

**CS FOR SENATE BILL NO. 189(STA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

**BY THE SENATE STATE AFFAIRS COMMITTEE**

**Offered: 2/8/06**

**Referred: Judiciary, Finance**

**Sponsor(s): SENATORS HUGGINS, Therriault**

**REPRESENTATIVE Lynn**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to issuance of identification cards and to issuance of driver's licenses;**  
2 **and providing for an effective date."**

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

4 **\* Section 1.** AS 18.65.310 is amended by adding new subsections to read:

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

10 (i) Notwithstanding (h) of this section, the department may issue an  
11 identification card to a person who presents in person valid, documentary evidence of  
12 the person's legal status and presence in the United States. The identification card  
13 authorized under this subsection is valid only during the period of the time of the  
14 person's authorized stay in the United States and must clearly indicate that expiration

1 date. If the period of authorized stay is indefinite, the expiration date for the  
 2 identification card is one year from the date of issue. The identification card  
 3 authorized under this subsection may be renewed only upon presentation of valid,  
 4 documentary evidence that the status by which the person qualified for the temporary  
 5 identification card has been extended by the proper United States government  
 6 authority. The department may by regulation specify what is valid, documentary  
 7 evidence under this subsection except that the department may not specify that a  
 8 matricula consular card is valid, documentary evidence.

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

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

12 (1) whose license is suspended, [OR] revoked, **or cancelled, or who is**  
 13 **disqualified from obtaining a license,** except as otherwise provided in this chapter;

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

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

19 (4) [REPEALED]

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

23 **(5)** [(6)] who is unable to understand official traffic control devices as  
 24 displayed in this state or who does not have a fair knowledge of traffic laws and  
 25 regulations, as demonstrated by an examination;

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

31 **(7)** [OR (8)] who is required under AS 28.20 to furnish proof of

1 financial responsibility and who has not done so; or

2 **(8) who has not presented to the department**

3 **(A) valid documentary evidence that the person is a citizen**  
4 **of the United States, a national of the United States, a legal permanent**  
5 **resident of the United States, or a conditional resident alien of the United**  
6 **States; a person who is seeking a renewal of, duplicate of, or change of**  
7 **legal name on a license is presumed to meet the requirements of this**  
8 **subparagraph if the license has not expired or been cancelled, suspended,**  
9 **or revoked and the person has not been disqualified from obtaining a**  
10 **license; if the department has been notified by a local, state, or federal**  
11 **government agency that the person seeking a renewal of, duplicate of, or**  
12 **change of legal name on a license is not a citizen of the United States or is**  
13 **not legally in the United States, then the presumption available in this**  
14 **paragraph does not apply; the department may by regulation specify what**  
15 **is valid, documentary evidence under this subparagraph except that the**  
16 **department may not specify that a matricula consular card is valid,**  
17 **documentary evidence; or**

18 **(B) in person valid, documentary evidence of the person's**  
19 **legal status and presence in the United States; a license issued under this**  
20 **subparagraph may be renewed only upon presentation of valid,**  
21 **documentary evidence that the status by which the person qualified for**  
22 **the license has been extended by the proper United States government**  
23 **authority; a change of name for a license issued under this subparagraph**  
24 **may be made only upon presentation of valid, documentary evidence that**  
25 **the person's name has been changed with regard to the status by which**  
26 **the person qualified for the license; a duplicate license for a license issued**  
27 **under this subparagraph may be issued only upon presentation of valid,**  
28 **documentary evidence that the person's status by which the person**  
29 **qualified for the license remains valid and in effect; the department may**  
30 **by regulation specify what is valid, documentary evidence under this**  
31 **subsection except that the department may not specify that a matricula**

1                    **consular card is valid, documentary evidence.**

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

3                    (a) Except as otherwise provided in this chapter **and in (d) of this section**, a  
4                    driver's license expires on the licensee's birthday in the fifth year following issuance of  
5                    the license. A license may be renewed within one year of its expiration upon proper  
6                    application, payment of the required fee, and except when a license is renewed under  
7                    (c) of this section, successful completion of a test of the licensee's eyesight.

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

9                    (d) A driver's license issued under AS 28.15.031(b)(8)(B) is valid only during  
10                    the period of the time the person is authorized to stay in the United States and must  
11                    clearly indicate the expiration date. If the period of authorized stay is indefinite, the  
12                    expiration date of the license is one year from the date of issue.

13        \* **Sec. 5.** This Act takes effect January 1, 2007.