

**CS FOR HOUSE BILL NO. 430(FIN)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**EIGHTEENTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE FINANCE COMMITTEE**

**Offered: 4/12/94**

**Referred: Rules**

**Sponsor(s): REPRESENTATIVES GREEN, Foster**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to driver's licensing; and providing for an effective date."**

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

3 **\* Section 1. AS 28.15.031(a) is amended to read:**

4 **(a) The department may not issue a driver's license to a person**

5 **(1) who is under the age of 16 years, except that the department may**  
6 **issue a permit under AS 28.15.051 or a restricted license under AS 28.15.121; or**

7 **(2) who is at least 16 years of age but not yet 21 years of age unless**  
8 **the person meets the requirements of AS 28.15.057.**

9 **\* Sec. 2. AS 28.15.051(a) is amended to read:**

10 **(a) Except as provided in (b) of this section, a person who is at least 14 years**  
11 **of age may apply to the department for an instruction permit. The department may,**

12 **after the applicant has successfully passed all parts of the examination under**  
13 **AS 28.15.081 other than the driving test, issue to the applicant an instruction permit.**

14 **The permit allows a person, while having the permit in the person's immediate**

1 possession, to drive a specified type or class of motor vehicle on a highway or  
2 vehicular way or area for a period not to exceed two years. The permittee must be  
3 accompanied by a person at least ~~25~~ [19] years of age who has been licensed at least  
4 one year to drive the type or class of vehicle being used, who is capable of exercising  
5 control over the vehicle and who occupies a seat beside the driver, or who  
6 accompanies and immediately supervises the driver when the permittee drives a  
7 motorcycle. An instruction permit may be renewed.

8 \* Sec. 3. AS 28.15 is amended by adding new sections to read:

9 Sec. 28.15.055. PROVISIONAL DRIVER'S LICENSE. (a) Upon application,  
10 the department may issue a provisional driver's license to a person who meets the  
11 requirements of (b) of this section and who is at least

12 (1) 16 years of age but not yet 18 years of age if the person has been  
13 licensed under an instruction permit issued under AS 28.15.051 or under the law of  
14 another state with substantially similar requirements, for at least six months; or

15 (2) 18 years of age but not yet 21 years of age.

16 (b) An applicant for a provisional license

17 (1) shall meet applicable requirements imposed under AS 28.15.081;

18 and

19 (2) in the six months before application, may not have been convicted  
20 of a traffic offense or involved in a motor vehicle accident in which the applicant was  
21 at fault.

22 Sec. 28.15.057. RESTRICTIONS ON DRIVER'S LICENSE ISSUED TO A  
23 PERSON UNDER 21. (a) Except as provided under AS 28.15.051 or 28.15.055, a  
24 person who is at least 16 years of age but not yet 18 years of age may not be issued  
25 a driver's license unless the person

26 (1) has been licensed under an instruction permit issued under  
27 AS 28.15.051 or under the law of another state with substantially similar requirements,  
28 for at least six months;

29 (2) has held a valid provisional driver's license issued under  
30 AS 28.15.055 or under the law of another state with substantially similar requirements,  
31 for at least one year; and

1 (3) in the 12 months before application, has not been convicted of a  
2 traffic offense or involved in a motor vehicle accident in which the applicant was at  
3 fault.

4 (b) Except as provided under AS 28.15.055, a person who is at least 18 years  
5 of age but not yet 21 years of age may not be issued a driver's license unless the  
6 person

7 (1) has held a valid provisional license issued under AS 28.15.055 or  
8 under the law of another state with substantially similar requirements, for a period of  
9 at least one year; and

10 (2) in the 12 months before application has not been convicted of a  
11 traffic offense or been involved in a motor vehicle accident in which the applicant was  
12 at fault.

13 \* Sec. 4. AS 28.15.221(b) is amended to read:

14 (b) The regulations adopted under (a) of this section must [SHALL] include  
15 a designated level of point accumulation that [WHICH] identifies drivers who are  
16 habitually reckless or negligent or who are habitual or frequent violators of traffic  
17 laws, so as to show a disrespect for traffic laws and a disregard for the safety of other  
18 persons. In formulating the point system authorized by this section, the commissioner  
19 shall, in the interest of interstate uniformity, provide for suspension, revocation or  
20 denial of a driver's license, privilege to drive, or privilege to obtain a license for an  
21 accumulation of 12 or more points as a result of offenses committed during any  
22 consecutive 12-month period or 18 or more points as a result of offenses committed  
23 during any 24-month period. except for a person licensed under an instruction  
24 permit or provisional license. A person licensed under an instruction permit or  
25 provisional license shall have the person's license suspended, revoked, or denied  
26 for an accumulation of six or more points as a result of offenses committed during  
27 any consecutive 12-month period.

28 \* Sec. 5. AS 28.40.100(a)(8) is amended to read:

29 (8) "driver's license" or "license," when used in relation to driver  
30 licensing, means a license, provisional license, or permit to drive a motor vehicle, or  
31 the privilege to drive or to obtain a license to drive a motor vehicle, under the laws

1 of this state [,] whether or not a person holds a valid license issued in this or another  
2 jurisdiction;

3 • Sec. 6. This Act takes effect January 1, 1995.