-motorized boats from the requirement for registration. She reported that this was a compromise that was suitable to the U.S. Coast Guard (USCG). Ms. Sylvester indicated that Mike Folkerts from the USCG was available to answer questions.

Number 0205

CO-CHAIR MASEK moved to report the proposed CS for HB 93 [Version 23-LS0230\Q, Ford, 3/21/03] out of committee with individual recommendations and the accompanying fiscal note.

Number 0235

REPRESENTATIVE KOHRING objected, stating that he appreciated the sponsor's efforts but his comfort level was not high enough to warrant support of the legislation. He said that proper organizations and boating associations have proven that safety in the boating industry can be promoted and safety training can be provided without further involvement by government. He said he had voiced concerns in a previous meeting, when he indicated that the bill was encroaching on "individual rights, freedoms, and liberties" and that "it imposes another layer of government and another layer of rules."

The committee took an at-ease from 2:40 to 2:42 p.m.

Number 0316

CO-CHAIR MASEK said she agreed with Representative Kohring, but would not object to moving the bill out of committee.

Number 0366

A roll call vote was taken. Representatives Fate, Ogg, Masek, and Holm voted in favor of reporting the proposed CS for HB 93 [Version 23-LS0230\Q, Ford, 3/21/03] from committee. Representative Kohring voted against it. Therefore, CSHB 93(TRA) was reported out of the House Transportation Standing Committee by a vote of 4-1.

HB 213-PROVISIONAL DRIVER'S LICENSE

Number 0377

CO-CHAIR HOLM announced that the next order of business would be HOUSE BILL NO. 213, "An Act relating to a provisional driver's license and to issuance of a driver's license; and providing for an effective date."

Number 0450

LINDA SYLVESTER, Staff to Representative Bruce Weyhrauch, Alaska State Legislature, spoke on behalf of the bill's sponsor. She told the committee Representative Weyhrauch introduced HB 213 at the request of Mothers Against Drunk Drivers (MADD), and while the bill does not address drunk driving or sanctions for drunk driving, it is a commonsense approach to addressing a serious problem every state in the nation is experiencing. That problem is inexperienced, young, novice drivers, she said.

MS. SYLVESTER explained that under current law when an individual turns 14 years old he/she can go to the Division of Motor Vehicles (DMV), take a knowledge test, and get a permit. That individual is required to hold the permit for six months. When the individual is 16 years old, he/she can take a road test and if passed, that 16-year-old is able to go out on the roads and drive with no restrictions at all. Ms. Sylvester said that the period of time when a 16-year-old gets a license is a very dangerous time. She told the members that statistics show that there is a huge spike in car accidents, fatalities, and injuries, and HB 213 seeks to address that period of time.

Number 0504

MS. SYLVESTER told the members that HB 213 creates a three-tiered system that all young drivers will be required to go through. When a youth who is 14 years old, which is youngest age an individual can seek to get a driver's license [permit], he/she takes a knowledge test, and [if passed] a permit is issued. Ms. Sylvester said there is no change in that part of

the process. However, when an individual is 16 years old and has had a permit for six months and has taken a road test, his/her parent will have to certify that the youth has had at least 50 hours of driving experience, 10 of which are at nighttime. This would be a simple certification on a form that his/her parent, employer, or legal guardian must sign. From that point on, he/she would get a driver's license, but would be in another tier which allows for a provisional license that would have restrictions on the individual's ability to drive.

MS. SYLVESTER said that the most important restriction, while it sounds severe, it is a life-saving step, which would prohibit these youth from driving with other teenagers in the vehicle. Statistics show that this is a critical problem. When other kids are in the car, the driver can be distracted and that is when accidents happen. This period of time [restriction] would last for one year. So he/she would be prohibited from having anyone in the vehicle except his/her parent or an individual who is over 25 years old. The other restriction is a prohibition on nighttime driving, from midnight to 5 a.m.; however, there is an allowance for a work permit. The person will have to state his/her case to the DMV, similar to the process now in place for an allowance when a person has a DWI [driving while intoxicated conviction].

Number 0633

MS. SYLVESTER went on to say that there is one other requirement in obtaining a provisional license and that is that he/she must be citation-free for six months prior to application.

MS. SYLVESTER explained that when an individual has had a provisional license for one year, he/she goes back to DMV to apply for an unrestricted license. Division of Motor Vehicles (DMV) would do a check to confirm the individual has had a provisional license for one year, and to see if there have been citations of any kind. In order to get an unrestricted license the individual would have to have a clean record. She said there is a point system whereby every infraction would result in points taken away until an individual reaches 12 points [when the license would be revoked]. She reiterated that because teenage drivers are novices, they must remain citation-free to get an unrestricted license. Ms. Sylvester clarified that this portion of the bill addresses youths who are between 16 and 18 years old. She explained that an adult who had never learned to drive is not required to go through this process. This bill would only apply to young drivers.

Number 0748

MS. SYLVESTER told the committee that she knows this is a startling piece of legislation, but [the merits of implementing this bill] can be substantiated with research.

Number 0808

GREGORY BROWNING, Assistant Chief of Police, Juneau Police Department, City and Borough of Juneau, testified in support of HB 213 and answer questions from the members. Mr. Browning explained that he received short notice of the hearing and does not have a lot of statistics with him, but wanted to testify in support of this bill. He said he believes it is a good, commonsense approach to saving lives in Alaska. Mr. Browning told the members he has 24 years' experience as a police officer and has seen his share of midnight shifts and bad accidents involving youths.

Number 0848

MR. BROWNING said that there are two parts of the bill that strike a chord with him in making a lot of sense. Teenagers are very susceptible to peer pressure and distractions while driving, and the section that prohibits teenagers from having other youths in their vehicles [is an important provision]. He told the committee that even if a good kid is a good driver, [if that kid is put in a position with] a bunch of kids in the car late at night, things can happen. He told the committee he has seen tragedy result from those kinds of circumstances several times.

Number 0877

MR. BROWNING told the committee that he believes the time element in the bill, basically prohibiting youths from driving between midnight and 5 a.m., will be very effective as well. He said there is very little legitimate reason for youths that age to be out on the streets that time of night. Driving then tends to be more for a recreational purpose, rather than a transportation purpose. He said his opinion is that it is an invitation for kids to get into trouble and that they are very much at risk. Mr. Browning summarized his comments by saying that the Juneau Police Department is supportive of the bill and believes it is an effective way of reducing fatalities in

Alaska. He said he is fairly confident that most police departments in the state would agree with him.

Number 0930

REPRESENTATIVE OGG commented that many teens go to proms and dances and asked what time those functions usually get out.

MR. BROWNING responded that most are out at midnight, but 1 a.m. would be the latest.

REPRESENTATIVE OGG asked if it would make sense to give youths a little bit of time to get home from a prom or dance.

MR. BROWNING replied that a field officer would have enough discretion that he/she would not enforce the law in that particular case if it were clear the youths were on their way home from a prom. They might verify that the prom is actually taking place. He questioned that the law could be designed around every conceivable event. There may be a way to describe an exemption beyond work, since there are probably some other legitimate reasons for youths to be out past midnight, but most of the time, there is not. They are just out having a good time, and that is the time they get in trouble.

Number 1012

REPRESENTATIVE OGG commented that he believes the prom is a good social function for the youths. If the time were moved to 1 a.m., that would cover it.

MR. BROWNING explained that the time period between midnight and 1 a.m. is a dangerous time. He told the committee he has observed that time and time again. However, he said he agrees that he would not want to restrict kids from going to a function like a prom. He said he believes with laws such as this, a police officer's discretion comes into effect to some degree.

CO-CHAIR HOLM asked about the term "infraction" which is on page 2, line 27, of the bill. He asked Mr. Browning to clarify the meaning of this term.

MR. BROWNING responded that means it is the lowest level of violation of Alaska law. It is not even a misdemeanor.

Number 1100

REPRESENTATIVE FATE asked, if it is only an infraction to have other teenagers in the car, would not a 16-year-old with a provisional license just go ahead and fill his/her car with teenagers and be in the same danger that is purported to be in the first place? What is to prevent that?

Number 1120

MR. BROWNING asked if Representative Fate was proposing that this be a more serious offense than an infraction.

REPRESENTATIVE FATE responded that he is not proposing that, but asked what is to prevent youths from [breaking the law] even if there is a more serious penalty.

MR. BROWNING responded that that could be said of any law. There will be a penalty in the cost of insurance if they are caught. He said he believes this is better than nothing.

REPRESENTATIVE FATE commented that he is not so sure this is better than nothing. Parents may have something to do with this. He said he does not believe draconian regulations can ever take the place of good parental training.

MR. BROWNING responded that he agrees with Representative Fate.

Number 1174

KERRY HENNINGS, Driver Licensing Manager, Division of Motor Vehicles, Department of Administration, testified in support of HB 213 and answered questions from the members. She said DMV supports the enhancements of provisional licensing that are introduced in this bill. Driving is a skill that improves with experience, and in the case of teenage drivers, improves with maturity. Ms. Hennings said this bill addresses several issues and all the steps proposed are steps recommended by the National Highway Traffic Safety Administration. She said she believes they have proven to be effective in many cases. This bill sets up a reward for teenagers with a good driving record because they do get to move on to the next step and proceed with their driving career.

MS. HENNINGS commented on earlier testimony about consequences of infractions. She explained that an infraction for breaking the rules would stop a teenager from moving on to the next step, where the driver could have passengers and could get some benefits by driving safely.

REPRESENTATIVE OGG said his question is really a follow-up to Representative Fate's question. If an individual does get an infraction, what happens to his/her license?

MS. HENNING said the infraction would go on his/her driving record as a violation. It may or may not have a point value. That has not been determined. What it would mean is that the individual would have to remain under a provisional license until the individual could go six months without being cited.

REPRESENTATIVE OGG asked at what point an individual would lose his/her provisional license so that if he/she continued this activity, the individual would come under the other laws of the state.

MS. HENNINGS responded that if there were no points tied to the citations, he/she would not reach a suspension status unless there was other driving behavior [which warranted suspension].

Number 1323

CHRISTINE ROWINSKI testified in support of HB 213. She told the committee she is working with a group who hopes to open a MADD chapter in Fairbanks, but it is not official yet, so she is speaking today representing only herself. She said she believes that HB 213 will help to protect teenagers and asked the committee to support graduated driver's licenses (GDLs).

Number 1422

AL NEAR testified in support of HB 213. Mr. Near told the committee that while he is a member of MADD, he is speaking on his own behalf. He said he did some research on the statistics, which he shared with the committee. He pointed out that there is a document that was recently published by the Insurance Information Institute that provides some interesting national statistics that come from reliable sources such as the National Highway Traffic Safety Administration. Mr. Near said he believes HB 213 will really impact some of these statistics in Alaska. Motor vehicle accidents are the leading cause of death of 15-to 20-year-olds. The crash rate for teens ages 16 and 17 is triple the rate of 18- or-19-year-olds. In 2000, more than 40 percent of motor vehicle teenage deaths occurred between 9 p.m. and 6 a.m. Also in 2000, 63 percent of passenger deaths occurred in crashes when other teen drivers were at the wheel.

Number 1486

MR. NEAR said he believes if HB 213 passes the legislature, each of these factors will be addressed. The graduated driver's license concept is new, but has been adopted by three-quarters of the United States. Florida was the first state to adopt it in 1996. Since the law was passed there has been a 21 percent decrease in teenage driver deaths. Mr. Near told the committee that there has been less time to evaluate the effects in other states, but similar results are being seen.

MR. NEAR explained that in other countries where the GDL concept has been in place longer, more comprehensive studies support these early numbers. In Nova Scotia, where it was implemented in 1994, there has been a 51 percent decline in crashes involving beginner drivers between the ages of 16 to 17 years. He said 12 new studies released in February by the nonprofit National Safety Council showed that a tiered licensing approach reduced teen crashes by 58 percent. Mr. Near summarized his comments by saying that the GDL concept works and urged the committee to support HB 213.

Number 1556

CINDY CASHEN, Director, Mothers Against Drunk Driving, Juneau Chapter, testified in support of HB 213. She told the committee that MADD advocates all states to adopt laws that would provide that persons under 21 receive driver's licenses which are more restrictive than full licenses. MADD urges that violations would result in driver improvement actions, license revocation, civil sanctions, criminal sanctions, and penalties. She said MADD also supports the adoption of GDL privileges for persons under 21. Ms. Cashen shared her belief that early driving experiences must be acquired in a low-risk environment with extended restriction, no alcohol use, seatbelt enforcement, limitations on nighttime driving, and teenage passengers. She said she believes that driving is a privilege and not a right.

Number 1615

MS. CASHEN told the members that in the year 2000, Alaskan drivers between the ages of 16 and 20 were in 3,889 crashes. The next closest age group was the 20- to-25-year-olds, but that number dropped to 2,700, a significant difference which means that 15.9 percent of all traffic crashes occurred with 16- to 20-year-old Alaskans. That is the highest percentage of all age groups. Ms. Cashen said that the national percentage rates that

Mr. Near shared with the committee that Alaska's rate. She noted the rates are not going down; they are staying the same or slightly going up.

Number 1654

MS. CASHEN told the committee as responsible adults, "it is important to protect our young." The current system is not working, but with the support of all the agencies there is an answer to this, which is the graduated driver's license program. Last year the National Safety Council published a 115-page summary of an international symposium where directors of insurance companies, hospitals, legislators, law enforcement, federal, state, and nonprofit agencies, all of those affected by young people dying on the roads, met to share and discuss data on our GDL programs in Canada, New Zealand, and the United States.

MS. CASHEN shared that there is broad support by both parents and teenagers who are in GDL programs. In a survey of 520 Ontario parents whose teenagers were involved in GDL programs, 83 percent approved of the program. Eighty-nine percent of the parents with teens in the learner stage agreed with the program. In Nova Scotia, a survey of 450 teenagers between the ages of 16 and 18 and 500 parents of teenagers that age found that 87 percent of the parents and 61 percent of the teenagers in the learner stage voiced approval of the GDL program. She said in Michigan, teenagers were accumulating more than the required 50 hours of supervised driving practice. In a survey of parents it was reported that an average 75 hours of practice [took place]; thus parents were taking more time to supervise their student's driving than required. A California survey showed 81 percent of parents had driven at least the 50 hours required, 79 percent said they had met the requirement of 10 hours of practice at night, and most American parents favor nighttime driving restrictions. She said she believes these numbers say that the graduated driver's license is supported by a vast majority of parents and those teens who are in the program.

Number 1746

MS. CASHEN told the committee that in a recent Juneau "Youth in Action" survey at the high school, nine out of ten students were in favor of Representative Weyhrauch's bill. The one student [who voted against it] was her son, who was mad at her that day, she said.

MS. CASHEN explained that the infraction portion is an incentive. She said kids will avoid getting an infraction so they have a clean record and can move on to the next license. She said studies show this [incentive] works.

MS. CASHEN commented on an earlier question on the midnight to 1 a.m. crashes by saying that according to the Highway Safety Division [Alaska Highway Safety Office, Department of Transportation & Public Facilities], in 2000 Alaskan alcohol-related highway crashes between midnight and 2 a.m., were 168, and between 2 a.m. and 4 a.m. were 177. Those two were the highest numbers. She said that means that between midnight and 2 a.m., 15 percent of crashes occurred. Ms. Cashen said that schools in other states have set the hours back to accommodate the time it takes the students to get home from proms, dances, or other healthy events. She said it has not been a problem, and the parents and teenagers approve of this change. Ms. Cashen thanked the committee for hearing the bill and Representative Weyhrauch for introducing it.

Number 1842

WESTON EILER, Senior, Juneau-Douglas High School, testified in support of HB 213. He said that he supports this bill because it creates a way for young drivers to gain driving experience while minimizing risks to themselves and others. He told the committee he believes this bill will address the risks facing young teenage drivers. For instance, he said, teens are more likely to die from a car crash than from anything else. Teenagers represent 7 percent of the driving population, yet constitute 14 percent of all driving fatalities. He said he has personally observed his peers in Juneau involved in reckless driving, driving accidents, driving under the influence, and one incident that resulted in death. This has a substantial impact on the school and community. Mr. Eiler said that he believes the graduated driver's license program could make a difference. It has been adopted by 36 states, Canada, and New Zealand, and it has been shown to have an impact. For instance, when it was introduced in North Carolina, the number of 16-year-olds that were involved in fatal crashes went down by over 57 percent, he told the committee. This system could be the key to counteracting the problems of peer pressure, substance abuse while driving, and serious accidents and/or death. Mr. Eiler thanked the committee for the opportunity to testify and urged the committee to support HB 213.

Number 1982

CO-CHAIR HOLM thank Mr. Eiler for testifying and told him he was very impressed with his testimony.

REPRESENTATIVE FATE asked Mr. Eiler if there are still driver education courses in high school.

MR. EILER responded that Juneau-Douglas High School did start a responsible-driving course this year. He commented that it is the first driver's education course that he has seen in the community for years. He explained that he went through a private school of driving that then helps with a reduction in insurance premiums; however, that program is in no way comparable to a school curriculum.

REPRESENTATIVE FATE noted that the sponsor statement says that a youth may be eligible for a provisional license if the youth has held a learner's permit for six months and a parent certifies that the youth has at least 50 hours of driving experience, 10 of which must be at nighttime. He pointed out that there is no [reference to a] formal driver's education course, such as the one Mr. Eiler had in the private school, or an educational program where there is hands-on driving in a high school, or other public school setting. He asked Ms. Sylvester if that is an oversight in the bill or is it an intentional [omission].

MS. SYLVESTER responded that it was not an oversight to leave out driver's education because the research shows that it has a very negligible effect on accident rates. The research shows that the most important element for youths to learn how to drive is to have that steady, wise parent sitting next to them for a period of time. The effect of a professional driver education company holding the youth's permit or providing a longer instructional period can be valuable, she commented.

Number 2050

REPRESENTATIVE FATE asked what the requirement is for eligibility for a provisional license. It is not the standard by which a youth must drive, which is something else.

MS. SYLVESTER responded that once the youth has his/her permit, and has passed the road test, the youth is free to drive alone, but the only passenger allowed in the vehicle is a passenger over the age of 25 or a parent.

REPRESENTATIVE FATE replied that he hoped that a formal driver's education, either private or public, would not be thrust aside only because it is not embodied clearly in the language of this legislation.

CO-CHAIR HOLM said that as a former truck driver, he found it odd that individuals can get driver's licenses, but there is no requirement that they have to learn how to drive well. He asked if there is a log mechanism that the parents complete.

MS. SYLVESTER responded that there is no way to verify a log, so the parent could be completely misrepresenting what has actually happened. There is no way to enforce or monitor this, but it gives a guideline of what parents should be doing. She clarified that nowhere in the discussion was a logbook ever mentioned.

Number 2132

CO-CHAIR HOLM asked Ms. Sylvester if a representation by the parent or by the provisional licensee is sufficient.

MS. SYLVESTER said that is correct. When a parent certifies this statement, there is some liability for perjury involved because the parents are making a statement to the Division of Motor Vehicles that the youth has 50 hours of driving experience, 10 of which were at night. Ms. Sylvester said that the sponsor would entertain strengthening the language in the bill.

REPRESENTATIVE OGG inquired about a couple of discrepancies between the sponsor's statement and the legislation itself. He noted that the sponsor statement refers to 1 a.m., but the bill says midnight, and asked if there is some reason why the time was moved back to midnight. Representative Ogg asked Ms. Sylvester to clarify this.

MS. SYLVESTER said that midnight was the sponsor's highest hope, but she said she also has another sponsor statement prepared with the 1 a.m. deadline. She said she fully imagines that the 1 a.m. time will prevail.

REPRESENTATIVE OGG commented that the sponsor statement does not refer to the language on page 2, lines 25-26, where it refers to youths driving to and from their place of employment on the most direct route available. He pointed out that this is an exception that allows the youth to drive between midnight and 5

a.m. without the accompaniment of his/her parent. The youth would have to prove that he/she was going to or from work and then there would also have to be some discussion as to whether this is the most direct route. Representative Ogg asked if this would present a problem for enforcement officers.

MS. SYLVESTER responded that she does not think it would because it follows the same procedure of a limited license. If there is a reason for an exemption, the individual would make his/her case to DMV and DMV would issue a limited license. She explained that it is a piece of paper that is carried with the driver. If pulled over, the youth would have to make his/her case to the police officer. She said the intent is to make this flexible and work in the real world, and the system is already in place to issue a restricted license for driving to work.

REPRESENTATIVE FATE said that in the attached appendix there are several pages of statistics and as he understands it, they are national statistics. He asked if these [statistics] have been compared with Alaska's statistics.

MS. SYLVESTER replied that in the back of the packet are statistics from Alaska that show accidents and injuries. She asked the members to look at the index of supporting documentation, which follows the sponsor statement. Ms. Sylvester told the committee that there is some rough data on traffic accidents and there are national statistics as well.

MS. SYLVESTER referred to Table A.7[1], "Persons Involved in 2000 Traffic Accidents by Age and Injury Severity," where it shows that there is a huge spike in traffic accidents between the ages of 16 and 20.

TAPE 03-14, SIDE B

Number 2355

MS. SYLVESTER shared that her interest in this issue started many years ago when she was a paralegal for a personal injury attorney. She said the area of the practice that she managed was the soft-tissue injuries, which resulted from rear-ending accidents. She said that she became angry because she would work with people who would get into "fender-benders" with young kids. [It was difficult because when] an older person gets into this kind of an accident and has experienced a whiplash injury, those people do not recover. She said that for the rest of their lives they live with the repercussions of these injuries; however, the young people move on, get a new car from mom and

dad, and do not suffer from the result of these accidents because their bodies are flexible and not fragile like the older people.

MS. SYLVESTER shared a terrifying experience she had one night when coming home from a high school musical with her kids in the car, and the roads were icy. She said a car full of teenagers screamed right by her going down Egan Drive, and sure enough, they were in an accident. The next week the victim in the other car came [into her office]. She had lost all of her front teeth, had back pain, and had a broken arm. Ms. Sylvester said that while this bill will save kids' lives, there are 5,000 accidents [in which there are no fatalities]. She summarized by saying she believes this bill is the solution to this problem.

Number 2258

JOHN GEORGE, Lobbyist for National Association of Independent Insurers, testified in support of HB 213 because [provisional driver's licenses] do work in other states. He said he knows that most of the members know him as an insurance lobbyist, but he said he has served 21 years as a volunteer in the fire department and just retired last year as the fire chief of the Auke Bay [fire department]. In those years, he went to a lot of car wrecks between midnight and 5 a.m. and pulled teenagers out, held their hands, and put them in ambulances, and he said there is nothing worse. Mr. George said he believes this is an important step in preventing some of those accidents. He told the members that one benefit is getting the parents involved with their teenagers. That involvement is lacking in a lot of areas. It is beneficial to have the teenager say to his or her parent, "Let's go driving; I need the experience." The parent is then there and helping the child develop responsible attitudes. That is an incredible thing and may carry over to other areas of their lives.

MR. GEORGE told the members that he is a driver trainer for Princess Tours, training adults to drive tour buses. He said he found that adults who drove on the family farm at 12, 13, and 14 years old, and were trained by their parents, are incredibly good drivers. He went on to say that his experience with those who did not learn to drive that way often is not that good. For example, stop signs mean really slow down a lot, and speed limits are only for guidance. He summarized his comments to say it really does make a difference in who teaches youths to drive and parental supervision is really important.

CO-CHAIR HOLM agreed with Mr. George that parental guidance cannot be discounted.

REPRESENTATIVE FATE said that in some of the statistics it shows 25 percent of fatally injured drivers from ages 16 to 20 in 1995 had a blood alcohol concentration at or above the .10 percent [limit], even though they were all under the legal drinking age. He asked Mr. George if there has been any effort to mitigate that problem, since that problem certainly has compounded the number of accidents.

MR. GEORGE responded that there are a number of things being done, but this bill says that if a youth is cited for drunk driving or receives a ticket, it impairs the youth's ability to get the unrestricted license, so there is an incentive. There are a number of bills that have passed and a number that have been considered. One he recalled was the "use it and lose it" bill: if an individual were caught drinking, then the youth could not get a license until he/she turned 18 years old instead of 16. Mr. George said there needs to be parental control, and pointed out that kids drink when they are out after midnight. In Juneau, kids drive out to Eagle Beach and drink a six-pack. Whenever there is an accident, it is never just one kid in the car; it is usually three or four [youths] coming back from Eagle Beach.

Number 2097

REPRESENTATIVE FATE asked if there are formal classes showing the effects of alcohol on driving, particularly with respect to high school driver-education courses and private driving schools.

MR. GEORGE replied that he does not believe there is a mandatory prescribed outline for driver training. He said he believes any good program would include it, but is pretty sure there are not driver training programs in all schools or available in all areas [of the state]. While Juneau, Anchorage, and Fairbanks probably have them, he said he believes many of the rural areas do not. Mr. George summarized by saying he does not believe there is any mandatory course material, but believes it should be [included when or if there is].

Number 2049

MS. CASHEN told the committee that there are no mandatory driver's education classes in the schools. The program was

dropped in the 1980s. Ms. Cashen said that when MADD approached the Juneau School District about reinstating the driver's education program, it was through a nonprofit with a grant, and is a one-semester class that is not mandatory. She said the class is very popular with the students and many students are turned away. The same program is available in the Anchorage School District, but most schools do not have driver's education courses because of budget cuts. Ms. Cashen said that most courses that are available are so expensive that only the upper class or middle to upper class can afford them. The lower-income teenagers lose out on that opportunity. She also said that this is a new job sector that is necessary and could be met.

CO-CHAIR HOLM announced that that was the end of testimony on HB 213. [HB 213 was held over.]

ADJOURNMENT

Number 1981

There being no further business before the committee, the House Transportation Standing Committee meeting was adjourned at 3:30 p.m.