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1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

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SENATE BILL NO. 137

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to commercial vehicle driver licens-
7 ing."

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

9 * Section 1. AS 28.15.021 is amended to read:

10 Sec. 28.15.021. PERSONS EXEMPT FROM DRIVER LICENSING. The
11 following persons are exempt from driver licensing under this chapter:

12 (1) an employee of the United States government while
13 operating a motor vehicle owned by or leased to the United States
14 government and being operated on official business, unless the employ-
15 ee is required by the United States government or an agency of that
16 government to have a state driver's license;

17 (2) a nonresident who is at least 16 years of age and who
18 has a valid driver's license issued by another jurisdiction; however,
19 an Alaska driver's license must be obtained by the end of a 90-day
20 period after entry into the state;

21 (3) a member of the armed forces of the United States who
22 has a valid driver's license issued by another jurisdiction if [WHEN]
23 the permanent residence of the member is maintained in that jurisdic-
24 tion;

25 (4) a person when driving an implement of husbandry, as
26 defined by regulation, which is only temporarily driven or moved on a
27 highway, unless that vehicle is a commercial motor vehicle.

28 * Sec. 2. AS 28.15.041(c) is amended to read:

29 (c) A person may not drive a commercial motor vehicle until the

1 person applies for and is issued a license for that purpose under (a)
2 of this section. The department may not issue a license under this
3 subsection unless the applicant is at least 19 years of age, has held
4 a valid driver's license at least one year, and has successfully
5 completed all required driving tests and written and physical examina-
6 tions. In this subsection, "commercial motor vehicle" has the meaning
7 given in AS 28.40.100 [AS 28.32.900].

8 * Sec. 3. AS 28.15.111(a) is amended to read:

9 (a) Upon successful completion of the application and all
10 required examinations, and upon payment of the required fee, the
11 department shall issue to every qualified applicant a driver's license
12 indicating the type or general class of vehicles which the licensee
13 may drive. The license shall display

14 (1) a distinguishing number assigned to the license;
15 (2) the licensee's full name, address, date of birth, brief
16 physical description, and color photograph; [AND]

17 (3) either a facsimile of the signature of the licensee or
18 a space upon which the licensee must write the licensee's usual signa-
19 ture with pen and ink. A license is not valid until signed by the
20 licensee. If facilities are not available for the taking of the
21 photograph required under this section, the department shall endorse
22 on the license, the words "valid without photograph; [.]" and

23 (4) if the license is to drive a commercial motor vehicle,
24 information determined by the United States Secretary of Transporta-
25 tion to be appropriate to identify the licensee, including the per-
26 son's social security number.

27 * Sec. 4. AS 28.40.100(a) is amended by adding a new paragraph to read:

28 (20) "commercial motor vehicle" means a motor vehicle or a
29 combination of a motor vehicle and other vehicles

1 (A) used in commerce to transport passengers or prop-
2 erty;
3 (B) used upon a land highway or vehicular way connect-
4 ed to
5 (i) the land-connected state highway system; or
6 (ii) a land highway or vehicular way with an
7 average daily traffic volume greater than 499; and
8 (C) which
9 (i) has a gross vehicle weight rating greater
10 than 26,000 pounds;
11 (ii) is designed to transport more than 15 passen-
12 gers, including the driver; or
13 (iii) is used in the transportation of materials
14 found by the United States Secretary of Transportation to be
15 hazardous for purposes of 49 U.S.C. 1801 -- 1813 (Hazardous
16 Materials Transportation Act);
17 (D) except that the following vehicles meeting the
18 criteria in (A) -- (C) of this paragraph are not commercial
19 vehicles:
20 (i) emergency or fire equipment that is necessary
21 to the preservation of life or property; and
22 (ii) farm vehicles that are controlled and operat-
23 ed by a farmer; used to transport agricultural products,
24 farm machinery, or farm supplies to or from that farmer's
25 farm; not used in the operations of a common or contract
26 motor carrier; and used within 150 miles of the farmer's
27 farm.