

Introduced: 1/29/69
Referred: State Affairs
and Judiciary

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1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 66

3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Driver License Compact; and
7 providing for an effective date."

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

9 * Section 1. AS 28.15 is amended by adding new sections to read:

10 ARTICLE 6. DRIVER LICENSE COMPACT

11 Sec. 28.15.370. ENTRY INTO COMPACT. The Driver License Compact
12 is enacted into law and entered into in behalf of the State of Alaska
13 with all other states and jurisdictions legally joining in it in a
14 form substantially as contained in sec. 380 of this chapter.

15 Sec. 28.15.380. TERMS AND PROVISIONS OF COMPACT. The terms
16 and provisions of the compact referred to in sec. 370 of this chapter
17 are as follows:

18 ARTICLE 1. FINDING AND DECLARATION OF POLICY

19 (a) The party states find that:

20 (1) The safety of their streets and highways is materially
21 affected by the degree of compliance with state laws and ordinances
22 relating to the operation of motor vehicles.

23 (2) Violation of such a law or ordinance is evidence that
24 the violator engages in conduct which is likely to endanger the safety
25 of person and property.

26 (3) The continuance in force of a license to drive is
27 predicated upon compliance with laws and ordinances relating to the
28 operation of motor vehicles, in whichever jurisdiction the vehicle
29 is operated.

1 (b) It is the policy of each of the party state to:

2 (1) Promote compliance with the laws, ordinances and
3 administrative rules and regulations relating to the operation of
4 motor vehicles by their operators who drive motor vehicles.

5 (2) Make the reciprocal recognition of licenses to drive
6 and eligibility therefore more just and equitable by considering the
7 overall compliance with motor vehicle laws, ordinances and adminis-
8 trative rules and regulations as a condition precedent to the con-
9 tinuance or issuance of any license by reason of which the licensee
10 is authorized or permitted to operate a motor vehicle in any of the
11 party states.

12 ARTICLE II. DEFINITIONS

13 As used in this compact:

14 (a) "State" means a state, territory or possession of the
15 United States, the District of Columbia, the Commonwealth of Puerto
16 Rico, Province of Canada, or a State of Mexico.

17 (b) "Home State" means the state which has issued and has the
18 power to suspend or revoke the use of the license or permit to
19 operate a motor vehicle.

20 (c) "Violation" means a conviction of any offense related to
21 the use or operation of a motor vehicle which is prohibited by state
22 law, municipal ordinance or administrative rule or regulation, or a
23 forfeiture of bail, bond or other with having committed any such
24 offense, and which conviction or forfeiture is required to be
25 reported to the licensing authority.

26 ARTICLE III. REPORTS OF VIOLATION

27 The licensing authority of a party state shall report each
28 violation occurring within its jurisdiction to the licensing authority
29 of the home state of the licensee. Such report shall clearly identify

1 the violator and shall describe the violation, and shall include any
2 special findings made in connection therewith.

3 ARTICLE IV. EFFECT OF VIOLATION

4 The licensing authority in the home state, for the purpose of
5 suspension, revocation or limitation of the license to operate a motor
6 vehicle, shall give the same effect to the conduct reported, pursuant
7 to Article III of this compact, in a violation as it would if such
8 conduct had occurred in the home state.

9 ARTICLE V. APPLICATIONS FOR NEW LICENSES

10 Upon application for a license to drive, the licensing authority
11 in a party state shall ascertain whether the applicant has ever held,
12 or is the holder of a license to drive issued by any other party
13 state. The licensing authority in the state where application is
14 made shall not issue a license to drive to the applicant if:

15 (1) The applicant has held such a license, but the same
16 has been suspended by reason, in whole or in part, of a violation
17 and if such suspension period has not terminated.

18 (2) The applicant has held such a license, but the same
19 has been revoked by reason, in whole or in part, of a violation and
20 if such revocation has not terminated, except that after the expira-
21 tion of one year from the date the license was revoked, such person
22 may make application for a new license if permitted by law. The
23 licensing authority may refuse to issue a license to any such
24 applicant if, after investigation, the licensing authority determines
25 that it will not be safe to grant to such person the privilege of
26 driving a motor vehicle on the public highways.

27 (3) The applicant is the holder of a license to drive
28 issued by another party state and currently in force unless the
29 applicant surrenders such license.

1 ARTICLE VI. APPLICABILITY OF OTHER LAWS

2 Except as expressly required by provisions of this compact,
3 nothing contained herein shall be construed to affect the right of
4 any party state to apply any of its other laws relating to licenses
5 to drive to any person or circumstance, nor to invalidate or prevent
6 any driver license agreement or other cooperative arrangement between
7 a party state and non-party state.

8 ARTICLE VII. COMPACT ADMINISTRATOR

9 The head of the licensing authority of each party state shall be
10 the administrator of this compact for his state. The administrators,
11 acting jointly, shall have the power to formulate all necessary and
12 proper procedures for the exchange of information under this compact.

13 ARTICLE VIII. ENTRY INTO FORCE AND WITHDRAWAL

14 (a) This compact shall enter into force and become effective
15 as to any state when it has enacted the same into law.

16 (b) Any party state may withdraw from this compact by enacting
17 a statute repealing the same, but no such withdrawal shall take effect
18 until six months after the executive head of the withdrawing state
19 has given notice of the withdrawal to the executive heads of all other
20 party states. No withdrawal shall affect the validity or applica-
21 bility by the licensing authorities of states remaining party to the
22 compact of any report of violation occurring prior to the withdrawal.

23 ARTICLE IX. CONSTRUCTION AND SEVERABILITY

24 (a) This compact shall be liberally construed so as to
25 effectuate the purposes thereof. The provisions of this compact shall
26 be severable and if any phrase, clause, sentence or provision of this
27 compact is declared to be contrary to the constitution of any party
28 state or of the United States or the applicability thereof to any
29 government, agency, person or circumstance is held invalid, the

1 validity of the remainder of this compact and the applicability
2 thereof to any government, agency, person or circumstance shall not
3 be affected thereby. If this compact shall be held contrary to the
4 constitution of any state party thereto, the compact shall remain in
5 full force and effect as to the remaining states and in full force
6 and effect as to the state effected as to all severable matters.

7 (b) As used in the compact, the term "licensing authority"
8 with reference to this state, shall mean the Department of Public
9 Safety. Said department shall furnish to the appropriate authorities
10 of any other party state any information or documents reasonably
11 necessary to facilitate the administration of Articles III, IV, and V
12 of the compact.

13 (c) As used in the compact, with reference to this state, the
14 term "executive head" shall mean the governor.

15 (d) Any court or other agency of this state, or a subdivision
16 thereof, which has jurisdiction to take any action suspending,
17 revoking or otherwise limiting a license to drive, shall report any
18 such action and the adjudication upon which it is based to the
19 Department of Public Safety within five days of such action or forms
20 furnished by the Department of Public Safety.

21 * Sec. 2. This Act takes effect January 1, 1970.