

Original sponsors: Binkley, Fischer,
Kelly, et al.

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

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CS FOR SENATE BILL NO. 383 (State Affairs)

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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For an Act entitled: "An Act relating to revocation of a minor's license
to drive and the definition of driver's license; and
providing for an effective date."

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

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

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

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(a) A person who is at least 12 years of age but not older than 17
years of age who is adjudicated by a juvenile court of misconduct
involving a controlled substance under AS 11.71 or possession or
consumption of alcohol under AS 04.16.050 shall have the person's
driver's license revoked under (b) of this section.

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(b) The court shall impose the revocation required under (a) of
this section as follows:

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(1) for a first conviction or adjudication, the revocation
shall be for six months or until the person reaches 16 and one-half
years of age, whichever is longer;

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(2) for a second or subsequent conviction or adjudication,
the revocation shall be for one year or until the person reaches 17
years of age, whichever is longer.

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

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

1 (2) 180 days for second or subsequent convictions or adju-
2 dications.

3 (d) Notwithstanding the provisions of AS 28.20.240 and 28.20.-
4 250, upon conviction of an offense specified in (a) of this section,
5 the department may not require proof of financial responsibility
6 before restoring or issuing the person's driver's license.

7 * Sec. 2. AS 28.40.100(a)(5) is amended to read:

8 (5) "driver's license" or "license" when used in relation
9 to driver licensing, means a license, permit, or privilege to obtain a
10 driver's license, whether or not a person holds a valid license issued
11 in this or another jurisdiction, to drive a motor vehicle under the
12 laws of this state;

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

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

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

20 (a) The court shall make and keep records of all cases brought
21 before it. The court's official records may be inspected only with
22 the court's permission and only by persons having a legitimate inter-
23 est in them. All information and social records pertaining to a minor
24 and prepared by an employee of the court or by a federal, state or
25 city agency in the discharge of the employee's or agency's official
26 duty, are privileged and may not be disclosed directly or indirectly
27 to anyone without the court's permission, except for traffic offenses
28 and driver's license action taken under AS 28.15.185. Traffic of-
29 fenses and driver's license action under AS 28.15.185 may not be

1 disclosed without the court's permission, except as specified in
2 AS 28.15.151. However, a state or city law-enforcement agency shall
3 disclose information regarding a case which is needed by the person or
4 agency charged with making a preliminary investigation for the infor-
5 mation of the court. The court shall forward a record of adjudication
6 of a violation of an offense listed in AS 28.15.185(a) to the Depart-
7 ment of Public Safety. Within 30 days of the date of a minor's 18th
8 birthday or, if the court retains jurisdiction of a minor past the
9 minor's 18th birthday, within 30 days of the date on which the court
10 relinquishes jurisdiction over the minor, the court shall order sealed
11 all the court's official records, information and social records
12 pertaining to that minor, as well as records of all driver's license
13 proceedings under AS 28.15.185, criminal proceedings against the minor
14 and punishments assessed against the minor except for traffic of-
15 fenses. A person may not use these sealed records for any purpose
16 except that the court may order their use for good cause shown or may
17 order their use by an officer of the court in making a presentencing
18 report for the court.

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