

1 IN THE HOUSE

BY RANDOLPH AND WARWICK

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2 HOUSE BILL NO. 9

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a point system for motor vehicle
7 violations."

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 Sec. 28.15.282. POINT SYSTEM. (a) In addition to, and not in
11 substitution for, other provisions of this title, the commissioner of
12 public safety shall administer a point system for the suspension or
13 revocation of motor vehicle operators' licenses issued under this
14 chapter. Points shall be charged against a licensee after conviction,
15 upon plea or as a result of a trial, for violation of the motor vehicle
16 laws of this state, and for the purposes of this section, a forfeiture
17 of collateral is considered a conviction. Point values shall be
18 assessed as follows:

- 19 (1) a moving violation not listed in this subsection and
20 not contributing to an accident..... 1 point
- 21 (2) negligent driving..... 2 points
- 22 (3) reckless driving..... 3 points
- 23 (4) violations contributing to an accident.... 3 points
- 24 (5) speeding
 - 25 (A) three to nine miles an hour over the
26 posted speed limit..... 2 points
 - 27 (B) 10 to 19 miles an hour over the posted
28 speed limit..... 3 points
 - 29 (C) 20 miles or more an hour over the posted

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- 1 speed limit..... 4 points
- 2 (6) permitting unlicensed operator to operate
- 3 a motor vehicle..... 4 points
- 4 (7) leaving after collision
- 5 (A) no personal injury..... 8 points
- 6 (B) with personal injury.....12 points
- 7 (8) operating after suspension or revocation...12 points
- 8 (9) obtaining or attempting to obtain a permit
- 9 by misrepresentation.....12 points
- 10 (10) lending or altering a permit.....12 points
- 11 (11) conviction of a homicide or assault
- 12 committed by means of an automobile.....12 points
- 13 (12) eluding or attempting to elude a police
- 14 officer.....12 points
- 15 (13) driving under the influence of intoxicating
- 16 liquor or dangerous or narcotic drugs.....12 points
- 17 (14) offenses listed in sec. 210(a) of this
- 18 chapter.....12 points.

19 (b) The commissioner of public safety, or his designee, shall
 20 send a warning letter to each licensee charged with five points; for
 21 eight points, the license shall be suspended; and for 12 points, the
 22 license shall be revoked. The duration of the initial suspension is
 23 30 days and the duration of a subsequent suspension is 90 days. The
 24 duration of the period of revocation is the same as in sec. 260 of
 25 this chapter.

26 (c) When multiple convictions arise as a result of offenses
 27 alleged to have been committed at the same time or arising out of cir-
 28 cumstances simultaneous in time and place, a person shall receive
 29 points only on the conviction for the charge which has the highest

1 point assessment under (a) of this section. Points may not be assessed
2 for the remainder of the multiple convictions.

3 (d) If the suspension or revocation of a license under (b) of
4 this section would adversely affect the licensee's ability to earn a
5 livelihood, the commissioner, or his designee, is authorized to modify
6 the suspension or revocation to require 15 points for suspension and
7 18 points for revocation.

8 (e) No points assessed under (a) of this section may be retained
9 for more than two years after their assessment.

10 (f) When the assessment of points for an offense under (a) of
11 this section requires suspension or revocation of a license, but a
12 court, under sec. 220, has imposed a greater or lesser restriction,
13 the decision of the court shall take precedence over this section.

14 Sec. 28.15.284. POINT SYSTEM REGULATIONS. The commissioner of
15 public safety shall promulgate the regulations he considers necessary
16 for the administration of sec. 282 of this chapter.

17 Sec. 28.15.286. APPEAL. A person whose license is suspended or
18 revoked under secs. 282 - 284 of this chapter may appeal in accordance
19 with the provisions of the Administrative Procedure Act (AS 44.62).
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