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1 IN THE HOUSE

2 HOUSE BILL NO. 613

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to commercial driver training  
7 schools."

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

9 \* Section 1. AS 28 is amended by adding a new chapter to read:

10 CHAPTER 17. COMMERCIAL DRIVER TRAINING SCHOOLS.

11 Sec. 28.17.010. DUTY OF COMMISSIONER OF PUBLIC SAFETY TO ADOPT  
12 REGULATIONS AND TO ENFORCE CHAPTER. (a) The commissioner of public  
13 safety shall adopt and prescribe those regulations concerning the  
14 administration and enforcement of this chapter which are necessary to  
15 carry out the intent of this chapter and to protect the public. The  
16 commissioner shall inspect the school facilities and equipment of  
17 applicants and licensees and examine applicants for instructor's  
18 licenses.

19 (b) The commissioner shall administer and enforce the provisions  
20 of this chapter and the regulations promulgated under it and may call  
21 upon the commissioner of education for assistance in developing and  
22 formulating regulations.

23 Sec. 28.17.020. LICENSES FOR DRIVER TRAINING SCHOOLS. (a) No  
24 commercial driver training school may be established nor any existing  
25 school continued on or after January 1, 1969, unless the school  
26 applies for and obtains from the commissioner a license in the manner  
27 and form prescribed by the commissioner.

28 (b) The regulations shall state the requirements for a school  
29 license, including requirements concerning location, equipment,

1 courses of instruction, instructors, previous records of the school  
2 and instructors, financial statements, schedule of fees and charges,  
3 character and reputation of the operators and instructors, insurance  
4 in an amount and with provisions the commissioner considers necessary  
5 to protect the interests of the public, and any other matters the  
6 commissioner may prescribe for the protection of the public.

7 Sec. 28.17.030. LICENSES FOR INSTRUCTORS. (a) No person may  
8 act as an instructor on or after January 1, 1969, unless he applies  
9 for and obtains from the commissioner a license in the manner and  
10 form prescribed by the commissioner.

11 (b) The regulations shall state the requirements for an instruc-  
12 tor's license, including requirements concerning moral character,  
13 physical condition, knowledge of the courses of instruction, motor  
14 vehicle laws and safety principles and practices, previous personal  
15 and employment records, and other matters the commissioner may  
16 prescribe for the protection of the public.

17 Sec. 28.17.040. LICENSE FEES. All licenses shall expire on  
18 the last day of the calendar year and may be renewed upon application  
19 to the commissioner as prescribed by regulation. Each application for  
20 an original or renewal school license shall be accompanied by a fee of  
21 \$25, and each application for an original or renewal instructor's  
22 license shall be accompanied by a fee of \$5. All fees collected  
23 shall be deposited in the general fund of the state. No license fees  
24 may be refunded in the event any license is rejected, suspended, or  
25 revoked.

26 Sec. 28.17.050. SUSPENSION OR REVOCATION OF LICENSE. The commis-  
27 sioner may refuse to issue, or may suspend or revoke a license in any  
28 case where he finds the applicant or licensee has violated a provision  
29 of this chapter or a regulation adopted under it. A suspended or

1           revoked license shall be returned to the director by the licensee.

2           Sec. 28.17.060. EXEMPTIONS. The provisions of this chapter do  
3 not apply to a person giving driver training lessons without charge,  
4 to employers maintaining driver training schools without charge for  
5 their employees only, nor to schools or classes conducted by  
6 colleges, universities and high schools for regularly enrolled full-  
7 time students as a part of a normal program for the institutions.

8           Sec. 28.17.070. PENALTIES. A person who violates a provision  
9 of this chapter is guilty of a misdemeanor, and upon conviction is  
10 punishable by a fine of not more than \$100, or by imprisonment for  
11 not more than 30 days, or by both.

12           Sec. 28.17.080. DEFINITIONS. In this chapter, unless the context  
13 otherwise requires,

14           (1) "commercial driver training school" or "school" means a  
15 business enterprise conducted by an individual, association, partner-  
16 ship, or corporation, for the education and training of persons,  
17 either practically or theoretically, or both, to operate or drive  
18 motor vehicles, and charging a consideration or tuition for its  
19 services;

20           (2) "commissioner" means the commissioner of public safety;

21           (3) "instructor" means a person, whether acting for him-  
22 self as operator of a commercial driver training school or for a  
23 school for compensation, who teaches, conducts classes of, gives  
24 demonstrations to, or supervises practice of, persons learning to  
25 operate or drive motor vehicles.  
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