

Introduced: 3/31/83
Referred: State Affairs, Judiciary
and Finance

1 IN THE SENATE

BY V.FISCHER

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SENATE BILL NO. 226

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the training and licensing of
7 drivers; and providing for an effective date."

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

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* Section 1. AS 14.07.020(4) is amended to read:

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(4) prescribe by regulation a minimum course of study for

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the public schools that shall include a driver education program in

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each high school;

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* Sec. 2. AS 28.05 is amended by adding a new section to read:

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Sec. 28.05.032. DRIVER'S MANUAL. The department shall include

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in the driver's manual a substantial section explaining the dangers of

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drinking and driving and containing information about recognizing an

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intoxicated driver.

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* Sec. 3. AS 28.15.041(a) is amended to read:

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(a) In addition to the classifications required by AS 28.15.055,

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the [THE] commissioner shall provide by regulation for the

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classification of drivers' licenses. The regulations shall specify

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license classifications which are reasonably necessary for the safe

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operation of the various types, sizes and combinations of motor

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vehicles. The regulations shall also establish medical standards,

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standards of driving conduct and proficiency, and other standards

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governing the issuance, renewal, or denial of these licenses. The

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department may examine each applicant to determine the applicant's

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[HIS] qualifications according to the class of license applied for,

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and upon issuing a driver's license the department shall indicate on

1 the license the classification for which an applicant for a license
2 has qualified by examination. The regulations and any subsequent
3 modifications under this section become effective only if approved by
4 a concurrent resolution adopted by a majority vote of each house of
5 the legislature.

6 * Sec. 4. AS 28.15.051 is amended by adding a new subsection to read:

7 (f) A permittee under (a), (b) or (d) of this section, or a
8 licensee under (e) of this section may not drive between 12 midnight
9 and 5:00 a.m. on any day and between 9:00 p.m. and 12 midnight on
10 Friday and Saturday, except that a permittee under (d) of this section
11 may participate in organized motorcycle races after normal curfew
12 time.

13 * Sec. 5. AS 28.15 is amended by adding a new section to read:

14 Sec. 28.15.055. DRIVER'S LICENSES. (a) A person 16 years of
15 age, or a person 17 years of age who has not successfully completed a
16 high school course in driver's education may apply to the department
17 for a stage one provisional driver's license. A person holding a
18 stage one provisional driver's license has all the rights and
19 privileges of a person with an unrestricted and unlimited driver's
20 license except that the holder of the stage one provisional license
21 may not drive between the hours of 12 midnight and 5:00 a.m. unless

22 (1) accompanied by a parent, guardian or spouse who is 18
23 years of age or older and has held a valid driver's license for at
24 least one year; or

25 (2) traveling to or from work, or in the course of employ-
26 ment, and in possession of a signed affidavit from the employer.

27 (b) A person 17 years of age may apply to the department for a
28 stage two provisional driver's license if the person has

29 (1) successfully completed a high school course in driver's

1 education; and

2 (2) not been convicted of refusal to submit to a chemical
3 test of breath, driving while intoxicated or any other moving viola-
4 tion, or a violation of AS 28.15.051(f) or (a) of this section within
5 six months immediately preceding the date of application.

6 (c) A person 18 years of age or older may apply for an
7 unrestricted and unlimited driver's license and the department shall
8 issue the license to the person if the person is qualified.

9 (d) The requirements of this section are in addition to and not
10 in lieu of any other requirements of law for the licensing of drivers.

11 * Sec. 6. AS 28.15.081(a) is amended to read:

12 (a) The department shall examine every applicant for a
13 driver's license. The examination shall include (1) a test of the
14 applicant's eyesight, (2) a test of the applicant's [HIS] ability to
15 read and understand official traffic control devices, (3) the
16 applicant's [HIS] knowledge of safe driving practices, (4) the
17 applicant's knowledge of the effects of alcohol and drugs on drivers
18 and the dangers of driving under the influence of alcohol or drugs,
19 (5) the applicant's knowledge of the laws relating to driving while
20 intoxicated and the traffic laws and regulations of this state. The
21 examination [, AND] may include a demonstration of ability to exercise
22 ordinary and reasonable control in the driving of a motor vehicle of
23 the type and general class of vehicles for which the applicant seeks a
24 license. However, an applicant who has not been previously issued a
25 driver's license by this or another jurisdiction must demonstrate
26 [HIS] ability, and must present medical information that [WHICH] the
27 department reasonably requires to determine [HIS] fitness to safely
28 drive a motor vehicle of the type and general class of vehicles for
29 which the applicant [HE] seeks a license.

1 * Sec. 7. AS 28.15.111(a) is amended to read:

2 (a) Upon successful completion of the application and all
3 required examinations, and upon payment of the required fee, the
4 department shall issue to every qualified applicant a driver's license
5 indicating the stage of the license, if it is a provisional license,
6 and the type or general class of vehicles which the licensee may
7 drive. The license shall display

8 (1) a distinguishing number assigned to the license;

9 (2) the licensee's full name, address, date of birth, brief
10 physical description, and color photograph; and

11 (3) either a facsimile of the signature of the licensee or
12 a space upon which the licensee must write the licensee's [HIS] usual
13 signature with pen and ink. No license is valid until signed by the
14 licensee. If facilities are not available for the taking of the photo-
15 graph required under this section, the department shall endorse on the
16 license, the words "valid without photograph."

17 * Sec. 8. AS 28.15 is amended by adding a new section to read:

18 Sec. 28.15.213. REVOCATION OF PROVISIONAL LICENSES. (a) A
19 stage one provisional license shall be revoked if the holder of the
20 license is convicted of

21 (1) driving while intoxicated;

22 (2) any two other moving violations;

23 (3) refusal to submit to a chemical test of breath; or

24 (4) driving in violation of curfew restrictions.

25 (b) A stage two provisional license shall be revoked if the
26 holder of the license is convicted of

27 (1) driving while intoxicated or any other moving viola-
28 tion;

29 (2) refusal to submit to a chemical test of breath; or

1 (3) driving in violation of curfew restrictions.

2 (c) A person whose license is revoked under (a) of this section
3 may apply for and may be issued an instruction permit under AS 28.15.-
4 051 if the person is otherwise eligible for that permit. Unless
5 otherwise prohibited by law, the holder of the revoked stage one
6 provisional license may apply for a new stage one provisional license
7 three months after the issuance of the instruction permit.

8 (d) A person whose license is revoked under (b) of this section
9 may apply for and may be issued a stage one provisional license if the
10 person is otherwise eligible for that license. Unless otherwise
11 prohibited by law, the holder of the revoked stage two provisional
12 license may apply for a new stage two provisional license three months
13 after the issuance of the stage one provisional license.

14 (e) If the driver's license of a stage one or stage two
15 provisional licensee is revoked or suspended by the department or a
16 court under another provision of law for a conviction of an offense
17 that would be grounds for revocation of the license under this
18 section, the revocation requirement of this section is considered
19 satisfied.

20 * Sec. 9. A person under 18 years of age who was licensed to drive
21 before January 1, 1984 must obtain a stage one or stage two provisional
22 license, as appropriate, no later than April 1, 1984. A license issued to
23 a person under 18 years of age before January 1, 1984 expires on April 1,
24 1984 if not renewed before that date. A permittee issued a permit before
25 January 1, 1984 may apply for a stage one provisional license when
26 qualified.

27 * Sec. 10. This Act takes effect January 1, 1984.