

Introduced: 1/13/86
Referred: State Affairs
and Judiciary

1 IN THE SENATE

BY RAY

2 SENATE BILL NO. 323

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to suspension and revocation of a
7 minor's license to drive and the definition of driv-
8 er's license; and providing for an effective date."

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

10 * Section 1. AS 28.15 is amended by adding a new section to read:

11 Sec. 28.15.163. ADMINISTRATIVE SUSPENSION OF A MINOR'S LICENSE.

12 (a) In addition to any other authority in this chapter to cancel,
13 suspend or revoke a driver's license, the department shall suspend a
14 minor's license to drive upon receipt of a record of conviction or
15 adjudication of a violation of an offense listed in AS 28.15.185(a).

16 The department shall impose the suspension as follows:

17 (1) for a first conviction or adjudication, the suspension
18 shall be for one year or until the person reaches 17 years of age,
19 whichever is longer.

20 (2) for a second or subsequent conviction or adjudication,
21 the suspension shall be for one year or until the person reaches 18
22 years of age, whichever is longer.

23 (b) If the department receives notice from a court that it has
24 restored a minor's license to drive under AS 28.15.185(b), the depart-
25 ment shall immediately reinstate a driver's license that has been
26 suspended under this section.

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

28 Sec. 28.15.185. COURT REVOCATION OF A MINOR'S LICENSE TO DRIVE.

29 (a) A person who is at least 13 years of age, but not older than 17

1 years of age who is convicted, or adjudicated by a juvenile court, of
2 having committed one of the following offenses shall have the person's
3 driver's license revoked:

4 (1) misconduct involving a controlled substance (AS 11.71);

5 (2) possession or consumption of alcohol (AS 04.16.050).

6 (b) Upon conviction or adjudication of an offense listed in (a)
7 of this section the court may, upon petition of the person, review the
8 revocation and may restore the driver's license, except a court may
9 not restore the driver's license for a period of

10 (1) 90 days for the first conviction or adjudication;

11 (2) one year for second or subsequent convictions or adju-
12 dications.

13 * Sec. 3. AS 28.40.100(a)(5) is amended to read:

14 (5) "driver's license" or "license" when used in relation
15 to driver licensing, means a license, permit or privilege to obtain a
16 driver's license, whether or not a person holds a valid license issued
17 in this or another jurisdiction, to drive a motor vehicle under the
18 laws of this state;

19 * Sec. 4. AS 47.10.080(g) is amended to read:

20 (g) Except for purposes of driver's licensing under AS 28.15.-
21 163, an [NO] adjudication under this chapter upon the status of a
22 child may not operate to impose any of the civil disabilities ordi-
23 narily imposed by conviction upon a criminal charge, nor may a minor
24 afterward be considered a criminal by the adjudication, nor may the
25 adjudication be afterward deemed a conviction, nor may a minor be
26 charged with or convicted of a crime in a court, except as provided in
27 this chapter. The commitment and placement of a child and evidence
28 given in the court are not admissible as evidence against the minor in
29 a subsequent case or proceedings in any other court, nor does the

1 commitment and placement or evidence operate to disqualify a minor in
2 a future civil service examination or appointment in the state.

3 * Sec. 5. AS 47.10.090(a) is amended to read:

4 (a) The court shall make and keep records of all cases brought
5 before it. The court's official records may be inspected only with
6 the court's permission and only by persons having a legitimate inter-
7 est in them. All information and social records pertaining to a minor
8 and prepared by an employee of the court or by a federal, state or
9 city agency in the discharge of the employee's or agency's official
10 duty, are privileged and may not be disclosed directly or indirectly
11 to anyone without the court's permission. However, a state or city
12 law-enforcement agency shall disclose information regarding a case
13 which is needed by the person or agency charged with making a prelimi-
14 nary investigation for the information of the court. The court shall
15 forward a record of adjudication of a violation of an offense listed
16 in AS 28.15.185(a) to the Department of Public Safety. Within 30 days
17 of the date of a minor's 18th birthday or, if the court retains juris-
18 diction of a minor past the minor's 18th birthday, within 30 days of
19 the date on which the court relinquishes jurisdiction over the minor,
20 the court shall order sealed all the court's official records, infor-
21 mation and social records pertaining to that minor, as well as records
22 of all criminal proceedings against the minor and punishments assessed
23 against the minor except for traffic offenses. A person may not use
24 these sealed records for any purpose except that the court may order
25 their use for good cause shown or may order their use by an officer of
26 the court in making a presentencing report for the court.

27 * Sec. 6. This Act takes effect September 1, 1986.