

Original sponsor: Stimson

Offered: 4/7/82  
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 HOUSE CS FOR CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 69 (Judiciary) am H

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the operation of motor vehicles and  
7 to the Motor Vehicle Safety Responsibility Act (AS 28.-  
8 20)."

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

10 \* Section 1. AS 28.15.231 is amended by adding a new subsection to read:

11 (f) Upon conviction of a violation of a traffic law that results  
12 in a driver accumulating six or more points from offenses committed  
13 during any consecutive 12-month period or nine or more points from  
14 offenses committed during any 24-month period, on request of the depart-  
15 ment the court may, in addition to any other penalty authorized by law,  
16 require the driver to successfully complete a driver improvement course  
17 approved by the department within a period of time prescribed by the  
18 court. The department may suspend, revoke, or deny the driver's license  
19 of a person who fails to successfully complete the driver improvement  
20 course required by the court under this section within the prescribed  
21 time period.

22 \* Sec. 2. AS 28.15 is amended by adding a new section to read:

23 Sec. 28.15.255. PROOF OF FINANCIAL RESPONSIBILITY REQUIRED. (a)  
24 The department may not reinstate a driver's license that has been revoked  
25 or suspended under AS 28.15.221 - 28.15.261 until the person whose  
26 license has been revoked or suspended provides proof of financial respon-  
27 sibility for the future.

28 (b) If a driver accumulates six or more points during a 12-month  
29 period, the department may require the driver to provide proof of finan-

1 cial responsibility for the future as a condition of retaining his  
2 driver's license, and may suspend the driver's license until proof of  
3 financial responsibility is provided.

4 (c) As used in this section, the term "proof of financial respon-  
5 sibility for the future" has the meaning set out in AS 28.20.230(b) and  
6 may be established as provided in AS 28.20.

7 \* Sec. 3. AS 28.20.050 is amended by adding a new subsection to read:

8 (e) A peace officer investigating an accident that results in  
9 bodily injury to or the death of a person or damage to the property of a  
10 person exceeding \$500 shall inform persons involved in the accident in  
11 writing of the requirements of this chapter as they apply to suspension  
12 of an operator's license or driving privileges.

13 \* Sec. 4. AS 28.20.120(b) is amended to read:

14 (b) If proof of financial responsibility is provided and to [TO]  
15 the extent provided by the written agreement filed with it, the depart-  
16 ment shall not require the deposit of security and shall terminate a  
17 previous order of suspension, or if security was deposited, the depart-  
18 ment shall immediately return the security to the depositor or his  
19 personal representative.

20 \* Sec. 5. AS 28.20.150(a) is amended to read:

21 (a) Unless a suspension is terminated under other provisions of  
22 this chapter, an order of suspension by the department remains in effect  
23 until terminated and no license may be renewed or issued to a person  
24 whose license is suspended until proof of financial responsibility for  
25 the future is provided and

26 (1) the person deposits or there is deposited on his behalf  
27 the security required under this chapter; or

28 (2) three years elapse [ONE YEAR ELAPSES] following the date  
29 of suspension [AND EVIDENCE SATISFACTORY TO THE DEPARTMENT IS FILED WITH

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2 IT THAT DURING THE PERIOD NO ACTION FOR DAMAGES ARISING OUT OF THE  
3 ACCIDENT RESULTING IN THE SUSPENSION HAS BEEN INSTITUTED].

4 \* Sec. 6. AS 28.20.210(a) is amended to read:

5 (a) Upon the expiration of two years [ONE YEAR] from the date of  
6 deposit of security, the security remaining on deposit shall be returned  
7 to the person who made the deposit or his personal representative if an  
8 affidavit or other evidence satisfactory to the department is filed with  
9 it showing that

10 (1) no action for damages arising out of the accident for  
11 which deposit was made is pending against the person on whose behalf the  
12 deposit was made, and

13 (2) there does not exist any unpaid judgment against the  
14 person in an action.

15 \* Sec. 7. AS 28.20.240 is amended to read:

16 Sec. 28.20.240. PROOF REQUIRED WHEN USE OF LICENSE IS RESTRICTED  
17 [UPON CERTAIN CONVICTIONS]. Whenever under a law of this state the  
18 license of a person is suspended, [OR] revoked, limited under AS 28.15.-  
19 201, or canceled for any reason [CONVICTION OR FORFEITURE OF BAIL], the  
20 department may [SHALL] not issue to that person a new or renewal of  
21 license in his name until permitted to do so under the motor vehicle  
22 laws of this state. A period of suspension, revocation, limitation,  
23 or cancellation under this section continues until proof of financial  
24 responsibility for the future is provided [, AND NEED NOT DO SO THEN  
25 UNTIL THE PERSON GIVES PROOF OF FINANCIAL RESPONSIBILITY FOR THE FUTURE].

26 \* Sec. 8. AS 28.20 is amended by adding a new section to read:

27 Sec. 28.20.585. REINSTATEMENT FEE. If an operator's license is  
28 suspended under the provisions of this chapter, the department shall  
29 charge a person who applies for reinstatement of the operator's license  
a reinstatement fee of \$50.

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\* Sec. 9. AS 28.20.150(b) is repealed.