

ALASKA STATE LEGISLATURE
HOUSE STATE AFFAIRS STANDING COMMITTEE

January 31, 2008
8:05 a.m.

MEMBERS PRESENT

Representative Bob Roses, Vice Chair
Representative John Coghill
Representative Kyle Johansen
Representative Craig Johnson
Representative Andrea Doll

MEMBERS ABSENT

Representative Bob Lynn, Chair
Representative Max Gruenberg

COMMITTEE CALENDAR

HOUSE CONCURRENT RESOLUTION NO. 12
Proposing an amendment to the Uniform Rules of the Alaska State
Legislature relating to abstention from voting.

- HEARD AND HELD

HOUSE BILL NO. 291
"An Act relating to requiring completion of a driver's education
program for provisional driver's licensees."

- HEARD AND HELD

PREVIOUS COMMITTEE ACTION

BILL: HCR 12

SHORT TITLE: AMEND UNIFORM RULES: ABSTAIN FROM VOTING

SPONSOR(S): REPRESENTATIVE(S) MEYER

01/15/08	(H)	READ THE FIRST TIME - REFERRALS
01/15/08	(H)	STA, JUD
01/31/08	(H)	STA AT 8:00 AM CAPITOL 106

BILL: HB 291

SHORT TITLE: PROVISIONAL DRIVER'S LICENSE; INSTRUCTION

SPONSOR(S): REPRESENTATIVE(S) MEYER

01/04/08	(H)	PREFILE RELEASED 1/4/08
----------	-----	-------------------------

01/15/08 (H) READ THE FIRST TIME - REFERRALS
01/15/08 (H) STA
01/31/08 (H) STA AT 8:00 AM CAPITOL 106

WITNESS REGISTER

REPRESENTATIVE KEVIN MEYER
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HCR 12 as prime sponsor.

MIKE PAWLOWSKI, Staff
Representative Kevin Meyer
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Testified during the hearing on HCR 12, on behalf of Representative Meyer, sponsor.

REPRESENTATIVE KEVIN MEYER
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented HB 291 as sponsor.

MIKE PAWLOWSKI, Staff
Representative Kevin Meyer
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Offered information and answered questions during the hearing on HB 291, on behalf of Representative Meyer, prime sponsor.

CINDY CASHEN, Administrator
Alaska Highway Safety Office
Department of Transportation & Public Facilities
Juneau, Alaska

POSITION STATEMENT: Testified during the hearing on HB 291.

WHITNEY H. BREWSTER, Director
Division of Motor Vehicles
Department of Administration
Anchorage, Alaska

POSITION STATEMENT: Testified during the hearing on HB 291.

KERRY HENNINGS
Driver Licensing
Division of Motor Vehicles
Department of Administration

POSITION STATEMENT: Answered questions during the hearing on HB 291.

ACTION NARRATIVE

VICE CHAIR BOB ROSES called the House State Affairs Standing Committee meeting to order at [8:05:41 AM](#). Representatives Coghill, Johnson, Doll, and Roses were present at the call to order. Representative Johansen arrived as the meeting was in progress.

HCR 12-AMEND UNIFORM RULES: ABSTAIN FROM VOTING

[8:06:18 AM](#)

VICE CHAIR ROSES announced that the first order of business was HOUSE CONCURRENT RESOLUTION NO. 12, Proposing an amendment to the Uniform Rules of the Alaska State Legislature relating to abstention from voting.

[8:06:20 AM](#)

REPRESENTATIVE KEVIN MEYER, Alaska State Legislature, presented HCR 12 as prime sponsor. He explained the process by which a legislator declares a conflict of interest and often follows that with a request to abstain from voting, but, through another member's objection, must vote the interest regardless. Furthermore, although a representative could choose to leave the room, if the issue is big enough, a call to the House can be made, which would require that legislator to return to the floor. He said this process is confusing to the public, and the proposed legislation would offer an alternative.

REPRESENTATIVE MEYER stated that [the current method of declaring conflicts and voting] has affected him personally in the last couple years because of his employment with ConocoPhillips Alaska, Inc. He said he has declared a conflict of interest. He said he modeled the proposed solution, using the method of the Anchorage Assembly, on which he served in the past. He explained that a person on the assembly would declare a conflict of interest, whereby a fellow assembly member would make a motion to vote on whether or not the person who declared the conflict of interest had a substantial financial interest in the matter before the assembly.

[8:09:01 AM](#)

REPRESENTATIVE MEYER said that method works better on local issues, because it is easier to see when a person has a substantial financial interest on a local level. He continued:

But here, if you're dealing with oil taxes, for example, I don't have a ... substantial financial interest in ConocoPhillips Alaska, Inc. And certainly, ... my employment that I get from them is not impacted by the action that I take. So, in that case, I would not have a conflict of interest.

REPRESENTATIVE MEYER noted that a potential problem with HCR 12 is that the decision of whether or not to excuse someone could become more politically motivated than rationally based. He explained, for example, that if he were to declare a conflict of interest, one representative may vote that he does not have a conflict of interest, thinking that his interests side with his/her own, while another may vote that he has a conflict of interest for the opposite reason.

REPRESENTATIVE MEYER stated that HCR 12 is not necessarily the right solution to the issue. He noted that included in the committee packet is a handout that shows how other states deal with abstention from voting, and one common denominator is the use of "substantial financial interest into the equation." He stated, "I can guarantee that that's a hard thing to ascertain or determine, because what may be a substantial fine interest to you, may not be to me, and vice versa." He noted, as it read in the aforementioned handout, that in Colorado, a legislator shall consider [among other things]: "(b) The effect of his participation on public confidence in the integrity of the general assembly". Representative Meyer emphasized the importance of maintaining the public's trust. Of equal importance, he said, is [not to] disenfranchise voters by disallowing their representative or senator to vote. He quoted legislation of the State of Kentucky, which read: "The right of legislators to represent their constituencies, however, is of such major importance that legislators should be barred from voting on matters of direct personal interest only in clear cases and if the matter is particularly personal." He added, "Even our own constitution ... speaks of the right to equal opportunity under the law, and clearly states that all government originates with the people and is founded upon the will of the people." He said allowing an Alaska legislator to abstain from voting would be denying Alaskans from that particular district the right to representation.

8:13:42 AM

REPRESENTATIVE MEYER stated that he thinks it is important not to make it so easy for a person not to vote that he/she is tempted to "duck a vote." He said he thinks it is possible that the system currently in use is the best one. He noted that there are other bills on the issue and he expressed his hope that the House State Affairs Standing Committee would consider all the bills and create the best legislation from them all. He surmised that the reason the legislature has not dealt with this issue since the early '80s is because it is so difficult and complex. Notwithstanding that, he opined that it is time to consider the issue once more.

8:15:35 AM

REPRESENTATIVE DOLL thanked Representative Meyer for addressing the issue. She revealed that she had considered introducing similar legislation, but was warned of the complexity of it. She remarked that the proposed resolution is "a strong ethics issue." She mentioned an excerpt from the aforementioned handout, regarding Colorado, that says a senator is considered to have personal or private interests in measures if he/she "accepts a gift, loan, service or other economic opportunity from someone who would be affected by or has interest in an enterprise that would be affected by the legislation." Representative Doll mentioned the reforms that have been considered regarding campaigns. She stated, "We do accept contributions to campaign, and that ... does, I think, add some influence when it comes to looking at [legislation] - not that it would change our vote one way or the other - but certainly there is an influence ... just in the political process by itself."

8:17:05 AM

VICE CHAIR ROSES, regarding Representative Doll's tying the issue of ethics into her reference to Colorado's legislation, cited another portion of that state's revised statutes, which read:

(4) If a member of the general assembly elects to disclose the interest, he shall do so as provided in the rules of the house of representatives or the senate, but in no case shall failure to disclose constitute a breach of the public trust of legislative office.

VICE CHAIR ROSES said it would appear that the State of Colorado does not consider that failure to disclose would be an ethics violation that would "raise the hackles of many folks." He cautioned against using examples of what other states have done without considering all they have done.

[8:18:22 AM](#)

REPRESENTATIVE MEYER stated his understanding that it is everyone's right to bring an ethics charge if a legislator does not make a disclosure that that person thinks he/she should have made.

VICE CHAIR ROSES replied that that is also his understanding.

[8:18:56 AM](#)

REPRESENTATIVE COGHILL asked the sponsor if he has considered other ways to address the issue without actually referencing statute.

[8:19:53 AM](#)

MIKE PAWLOWSKI, Staff, Representative Kevin Meyer, Alaska State Legislature, suggested, "If you're referencing specifically just the conflict of interest, you're perhaps closing the door on what could be broader and real reasons for abstaining from a vote, and we didn't want to do that. But I personally agree with you that ... it should not be the statute, it should be perhaps the title of the chapter."

REPRESENTATIVE COGHILL responded, "That actually works both ways: One is it could give you a lot of reasons to abstain. Also, it could create a lot of debate on why somebody would accuse somebody from not abstaining. So, it creates an interpretation issue that [could challenge] our legal department" He said that is why it is important to know what the Uniform Rules say, because "that's what we agree between bodies to do." Representative Coghill offered his understanding that currently it is presumed that a legislator must vote until a unanimous vote dictates that he/she should not. He asked if the sponsor has given thought to existing statute and how, as a matter of protocol, the rule as it stands now could be applied to actually accomplish the intent of the bill.

[8:22:23 AM](#)

REPRESENTATIVE MEYER responded that he has given the matter some thought. He characterized himself as a legislator who probably tends to declare potential conflicts of interest, because he wants to remain transparent as a legislator. However, he said he always knows that he will vote anyway after declaring a conflict of interest and requesting abstention, because another legislator will always object. Many times, he said, it is the minority leader who offers that objection, because he/she wants the votes on the record. He said he thinks people would think more carefully about standing up to disclose a conflict and asking to be excused from voting if they knew that they may actually be excused. He indicated that the best method may be to stand up to declare a conflict and then vote anyway as a representative of the constituents.

[8:24:16 AM](#)

REPRESENTATIVE COGHILL pointed out that because Alaska has a citizen legislature, open disclosure can result in conflicts simply because of someone's profession. He offered some examples. He said the extreme is that no legislator would be able vote on the issue of the permanent fund dividend (PFD) because each one is eligible to receive one. He said the consideration is whether to presume a legislator must abstain from voting unless permitted to vote, as compared to the current system where the legislator must vote unless he/she can compel the body unanimously that he/she should not vote. He said he likes to err on the side of the current system. The Ethics Law imposed on the resolution, he indicated, would make the language so broad that interpretation of it would become very political and have unintentional consequences. He stated, "I think when people vote for us to be down here, they presume that we're going to engage in every issue before us, ... unless there is a real compelling personal reason for you to be out...."

[8:28:21 AM](#)

VICE CHAIR ROSES said there is an assumption being made that the individual who declares a conflict of interest and is made to vote will always vote on the side that benefits himself/herself, and he stated that that is not necessarily the case. He noted that the intent of the committee chair is to consider the other similar bills together, perhaps in a subcommittee.

[8:30:03 AM](#)

REPRESENTATIVE MEYER recollected that Vice Chair Roses had been representing the teacher's union in the past when he came before the Anchorage Assembly in support of the school district's budget. He said there were two members of the assembly who had to declare a conflict because their own incomes would be affected. He said that was a body of eleven that had to address the issue, and there are 40 representatives and 20 senators being asked to state their conflicts. With that many people, there will be a lot of conflicts on various issues, he said. Representative Meyer talked about the financial disclosure that is made open to the public annually. He said he tends to agree with Representative Coghill that publicly disclosing [conflicts of interest] are already disclosed before a vote may be enough.

[8:32:11 AM](#)

REPRESENTATIVE DOLL said she thinks the public pays attention to where legislators get their campaign contributions. She noted that this year there would be an initiative coming regarding clean elections. She said if the initiative were to pass, it could change the way the legislature looks at the entire issue.

VICE CHAIR ROSES said he does not want to discuss another bill, but he surmised that passage of that initiative may "make it worse."

[8:33:00 AM](#)

REPRESENTATIVE COGHILL said he thinks the committee needs to discuss the distinction between a conflict that should just be noted and one that is too egregious to allow voting.

[8:33:56 AM](#)

REPRESENTATIVE JOHNSON expressed concern after having heard the belief that a campaign contribution can affect the way a legislator votes. He clarified that he tells everyone who wants to contribute to his campaign that he hopes they are doing so because they like his philosophy, not because they want to influence his vote.

[8:35:24 AM](#)

REPRESENTATIVE JOHANSEN asked Representative Meyer when [his occupation with the oil industry] began to be a an issue.

REPRESENTATIVE MEYER said it was never an issue when he served on the Anchorage Assembly. It has been only in the last year or two that there have been tough issues before the legislature related to oil taxes that he has been asked by his constituents how he handles conflicts of interest. He said it has been during his explanation of the process that his constituents get a confused look on their faces. He stated that he has always made it clear where he works and the majority of his constituents have voted to keep him in the legislature. He reiterated his concern that the legislature not make abstention too easy, which could disenfranchise constituents.

[8:38:35 AM](#)

REPRESENTATIVE JOHANSEN looked forward to the possibility of more rules, more exceptions, and politicizing. He stated that he may be a "simple guy from Ketchikan," but he faces his voters in person. He said he thinks if someone gets a feeling that something needs to be disclosed, then he/she should stand up and do it. Ultimately, he said, a legislator faces the people who put him in office.

[8:40:42 AM](#)

VICE CHAIR ROSES asked if there was any one wishing to testify on HCR 12. [No one responded, but Vice Chair Roses did not close public testimony.]

VICE CHAIR ROSES announced that HCR 12 was heard and held.

HB 291-PROVISIONAL DRIVER'S LICENSE; INSTRUCTION

[8:40:55 AM](#)

VICE CHAIR ROSES announced that the last order of business was HOUSE BILL NO. 291, "An Act relating to requiring completion of a driver's education program for provisional driver's licensees."

[8:41:45 AM](#)

REPRESENTATIVE KEVIN MEYER, Alaska State Legislature, presented HB 291 as prime sponsor. He said the genesis of the bill came from a constituent whose daughter, who had just turned 16, was driving and hit another vehicle. The person in the other vehicle died. He said several people have asked him why the state does not require a driver's education program for children

to complete before getting their licenses to drive. He said he is not sure when schools stopped requiring students to take driver's education, but in talking to the superintendent of the Anchorage School District, he said he discovered that it has been some time since that school district has required driver's education as part of its high school curriculum, because it was a liability issue and because of the cost involved.

REPRESENTATIVE MEYER said five percent of people age 16 create 30 percent of [motor vehicle-related] accidents. Insurance companies know this and raise the premiums of anyone covering a driver of that age; however, those companies will offer a reduction in the rate if the 16-year-old has completed a driver's education course. He said the cost of requiring such a program is a concern; however, he said it doesn't take long to recoup the money through the reduction in insurance rates. He said he knows a cost of \$500 is a large expense to those in lower income areas, and those people cannot wait to recover that amount of money over a 12-month period. He also pointed out that 30 percent of people driving don't have insurance. However, the aforementioned statistic related to the 16-year-old driver is a significant public safety issue that needs to be factored into the cost.

REPRESENTATIVE MEYER said the proposed legislation would require that before a young driver is able to get his/her provisional driver's license, he/she must complete a certified driver's education program.

[8:45:53 AM](#)

REPRESENTATIVE MEYER said these programs are offered throughout the state. He indicated there is a question regarding how this would work for folks in Glennallen, "because they are able to get the provisional licenses ... because they're on the road system." Currently, [those in Glennallen] would have to go either to Fairbanks or Anchorage to get the training. The total time to complete the program would be eight hours and could be spent either all on a Saturday or split up two hours a day for four days. Representative Meyer relayed that insurance companies are interested in this program. He also acknowledged that the cost to constituents with lower incomes is a concern.

[8:48:02 AM](#)

REPRESENTATIVE MEYER, in response to a question from Representative Johnson, confirmed that a youth who does not take

the course and does not meet the requirements of a provisional license would have to wait until he/she is 18 to get a license. He indicated that [provisional licenses] were brought about by past legislation, and he reviewed the limitations of the provisional license.

[8:49:08 AM](#)

MIKE PAWLOWSKI, Staff, Representative Kevin Meyer, Alaska State Legislature, on behalf of Representative Meyer, prime sponsor, noted that the language regarding provisional licenses can be found in AS 28.05.157.

[8:49:29 AM](#)

MR. PAWLOWSKI, in response to questions from Representative Johansen, said the [Division] of Motor Vehicles has a list of locations where approved driver's education courses are available. He said for some, getting to the locations may be difficult. He indicated that a suggestion was made to expand the bill to include the Department of Education, "because they also approve driver training."

[8:51:03 AM](#)

REPRESENTATIVE MEYER, in response to Representative Johansen, offered his understanding that those entities that offer the driving course must be approved by DMV. He said he thinks most of the driving schools are private entities.

[8:52:09 AM](#)

REPRESENTATIVE DOLL recollected that driver's education was provided by the school when she was student, and she said she likes that idea, because it would provide the course to all students, no matter what their economic background.

[8:53:29 AM](#)

REPRESENTATIVE MEYER said the state does give a lot of money to the school system, but it is always in need of more. Regarding cost, he said there is a liability concern. The schools' insurance rates would increase, and they would have to hire new teachers and buy cars. He told Representative Doll that he does not know what the exact cost would be for a school district.

[8:54:49 AM](#)

MR. PAWLOWSKI related that one school district superintendent became scared when thinking about the cost of liability.

8:55:12 AM

REPRESENTATIVE JOHNSON suggested that the legislature could take the burden of liability off the schools and put it on the person who makes the mistake. He recognized that the schools want to put their money into No Child Left Behind in order to qualify for federal money. He recalled that when he took driver's education, it was in school, considered an after-hours activity, cost the student a fee to cover the cost of a teacher, and the car used was donated by a local auto dealer. He said he thinks the legislature could get creative with this issue and not spend a lot of money to make it happen. For example, he said there would be teachers who want to make an extra few thousand dollars to teach a driver's education course. He stated that he likes the concept of the program.

8:57:32 AM

REPRESENTATIVE COGHILL said he thinks the bill brings forth a worthy discussion. He suggested a need to inventory what is being offered in the major cities of Alaska. He pointed out that many young drivers will end up in a large city, and thus should be taught to drive in urban situations. Conversely, he said he doesn't "want to put a hurdle over them that they just cannot manage." He observed that the bill is really asking that young drivers prove that they have become proficient after the 40 hours they have driven under supervision.

9:00:05 AM

CINDY CASHEN, Administrator, Alaska Highway Safety Office (AHSO), Department of Transportation & Public Facilities (DOT&PF), told the committee that AHSO "administers federal funding to effective programs aimed at savings lives and preventing injuries on Alaska's roads." She said the proposed bill would not qualify Alaska for new funding, but neither would it exclude Alaska from future funding. Ms. Cashen reported that the federal National Highway Traffic Safety Administration (NHTSA) supports states which enact new and improved existing graduated driver licensing laws and ordinances pertaining to the licensing of young, novice drivers. She said NHTSA also supports states that develop appropriate training tools and procedures to reduce risk-taking and improve safety decision-

making for those drivers, as well as develop standards for driver's education instructors and a standardized driver's education curriculum.

MS. CASHEN related that DOT&PF unveiled the Alaska Strategic Highway Safety plan in September [2007] and thus fulfilled a new federal requirement under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). She explained that SAFETEA-LU requires all states to address highway safety through a comprehensive, strategic plan. Ms. Cashen noted that she was one of the stakeholders who participated in the related meetings throughout 2007, along with other stakeholders, representatives from state and local agencies, private businesses, and the public. She stated, "The plan provides a comprehensive framework and specific goals and objectives for reducing highway fatalities and serious injuries on all public roads." She said a lot of data was used in creating the plan.

[9:03:11 AM](#)

MS. CASHEN said three groups were formed during the planning process. She said the group that dealt with driver's education was called the driver behavior group. Ms. Cashen reported that Alaska, like every other state, faces a problem with the number of crashes caused by young drivers. She said young drivers are less likely to recognize and adjust for hazards on the road, because in general they lack experience and the maturity necessary for good judgment. Furthermore, they have a lower safety belt use rate than other segments of the population and often drive too fast or are impaired. She said AHSO is responsible for collecting all the [traffic related] fatality reports for the state, and she indicated that it is the younger group of drivers who consistently do not wear their safety belts. Those young drivers - ages 16-20 - are "overrepresented in fatal and major injury crashes in Alaska." In 2005, Ms. Cashen said, approximately 5 percent of Alaskan drivers were young drivers; however, the percentage of fatalities and major injuries involving these young drivers was 15 percent for fatalities and 29 percent for major injuries. Furthermore, the proportion of fatalities and major injuries from crashes involving young drivers has remained relatively consistent over the past five years. The numbers could be worse, if not for the fact that young drivers tend to recuperate better than older drivers.

MS. CASHEN stated that in the Alaska Strategic Highway Safety plan, one of the "action items" is the coordination of a statewide driver's education study to review and evaluate the quality, quantity, and accessibility of driver's education in Alaska. Ms. Cashen said she was excited to hear the comments made thus far during the bill hearing. She noted that AHSO would be coordinating with DMV.

[9:05:21 AM](#)

MS. CASHEN told the committee that Texas has a unique law, in that the state recognizes parent-taught driver's education. She said NHTSA sponsored a study by the Texas Transportation Institute to evaluate the parent-taught driver's education option in Texas - to evaluate how well parents really teach their children to drive. The criteria used: focus groups, a statewide survey of the young drivers, and Texas driver records. Based on the 1.4 million Texas driver records, the drivers taught by parents were convicted of more traffic offenses than commercial or drivers trained in public school. Based on the self-reporting of novice drivers, the incidents of crashes involving parent-taught drivers was not greater than the incidents of those youth trained commercially or through public school. She said, "So, if the parents are teaching the kids, ... they commit more traffic offenses, but they also are in worse crashes." In conclusion, NHTSA, based on the aforementioned data, decided there is evidence to suggest that the parent-taught driver's education program has a negative influence on the overall safety of novice drivers in Texas - especially in terms of young driver crash involvement. Ms. Cashen stated that this information could support driver's education through public [schools] or the DMV.

[9:07:45 AM](#)

MS. CASHEN, in response to a question from Representative Roses, explained that a study to determine the availability of driver's education around the state is addressed in the Alaska Strategic Highway Safety plan and "is one we hope to implement." She said requiring children to have a driver's education program across the state, whether online or behind the wheel, is "a basic foundation." In response to a follow-up question from Representative Roses as to what may be holding up the study, Ms. Cashen explained that the plan has not existed long, and to implement the study now is a matter of three conditions: who can be involved, funding, and - more importantly - time.

Volunteers will need to be gathered to put together a proposal for the study, and AHSO will need to work with DMV.

[9:10:31 AM](#)

REPRESENTATIVE JOHANSEN asked who will be paying for the plan that AHSO has created.

MS. CASHEN responded that the beauty of the plan is that because stakeholders from state and private entities are involved, there is a whole new way of financing. She said AHSO is responsible for federal transportation dollars specifically aimed at highway safety - in particular, driver behavior, which is encouraged through awareness and enforcement. Ms. Cashen said when AHSO creates a highway safety plan each year, it puts aside money for driver's education. She indicated that although [the program] is not in schools, AHSO continues to work with schools.

REPRESENTATIVE JOHANSEN said it sounds as though the money to be used is federal, but regardless, the issue should be addressed by the committee.

[9:12:42 AM](#)

REPRESENTATIVE JOHNSON noted that Ms. Cashen had previously stated that HB 291 would not reduce or increase the money coming from the federal government. He asked if there is any way in which the proposed legislation could be modified so that the state could get federal money.

MS. CASHEN answered that she is not aware of any means by which to do so.

[9:13:20 AM](#)

REPRESENTATIVE COGHILL acknowledged Ms. Cashen's work and passion for the subject. He said he is not interested in mandating one agency to take care of this issue, because there are a lot of people involved with public safety. He spoke of the destructive nature of [the 16-20] age group coupled with its sense of immortality. He said he would like to know what the timeline for the aforementioned survey would be, because whatever the plan calls for, the survey must precede that. Representative Coghill talked about the idea of contracting with someone outside of DMV to conduct the practice test. He asked, "Have you contemplated what a department might approve under this law?"

9:15:37 AM

MS. CASHEN responded that it would probably be the Department of Administration and possibly be the Department of Education that would certify "these programs." It would not be DOT&PF.

REPRESENTATIVE COGHILL commented that [AHSO] would certainly want to have input. He reiterated his question about the timeline for the survey.

9:16:10 AM

MS. CASHEN said the Alaska Strategic Highway Safety plan is brand new, but will have to be updated at least annually. She continued:

So, our driver behavior group was very careful, because we recognize that it takes a lot of time to set up a study that's done correctly. Like you said, we want to make sure all the stakeholders have a chance to participate in this. Because it can become controversial. And a lot of us are personal stakeholders, as well as through our jobs. So, what we did was we came up with a timeline that gave us through May to set up an RFP [request for proposals] to hire an agency to conduct the study. And then I believe it was late fall - September, October ... - when my office has to come out with a highway safety plan to see where the ... consulting agency would be on the study - what they would have gathered by then - and incorporate that into our plan. And that would allow us to begin setting aside and formulating a more specific driver's education plan.

9:17:30 AM

REPRESENTATIVE COGHILL recognized that Ms. Cashen is not in the position to really offer him the answer he is looking for, and he suggested that the committee hear from "a department person who might contemplate the actual verbiage and how they might put that plan together." He added, "Her plan is obviously not going to work in the timeline that the sponsor has in mind."

VICE CHAIR ROSES remarked that once the bill is in committee, the committee controls the timeline.

9:18:01 AM

REPRESENTATIVE JOHANSEN asked how many provisional licensees have participated in the aforementioned course for the insurance benefits.

MS. CASHEN replied that the answer to that has alluded her office, even though they are trying to pin down that information. Because there is no statute that requires a statewide driver's education program, there are "little pockets of programs," and the numbers of participants are unknown. She reported that there is a program in Kenai that she had not even heard of until its managers heard about AHSO and contacted her.

9:19:14 AM9:19:14 AM

WHITNEY H. BREWSTER, Director, Division of Motor Vehicles, Department of Administration, stated that she agrees with HB 291 philosophically, but has some of the same concerns that have been raised by the committee. Regarding DMV-approved driving schools, she referred to 2 AAC 91.010, which has information pertaining to the requirements in an application for someone who wants to start a driving school. She said "the following regulations" address instructors and how to go about improving those schools. She noted that currently there are 15 schools statewide, in Anchorage, Fairbanks, North Pole, Juneau, Kenai, Ketchikan, and Palmer. She said the division's concern is how to give those folks who do not have driving schools in their communities the opportunity to have access to such schools. Another concern is the cost of the courses.

9:21:10 AM

KERRY HENNINGS, Driver Licensing, Division of Motor Vehicles, Department of Administration, noted that the other "piece" that was approved by DMV is defensive driving courses. Those are eight-hour classroom courses, five of which are taken over the Internet.

9:21:40 AM

VICE CHAIR ROSES asked if either Ms. Brewster or Ms. Henning know how many young adults are applying for provisional licenses who have actually taken a driver's education course.

MS. HENNING responded that DMV does not track that information. She said, "A parent certifies that their young person has

completed the 40 hours, with 10 hours of it being in increment weather." In response to a follow-up question from Vice Chair Roses, she said it would be possible to add another question on the application to assess that information. She added, "It would also be self-certification."

VICE CHAIR ROSES said he understands that, but opined that at least that would be better than no information at all.

MS. HENNING said that could be done at the request of the legislature. She said she would also research other avenues for obtaining that information without putting that query on the application, and she would supply her answer to the committee. In response to Vice Chair Roses, she said she would ensure that Ms. Cashen receives the information, as well.

[9:23:01 AM](#)

REPRESENTATIVE JOHANSEN suggested that DMV could collect the information from the 15 driver education facilities, rather than asking the youth.

[9:23:34 AM](#)

MS. HENNING confirmed that was the alternative means to gather the information that she had been considering.

[9:23:47 AM](#)

REPRESENTATIVE COGHILL asked if there has been any proof as to the effectiveness of the aforementioned 8-hour driving course that is available on the Internet.

MS. HENNING answered no. She said the course is normally taken by those who are trying to reduce the number of driving violation points from their licenses in order to avoid having their licenses suspended. Seniors take courses for a reduction in insurance, which is described under Title 21. The behind the wheel driving school gives the same eight-hour defensive driving course as part of its program.

REPRESENTATIVE COGHILL said using "that particular course" may be a better solution than what is suggested in the bill. He asked what the actual process of operation is for these courses.

[9:25:21 AM](#)

MS. HENNING replied that defensive driving courses are approved by DMV, there are at least 20 classroom courses and five online courses, and the cost for the course is \$35-\$50.

REPRESENTATIVE COGHILL stated, "I think adding that to a provisional license may very well be a move in the right direction. It may not get exactly where the sponsor wants to go." He noted that his son took the course to lower the points on his license. He said he knows the impact it had on his son, because "he was forced to deal with things that he had not previously dealt with."

[9:26:48 AM](#)

VICE CHAIR ROSES closed public testimony.

[9:27:13 AM](#)

REPRESENTATIVE COGHILL said he may contemplate an amendment to HB 291.

[HB 291 was heard and held.]

ADJOURNMENT

There being no further business before the committee, the House State Affairs Standing Committee meeting was adjourned at [9:27:57 AM](#).