

HOUSE BILL NO. 276

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES GATTIS, Kawasaki

Introduced: 1/25/16

Referred: State Affairs

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to limitation of a driver's license."**

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

3 *** Section 1.** AS 28.15.201(d) is amended to read:

4 (d) A court revoking a driver's license, privilege to drive, or privilege to obtain
5 a license under AS 28.15.181(c), or the department when revoking a driver's license,
6 privilege to drive, or privilege to obtain a license under AS 28.15.165(c), may grant
7 limited license privileges if

8 (1) the revocation was for a misdemeanor conviction under
9 AS 28.35.030 or a similar municipal ordinance and not for a violation of
10 AS 28.35.032;

11 (2) the person

12 (A) has [NOT] been previously convicted **once** and the limited
13 license is not granted **until the person successfully completes** [DURING
14 THE FIRST] 30 days **in a program established under AS 47.38.020** [OF
15 THE PERIOD OF REVOCATION]; or

1 (B) has been previously convicted **two or more times** and the
 2 limited license is not granted **until the person successfully completes**
 3 **[DURING THE FIRST] 90 days in a program established under**
 4 **AS 47.38.020 [OF THE PERIOD OF REVOCATION];**

5 (3) the court or department requires the person to use an ignition
 6 interlock device during the period of the limited license whenever the person operates
 7 a motor vehicle in a community not included in the list published by the department
 8 under AS 28.22.011(b) and, when applicable,

9 (A) the person provides proof

10 (i) of installation of the ignition interlock device on
 11 every vehicle the person operates; **and**

12 (ii) **that a person working for a program established**
 13 **under AS 47.38.020 has verified correct installation of the ignition**
 14 **interlock device;**

15 (B) the person signs an affidavit acknowledging that

16 (i) operation by the person of a vehicle that is not
 17 equipped with an ignition interlock device is subject to penalties for
 18 driving with a revoked license;

19 (ii) circumventing or tampering with the ignition
 20 interlock device is a class A misdemeanor; and

21 (iii) the person is required to maintain the ignition
 22 interlock device throughout the period of the limited license, to keep
 23 up-to-date records in each vehicle showing that any required service
 24 and calibration is current, and to produce those records immediately on
 25 request;

26 (4) the person is enrolled in and is in compliance with or has
 27 successfully completed the alcoholism screening, evaluation, referral, and program
 28 requirements of the Department of Health and Social Services under AS 28.35.030(h);

29 (5) the person provides proof of insurance as required by AS 28.20.230
 30 and 28.20.240; [AND]

31 (6) the person has not previously been convicted of violating the

1 limitations of an ignition interlock limited license or been convicted of violating the
2 provisions of AS 28.35.030 or 28.35.032 while on probation for a violation of those
3 sections; **and**

4 **(7) the person complies with a program established under**
5 **AS 47.38.020.**

6 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
7 read:

8 APPLICABILITY. AS 28.15.201(d), as amended by sec. 1 of this Act, applies to
9 limited license privileges granted on or after the effective date of sec. 1 of this Act.