

ALASKA STATE LEGISLATURE
SENATE STATE AFFAIRS STANDING COMMITTEE

February 22, 2024

3:31 p.m.

MEMBERS PRESENT

Senator Scott Kawasaki, Chair
Senator Jesse Bjorkman
Senator Bill Wielechowski
Senator Kelly Merrick

MEMBERS ABSENT

Senator Matt Claman, Vice Chair

COMMITTEE CALENDAR

SENATE BILL NO. 18

"An Act relating to electronic identification cards; relating to electronic drivers' licenses and permits; relating to motor vehicle liability insurance; and providing for an effective date."

- HEARD & HELD

SENATE BILL NO. 208

"An Act relating to the registration and titling of vehicles; relating to electronic registration and titling; relating to the powers of the commissioner of administration with respect to motor vehicles; relating to the transfer of vehicles; relating to motor vehicle liability insurance; relating to non-domiciled commercial driver's licenses and non-domiciled commercial learner's permits; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 18

SHORT TITLE: ALLOW ELECTRONIC DRIVERS' LICENSES AND ID

SPONSOR(s): SENATOR(S) KAWASAKI

01/18/23	(S)	PREFILE RELEASED 1/9/23
01/18/23	(S)	READ THE FIRST TIME - REFERRALS
01/18/23	(S)	STA, FIN

02/22/24 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)

BILL: SB 208

SHORT TITLE: VEHICLES:REGISTER;TRANSFER; INS.; LICENSE

SPONSOR(S): RULES BY REQUEST OF THE GOVERNOR

01/26/24 (S) READ THE FIRST TIME - REFERRALS

01/26/24 (S) STA, FIN

02/22/24 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)

WITNESS REGISTER

JOE HAYES, Staff
Senator Scott Kawasaki
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the sponsor statement and sectional analysis for SB 18.

RAMIN DUNFORD, Captain
Alaska State Troopers
Anchorage, Alaska

POSITION STATEMENT: Responded to questions on SB 18.

LESLIE ISSACS, Legislative Liaison
Department of Administration
Anchorage, Alaska

POSITION STATEMENT: Introduced himself.

JEFF SCHMITZ, Director
Department of Motor Vehicle (DMV)
Juneau, Alaska

POSITION STATEMENT: Presented SB 208 and the sectional analysis on behalf of the administration.

DAVID DUNLAP, Program Manager
Department of Motor Vehicles (DMV)
Juneau, Alaska

POSITION STATEMENT: Answered questions on SB 208.

ACTION NARRATIVE

3:31:48 PM

CHAIR SCOTT KAWASAKI called the Senate State Affairs Standing Committee meeting to order at 3:31 p.m. Present at the call to order were Senators Bjorkman, Merrick, and Chair Kawasaki. Senator Wielechowski joined thereafter.

SB 18-ALLOW ELECTRONIC DRIVERS' LICENSES AND ID

[3:33:03 PM](#)

CHAIR KAWASAKI announced the consideration of SENATE BILL NO. 18 "An Act relating to electronic identification cards; relating to electronic drivers' licenses and permits; relating to motor vehicle liability insurance; and providing for an effective date."

[3:33:15 PM](#)

SENATOR WIELECHOWSKI joined the meeting.

[3:33:19 PM](#)

JOE HAYES, Staff, Senator Scott Kawasaki, Alaska State Legislature, Juneau, Alaska, presented the sponsor statement for SB 18:

[Original punctuation provided.]

Senate Bill 18

Sponsor Statement

"An Act relating to electronic identification cards; relating to electronic drivers' licenses and permits; relating to motor vehicle liability insurance; and providing for an effective date."

Smartphones and other smart mobile electronic devices have become an indispensable part of modern life. These devices provide convenient communication, information and entertainment such that there is almost no aspect of life that smartphones have not made easier.

SB 18 seeks to leverage these modern communications technologies to enhance convenience for Alaskans and allow them to use electronic versions of their drivers licenses, drivers permits or state identification cards. Alaskans are currently required to carry physical drivers licenses and permits when driving or operating a vehicle. This bill will allow them to use applications like Apple Wallet for iPhones to show their credentials when requested by peace officers including local law enforcement or Department of Public Safety (DPS) personnel.

On top of increasing convenience, this bill protects the licensee and user of the smart device as well as local law enforcement and DPS. It protects the privacy of the licensee and smart device user by prohibiting representatives of DPS or local law enforcement from searching, viewing or accessing other contents of the mobile electronic device. It protects DPS and local law enforcement from liability resulting from damage to the electronic device, except for intentional misconduct.

Alaskans have been allowed to use their smartphones to display proof of insurance since 2013 and use their smartphones to display fishing and hunting licenses since 2018. Therefore, it is logical that Alaskans be allowed to use their smartphones to display electronic versions of their drivers licenses, drivers permits and state identification cards. I respectfully urge your support of SB 18.

[3:35:44 PM](#)

MR. HAYES presented the sectional analysis for SB 18:

[Original punctuation provided.]

Senate Bill 18
Sectional Analysis

"An Act relating to electronic identification cards; relating to electronic drivers' licenses and permits; relating to motor vehicle liability insurance; and providing for an effective date."

Section 1. AS 18.65.310(a) Adds the word physical specifying that the department shall issue a physical identification card upon the payment of a \$15 fee.

Section 2. AS 18.65.310 Adds new subsections:

(s) The department may issue an electronic identification card to those who possess a physical identification card, pay an additional \$50 fee, and retain a physical identification card.

(t) The department shall adopt regulations for issuing and use of electronic identification cards.

(u) Department of Public Safety (DPS) representatives and peace officers may not search, view, or access

other contents of the mobile electronic device without consent.

(v) DPS representatives and peace officers are not liable for damages of the mobile electronic device unless for intentional misconduct.

Section 3. AS 18.65.320(b)

Adds the word physical specifying that a person whose physical identification card has been cancelled must return that card within 10 days of receiving the cancellation notice or be subject to a \$100 fine.

Section 4. AS 18.65.330

Amends section by adding definition of electronic identification cards:

(2) "electronic identification cards" a data file specific to an individual that

(a) displays the current identification card

(b) is available on a mobile electronic device through an app that allows the individuals data file to be downloaded from the department.

Section 5. AS 28.05.051

Adds the word physical specifying that revoked physical licenses shall be immediately returned to the department upon receiving notice and allows the DOA commissioner, officers, or employees, as well as Judges and court employees to take possession of physical licenses.

Section 6. AS 28.15.011(b)

Adds the words physical or electronic specifying that drivers must possess a physical or electronic Alaskan drivers' license.

Section 7. AS 28.15

Adds new section: Sec. 28.15.126 Electronic licenses and permits.

(a) DOA may issue electronic drivers' licenses or permits to a person who possess a physical license or permit and drivers shall retain their physical license.

(b) The commissioner shall adopt regulations to issue electronic licenses or permits and they may adopt regulations to require physical licenses in certain circumstances.

(c) The department shall display a notice of seizure, revocation, cancellation or limitation across the front of the persons electronic drivers license.

Section 8. AS 28.15.131(a)

Adds the words physical or electronic specifying that drivers must have a physical or electronic license in immediate possession when driving and drivers must surrender their license when required by DPS representatives or peace officers.

Section 9. AS 28.15.131

Adds new subsections:

(c) DPS representatives or peace officers cannot search, view or access other contents of the mobile electronic device without consent.

(d) DPS representatives or peace officers are not liable for damages of the mobile electronic device unless for intentional misconduct.

Section 10. AS 28.15.151(a)

(5) the department shall maintain files of every application for an electronic driver's license or permits and the permits and licenses issued by the department.

Section 11. AS 28.15.165(b)

Adds the word physical specifying the seizure of a person's physical drivers' license.

Section 12. AS 28.15.166(a)

Adds the word physical specifying that a person may request administrative review for the seizure of their physical driver's license in AS 28.15.165 and if the license has not been surrendered to the department, it shall be at the time of the request.

Section 13. AS 28.15.182(d)

Adds the word physical specifying that the court shall require the surrender of the physical driver's license when imposing limitations in (c) of this section.

Section 14. AS 28.15.183(b)

Adds the word physical specifying that the peace office shall seize a person's physical driver's license after reading the notice in (a) of this section.

Section 15. AS 28.15.184(a)

Adds the word physical specifying a person my request administrative review for the seizure of their physical driver's license in AS 28.15.183(a) and if the license has not been surrendered to the department, it shall be at the time of the request.

Section 16. AS 28.15.187(b)

Adds the word physical specifying that a peace officer shall seize the persons physical driver's license after reading them the notice in (a) of this section.

Section 17. AS 28.15.189(a)

Adds the word physical specifying a person requesting administrative review for notice received under AS 28.15.187 and if the license has not been surrendered to the department, it shall be at the time of the request

Section 18. AS 28.15.191(c)

Adds the word physical specifying a physical license shall be surrendered if the court suspends, revokes, or limits a license.

Section 19. AS 28.15.191(g)

Adds the words physical specifying that a physical license shall be surrendered as a condition of parole or probation.

Section 20. AS 28.15.191(h)

Adds the word physical specifying that the board of parole shall require the surrender of the persons physical license.

Section 21. AS 28.15.201(b)

Adds the word physical specifying that a physical driver's license shall be surrendered when a court imposes limitations under (a) of this section.

Section 22. AS 28.15.271(a)

Increases the licensing fees and adds fee for electronic drivers' licenses or permits

- 1) Noncommercial licenses from [\$20] to \$31
- 2) Commercial licenses from [\$100] to \$155
- 3) Instruction permits from [\$15] to \$23

- 4) Duplicate drivers' license or permit from [\$15] to \$23
- 5) Temporary license or renewal of permit from [\$5] to \$8
- 6) School bus driver endorsement renewal from [\$5] to \$8
- 7) Electronic drivers license or permit \$50

Section 23. AS 28.20.560

Adds the word physical specifying that if a person whose license or registration is revoked under this chapter, they shall immediately return their physical license or registration to the department.

Section 24. AS 28.22.019(d)

Amends section by requiring DPS representative or peace officer who is presented with proof of motor vehicle liability insurance on a mobile electronic device to promptly return the device once they verify the person possesses liability insurance.

Section 25. AS 28.22 019

Adds new subsection:

(f) A DPS representative or peace officer is immune from liability if the mobile electronic device being used to determine the persons motor vehicle liability insurance status is damaged.

Section 26. AS 28.22.041(d)

Adds the word physical specifying that when imposing limitations under this section the department shall require the surrender of the driver's physical license.

Section 27. AS 28.33.100

Adds a new subsection

(g) the department may issue electronic commercial drivers licenses.

Section 28. AS 28.33.140(i)

Adds the words physical specifying that if the court disqualifies a person from driving a commercial motor vehicle the person shall surrender their physical license.

Section 29. AS 28.35.034

Adds the word physical specifying that a person must surrender their physical license or permit if it has been revoked under AS 28.15.165 or AS 28.15.181.

Section 30. AS 28.90.990(a)

Adds a new paragraph:

(33) defines electronic driver's license or permit as a data file that is specific to an individual that
(A) displays the current drivers license and
(B) is available on a mobile electronic device thorough an app that allows the individuals data file to be downloaded from the department.

Section 31. AS 33.16.150(i)

Adds the words physical specifying that in addition to other conditions of parole imposed under this section the board shall require the surrender of the physical driver's license or identification card and forward them to the department.

Section 32.

Provides the Department of Administration the ability to adopt regulations necessary to implement this Act.

Section 33.

Provides an immediate effective date for Section 32 of this Act.

Section 34. Provides an effective date of January 1, 2025 for this Act except as provided for in Section 33.

[3:46:31 PM](#)

SENATOR BJORKMAN referenced Section 7 of the sectional analysis and wondered about the labeling mechanics and requirements for electronic licensing. He asked whether an electronic license could be displayed in a real time format or as a screen captured photo on the website.

[3:47:31 PM](#)

CHAIR KAWASAKI highlighted examples of electronic processes that were implemented by the state, including the ability to display valid fishing and hunting licenses online, which has a similar structure to the myAlaska portal. Other states are developing new systems and their own applications. He envisioned that the proposed electronic process would resemble the structure of Apple Wallet, which includes basic visual information. He also

noted that motor vehicle insurance can be displayed digitally. He invited Captain Dunford to offer further insights.

[3:49:27 PM](#)

RAMIN DUNFORD, Captain, Alaska State Troopers, Anchorage, Alaska, said insurance companies typically offer electronic copies of insurance documents, which can be presented to law enforcement.

[3:50:18 PM](#)

CHAIR KAWASAKI asked if there are concerns about falsified digital insurance documents.

[3:50:56 PM](#)

CAPTAIN DUNFORD replied that the existence of false documents is inevitable. However, he has not personally experienced instances of falsified insurance documents. If occurrences of falsification became prevalent, trooper training could address the issue. In his experience, verifying insurance is generally simple.

[3:52:08 PM](#)

CHAIR KAWASAKI opened public testimony on SB 18; finding none, he closed public testimony.

CHAIR KAWASAKI held SB 18 in committee.

SB 208-VEHICLES:REGISTER; TRANSFER; INS.; LICENSE

[3:53:02 PM](#)

CHAIR KAWASAKI announced the consideration of SENATE BILL NO. 208 "An Act relating to the registration and titling of vehicles; relating to electronic registration and titling; relating to the powers of the commissioner of administration with respect to motor vehicles; relating to the transfer of vehicles; relating to motor vehicle liability insurance; relating to non-domiciled commercial driver's licenses and non-domiciled commercial learner's permits; and providing for an effective date."

[3:54:01 PM](#)

LESLIE ISSACS, Legislative Liaison, Department of Administration, Anchorage, Alaska, introduced himself.

[3:54:28 PM](#)

JEFF SCHMITZ, Director, Department of Motor Vehicles (DMV), Juneau, Alaska, noted this is basically an omnibus bill before

you and there has not been an active omnibus bill in the past 25 years despite DMV's interest in changing certain provisions. He said SB 208 aims to modernize DMV's processes and systems, provide conveniences for Alaskans, remove governmental burdens, and allow access to electronic access to government services. These changes authorize DMV to implement electronic vehicle titling and registration, enter into data sharing agreements with law enforcement agencies or national driver data services, and issue non-domicile commercial driver's licenses and learner's permits. Other changes include the repeal of provisions concerning the long-shuttered Vehicle Inspection Program (I/M), cleanup of ambiguous or contradictory statutes, clarification on registration requirements, and adding new language that would require DMV to review crash reports and request proof of insurance from individuals who have not already provided, it as required by law. These changes seek to enhance organizational efficiency, ensure clear communications and practices within DMV, and bring operations in line with both state and national contexts.

[3:57:28 PM](#)

MR. SCHMITZ presented the sectional analysis:

[Original punctuation provided.]

**SB208: VEHICLES: REGISTER; TRANSFER; INS.; LICENSE
(Version A)**

Sectional Analysis

Section 1

This section adds a new subsection into Alaska Statute 28.05.011 that allows the Commissioner of Administration to adopt regulations for the electronic registration and titling process.

Section 2

This section adds a new subsection into Alaska Statute 28.05.021 which allows the Commissioner of Administration to enter into agreements with a law enforcement agency, a governmental agency or program or a data exchange service.

Section 3

This section amends Alaska Statute 28.05.045 by removing the requirement that a voter application must be made in a Department office.

Section 4

This section amends Alaska Statute 28.10.081(a) by adding explanatory language which orders the department to mail or deliver the certificate of registration to the owner of a vehicle in accordance with Title 28. This section also amends Alaska Statute 28.10.081(b) by removing the requirement that the certificate of registration be carried in the vehicle and adding the requirement that the driver shall carry a certificate of registration in the vehicle. This section also removes language from Alaska Statute 28.10.081(b) that requires the driver of a vehicle to carry the original certificate of registration or photocopy.

Section 5

This section adds a new subsection into Alaska Statute 28.10.081 that releases a peace officer from liability if presented with registration on a mobile electronic device, unless there are damages because of intentional misconduct.

Section 6

This section amends Alaska Statute 28.10.091 to add the words 'or defective' when referencing a certificate of registration or a registration plate. Additionally, this amendment adds the term 'if applicable' when referencing returning an original registration or registration plate.

Section 7

This section amends Alaska Statute 28.10.108(h) to add verbiage which allows the department to renew a timely registration and deliver the registration directly to the owner, mail to the mailing address in department records, or to deliver to the electronic mail address recorded in department records.

Section 8

This section amends Alaska Statute 28.10.181(e) by removing the requirement that should the Division request a listing of vehicles from the state, municipality, or charitable organization that the listing be in order of registration number assigned.

Section 9

This section repeals and reenacts Alaska Statute 28.10.201(c) to require all owners consent on the initial issuance to register a vehicle if the certificate of title lists the owners using the conjunctive 'and' whereas only one of the owners' consents is necessary to register the vehicle if the disjunctive 'or' is used.

Section 10

This section amends AS 28.10.231(c) to allow the Division to print all registered owners on a Vehicle Title.

Section 11

This section amends Alaska Statute 28.10.251(a) to add the words 'or defective' when referencing a certificate of title.

Section 12

This section amends Alaska Statute 28.10.271(a) by adding language which states the registration of the vehicle does not expire unless expiration is addressed in Alaska Statute 28.10.181.

Section 13

This section amends Alaska Statute 28.10.381(b) by adding language that all owners of the vehicle will be listed on the title.

Section 14

This section adds a new subsection into Alaska Statute 28.10.441 that allows the Commissioner of Administration to adopt regulations and if so, set fees for the electronic registration and titling process.

Section 15

This section amends Alaska Statute 28.15.031(c) by removing the requirement for a Commercial Driver License applicant to be domiciled in this State.

Section 16

This section adds a new subsection into Alaska Statute 28.22.031 which requires the department to review all crash reports and request proof of insurance from a vehicle owner only when that proof is not present in the report.

Section 17

This section amends Alaska Statute 28.33.100(a) by adding the authority for a non-domiciled commercial driver's license applicant to not have to surrender their license issued by a foreign jurisdiction. This section also removes the requirement for a commercial driver license applicant to be domiciled in this state.

Section 18

This section adds a new subsection into Alaska Statute 28.33 which provides the authority for the department to issue a non-domiciled commercial driver's license and non-domiciled commercial learner's permit to an applicant who is domiciled in a foreign jurisdiction or another state. This section also allows a commercial learners permit to be issued to a non-domiciled applicant for their duration of stay or for one year, whichever one is sooner.

Section 19

This section amends Alaska Statute 28.39.040(c) which removes the requirement for a certificate of registration to be signed.

Section 20

This section amends Alaska Statute 28.39.040(f) to allow a driver to display an electronic certificate of registration for a snowmobile on a mobile device. This section also directs that a peace officer is not able to access other contents of the mobile device and releases a peace officer from liability if presented with registration on a mobile electronic device unless there are damages because of intentional misconduct.

Section 21

This section amends Alaska Statute 28.39.050(a) to put the responsibility of the change of ownership for a snowmobile on only the buyer, removing the responsibility from the seller. This amendment requires the buyer to apply for registration to the department and if requirements are met, the department shall process.

Section 22

This section amends Alaska Statute 28.90.990(a) by adding definitions for 'commercial driver license' and 'commercial learner's permit' to both include non-domiciled credentials.

Section 23

This section repeals Alaska Statute 28.10.271(d) which covered the emissions inspection and maintenance certificate. This section also repeals Alaska Statute 28.33.190(9) which is the definition of 'domicile'.

Section 24

This section provides an immediate effective date per AS 01.10.070(c).

[4:05:53 PM](#)

CHAIR KAWASAKI asked if the data exchange services under section 2 are managed through commercial or governmental avenues.

[4:06:25 PM](#)

MR. SCHMITZ explained that by implementing data exchange services, Alaskans could conveniently apply for a new social security card online. He stated that while other states utilize the Driver's License Data Verification Service (DLDV) through the American Association of Motor Vehicle Administrators (AAMVA) to facilitate this process, the state currently lacks the ability to verify information online. Alaskans are required to visit physical offices or send submissions via mail, which inconveniences residents. SB 208 aims to streamline services, enabling Alaskans to fulfill requests through DLDV services.

[4:07:38 PM](#)

CHAIR KAWASAKI asked which department, or organization manages DLVD services and where the data originates.

[4:08:05 PM](#)

MR. SCHMITZ replied that DLDV services are provided by AAMVA, which is a non-profit organization that serves state agencies and counterparts across the country. He said AAMVA serves as an intermediary to filter data and provide only "yes" or "no" answers.

[4:09:24 PM](#)

SENATOR BJORKMAN inquired about the rationale to repeal the definition of "domicile" under AS 28.33.190(9).

[4:09:41 PM](#)

MR. SCHMITZ replied that including the definition of domicile is an important provision that would enable non-domiciled residents, such as Ukrainian refugees temporarily staying in the state, to obtain a commercial driver's license (CDL) in Alaska. Under the existing statute, these individuals are unable to pursue a CDL. SB 208 would remove the current barrier and grant non-domiciled individuals access to job opportunities.

[4:11:10 PM](#)

SENATOR BJORKMAN stated that he understands the desire to provide refugees with job opportunities, but expressed uncertainty about the need to repeal the definition.

[4:11:52 PM](#)

MR. SCHMITZ responded that several people contributed to the development of SB 208. He offered to provide additional information to the committee.

[4:12:45 PM](#)

SENATOR BJORKMAN wondered whether DMV offers vehicle tag forwarding services for individuals temporarily residing in other parts of the state.

[4:13:19 PM](#)

MR. SCHMITZ asked for clarification to ensure he understood the question.

[4:13:38 PM](#)

SENATOR BJORKMAN clarified that he wondered why DMV does not have a mail forwarding process.

[4:13:54 PM](#)

MR. SCHMITZ invited David Dunlap, DMV Program Manager, to respond.

[4:14:10 PM](#)

DAVID DUNLAP, Program Manager, Department of Motor Vehicles (DMV), Juneau, Alaska, stated that DMV currently maintains both a mailing and physical address for residents. When renewing registration, residents have the option to update their mailing addresses through the DMV website. Alternatively, they can request forwarding by contacting DMV directly over the phone.

[4:15:16 PM](#)

SENATOR BJORKMAN asserted that DMV currently lacks the ability to forward mail and questioned why this limitation exists. He

asked why DMV chose to not forward mail, despite the availability of this service at the post office.

[4:15:43 PM](#)

MR. DUNLAP replied that he was unaware of that issue and said he would investigate it further.

[4:16:24 PM](#)

MR. SCHMITZ conveyed that SB 208 aims to provide clearer guidelines for issuing registrations and titles. He stated that existing statutes suggest that a certificate or title must be a physical document, which posed challenges for troopers last year. The goal is to streamline registration and titling processes. Part of the bill seeks to eliminate barriers that hinder DMV's ability to offer electronic services.

[4:18:00 PM](#)

CHAIR KAWASAKI opened public testimony on SB 208; finding none, he closed public testimony.

[4:18:36 PM](#)

CHAIR KAWASAKI held SB 208 in committee.

[4:19:41 PM](#)

There being no further business to come before the committee, Chair Kawasaki adjourned the Senate State Affairs meeting at 4:19 p.m.