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THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. House CS for CS for SS for SB 69 (Judiciary)
 Title An Act relating to the operation of motor vehicles and to the
 Requested by Senator Stimson Date 4-6-82

II. FISCAL DETAIL
 Agency Affected Department of Public Safety
 Program Category Affected Life and Property Protection
 BRU, Program, Or Subprogram(s) Affected Driver/Vehicle Services
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		9.4	18.7	28.0	28.0	28.0
400 COMMODITIES		.2	.3	.4	.4	.4
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		9.6	19.0	28.4	28.4	28.4

FUNDING (Thousands of Dollars)

GENERAL FUND		9.6	9.0	28.4	28.4	28.4
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section 1.1)

It is estimated an additional 6,080 individuals will be required to maintain proof of financial responsibility for the future in FY 83. Those individuals, plus 6,000 more in FY 84, for a total of 12,080, and an additional 6,000 in FY 85, for a total of 18,080. In FY 86, it is estimated the number of individuals required to file the proof for the first time will be approximately the same as those no longer required to file because their three years have elapsed, therefore, no additional increase.

It has been our experience an average of one notice per individual, each year, will have to be mailed out due to notification from an insurance company that an individual's insurance is being cancelled for non-payment of premium, failure to renew, etc. For legal purposes our notice must be sent via certified mail, return receipt requested, at the cost of \$1.55 each.

FY83 6,080 x \$1.55 = \$9,424;
 FY84 12,080 x \$1.55 = \$18,724
 FY85 18,080 x \$1.55 = \$28,024

Commodities: Miscellaneous office supplies, including paper, envelopes, etc.

IV. DATE April 6, 1982 PREPARED BY Bill Brown
 AGENCY Public Safety/Motor Vehicles

Original: Legislative Finance PHONE 465-4335

cc: Budget and Management
 Prime Sponsor (First Legislator named)

33-001 (Rev. 12/81)

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 16, 1982

SUBJECT: Proposed HCS CSSSSB 69 (Judiciary)
TO: Senator Terry Stimson
FROM: *e.H.C.* Linn H. Asper
Legislative Counsel

You have requested a sectional analysis of the above referenced committee substitute that you requested in draft for the House Judiciary Committee:

* Section 1: Allows a court to assign a driver who accumulates of 6 or more points in 12 months or 9 or more points in 24 months to attend a driver improvement course. If the driver fails to successfully complete the course, his operator's license may be suspended.

* Sec. 2: Requires a driver whose license is suspended for point accumulation to provide proof of future financial responsibility (insurance coverage) before the license is reinstated. Accumulation of fewer points than those necessary to suspend a drivers license may require the driver to provide proof of future financial responsibility or face suspension.

* Sec. 3: Requires a peace officer who investigates an accident to put persons involved in the accident on notice of the provisions of the motor vehicle safety responsibility act regarding suspension of a drivers license.

* Sec. 4: Makes proof of future financial responsibility a further condition for the termination of a suspension order under AS 28.20 after an agreement is reached between the parties to an accident.

* Sec. 5: Amends the general provisions of AS 28.20 on duration of suspension to require posting of proof of future

financial responsibility before a suspensor can be terminated.

* Sec. 6: Requires that security deposited under AS 28.20 remain on deposit for two years rather than one year, as is now the case.

* Sec. 7: Requires proof of financial responsibility for the future whenever a license is suspended, revoked, limited or canceled, before a new license can be granted. Makes the former permissive language mandatory and extends the scope of the section.

* Sec. 8: Requires a reinstatement fee of \$50 when a person's license is reinstated.

* Sec. 9: Repeals the provision of the law that allowed an affidavit procedure to terminate a period of suspension. The changes in * Sec. 5 make this provision obsolete.

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(2) when, following default and suspension, the person in default pays the balance of the agreed amount; or

(3) one year elapses following the effective date of the suspension and evidence satisfactory to the department is filed with it that during the period no action at law upon the agreement is pending. (§ 14 ch 163 SLA 1959)

Sec. 28.20.130. Payment upon judgment. The payment of a judgment arising out of an accident, or the payment upon judgment of an amount equal to the maximum amount which could be required for deposit under this chapter, for the purposes of this chapter, releases the judgment debtor from the liability evidenced by the judgment. (§ 15 ch 163 SLA 1959; am § 12 ch 2 SLA 1964)

Cross reference. — See Editor's note to AS 04.15.030.

Sec. 28.20.140. Termination of security requirement. If satisfied as to the existence of a fact which under §§ 100 -- 130 of this chapter entitles a person to be relieved from the security requirements, the department shall not require the deposit of security and shall terminate a previous order of suspension in respect to the person, and shall immediately return the deposit to the person or his personal representative. (§ 16 ch 163 SLA 1959)

Sec. 28.20.150. Duration of suspension. (a) Unless a suspension is terminated under other provisions of this chapter, an order of suspension by the department remains in effect until terminated and no license may be renewed or issued to a person whose license is suspended until

(1) the person deposits or there is deposited on his behalf the security required under this chapter; or

(2) one year elapses following the date of suspension and evidence satisfactory to the department is filed with it that during the period no action for damages arising out of the accident resulting in the suspension has been instituted.

(b) An affidavit of the applicant that no action at law for damages arising out of the accident has been filed against him or, if filed, that it is not pending is prima facie evidence of that fact. The department may take whatever steps are necessary to verify the statement set forth in the affidavit. (§ 17 ch 163 SLA 1959)

Sec. 28.20.160. Application to nonresidents, unlicensed drivers, unregistered vehicles and accidents in other states. (a) If a driver or owner of a vehicle subject to registration under the laws of this state involved in an accident in this state does not have a license or registration in this state, then the driver may not be licensed, nor may the owner register a vehicle in this state until he complies with the

requirements of this chapter. If the driver or owner of a vehicle involved in the accident, he had he registered in this state.

(b) When a nonresident of this chapter the department of the action to the office of registration certificates in the law of the other state for in (c) of this section.

(c) Upon receiving ce resident of this state ha under a law providing f deposit security for the p under circumstances wh a nonresident's operating state, the department s suspension continues u compliance with the law security. (§ 18 ch 163 SLA 1959)

Sec. 28.20.170. Author security. The department within six months after t amount is excessive. If th excess deposit over the immediately to the deposi SLA 1959)

Sec. 28.20.180. Correc department takes action re erroneous information re information within one ye shall take appropriate ac chapter. However, this re-evaluate the amount.

Sec. 28.20.190. Custo security deposited with § 21 ch 163 SLA 1959)

Sec. 28.20.200. Disp available only for (1) the payment of a out of the accident upon

(2) the payment of the deposit for at law begun not late

April 17, 1981

465-4322

The Honorable Terry Stinson
Alaska State Senate
Pouch V
Juneau, AK 99811

Dear Senator Stinson:

The purpose of this letter is to express my position on Senate Bill 69 and corresponding substitutes to date.

I respectfully submit that the Bill in its present substitute form (SCCCS 69, H&SS) is discriminatory in that it places requirements on some errant Alaskan drivers while others are exempt.

To administer the requirements or non requirements defined in the aforementioned substitute would be cumbersome at best without the end result justifying the means.

As the driver improvement course now stands, it is a voluntary one unless ordered by the Court as part of the sentence process. If individuals with points assessed against them wish to reduce those points, the prerogative to do so is with them when the availability of such a course is present. The voluntary method appears to be effective within the parameter of a driver/accident ratio which is the intent of the course in the first place.

To place additional regulations on all Alaskans that in part or in whole do not materially effect the state-wide driver/accident ratio is not fully warranted.

Admittedly Senator, I do have some concerns about over-regulating the public and will make myself available as spokesman for this Department to testify on the Bill if you or any of your colleagues so desire.

Sincerely,

William R. Nix
Commissioner

Department of Public Safety
Administrative Services
Juneau, Alaska

APR 22 1981

cc: Senator Bill Ray
Keith Specking, Legislative Aide, Governor's Office
Walter Lawson, Administrative Services, DPS
Ron Lehr, Budget & Management

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House CS for CS for SS for SB 69 (Judiciary)
Title An Act relating to the operation of motor vehicles and to the
Requested by Senator Stimson Date 4-6-82

II. FISCAL DETAIL

Agency Affected Department of Public Safety
Program Category Affected Life and Property Protection
BRU, Program, Or Subprogram(s) Affected Driver/Vehicle Services
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		9.4	18.7	28.0	28.0	28.0
400 COMMODITIES		.2	.3	.4	.4	.4
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		9.6	19.0	28.4	28.4	28.4

FUNDING (Thousands of Dollars)

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GENERAL FUND		9.6	19.0	28.4	28.4	28.4
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

It is estimated an additional 6,080 individuals will be required to maintain proof of financial responsibility for the future in FY 83. Those individuals, plus 6,000 more in FY 84, for a total of 12,080, and an additional 6,000 in FY 85, for a total of 18,080. In FY 86, it is estimated the number of individuals required to file the proof for the first time will be approximately the same as those no longer required to file because their three years have elapsed, therefore, no additional increase.

It has been our experience an average of one notice per individual, each year, will have to be mailed out due to notification from an insurance company that an individual's insurance is being cancelled for non-payment of premium, failure to renew, etc. For legal purposes our notice must be sent via certified mail, return receipt requested, at the cost of \$1.55 each.

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FY85 18,080 x \$1.55 = \$28,024

Commodities: Miscellaneous office supplies, including paper, envelopes, etc

IV. DATE April 6, 1982 PREPARED BY Bill Brown
AGENCY Public Safety/Motor Vehicles
PHONE 465-4335
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CS SS SB 69 (Judiciary)
 Title An Act relating to potential consequences of the assessment of driver's
 Requested by House Judiciary Date 4-2-82

II. FISCAL DETAIL
 Agency Affected Department of Public Safety
 Program Category Affected Life and Property Protection
 BRU, Program, Or Subprogram(s) Affected Driver/Vehicle Services
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		4.5	4.9	5.3	5.8	6.3
400 COMMODITIES		.1	.1	.1	.1	.2
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		4.6	5.0	5.4	5.9	6.5

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		4.6	5.0	5.4	5.9	6.5
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

300 - Contractual: When proof of financial responsibility for the future is required, such as in proposed AS 28.15.255(a), it has been our experience an average of one notice per individual, each year, must be mailed out due to notification from an insurance company an individual's insurance has been cancelled for non-payment, failure to renew, etc. For legal purposes this notice must be sent via certified mail, return receipt requested, at the cost of \$1.55 each. The additional number of drivers we would require proof of financial responsibility for the future from is approximately 2,880. $2,880 \times \$1.55 = \$4,464.$

400 - Commodities: Miscellaneous office supplies, including paper, envelopes, etc. \$100.

IV. DATE 4-5-82 PREPARED BY Bill Brown
 AGENCY Public Safety - Motor Vehicles
 Original: Legislative Finance PHONE 465-4335
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)