

**CS FOR HOUSE BILL NO. 293(STA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

**BY THE HOUSE STATE AFFAIRS COMMITTEE**

**Offered: 5/11/24**

**Referred: Finance**

**Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to commercial driver's licenses and commercial instruction permits;**  
2 **and providing for an effective date."**

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

4 **\* Section 1.** AS 28.15.031(c) is amended to read:

5 (c) The department may not issue an original or duplicate commercial driver's  
6 license to, nor renew or reinstate the commercial driver's license of, a person who is  
7 disqualified from operating commercial motor vehicles in this or any other jurisdiction  
8 [OR IS NOT DOMICILED IN THIS STATE].

9 **\* Sec. 2.** AS 28.15.051(f) is amended to read:

10 (f) A person who is at least 18 years of age may apply to the department for a  
11 **domiciled** commercial instruction permit. The department may, after the applicant has  
12 successfully passed all parts of the examination under AS 28.15.081 other than the  
13 driving test, issue to the applicant a **domiciled** commercial instruction permit. The  
14 permit allows a person, while having the permit in the person's immediate possession,

1 to drive a specified commercial type or class of motor vehicle on a highway or  
 2 vehicular way or area for a period not to exceed 180 days. The permittee shall be  
 3 accompanied by a person at least 21 years of age who has been licensed at least one  
 4 year to drive the type or class of vehicle being used, who is capable of exercising  
 5 control over the wheel, and who occupies a seat beside the driver. A **domiciled**  
 6 commercial instruction permit may be renewed one time for a period of 180 days.  
 7 Once a license is issued to drive a specified type or class of motor vehicle, a driver is  
 8 not eligible to obtain a **domiciled** commercial **instruction** [INSTRUCTIONAL]  
 9 permit for that specified type or class of motor vehicle unless

10 (1) five years have passed since the expiration of the previous license;

11 or

12 (2) the **domiciled** commercial instruction permit is obtained for the  
 13 purpose of adding an endorsement to a current class of commercial license.

14 \* **Sec. 3.** AS 28.15.051 is amended by adding a new subsection to read:

15 (g) A person who is at least 18 years of age may apply to the department for a  
 16 non-domiciled commercial instruction permit. The department may, after the applicant  
 17 has successfully passed all parts of the examination under AS 28.15.081 other than the  
 18 driving test, issue to the applicant a non-domiciled commercial instruction permit if  
 19 the applicant is domiciled in a foreign jurisdiction or another state, the department  
 20 determines that the commercial motor vehicle testing and licensing standards of the  
 21 other jurisdiction meet the requirements of federal law, and the applicant satisfies the  
 22 requirements of AS 28.33.100(a)(2)(B) - (D). The permit allows a person, while  
 23 having the permit in the person's immediate possession, to drive a specified  
 24 commercial type or class of motor vehicle on a highway or vehicular way or area for a  
 25 period not to exceed one year. The permittee shall be accompanied by a person at least  
 26 21 years of age who has been licensed at least one year to drive the type or class of  
 27 vehicle being used, who is capable of exercising control over the wheel, and who  
 28 occupies a seat beside the driver. A non-domiciled commercial instruction permit must  
 29 be marked with "non-domiciled" on the face of the document. A non-domiciled  
 30 commercial instruction permit expires on the earlier of the expiration date determined  
 31 by the United States Department of Homeland Security that is stated on the form

1 required for the applicant under AS 28.33.100(a)(2)(B) or one year from the date of  
 2 issuance. Once a license is issued to drive a specified type or class of motor vehicle, a  
 3 driver is not eligible to obtain a non-domiciled commercial instruction permit for that  
 4 specified type or class of motor vehicle unless

5 (1) five years have passed since the expiration of the previous license;

6 or

7 (2) the non-domiciled commercial instruction permit is obtained for  
 8 the purpose of adding an endorsement to a current class of commercial license.

9 \* **Sec. 4.** AS 28.33.100(a) is amended to read:

10 (a) A person may not drive a commercial motor vehicle until the person  
 11 applies for and is issued a license for that purpose under AS 28.15.041. The  
 12 department may [NOT] issue a

13 **(1) domiciled** license to drive a commercial motor vehicle **only if**  
 14 [UNLESS] the applicant

15 **(A)** [(1)] is at least 18 years of age, to operate in intrastate  
 16 commerce, or at least 21 years of age, to operate in interstate commerce,  
 17 except as provided in (f) of this section;

18 **(B)** [(2)] has successfully completed all required driving tests  
 19 and written and physical examinations;

20 **(C)** [(3)] either does not have a driver's license issued by  
 21 another jurisdiction or surrenders all driver's licenses issued by other  
 22 jurisdictions; and

23 **(D)** [(4)] is domiciled in this state;

24 **(2) non-domiciled license to drive a commercial motor vehicle if**  
 25 **the applicant**

26 **(A) is domiciled in a**

27 **(i) foreign jurisdiction that meets the commercial**  
 28 **motor vehicle testing and licensing standards requirements of**  
 29 **federal law; or**

30 **(ii) another state that meets the commercial motor**  
 31 **vehicle testing and licensing standards requirements of federal law;**

1                   **(B) is a foreign driver, is not exempt from driver licensing**  
 2                   **under this chapter or AS 28.15.021(10), and has an unexpired**  
 3                   **(i) employment authorization document; or**  
 4                   **(ii) foreign passport and a United States Customs**  
 5                   **and Border Protection Form I-94 Arrival/Departure Record;**  
 6                   **(C) is at least 18 years of age, to operate in intrastate**  
 7                   **commerce, or at least 21 years of age, to operate in interstate commerce,**  
 8                   **except as provided in (f) of this section; and**  
 9                   **(D) has successfully completed all required driving tests**  
 10                   **and written and physical examinations.**

11 \* **Sec. 5.** AS 28.33.100 is amended by adding new subsections to read:

12                   (g) A non-domiciled commercial driver's license must be marked with "non-  
 13                   domiciled" on the face of the document.

14                   (h) A non-domiciled commercial driver's license expires

15                               (1) for an applicant under (a)(2)(A)(i) of this section, on the earlier of

16                                       (A) the expiration date determined by the United States  
 17                   Department of Homeland Security that is stated on the form required for the  
 18                   applicant under (a)(2)(B) of this section; or

19                                       (B) one year from the date of issuance;

20                               (2) for an applicant under (a)(2)(A)(ii) of this section, one year from  
 21                   the date of issuance.

22                   (i) In addition to the requirements under (a) of this section, the holder of a  
 23                   non-domiciled commercial driver's license shall notify the department of any adverse  
 24                   action taken by a foreign or domestic jurisdiction or governmental agency against the  
 25                   person's driving privileges as required by federal law.

26 \* **Sec. 6.** AS 28.90.990(a) is amended by adding new paragraphs to read:

27                               (33) "commercial driver's license" includes a non-domiciled  
 28                   commercial driver's license;

29                               (34) "commercial instruction permit" includes a non-domiciled  
 30                   commercial instruction permit.

31 \* **Sec. 7.** AS 28.33.190(9) is repealed.

1 \* **Sec. 8.** This Act takes effect immediately under AS 01.10.070(c).