

Original sponsor: Health, Education and  
Social Services Committee

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 361 (Judiciary)(efd add)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to revocation of a minor's license  
7 to drive, traffic offenses by minors, and the defini-  
8 tion of driver's license; and providing for an effec-  
9 tive date."

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

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

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

13 (a) A person who is at least 13 years of age but not older than 17  
14 years of age who is adjudicated by a juvenile court of misconduct  
15 involving a controlled substance under AS 11.71 or possession or  
16 consumption of alcohol under AS 04.16.050 is subject to revocation of  
17 the person's driver's license under (b) of this section.

18 (b) The court shall impose the revocation for an offense de-  
19 scribed in (a) of this section as follows:

20 (1) for a first conviction or adjudication, the revocation  
21 may be for a period not to exceed 90 days;

22 (2) for a second or subsequent conviction or adjudication,  
23 the revocation may be for a period not to exceed one year.

24 (c) Upon conviction or adjudication of an offense listed in (a)  
25 of this section the court may, upon petition of the person, review the  
26 revocation and may restore the driver's license, except a court may  
27 not restore the driver's license until

28 (1) at least one-half of the period of revocation imposed  
29 under this section has expired; and

1           (2) the person has taken and successfully completed a state  
2 approved program of drug rehabilitation if convicted of misconduct  
3 involving a controlled substance under AS 11.71, or alcohol reha-  
4 bilitation if convicted of possession or consumption of alcohol under  
5 AS 04.16.050; this paragraph does not apply to a person who resides in  
6 an area that does not offer a state approved drug or alcohol reha-  
7 bilitation program or a person that the court determines does not need  
8 alcohol or drug rehabilitation.

9           (d) Notwithstanding the provisions of AS 28.20.240 and 28.20.-  
10 250, upon conviction of an offense specified in (a) of this section,  
11 the department may not require proof of financial responsibility  
12 before restoring or issuing the person's driver's license.

13 \* Sec. 2. 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. 3. AS 47.10.010 is amended by adding a new subsection to read:

20           (d) The provisions of AS 47.10.020 - 47.10.085 do not apply to  
21 driver's license proceedings under AS 28.15.185. The court shall  
22 impose a driver's license revocation under AS 28.15.185 in the same  
23 manner as adult driver's license revocations, except that a parent or  
24 legal guardian shall be present at all proceedings.

25 \* Sec. 4. AS 47.10.090(a) is amended to read:

26           (a) The court shall make and keep records of all cases brought  
27 before it. The court's official records may be inspected only with  
28 the court's permission and only by persons having a legitimate inter-  
29 est in them. All information and social records pertaining to a minor

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

23 \* Sec. 5. This Act takes effect September 1, 1988.