

SENATE BILL NO. 189

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY SENATORS HUGGINS, Therriault

Introduced: 4/27/05

Referred: State Affairs, Judiciary

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 new subsections to read:

4 (h) The department may not issue an identification card under (a) of this
5 section to a person who has not presented to the department valid documentary
6 evidence that the person is a citizen of the United States, a legal permanent resident of
7 the United States, or a conditional resident alien of the United States.

8 (i) Notwithstanding (h) of this section, the department may issue an
9 identification card to a person who presents in person valid, documentary evidence of
10 the person's legal status and presence in the United States. The identification card
11 authorized under this subsection is valid only during the period of the time of the
12 person's authorized stay in the United States and must clearly indicate that expiration
13 date. The identification card authorized under this subsection may be renewed only
14 upon presentation of valid, documentary evidence that the status by which the person
15 qualified for the temporary identification card has been extended by the Bureau of

1 Citizenship and Immigration Services, United States Department of Homeland
2 Security. The department may by regulation specify what is valid, documentary
3 evidence under this subsection except that the department may not specify that a
4 matricula consular card is valid, documentary evidence.

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

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

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

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

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

15 (4) [REPEALED

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

19 (5) [(6)] who is unable to understand official traffic control devices as
20 displayed in this state or who does not have a fair knowledge of traffic laws and
21 regulations, as demonstrated by an examination;

22 (6) [(7)] who has knowingly made a false statement in the person's
23 application for a license or has committed fraud in connection with the person's
24 application for, or in obtaining or attempting to obtain, a license, or who has not
25 applied under oath on the form provided for the purpose of obtaining or attempting to
26 obtain a license or permit;

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

29 (8) who has not presented to the department

30 (A) valid documentary evidence that the person is a citizen
31 of the United States, a legal permanent resident of the United States, or a

1 conditional resident alien of the United States; a person who is seeking a
 2 renewal of, duplicate of, or change of legal name on a license is presumed
 3 to meet the requirements of this subparagraph if the license has not
 4 expired or been cancelled, suspended, or revoked; if the department has
 5 been notified by a local, state, or federal government agency that the
 6 person seeking a renewal of, duplicate of, or change of legal name on a
 7 license is not a citizen of the United States or is not legally in the United
 8 States, then the presumption available in this paragraph does not apply;
 9 the department may by regulation specify what is valid, documentary
 10 evidence under this subparagraph except that the department may not
 11 specify that a matricula consular card is valid, documentary evidence; or
 12 (B) in person valid, documentary evidence of the person's
 13 legal status and presence in the United States; a license issued under this
 14 subparagraph may be renewed only upon presentation of valid,
 15 documentary evidence that the status by which the person qualified for
 16 the license has been extended by the Bureau of Citizenship and
 17 Immigration Services, United States Department of Homeland Security; a
 18 change of name for a license issued under this subparagraph may be made
 19 only upon presentation of valid, documentary evidence that the person's
 20 name has been changed with regard to the status by which the person
 21 qualified for the license; a duplicate license for a license issued under this
 22 subparagraph may be issued only upon presentation of valid,
 23 documentary evidence that the person's status by which the person
 24 qualified for the license remains valid and in effect; the department may
 25 by regulation specify what is valid, documentary evidence under this
 26 subsection except that the department may not specify that a matricula
 27 consular card is valid, documentary evidence.

28 * **Sec. 3.** AS 28.15.101(a) is amended to read:

29 (a) Except as otherwise provided in this chapter and in (d) of this section, a
 30 driver's license expires on the licensee's birthday in the fifth year following issuance of
 31 the license. A license may be renewed within one year of its expiration upon proper

1 application, payment of the required fee, and except when a license is renewed under
2 (c) of this section, successful completion of a test of the licensee's eyesight.

3 * **Sec. 4.** AS 28.15.101 is amended by adding a new subsection to read:

4 (d) A driver's license issued under AS 28.15.031(b)(8)(B) is valid only during
5 the period of the time the person is authorized to stay in the United States and must
6 clearly indicate the expiration date.