

Introduction: 1/30/73
Referred: Commerce and
Judiciary

1 IN THE HOUSE

BY URION AND J. MILLER

2 *CS* HOUSE BILL NO. 154 *Am*
3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the revocation of motor vehicle
7 operator's license."

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

9 * Section 1. AS 28.15.210 is amended to read:

10 Sec. 28.15.210. MANDATORY REVOCATION OF LICENSE. (a) The
11 following offenses are grounds for the immediate revocation of an
12 operator's license:

13 (1) manslaughter or negligent homicide resulting from the
14 operation of a motor vehicle;

15 (2) a felony in the commission of which a motor vehicle is
16 used;

17 (3) failure to stop and give aid as required under the laws
18 of this state when a motor vehicle accident results in the death or
19 personal injury of another;

20 (4) perjury or the making of a false affidavit or statement
21 under oath to the department under a law relating to the ownership or
22 operation of a motor vehicle;

23 (5) operating or driving an automobile, motorcycle or
24 other motor vehicle while under the influence of intoxicating liquor
25 or narcotic drugs.

26 (b) A court convicting a person of any of the offenses listed in
27 (a)(1) - (4) [(a)] of this section shall revoke the license unless the
28 court determines that

29 (1) the person's ability to earn a livelihood would be

1 severely impaired, and

2 (2) a limitation can be placed on the license which will
3 enable the person to earn a livelihood without excessive risk of
4 danger to the public.

5 (c) A court convicting a person of the offense specified in
6 (a)(5) of this section shall revoke the license for a period of not
7 less than one year.

8 * Sec. 2. AS 28.15.220(a) is amended to read:

9 (a) A court may as a part of the sentence revoke, suspend, or
10 impose a limitation upon a license upon conviction of [(1) DRIVING
11 A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR
12 A NARCOTIC DRUG TO A DEGREE WHICH MAKES HIM INCAPABLE OF SAFELY DRIVING
13 A MOTOR VEHICLE; (2)] reckless driving.

14 * Sec. 3. AS 28.15.260(a) is amended to read:

15 (a) The court may not limit or suspend an operator's license or
16 privilege to drive a motor vehicle on the public highways for a longer
17 period than one year, except that, for the offense specified in
18 sec. 210(a)(5) of this chapter, the period may be longer than one
19 year and for the offense [OFFENSES] listed under sec. 220(a)(2)
20 [SEC. 220(a)(1) and (2)] of this chapter, limitation or suspension
21 shall be as follows:

- 22 (1) 30 days for the first conviction;
23 (2) one year for the second conviction;
24 (3) three years for a third or subsequent conviction.

25 * Sec. 4. AS 28.35.030 is amended to read:

26 Sec. 28.35.030. DRIVING WHILE UNDER THE INFLUENCE OF INTOXICATING
27 LIQUOR OR DRUGS. A person who, while under the influence of intoxi-
28 cating liquor or narcotic drugs, operates or drives an automobile,
29 motorcycle or other motor vehicle in the state, upon conviction, is

1 punishable by a fine of not more than \$1,000, or by imprisonment for
2 not more than one year, or by both. In addition, his operator's
3 license shall [MAY] be revoked [LIMITED OR SUSPENDED] in accordance
4 with AS 28.15.210(c) [AS 28.15.260(a)].
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