

Introduced: 2/25/63
Referred: Judiciary

1 IN THE HOUSE

BY MR. TAYLOR

2

HOUSE BILL NO. 107

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRD LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to powers to limit, suspend,

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and revoke a motor vehicle operator's

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license; and providing for an effective date."

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

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* Section 1. AS 22.15.100 is amended by adding a new paragraph

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to read:

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(8) to revoke a motor vehicle operator's license under

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AS 28.15.210 or to suspend for not more than one year, limit

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the use of, or revoke the license of a motor vehicle operator

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for any of the violations under AS 28.15.220.

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* Sec. 2. AS 28.15.190 is amended by adding a new subsection

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to read:

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(d) The district magistrate court shall forward a sur-

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rendered operator's license to the department when it suspends

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or revokes the license and a report of its action when the

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operator's license has been limited.

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* Sec. 3. AS 28.15.200 is amended to read:

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Sec. 28.15.200. SUSPENDING LICENSE UPON CONVICTION IN

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ANOTHER JURISDICTION. The department may start proceedings

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in the district magistrate court to suspend, limit, or revoke

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the license of a resident of this state or the privilege of a

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nonresident to drive a motor vehicle in this state upon re-

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ceiving notice of the conviction of the person in another

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state, territory, or country of an offense which, if committed

1 in this state, would be grounds for the suspension or revoca-
2 tion of the license of the operator. Upon receiving a record
3 of the conviction in this state of a nonresident driver of a
4 motor vehicle of an offense under the motor vehicle laws of
5 this state, the department may forward a certified copy of
6 the record to the motor vehicle administrator or other ap-
7 propriate officer in the state where the person convicted is
8 a resident.

9 * Sec. 4. AS 28.15.220 is repealed and re-enacted to read:

10 Sec. 28.15.220. AUTHORITY OF THE DISTRICT MAGISTRATE
11 COURT TO SUSPEND, LIMIT OR REVOKE LICENSES AND THE DEPARTMENT
12 TO START PROCEEDINGS. (a) The district magistrate court
13 shall revoke a motor vehicle operator's license if the li-
14 censee committed an offense for which mandatory revocation of
15 license is required under sec. 210 of this chapter.

16 (b) The district magistrate court may suspend, limit
17 the use of, or revoke a motor vehicle operator's license if
18 the licensee

19 (1) was involved as a driver in any accident result-
20 ing in the death or personal injury of another or serious
21 property damage;

22 (2) was convicted with such frequency of serious
23 offenses against traffic regulations governing the movement
24 of vehicles as to indicate a disregard for traffic laws and a
25 disregard for the safety of other persons on the highways;

26 (3) is a habitually reckless or negligent driver
27 of a motor vehicle;

28 (4) is incompetent to drive a motor vehicle;

29 (5) permitted an unlawful or fraudulent use of his

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license;

(6) committed an offense in another state which if committed in this state would be grounds for suspension or revocation.

(c) The department may start a proceeding in district magistrate court to suspend, limit the use of, or revoke the license of a motor vehicle operator upon a showing of its records or other sufficient evidence that there is probable cause to believe that a license should be revoked, limited, or suspended by the district magistrate under this section.

* Sec. 5. AS 28.15.270 is amended to read:

Sec. 28.15.270. SURRENDER AND RETURN OF LICENSE. When the department suspends or revokes a license, it shall require the licensee to surrender the license to the department. The department shall keep the license. It shall also keep licenses forwarded to it by courts which have suspended or revoked them. At the end of the period of suspension the department shall return the license to the licensee.

* Sec. 6. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.