

HOUSE BILL NO. 3

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

BY REPRESENTATIVE LYNN

Introduced: 1/16/07

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 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(a) is amended to read:

5 (a) Upon payment of a \$15 fee, the department shall issue a card identical to
6 the motor vehicle operator's license provided for in AS 28.15.111, except that the card
7 shall be of a different color and shall state in bold type letters across the face of it that
8 it is for identification purposes only. **Except as provided in (g) and (i) of this**
9 **section, an identification card expires on the person's birthday in the fifth year**
10 **following issuance of the card.**

11 * **Sec. 2.** AS 18.65.310(g) is amended to read:

12 (g) If the person applying for the identification card provided for in (a) of this
13 section is 60 years of age or older, charge may not be made for issuance of the card.
14 **Except as provided in (i) of this section, an identification card issued to a person**

1 **who is 60 years of age or older expires on the person's birthday in the eighth year**
 2 **following issuance of the card.**

3 * **Sec. 3.** 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 national of the United
 7 States, a legal permanent resident of the United States, or a conditional resident alien
 8 of the United States.

9 (i) Notwithstanding (h) of this section, the department may issue an
 10 identification card to a person who presents in person valid, documentary evidence of
 11 the person's legal status and presence in the United States. The identification card
 12 authorized under this subsection is valid only during the period of the time of the
 13 person's authorized stay in the United States and must clearly indicate that expiration
 14 date. If the period of authorized stay is indefinite, the expiration date for the
 15 identification card is one year from the date of issue. The identification card
 16 authorized under this subsection may be renewed only upon presentation of valid,
 17 documentary evidence that the status by which the person qualified for the temporary
 18 identification card has been extended by the proper United States government
 19 authority. The department may by regulation specify what is valid, documentary
 20 evidence under this subsection except that the department may not specify that a
 21 matricula consular card is valid, documentary evidence.

22 * **Sec. 4.** AS 28.15.031(b) is amended to read:

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

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

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

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

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

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

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

12 (7) who is required under AS 28.20 to furnish proof of financial
 13 responsibility and who has not done so; or

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

15 **(A) valid documentary evidence that the person is a citizen**
 16 **of the United States, a national of the United States, a legal permanent**
 17 **resident of the United States, or a conditional resident alien of the United**
 18 **States; a person who is seeking a renewal of, duplicate of, or change of**
 19 **legal name on a license is presumed to meet the requirements of this**
 20 **subparagraph if the license has not expired or been cancelled, suspended,**
 21 **or revoked and the person has not been disqualified from obtaining a**
 22 **license; if the department has been notified by a local, state, or federal**
 23 **government agency that the person seeking a renewal of, duplicate of, or**
 24 **change of legal name on a license is not a citizen of the United States or is**
 25 **not legally in the United States, then the presumption available in this**
 26 **paragraph does not apply; the department may by regulation specify what**
 27 **is valid, documentary evidence under this subparagraph except that the**
 28 **department may not specify that a matricula consular card is valid,**
 29 **documentary evidence; or**

30 **(B) in person valid, documentary evidence of the person's**
 31 **legal status and presence in the United States; a license issued under this**

1 subparagraph may be renewed only upon presentation of valid,
2 documentary evidence that the status by which the person qualified for
3 the license has been extended by the proper United States government
4 authority; a change of name for a license issued under this subparagraph
5 may be made only upon presentation of valid, documentary evidence that
6 the person's name has been changed with regard to the status by which
7 the person qualified for the license; a duplicate license for a license issued
8 under this subparagraph may be issued only upon presentation of valid,
9 documentary evidence that the person's status by which the person
10 qualified for the license remains valid and in effect; the department may
11 by regulation specify what is valid, documentary evidence under this
12 subsection except that the department may not specify that a matricula
13 consular card is valid, documentary evidence.

14 * **Sec. 5.** AS 28.15.101(a) is amended to read:

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

20 * **Sec. 6.** AS 28.15.101 is amended by adding a new subsection to read:

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

25 * **Sec. 7.** This Act takes effect January 1, 2008.