

CS FOR HOUSE BILL NO. 513 (JUDICIARY)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/6/92
Referred: Finance

Sponsor(s): REPRESENTATIVES ULMER, Boyer, Koponen, Ellis, Larson

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to limitations on a drivers' license; imposing a limited license fee; and
2 providing for an effective date."

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

4 * Section 1. AS 28.15.201(d) is amended to read:

5 (d) A court revoking a driver's license under AS 28.15.181(c), or the department [A
6 HEARING OFFICER] revoking a driver's license under AS 28.15.165(c), may grant limited
7 license privileges if (1) the court or the department [HEARING OFFICER] determines that the
8 person's ability to earn a livelihood would be severely impaired; (2) a limitation under (a) of this
9 section can be placed on the license that will enable the person to earn a livelihood without
10 excessive danger to the public; and (3) the court or the department [HEARING OFFICER]
11 determines that the person has successfully completed an alcoholism education and rehabilitation
12 treatment program and the cost of the program has been paid. Limited license privileges may
13 only be granted to the person for the final 60 days during which the license was revoked if the
14 person has not been previously convicted more than once, for the final two years during which

1 the license was revoked if the person has not been previously convicted more than twice, and for
2 the final five years during which the license was revoked if the person has not been previously
3 convicted more than five times. The court or the department [HEARING OFFICER] may not
4 grant limited license privileges if the person has been previously convicted more than five times.

5 * Sec. 2. AS 28.15.201(e) is repealed and reenacted to read:

6 (e) Notwithstanding (d) of this section, a court revoking a driver's license under
7 AS 28.15.181(c), or the department revoking a driver's license under AS 28.15.165(c), may grant
8 limited license privileges for the period specified under (g) of this section to a person who has
9 been previously convicted if

10 (1) the court or the department determines that the person's ability to earn a
11 livelihood would be severely impaired and a limitation under (a) of this section can be placed
12 on the license that will enable the person to earn a livelihood without excessive danger to the
13 public;

14 (2) the offense for which the license was revoked occurred before January 1,
15 1991; and

16 (3) the court or the department determines that the person has successfully
17 completed an alcoholism education and rehabilitation treatment program and the cost of the
18 program has been paid.

19 * Sec. 3. AS 28.15.201 is amended by adding new subsections to read:

20 (g) If the person qualifies under (e) of this section, a court or the department may grant
21 limited license privileges for the final

22 (1) 60 days during which the license was revoked if the person has been
23 previously convicted once and not more than once;

24 (2) seven years during which the license was revoked if the revocation is for the
25 person's third conviction; or

26 (3) five years during which the license was revoked if the person has been
27 previously convicted three, four, or five times and not more than five times.

28 (h) If a person has been previously convicted and under the provisions of (d) or (e) of
29 this section the person is eligible for more than one period of limited license privileges, the
30 limited license eligibility periods shall be combined and the court or the department may grant
31 limited license privileges for the combined period. A combined period of limited license

1 eligibility may not commence until the accumulated periods of any license revocations have been
2 completed.

3 (i) A person may not apply for a limited license under this section if the person is more
4 than 180 days from being eligible for the limited license.

5 * Sec. 4. AS 28.15.271(b) is amended to read:

6 (b) In addition to the fees under (a) of this section,

7 (1) a person who renews a driver's license by mail shall pay [BE CHARGED]
8 a fee of \$1; and

9 (2) a person who applies for a limited driver's license under AS 28.15.201
10 shall pay a fee of \$100.

11 * Sec. 5. Section 36, ch. 119, SLA 1990, is amended to read:

12 Sec. 36. APPLICABILITY. (a) Except as provided in (b) of this section, the [THE]
13 provisions of this Act apply to judicial proceeding and administrative proceedings by the
14 Department of Public Safety relating to offenses that are committed after December 31, 1990.

15 (b) The limited license provisions contained in AS 28.15.201(d) and (e), enacted in
16 sec. 18 of this Act, apply to judicial proceedings and to administrative proceedings by the
17 Department of Public Safety, relating to offenses that are committed before, on, or after
18 December 31, 1990.

19 * Sec. 6. AS 28.15.201(d) and (e), as amended by secs. 1 and 2 of this Act, and AS 28.15.201(g) -
20 (i), as added by sec. 3 of this Act, apply, according to their terms, to offenses committed before, on, or
21 after the effective date of this Act.

22 * Sec. 7. Sections 1 - 3 and 5 of this Act are retroactive to January 1, 1991.

23 * Sec. 8. This Act takes effect immediately under AS 01.10.070(c).