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**COMMITTEE REPORT**  
**SENATE**

4/20/81

FURTHER: None

Date: April 21, 1981

Mr. President:

The Committee on JUDICIARY has had SSSB 69

Making a driver improvement course mandatory for certain drivers who receive driving demerit points

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for same  same title  
 new title
- and recommends with amendments to SSSB 69
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

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CHAIRMAN

April 17, 1981

465-4322

The Honorable Torry Stimson  
Alaska State Senate  
Pouch V  
Juneau, AK 99811

Dear Senator Stimson:

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 (SCCS 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

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

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Transportation. The medical  
has been issued within the two  
state of application for Class  
license and must be renewed  
The applicant shall file each  
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Class A-3, and Class A-4 licenses  
Class A-2, A-3, and A-4  
only so long as a currently  
approved medical certificate is on  
department as prescribed in (a) of

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precedent to obtaining an  
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applicant is the holder of a  
first or second-class medical  
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if the applicant is seeking a  
permits the operation of a bus, has  
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to tests for tuberculosis. (Eff.

Authority: AS 28.05.030  
AS 28.15.070

ARTICLE 4.  
TRAFFIC VIOLATIONS DEMERIT  
POINT SYSTEM

- 1. Demerit point schedule
- 2. Point accumulation - Application to driver record, coverage
- 3. Suspension or revocation of driving license - Duration
- 4. Driver improvement interview
- 5. Driver improvement recommendations - Violation by department
- 6. Suspension for failure to appear for driver improvement interview or failure to comply with recommendations made at driver improvement interview
- 7. Points for suspension for point accumulation
- 8. Coverage

- 285. Administrative review of suspension for point accumulation
- 290. Definitions

13 AAC 08.210. DEMERIT POINT SCHEDULE. For purposes of administratively identifying habitually reckless or negligent drivers and habitual or frequent violators of traffic laws and in order to identify problem drivers, the following violations will be accorded these corresponding numerical weights upon conviction:

Violation or Type of Violations	Point Value
(1) driving while license cancelled, suspended or revoked, or in violation of license limitation	12
(2) driving while under the influence of intoxicating liquor or drugs	10
(3) reckless driving	10
(4) speed contest-racing	10
(5) fleeing or attempting to elude a police officer	10
(6) leaving scene of accident	9
(7) negligent driving	6
(8) failure to yield right-of-way to authorized emergency vehicle	6
(9) failure to stop for school bus while bus is loading or unloading	6
(10) failure to obey official traffic control device in school zone, playground crosswalk, or park	6
(11) speeding:	
in school zone or playground	
crosswalk	6
3 to 9 miles per hour over limit	2
10 to 19 miles per hour over limit	4
20 or more miles per hour over limit	6
(12) violation of oversize or overweight permit pertaining to restriction on speed:	
3 to 9 miles per hour over limit	2
10 to 19 miles per hour over limit	4
20 or more miles per hour over limit	6
on hours of operation	3
(13) careless driving	4
(14) following too closely	4
(15) failure to stop or yield	4
(16) all others	2

(Eff. 11/4/74, Reg. 52; am 3/29/75, Reg. 53; am 12/1/78, Reg. 68)

Authority: AS 28.15.221

13 AAC 08.220. POINT ACCUMULATION - APPLICATION TO DRIVER RECORD; COVERAGE. (a) Repealed. (12/1/78, Reg. 68)

14. PUBLIC WORKS  
15. REVENUE

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- 2. point accumulation Application to  
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- 5. driver improvement recommendations  
by department
- 6. exceptions
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to comply with recommendations made  
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- 8. penalties
- 9. penalties for suspension for point  
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- 10. penalties

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(9) failure to stop for school bus while bus is loading or unloading . . . . .	6
(10) failure to obey official traffic control device in school zone, playground crosswalk, or park . . . . .	6
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Ron Lehr, Budget & Management

# Senate criticizes driving law, then delays action

By The Associated Press

Senators mumbled complaints today about the point system used to penalize drivers who get tickets, then delayed action on a bill which would require drivers who tally a certain number of violations to take a defensive driving class.

Senate President Jalmar Kerttula, D-Palmer, said "this whole point system is a lousy law." Others made similar assessments.

Under the law, drivers accumulate points for traffic violations. The program is designed to help the Department of Motor Vehicles identify habitual or frequent violators, and revoke or suspend a license for up to one year if necessary.

Sen. Terry Stimson, D-Anchorage, has introduced a bill (CSSSSB69 HESS) to require drivers who accumulate six or more points in 12 months, or nine or more points in 24

months to complete a defensive driving course.

If the course is not completed within 45 days from the date the points are assessed, then the driver's license would be suspended or revoked.

While Stimson's bill became mired in debate, the Senate voted 18-2 to approve technical amendments (HB53) to the point system to clarify that drivers would accumulate good points for each 12 months.