

**CS FOR HOUSE BILL NO. 444 (TRANSPORTATION)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE TRANSPORTATION COMMITTEE**

**Offered: 2/26/92**

**Referred: Judiciary, Finance**

**Sponsor(s): REPRESENTATIVE CHOQUETTE**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to fees for identification cards and certain motor vehicle licenses and  
2 permits; to licenses issued to drivers and to revocation of a license to drive; and  
3 providing for an effective date."

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

5 \* **Section 1.** AS 18.65.310(a) is amended to read:

6 (a) Upon payment of a \$10 [\$5] fee, the Department of Public Safety shall issue a card  
7 identical to the motor vehicle operator's license provided for in AS 28.15.111, except that the  
8 card shall be of a different color and shall state in bold type letters across the face of it that it  
9 is for identification purposes only.

10 \* **Sec. 2.** AS 28.15.111(a) is amended to read:

11 (a) Upon successful completion of the application and all required examinations, and  
12 upon payment of the required fee, the department shall issue to every qualified applicant a  
13 driver's license indicating the type or general class of vehicles that the licensee may drive. The  
14 license must display (1) a distinguishing number assigned to the license; (2) the licensee's full

1 name, address, date of birth, brief physical description, and color photograph; [AND] (3) either  
2 a facsimile of the signature of the licensee or a space upon which the licensee must write the  
3 licensee's usual signature with pen and ink; and (4) a holographic symbol intended to prevent  
4 illegal alteration or duplication. A license is not valid until signed by the licensee. If facilities  
5 are not available for the taking of the photograph required under this section, the department shall  
6 endorse on the license, the words "valid without photograph."

7 \* Sec. 3. AS 28.15 is amended by adding a new section to read:

8 Sec. 28.15.187. ADMINISTRATIVE REVOCATION RESULTING FROM USE OF  
9 FALSE DRIVER'S LICENSE. (a) If a peace officer determines that a person used a driver's  
10 license as fraudulent or false identification as prohibited by AS 04.16.060(d), the peace officer  
11 shall read a notice and deliver a copy to the person. The notice must advise that

12 (1) the department intends to revoke the person's driver's license, privilege to  
13 drive, or privilege to obtain a license, or refuse to issue an original license to the person;

14 (2) the person has the right to administrative review of the revocation or  
15 determination not to issue an original license;

16 (3) if the person has a driver's license or a nonresident privilege to drive, the  
17 notice itself is a temporary driver's license that expires seven days after it is delivered to the  
18 person;

19 (4) revocation of the person's driver's license, privilege to drive, or privilege to  
20 obtain a license, or a determination not to issue an original license takes effect seven days after  
21 delivery of the notice to the person unless the person, within seven days, requests an  
22 administrative review.

23 (b) After reading the notice under (a) of this section, the peace officer shall seize the  
24 person's driver's license if it is in the person's possession and shall deliver it to the department  
25 with a sworn report describing the circumstances under which it was seized.

26 (c) Unless the person has requested an administrative review, the department shall revoke  
27 the person's driver's license, privilege to drive, or privilege to obtain a license, or refuse to issue  
28 an original license, effective seven days after delivery to the person of the notice required under  
29 (a) of this section, upon receipt of a sworn report of a peace officer

30 (1) that the person used a driver's license as fraudulent or false identification as  
31 prohibited by AS 04.16.060(d);

1 (2) that notice under (a) of this section was provided to the person; and  
2 (3) describing the circumstances surrounding the violation of the identification  
3 provisions of AS 04.16.060(d).

4 (d) A person who withdraws a request for a hearing or who fails to appear at a hearing  
5 requested under (a) of this section for reasons other than lack of actual notice of the hearing or  
6 physical incapacity such as hospitalization or incarceration waives the right to a hearing. If at  
7 the administrative hearing the violation of law reported under (a) of this section is proven by a  
8 preponderance of the evidence, the department shall revoke the person's driver's license. If at  
9 the administrative hearing the violation of law reported is not proven by a preponderance of the  
10 evidence, the department may not revoke the person's driver's license based on the report  
11 received under (b) of this section.

12 (e) The administrative review procedures specified under AS 28.15.166 apply to a person  
13 who requests an administrative review of a license revocation under this section, except that a  
14 hearing officer may receive evidence telephonically.

15 (f) Notwithstanding the provisions of AS 28.20.240 and 28.20.250, upon revocation of  
16 a driver's license under this section, the department may not require proof of financial  
17 responsibility before restoring or issuing the person's driver's license.

18 (g) The department shall impose the revocation required under this section

19 (1) for a period of six months for a first revocation under this section; and

20 (2) for a second or subsequent revocation under this section for a period of 12  
21 months or until the person is 21 years of age, whichever is longer.

22 (h) A license revocation imposed under this section shall be consecutive to a license  
23 revocation imposed under another provision of law. A person whose license is revoked under  
24 this section shall surrender the license to the department. After the period of revocation has  
25 expired, the person may apply for a new license as provided in this chapter.

26 \* Sec. 4. AS 28.15.271(a) is amended to read:

27 (a) The fees for drivers' licenses and permits, including but not limited to renewals, and  
28 all related driver skills tests are as follows:

29 (1) all noncommercial vehicles and motor-driven cycles

30 (A) each license fee . . . . . \$ 12 [10];

31 (B) each driver skills test . . . . . \$ 15;

- 1 (2) all commercial motor vehicles  
2 (A) each license fee ..... \$100;  
3 (B) each driver skills test ..... \$ 25;  
4 (3) instruction permit ..... \$ 5 [3];  
5 (4) duplicate of driver's license or instruction permit ..... \$ 5 [3];  
6 (5) temporary license and renewal of permit ..... \$ 3;  
7 (6) school bus driver's endorsement renewal ..... \$ 3.  
8 \* Sec. 5. This Act takes effect July 1, 1992.