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# STATE OF ALASKA THE LEGISLATURE

## LEGISLATIVE AFFAIRS AGENCY

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JUNEAU, ALASKA 99811  
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May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

House Judiciary 5/10/86

" " " " "

" " " " "

8:00 AM

2:00 PM

7:30 PM

**HOUSE**  
**COMMITTEE REPORT**

(7)

Date referred: 5/5/86

FURTHER REFERRALS: FINANCE

DATE: \_\_\_\_\_

The JUDICIARY Committee has considered CSSB 278 (Fin) am

"An Act relating to impoundment and registration of motor vehicles; senior citizen motor vehicle tax exemptions; licensing of certain drivers; fees for driver's licenses and permits; refusal to submit to a chemical test for intoxication; and the driver's license compact."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with \_\_\_\_\_  same title
- new title

and recommends \_\_\_\_\_

further referral to the \_\_\_\_\_ Committee

- and attaches:
- letter of intent
  - first fiscal note
  - new fiscal note
  - zero fiscal note

SIGNING DC PASS:

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SIGNING OTHER RECOMMENDATIONS:

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Chairman

Ford  
5/10/86✓

Original sponsor: Halford

1 IN THE SENATE BY THE JUDICIARY COMMITTEE  
2 HOUSE CS FOR CS FOR SENATE BILL NO. 278 (Judiciary)  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 FOURTEENTH LEGISLATURE - SECOND SESSION  
5 A BILL

6 For an Act entitled: "An Act relating to impoundment and registration of  
7 motor vehicles; senior citizen motor vehicle tax  
8 exemptions; licensing of certain drivers; fees for  
9 driver's licenses and permits; refusal to submit to a  
10 chemical test for intoxication; and the driver's  
11 license compact."

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

13 \* Section 1. AS 28.05.091 is amended to read:

14 Sec. 28.05.091. VEHICLE IMPOUNDMENT [SEIZURE OF UNSAFE OR DE-  
15 FECTIVELY EQUIPPED VEHICLE]. A motor vehicle that [WHICH] is driven  
16 on a highway or vehicular way or area, and that [WHICH] has been  
17 determined to be defective in equipment so as to be unsafe for driv-  
18 ing, or on which the vehicle identification number has been removed,  
19 defaced, or otherwise altered, is an unlawful vehicle and may be  
20 impounded by a peace officer or an employee of the department offi-  
21 cially designated for that purpose. The owner or person in lawful  
22 possession of a vehicle that is driven on a highway or vehicular way  
23 or area and that is so defective in equipment as to be unsafe for  
24 driving [THE VEHICLE] shall pay the necessary costs of impounding and  
25 storing the vehicle. The impounding of a vehicle is in addition to  
26 any other penalty. Nothing in this section prevents the driving or  
27 moving of a defective vehicle in the manner directed by the peace  
28 officer or employee to a place for

29 (1) the correction of a defect in the equipment.

1 (2) dismantling or wrecking; or

2 (3) storage without repair.

3 \* Sec. 2. AS 28.05.141(c) is amended to read:

4 (c) If at the hearing under (a) of this section it appears that  
5 the record of the person sustains suspension, revocation, limitation,  
6 denial, or other remedial action, the hearing officer shall so order  
7 and the department may suspend, revoke, limit, deny, or take other  
8 remedial action against that person's license, registration, or title  
9 and, if appropriate, the department shall adjust the person's point  
10 total accumulated under AS 28.15.231.

11 \* Sec. 3. AS 28.10.011(11) is repealed and reenacted to read:

12 (11) being driven or moved on a highway, vehicular way, or a  
13 public parking place in the state that is not connected by a land  
14 highway or vehicular way to

15 (A) the land-connected state highway system, or

16 (B) a highway or vehicular way with an average daily  
17 traffic volume greater than 499;

18 \* Sec. 4. AS 28.10.051 is amended to read:

19 Sec. 28.10.051. DEPARTMENT MAY SUSPEND OR REVOKE REGISTRATION.

20 The department may suspend or revoke the registration of a vehicle,  
21 the certificate of registration or registration plates for a vehicle,  
22 or a special permit when

23 (1) the department determines [IS SATISFIED] that the reg-  
24 istration or certificate, plate or permit was fraudulently procured or  
25 erroneously issued;

26 (2) the department determines that a registered vehicle is  
27 mechanically unsafe to be driven or moved on a highway, vehicular way  
28 or area, or other public property in this state and the vehicle has  
29 been seized or impounded under AS 28.05.091;

1 (3) a registered vehicle has been scrapped, dismantled or  
2 destroyed beyond repair;

3 (4) the department determines that a required fee or tax  
4 has not been paid and the fee or tax is not paid upon reasonable  
5 notice and demand;

6 (5) a registration plate, permit, or certificate is know-  
7 ingly displayed upon a vehicle other than the vehicle for which is-  
8 sued;

9 (6) the department determines that the owner of a vehicle  
10 has committed an offense under this chapter involving the registration  
11 or the certificate, plate, or permit to be suspended or revoked;

12 (7) the vehicle has been reported to the department as  
13 stolen or unlawfully converted; or

14 (8) the department is otherwise required to do so under the  
15 laws of this state.

16 \* Sec. 5. AS 28.10.181 is amended by adding a new subsection to read:

17 (m) Special request plates for Alaska National Guard personnel.  
18 Upon application by the owner of a passenger vehicle, noncommercial  
19 van or pick-up truck, or motor home who presents satisfactory proof of  
20 current membership in the Alaska National Guard, the department may  
21 design and issue registration plates that identify the vehicle as  
22 registered to a member of the Alaska National Guard. The owner shall  
23 return the registration plates to the department within 10 days fol-  
24 lowing discharge from the Alaska National Guard.

25 \* Sec. 6. AS 28.10.411(c) is amended to read:

26 (c) A resident 65 years of age or older on January 1 of the year  
27 the vehicle is registered is entitled to an exemption from the regis-  
28 tration fee required [TAX] under this section for one motor vehicle  
29 subject to registration under AS 28.10.421(b)(1), (2), (5), or (6)

1 An exemption may not be granted except upon written application for  
2 the exemption on a form prescribed by the department.

3 \* Sec. 7. AS 28.10.421(b) is amended to read:

4 (b) The annual registration fees under this subsection are  
5 imposed within the following classifications for:

6 (1) a passenger vehicle or motor home not used or main-  
7 tained for the transportation of persons or property for hire or for  
8 other commercial use . . . . . \$35 [\$30];

9 (2) a pick-up truck or a van not exceeding 6,000 pounds un-  
10 laden weight and not used or maintained for the transportation of per-  
11 sons or property for hire or for other commercial use . . . \$40 [\$35];

12 (3) a taxicab . . . . . \$70 [\$65];

13 (4) a motor bus with a seating capacity for 20 or more  
14 persons and used exclusively for commercial purposes in the trans-  
15 porting of visitors or tourists . . . . . \$85 [\$80];

16 (5) a motorcycle or a motor-driven cycle . . . . \$20 [\$15];

17 (6) a two- or four-wheeled trailer not used or maintained  
18 for the transportation of persons or property for hire or for other  
19 commercial use, including, but not limited to, a boat trailer, baggage  
20 trailer, box trailer, utility trailer or house trailer . . . . \$ 5.

21 \* Sec. 8. AS 28.10.421(c) is amended to read:

22 (c) The annual registration fees under this subsection are  
23 imposed and are based upon the actual unladen weight as established by  
24 the manufacturer's advertised weight or upon the actual weight which  
25 the owner shall furnish, subject to the approval of the commissioner  
26 or the commissioner's representative, for a vehicle, including a motor  
27 vehicle pulling a trailer or semi-trailer, used or maintained for the  
28 transportation of passengers for hire, excepting taxicabs and buses  
29 under (b) of this section, or for the transportation of property for

1 hire or for other commercial use, including a commercial vehicle such  
2 as a trailer, semi-trailer, truck, wrecker, tow car, hearse,  
3 ambulance, and tractor, as follows:

- 4 (1) up to and including 5,000 pounds . . . . . \$50 [\$45];
- 5 (2) more than 5,000 pounds to and including 12,000 pounds  
6 . . . . . \$85 [\$80];
- 7 (3) more than 12,000 pounds to and including 18,000 pounds  
8 . . . . . \$155 [\$150];
- 9 (4) more than 18,000 pounds . . . . . \$220 [\$215].

10 \* Sec. 9. AS 28.10.421(d) is amended to read:

11 (d) The special registration fees under this subsection are  
12 imposed annually, unless otherwise specified, for:

- 13 (1) an historic vehicle (one time only upon initial regis-  
14 tration under AS 28.10.181).....\$10;
- 15 (2) special request plates including those authorized for  
16 use by Alaska National Guard personnel only..... \$30 [\$20];  
17 plus the fee required for that vehicle under (b)(1) or (2) of this  
18 section; the fee required by this paragraph shall be collected only on  
19 the first issuance and on the replacement of special request plates;
- 20 (3) a vehicle owned by a disabled veteran or other handi-  
21 capped person, and registered under AS 28.10.181 [OR A RESIDENT 65  
22 YEARS OF AGE OR OLDER WHO COMPLIES WITH AS 28.10.411(c)].....none;
- 23 (4) a vehicle owned by the state.....none;
- 24 (5) a vehicle owned by an elected state official.....the  
25 fee required for that vehicle under (b) of this section;
- 26 (6) a vehicle owned by a consular officer, unless waived  
27 under AS 28.10.181..... \$35 [\$30];
- 28 (7) a vehicle owned by a rancher, farmer, or dairyman and  
29 registered under AS 28.10.181..... \$35 [\$30];

- 1 (3) a snowmobile or off-highway vehicle..... \$ 5;
- 2 (9) an amateur mobile radio station vehicle,
- 3 (A) with a transceiver capable of less than 5-band
- 4 operation.....the
- 5 fee required for that vehicle under (b) or (c) of this section;
- 6 (B) in recognition of service to the public: a mobile
- 7 amateur radio station owned by an amateur with general class or
- 8 higher license, provided the station must be satisfactorily
- 9 proved capable of operating on at least five bands between 160
- 10 through 10 meters, must have an antenna, and must have a power
- 11 supply and wiring as a permanent part of the vehicle; the trans-
- 12 mitting unit may be removed from the car for service or dry
- 13 storage.....none
- 14 for a mobile amateur radio station vehicle included in (b)(1) or
- 15 (2) of this section;
- 16 (10) dealer registration plates,
- 17 (A) the initial set of plates..... \$45 [\$40];
- 18 (B) each subsequent set of plates..... \$25 [\$20];
- 19 (11) a vehicle owned by a municipality or charitable orga-
- 20 nization meeting the requirements of AS 28.10.181(c)..... \$ 5;
- 21 (12) an occasional use vehicle under AS 28.10.181(k).. \$15;
- 22 (13) a vehicle owned by a former prisoner of war..... none.

\* Sec. 10. AS 28.15.051(d) is amended to read:

(d) The department may issue a special driver's permit to a person who is at least 14 years of age with the consent of the person's parents, [OR] guardians, or spouse who is 18 years of age or older, for the purpose of driving a motor-driven cycle. This permit may be issued upon application and successful completion of all prescribed tests and fees, and is valid for the same period of time as a driver's

1 license. The permit is not valid in a municipality that by ordinance  
2 prohibits the driving of a motor-driven cycle by a person under the  
3 age of 16 years; a borough may adopt the ordinance on a nonareawide  
4 basis only, unless the power to adopt it on an areawide basis is  
5 acquired under AS 29.35.300 - 29.35.330 or former AS 29.33.250 -  
6 29.33.290.

7 \* Sec. 11. AS 28.15.071(a) is amended to read:

8 (a) The application of a person under the age of 18 years for an  
9 instruction permit or driver's license must be signed by the father,  
10 mother, [OR] guardian, or spouse who is 18 years of age or older, or  
11 if there is no parent, [OR] guardian, or spouse, then by another re-  
12 sponsible adult who is willing to assume the obligation imposed under  
13 this section upon a person signing the application. The application  
14 must be signed and verified before a person authorized to administer  
15 oaths, or be signed in the presence of an authorized representative of  
16 the department.

17 \* Sec. 12. AS 28.15.071(c) is amended to read:

18 (c) If a minor deposits, or there is deposited on behalf of the  
19 minor, proof of financial responsibility for the minor's driving of a  
20 motor vehicle, in the form and amount required in AS 28.20, then the  
21 department may accept the application of the minor signed as required  
22 under (a) of this section, and, while proof of financial responsibil-  
23 ity is maintained, the parent, guardian, spouse, or other responsible  
24 adult is not subject to the liability imposed under (b) of this sec-  
25 tion.

26 \* Sec. 13. AS 28.15.171(a) is amended to read:

27 (a) The privilege of driving a motor vehicle on a highway or  
28 vehicular way or area of this state given to a person licensed in an-  
29 other jurisdiction is subject to suspension, [OR] revocation, or

1 limitation by the department or a court in the same manner and for the  
2 same reasons as a driver's license issued under this chapter.

3 \* Sec. 14. AS 28.15.221(a) is amended to read:

4 (a) For the purpose of identifying habitually reckless or negli-  
5 gent drivers and habitual or frequent violators of traffic laws, the  
6 commissioner shall adopt regulations establishing a uniform system for  
7 the suspension, revocation, limitation or denial of a driver's license  
8 or driving privilege by assigning demerit points for convictions for  
9 violations of traffic laws which are required to be reported to the  
10 department under AS 28.15.191 and AS 28.37.130.

11 \* Sec. 15. AS 28.15.271 is amended to read:

12 Sec. 28.15.271. FEES. The fees for drivers' licenses and per-  
13 mits, including but not limited to renewals, are as follows:

- 14 (1) all classes of drivers' licenses..... \$10 [\$ 5];
- 15 (2) motor-driven cycles..... \$10 [\$ 2];
- 16 (3) instruction permit..... \$3 [\$ 1];
- 17 (4) duplicate of driver's license or instruction per-  
18 mit..... \$3 [\$ 2];
- 19 (5) temporary license and renewal of permit. \$3 [\$ 1];
- 20 (6) school bus driver's permit..... \$3 [\$ 2].

21 \* Sec. 16. AS 28.35.032(a) is amended to read:

22 (a) If a person under arrest refuses the request of a law en-  
23 forcement officer to submit to a chemical test under AS 28.35.031(a),  
24 after being advised by the officer that the refusal will, if that per-  
25 son was arrested while operating or driving a motor vehicle for which  
26 a driver's license is required, result in the denial or revocation of  
27 the license or nonresident privilege to drive, that the refusal may be  
28 used against the person in a civil or criminal action or proceeding  
29 arising out of an act alleged to have been committed by the person

1 while operating or driving a motor vehicle or operating an aircraft or  
2 a watercraft while intoxicated, and that the refusal is a misdemeanor,  
3 a chemical test may [SHALL] not be given, except as provided by  
4 AS 28.35.035.

5 \* Sec. 17. AS 28 is amended by adding a new chapter to read:

6 CHAPTER 37. DRIVER LICENSE COMPACT.

7 ARTICLE 1. GENERAL PROVISIONS.

8 Sec. 28.37.010. COMPACT ENACTED. The Driver License Compact is  
9 enacted into law and entered into with all other jurisdictions legally  
10 joining in it in the form substantially contained in AS 28.37.110 -  
11 28.37.190.

12 Sec. 28.37.020. LICENSING AUTHORITY. In this chapter the term  
13 "licensing authority" with reference to this state means the division  
14 of motor vehicles in the Department of Public Safety. The department  
15 shall furnish to the appropriate authority of another party state the  
16 information or documents reasonably necessary to facilitate the admin-  
17 istration of AS 28.37.130 - 28.37.150.

18 Sec. 28.37.030. EXPENSES OF ADMINISTRATOR. The compact adminis-  
19 trator provided for in AS 28.37.170 is not entitled to additional  
20 compensation on account of service as the administrator, but is enti-  
21 tled to expenses incurred in connection with the duties and responsi-  
22 bilities as the administrator, in the same manner as for expenses  
23 incurred in connection with other duties or responsibilities of the  
24 office or employment.

25 Sec. 28.37.040. EXECUTIVE HEAD. In this chapter, with reference  
26 to this state, the term "executive head" means the governor.

27 ARTICLE 2. COMPACT TERMS.

28 Sec. 28.37.110. FINDINGS AND POLICY STATEMENT. (a) The party  
29 states find that

1 (1) the safety of their streets and highways is materially  
2 affected by the degree of compliance with state laws and local ordi-  
3 nances relating to the operation of motor vehicles;

4 (2) violation of a law or ordinance is evidence that the  
5 violator engages in conduct that is likely to endanger the safety of  
6 persons and property;

7 (3) the continuance in force of a license to drive is  
8 predicated upon compliance with laws and ordinances relating to the  
9 operation of motor vehicles, in whichever jurisdiction the vehicle is  
10 operated.

11 (b) It is the policy of the party states to

12 (1) promote compliance with the laws, ordinances, and  
13 administrative regulations relating to the operation of motor vehicles  
14 by their drivers in each of the jurisdictions where those drivers  
15 operate motor vehicles;

16 (2) make the reciprocal recognition of licenses to drive  
17 and eligibility for them more just and equitable by considering the  
18 overall compliance with motor vehicle laws, ordinances, and adminis-  
19 trative regulations as a condition precedent to the continuance or  
20 issuance of a license by reason of which the licensee is authorized or  
21 permitted to operate a motor vehicle in the party states.

22 Sec. 28.37.120. COMPACT DEFINITIONS. In this chapter

23 (1) "conviction" means a conviction of an offense related  
24 to the use or operation of a motor vehicle that is prohibited by state  
25 law, municipal ordinance, or administrative regulation, or a forfei-  
26 ture of bail, bond or other security deposited to secure appearance by  
27 a person charged with having committed an offense described in this  
28 paragraph, and that is required to be reported to the licensing au-  
29 thority under AS 28.37.130;

1 (2) "home state" means the state that has issued and has  
2 the power to suspend or revoke the use of the license or permit to  
3 operate a motor vehicle;

4 (3) "state" means a state, territory, or possession of the  
5 United States, the District of Columbia, or the Commonwealth of Puerto  
6 Rico.

7 Sec. 28.37.130. REPORTS OF CONVICTIONS. The licensing authority  
8 of a party state shall report each conviction of a person from another  
9 party state occurring within its jurisdiction to the licensing author-  
10 ity of the home state of the licensee. The report shall clearly iden-  
11 tify the person convicted; describe the violation specifying the  
12 section of the statute, code, or ordinance violated; identify the  
13 court in which action was taken; indicate whether a plea of guilty or  
14 not guilty was entered, or the conviction was a result of the forfei-  
15 ture of bail, bond or other security; and shall include any special  
16 findings made in connection with the conviction.

17 Sec. 28.37.140. EFFECT OF CONVICTION IN PARTY STATE. (a) The  
18 licensing authority in the home state, for the purposes of suspending,  
19 revoking, or limiting the license to operate a motor vehicle, shall  
20 give the same effect to the conduct reported under AS 28.37.130 as it  
21 would if the conduct had occurred in the home state, in the case of a  
22 conviction for

23 (1) manslaughter or negligent homicide resulting from the  
24 operation of a motor vehicle;

25 (2) driving a motor vehicle while under the influence of  
26 intoxicating liquor or a narcotic drug, or under the influence of any  
27 other drug to a degree that renders the driver incapable of safely  
28 driving a motor vehicle;

29 (3) any felony in the commission of which a motor vehicle

1 is used;

2 (4) failure to stop and render aid in the event of a motor  
3 vehicle accident resulting in the death or personal injury or another.

4 (b) As to another conviction, reported under AS 28.37.130, the  
5 licensing authority in the home state shall give the effect to the  
6 conduct that is provided by the laws of the home state if the offense  
7 constituting the conduct report under AS 28.37.130 has elements simi-  
8 lar to those of the home state as defined in the home state at the  
9 time the offense constituting the conduct report under AS 28.37.130  
10 was committed.

11 (c) If the laws of a party state do not provide for offenses or  
12 violations denominated or described in precisely the words employed in  
13 (a) of this section, the party state shall construe the denominations  
14 and descriptions appearing in (a) of this section as being applicable  
15 to and identifying the offenses or violations of a substantially  
16 similar nature, and the laws of the party state shall contain the  
17 provisions necessary to ensure that full force and effect is given to  
18 this section.

19 Sec. 28.37.150. GROUNDS REQUIRING REFUSAL TO ISSUE LICENSE.  
20 Upon application for a license to drive, the licensing authority in a  
21 party state shall ascertain whether the applicant has ever held, or is  
22 the holder of a license to drive issued by another party state. The  
23 licensing authority in the state where application is made may not  
24 issue a license to drive to the applicant if

25 (1) the applicant has held a license, but the license has  
26 been suspended by reason, in whole or in part, of a violation, and the  
27 suspension period has not terminated;

28 (2) the applicant has held a license, but the license has  
29 been revoked by reason, in whole or in part, of a violation, and the

1 revocation has not terminated; except that after the expiration of one  
2 year from the date the license was revoked, the person may make appli-  
3 cation for a new license if permitted by law; the licensing authority  
4 may refuse to issue a license to an applicant if, after investigation,  
5 the licensing authority determines that it will not be safe to grant  
6 to the person the privilege of driving a motor vehicle on the public  
7 highways;

8 (3) the applicant is the holder of a license to drive  
9 issued by another party state and currently in force, unless the  
10 applicant surrenders the license.

11 Sec. 28.37.160. APPLICATION OF OTHER STATE LAWS. Except as  
12 expressly required by provisions of this chapter, nothing in this  
13 chapter shall be construed to affect the right of a party state to  
14 apply any of its other laws relating to licenses to drive to any  
15 person or circumstance, nor to invalidate or prevent any driver li-  
16 cense agreement or other cooperative arrangement between a party state  
17 and a nonparty state.

18 Sec. 28.37.170. ADMINISTRATOR OF COMPACT. (a) The head of the  
19 licensing authority of each party state shall be the administrator of  
20 the compact for that state. The administrators of all party states,  
21 acting jointly, shall have the power to formulate all necessary and  
22 proper procedures for the exchange of information under this compact.

23 (b) The administrator of each party state shall furnish to the  
24 administrator of each other party state the information or documents  
25 reasonably necessary to facilitate the administration of the compact.

26 Sec. 28.37.180. COMPACT AS LAW; WITHDRAWAL PROCEDURE. (a) The  
27 compact shall become effective as to any state in which the compact  
28 becomes effective as the law of that state.

29 (b) A party state may withdraw from the compact by enacting a

1 statute repealing the compact as the law of the state, but a with-  
2 drawal may not take effect until six months after the executive head  
3 of the withdrawing state has given notice of the withdrawal to the  
4 executive heads of all other party states. Withdrawal does not affect  
5 the validity or applicability by the licensing authorities of states  
6 remaining party to the compact of any report of conviction occurring  
7 before the withdrawal.

8 Sec. 28.37.190. CONSTRUCTION AND VALIDITY; SEVERABILITY. The  
9 compact shall be liberally construed so as to effectuate its purposes.  
10 The provisions of the compact are severable and if any phrase, clause,  
11 sentence, or provision of the compact is declared to be contrary to  
12 the constitution of any party state or of the United States or the  
13 applicability of it to a government, agency, person or circumstance is  
14 held invalid, the validity of the remainder of the compact and the  
15 applicability of it to any government, agency, person or circumstance  
16 shall not be affected by it. If the compact is held contrary to the  
17 constitution of any party state, the compact shall remain in full  
18 force and effect as to the remaining states and in full force and  
19 effect as to the state affected as to all severable matters.  
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# STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : \_\_\_\_\_

**REQUEST**

Bill/Resolution No. : HCS CSSB 278 (SA)  
 Title : An Act relating to impoundment  
 and registration of motor vehicles;  
 senior citizen motor vehicle tax...  
 Sponsor : Halford  
 Requestor : House Judiciary  
 Date of Request : \_\_\_\_\_

**FISCAL DETAIL**

Agency Affected : Public Safety  
 BRU : Motor Vehicles  
 \_\_\_\_\_  
 Components : Vehicle Services  
 and Driver Services  
 \_\_\_\_\_

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		100.9	105.9	111.2	116.8	122.6
TRAVEL						
CONTRACTUAL		43.6	14.3	15.3	16.4	17.2
SUPPLIES		.6	.6	.7	.7	.7
EQUIPMENT		6.1				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>151.2</b>	<b>121.3</b>	<b>127.5</b>	<b>133.9</b>	<b>140.5</b>

CAPITAL						
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REVENUE		582.6	536.4	566.6	598.3	631.6
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**FUNDING : (Thousands of Dollars)**

GENERAL FUND		151.2	121.3	127.5	133.9	140.5
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		<b>151.2</b>	<b>121.3</b>	<b>127.5</b>	<b>133.9</b>	<b>140.5</b>

**POSITIONS :**

FULL-TIME		3	3	3	3	3
PART-TIME		1	1	1	1	1
TEMPORARY						

**ANALYSIS :** Attach a separate page if necessary

**ASSUMPTIONS:** Effective July 1, 1986.  
 5% inflation factor used for FY88 and subsequent years.

*K. Niles*

Prepared by : Bill Brown BB Phone : 465-2650  
 Division : Motor Vehicles Date : 5-7-86

Approved by Commissioner : [Signature] Date : 5/7/86  
 Agency : Public Safety

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

# CONTINUATION OF FISCAL NOTE ANALYSIS

For Bill/Resolution No. HCS CSSB 278 (SA)

DETAIL

100	Personal Services		
	One Doc. Proc. Clk II (DL Compact)	29.2	
	Two Doc. Proc. Clk I (DL Compact)	55.4	
	One MVR II - PPT (Nat'l Guard Plates)	16.3	100.9
300	Contractual Services		
	License Plates (3,000 @ \$5.00 for first year, and 500 each succeeding year (Nat'l Guard Plates)	15.0	
	Postage (DL Compact)	1.2	
	Postage (Nat'l Guard Plates)	2.0	
	Forms (Nat'l Guard Plates)	.5	
	DP Programming (Nat'l Guard Plates)	2.0*	
	DP Programming (DL Compact)	15.0*	
	One CRT Terminal @\$182 per month (DL Compact)	2.2	
	One printer @\$92 per month (DL Compact)	1.1	
	DP line charges -- 1 CRT (DL Compact)	2.0	
	DP data circuit - 1 CRT (DL Compact)	1.5	
	Maintenance - 1 CRT and 1 printer (DL Compact)	1.1	43.6
400	Commodities		
	Normal office supplies (DL Compact)	.6	.6
500	Equipment		
	3 typewriters @\$1,242 (DL Compact)	3.7	
	3 chairs @\$272 (DL Compact)	.8	
	4 accoustical panels (DL Compact)	1.6	6.1
			<u>TOTAL 151.2</u>

\*initial programming charge - first year only

REVENUE

(DL Compact - Increase DL Fees - Sec. 14) This section doubles most driver licensing fees. Estimated increase for FY87 in revenue is \$575,000. At the present time, on a cost per year basis, the Alaska driver's license costs less now than in 1961, because the duration of the license was increased from three to five years in 1978, and the fees were not changed. Also on a cost per year basis, only Wyoming charges less for a driver's license than Alaska.

(Nat'l Guard Plates - Sec. 7) Estimated increase of \$115,000 based on 3,000 new registrations the first year at \$30, plus the \$10 increase for 2,500 personalized license plates each year. The revenue estimates for this item could vary depending on the number of National Guard members who obtain the special plate.

(Sec. 3) Exempting certain areas from registration will decrease revenue by approximately \$107,420 in FY87 and subsequent years.

Position Title Motor Vehicle Representative III			No. of Positions 1	Range/Step 10B	Barg. Unit GGU	Gov.	Approv.	Disapp	
Time Status PPT	Staff Months 12	RP Number	Location Anchorage		Election District	Leg.			
Type of Expenditure			Justification						
		Amount	<p>This position will be responsible for accepting, verifying and processing applications for issuance of National Guard license plates. After the first year this position will be responsible for the maintenance of this program, which includes issuance of new plates and transfer of the plates to other vehicles. The position will also be responsible for cancelling the plates once the person leaves the National Guard, and is no longer eligible for the plates.</p> <p>Prepared-using one-half of the monthly salary and benefits.</p>						
1	2	3							
Salary	11,790								
Benefits	2,948								
Premium Pay									
Other	1,514								
Total Personal Services		16.3							
Travel									
Contractual									
Commodities									
Equipment									
Other									
Total Cost		16.3							
Receipt Code	Funding Source								
	Federal Receipts	1002							
	G. F. Match	1003							
	General Funds	1004							16.3
	I-A Receipts	1005							
	Program Receipts	1028							
	CIP Receipts	1061							
	Other								
For B&M Use Only Key Number _____									

**Request For  
New Position**

Agency Public Safety  
 BRU Motor Vehicles  
 Component Vehicle Services

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**FY 87**

Position Title Document Processing Clerk I			No. of Positions	Range/Step 7b	Barg. Unit P.G.U.	Gov.	Approv.	Disapp
Time Status PFT	Staff Months 12	RP Number	Location Juneau		Election District 4	Leg.		
Justification								
Type of Expenditure			Amount					
1	2	3						
Salary	19,752							
Benefits	4,938							
Premium Pay								
Other	3,027							
Total Personal Services		27,717						
Travel								
Contractual								
Commodities			100					
Equipment			2,090					
Other								
Total Cost		29,907						
Receipt Code			Funding Source					
			Federal Receipts 1002					
			G. F. Match 1003					
			General Funds 1004					
			I-A Receipts 1005					
			Program Receipts 1028					
			CIP Receipts 1061					
			Other					
			29,907					
<p>For B&amp;M Use Only</p> <p>Key Number _____</p>								

This person would be responsible to mail surrendered out-of-state licenses to the state of issuance and send an inquiry if applicant did not have the license in possession, to obtain the licensee's previous driving record. Also send notices to violator's home state when individual licensed in another jurisdiction is convicted of, or suspended/revoked for, a traffic offense in Alaska.

Review driving records received from other states, decode, and determine if they are to be added to the Alaska driving record. For those which can, code and enter on computer.

After out-of-state driving records have been microfilmed, enter data into microfilmed retrieval system.

Equipment breakdown for this position is as follows:

Typewriter - 1,242  
 Desk - 576  
 Chair - 272

**Request For  
New Position**

Agency Department of Public Safety  
 BRU Motor Vehicles  
 Component Driver Services

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Position Title Document Processing Clerk II'			No. of Positions	Range/Step 8b	Barg. Unit C/III	Gov.	Approv.	Disap
Time Status PFT	Staff Months 12	RP Number	Location Juneau		Election District 4	Leg.		
Type of Expenditure			Justification					
		Amount	<p>Upon receipt of out-of-state driving records and license actions, this person would determine whether or not the licensee is eligible to be licensed in Alaska. If not, would take appropriate action to cancel driver's license.</p> <p>Enter any license actions into computer, prepare certified copies for prosecutors, courts, etc., when necessary.</p> <p>Decode driving records from other states and determine if they can be added to Alaska driving record. Add appropriate records to computer system.</p> <p>Equipment breakdown for this position is as follows:</p> <p style="margin-left: 40px;">Typewriter - 1,242 Desk - 576 Chair - 272</p>					
1	2	3						
Salary	20,904							
Benefits	5,226							
Premium Pay								
Other	3,027							
Total Personal Services		29,157						
Travel								
Contractual								
Commodities		100						
Equipment		2,990						
Other								
Total Cost		31,347						
Receipt Code	Funding Source							
	Federal Receipts 1007							
	G. F. Match 1003							
	General Funds 1004		31,347					
	I-A Receipts 1005							
	Program Receipts 1028							
	CIP Receipts 1061							
	Other							
For B&M Use Only Key Number _____								

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Position Title Document Processing Clerk I			No. of Positions	Range/Step 7b	Barg. Unit T.C.U.	Gov.	Approv.	Disapp.	
Time Status PFT	Staff Months 12	RP Number	Location Juneau	Election District 4		Leg.			
Type of Expenditure			Justification						
		Amount	<p>This person would enter data into the computer when an Alaska license is returned from another state when the licensee becomes licensed in that state.</p> <p>A driving record would then be generated and mailed to the new licensing state.</p> <p>Answer inquiries received from other states concerning an Alaska driving record.</p> <p>Enter data from out-of-state driving records and convictions into microfilm retrieval system.</p> <p>Equipment breakdown for this position is as follows:</p> <p style="margin-left: 40px;">Typewriter - 1,242 Desk - 576 Chair - 272</p>						
1	2	3							
Salary	19,752								
Benefits	4,938								
Premium Pay									
Other	3,027								
Total Personal Services		27,717							
Travel									
Contractual									
Commodities		100							
Equipment		2,090							
Other									
Total Cost		29,907							
Receipt Code	Funding Source								
	Federal Receipts	1002							
	G. F. Match	1002							
	General Funds	1004							29,907
	I-A Receipts	1005							
	Program Receipts	1028							
	CIP Receipts	1061							
	Other								
For B&M Use Only Key Number _____									

Request For  
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FY 87

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - HCS CSSB 278(SA)

Support with Amendments

May 7, 1986

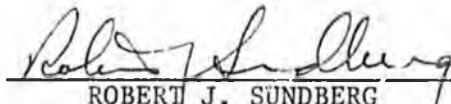
HCS CSSB 278(SA): An Act relating to impoundment and registration of motor vehicles; senior citizen motor vehicle tax exemptions; licensing of certain drivers; fees for driver's licenses and permits; refusal to submit to a chemical test for intoxication; and the driver's license compact.

The department supports this piece of legislation, however, recommends it be amended as outlined below.

1. Delete Section 5 and the amendment to Section 7 concerning issuance of special license plates to National Guard members. This is a new class of plate that will require special ordering and special procedures for issuance and turn-in.

Sections 1, 2, 4, 6, 8, 9, 10, 11, 13, 15 and 17 are basically house-keeping items which will enhance our operation by correcting problem areas we have experienced and/or can foresee in the future.

Sections 12 and 16 enables us to become a member of the Driver's License Compact. The Compact currently has 29 member states, including all Western States except Wyoming. The Compact is a viable mechanism for promoting traffic safety. The increase in fees in Section 14 will more than cover the fiscal impact of becoming a member of the Compact.

  
ROBERT J. SUNDBERG  
Commissioner

CSSB278 is a composite of two bills plus two amendments.

The bills:

SB 278:

Sponsored by Senator Halford at the suggestion of the Department of Law.

This bill allows the state of Alaska to refuse to issue a driver's license to a driver whose license is suspended in another state.

SB 84:

Sponsored by the Governor, requested by the Division of Motor Vehicles. This bill makes miscellaneous housekeeping changes in motor vehicle laws.

The amendments:

Sections 5 and 7. By Senator Kelly. These sections add license plates for the National Guard.

Section 3. By Senator Ferguson. This section would exempt from registration automobiles driven on a road which is:

- (1) not connected to the state land highway system or
- (2) not connected to a highway with an average daily volume of more than 499 cars.

INTRODUCTORY COMMENTS

## INTRODUCTORY COMMENTS

### I. The Governor's Bill: SB 84.

This bill was first introduced during the 1984 session (SB499). It passed the Senate 19-0 but died in the House Judiciary Committee without a hearing.

It contains miscellaneous changes to statutes which clarify current practices and address omissions in current law. These are explained in the Sectional Analysis.

This bill is in Sections 1, 2, 4, 6, 8, 9, 10, 11, 14 and 16 of CSSB278 (Fin) (am)

### II. The Driver License Compact: SB 278.

Currently it is possible for a driver to lose his or her driver's license in another state, move to Alaska and get an Alaska driver's license.

This bill would require Alaska to exchange information on traffic convictions and license suspensions with the 32 other states which are members of the Driver License Compact.

If this bill becomes law, an applicant would be denied an Alaska driver's license if his driver's license were currently suspended in another state.

#### An Example:

A 16-year-old Anchorage girl died on Halloween Night 1980 when the pick-up truck in which she was a passenger was struck at 80 mph on Tudor Road in Anchorage by a 23-year-old drunk driver whose license was suspended indefinitely in Ohio for DWI and other traffic violations.

The driver, Thomas Arnold, had had no trouble getting an Alaska license. His blood alcohol the night of the accident was about 2.0.

If the Compact had been in effect, Arnold would have been refused an Alaska driver's license for the duration of his Ohio suspension. A life might have been saved.

This bill is found in Sections 12, 13 and 15 of CSSB 278 (Fin) (am).

ENDORSEMENTS OF THE DRIVER LICENSE COMPACT

The following organizations endorse the Driver License Compact:

American Association of Motor Vehicle Administrators

Council of State Governments

National Governor's Association

International Association of Chiefs of Police

National Association of Attorneys General

National Grange

National Highway Users' Conference, Inc.

National Safety Council

National Highway Traffic Safety Administration

## THE MAJOR PROVISIONS

The Driver License Compact allows states to overcome jurisdictional limitations which have previously allowed drivers to obtain licenses in one state, although their licenses are suspended in another.

The Driver License Compact contains four provisions. Member states are committed to uphold them. The provisions are:

1. one driver's license
2. one driver's record
3. exchange of information between states
4. uniform and predictable treatment of offenders

1. The one driver's license concept.

Requires applicants for a license to surrender an out-of-state driver's license. This prevents individual drivers from obtaining multiple driver's licenses.

How this is enforced: Member states attempt to determine at the time of application whether the applicant has ever held a driver's license issued by another state or states.

Applicants who state they have never been licensed previously are questioned about prior state residency and are asked to sign a non-driving affidavit.

2. The one driver record concept.

Under the Compact, it is absolutely necessary that each driver have one and only one complete driving record. This record should include traffic offenses in all states. Ideally, it would follow the driver from state to state.

How this works: Under the Compact, a driver's complete record is on file in his home state. It is made available to other states when the driver moves or applies for a license in another state.

What the record should include: Basic information such as name, date of birth, address, physical description, test results and license restrictions.

In addition, it should include information relating to any previous out of state driver's license held: information regarding any violations, accidents, driver improvement actions and any suspensions or revocations.

3. Exchange of information.

This makes the one-driver, one-license concept possible. It allows reports of serious traffic convictions of out-of-state drivers with the home state.

How this works:

- \* Compact member states check the information in the National Driver Register to verify issuance of all original licenses.
- \* They notify the Register of all license withdrawals for suspension or revocation and all license reinstatements.
- \* They send notification of convictions for serious traffic offenses by non-residents to the driver's home state.
- \* They forward to the home state convictions not requiring the withdrawal of a person's driving privilege.

4. Uniform and predictable treatment.

IMPORTANT: The home state of a driver treats the conviction in the same manner it would if the offense occurred at home.

To compensate for varying definitions of offenses among states, the Compact limits the offenses to those universally recognized as extremely serious.

These offenses are:

- a. manslaughter or negligent homicide
- b. driving while intoxicated
- c. conviction of a felony for which a motor vehicle was used
- d. hit and run

Action taken under the Compact is based upon the home state law. The laws of the state in which the offense occurred are not considered.

The state in which the offense occurred may take unilateral action against the out-of-state driver's right to drive in that state. But action against the home state license privileges remains the responsibility of the home state.

Procedures: each citation is reviewed, conviction date is entered on the home state record, required action is taken (such as license withdrawal for mandatory convictions or demerit points).

## ADVANTAGES OF MEMBERSHIP

### Advantages to states:

1. Drivers who commit serious traffic violations away from home do not escape corrective action by the state in which they are licensed.
2. Drivers cannot move to a new state with a "clean slate". They cannot receive a license despite suspension of the license in another state.

The Driver License Compact provides an effective means of determining a driver's nationwide driving record. In a highly mobile state such as Alaska, it can be an immensely valuable tool in traffic safety efforts.

Sectional Analysis - CSSB278 (Fin)(am)

Section 1 (AS 28.05.091) In Governor's Bill.

Make it clear that a peace officer may impound a motor vehicle if the vehicle's identification number has been altered or removed. (Impounding is necessary to investigate whether the vehicle has been stole).

Current language does not clearly authorize a seizure of this sort.

Section 2 (AS 28.05.141(c)) In Governor's Bill.

Allows a DMV hearing officer to take action against a person's vehicle title or registration as well as against the person's driver's license.

This conforms with current administrative practice.

Section 3 (AS 28.10.011(11)) Sen. Ferguson's amendment.

Exempts vehicles from registration if the roads they are driven on are small volume or are not connected to the state highway system.

Section 4 (AS 28.10.051) In Governor's Bill.

Makes it clear that a vehicle registration may be suspended or revoked when it was fraudulently obtained.

Current language says "when fraudulently or erroneously issued."

Section 5 (AS 28.10.181) Sen. Kelly's amendment.

Allows special request plates for Alaska National Guard personnel.

Section 6 (AS 28.10.411(c)) In Governor's Bill.

Makes it clear that senior citizens aged 65 or older on the date the vehicle registration fee is due is exempt from the fee.

Section 7 (AS 28.10.421(d)) Sen. Kelly's amendment.

Sets \$30 fee for Alaska National Guard plates.

Section 8 (AS 28.15.051(d))  
Section 9 (AS 28.15.071(a))  
Section 10 (AS 28.15.071(o)) In Governor's Bill.

Currently a person under 18 cannot apply for an automobile or motorcycle permit unless a parent or guardian agrees to assume responsibility for damages.

These sections allow an 18-year-old or older spouse of a minor to assume this responsibility.

Section 11 (AS 28.15.171(a)) In Governor's Bill

Clarifies that a court has the authority to suspend or revoke a nonresident's driving privileges in the same way an Alaska driver's license may be suspended or revoked.

Section 12 (AS 28.15.221(a)) Driver License Compact

Adds a section from this bill to existing law.

The added section (28.37.130) requires each member state of the Compact to report each conviction of a person from another member state to the offender's home state.

Section 13 (AS 28.15.271) Driver License Compact Bill

Raises driver's license fees. Estimated revenue increase is \$575,000.

At present, on a cost per year basis, the Alaska driver's license costs less now than it did in 1961. (The duration of the license changed from three years to five in 1978 but the cost did not increase.)

Section 14 (AS 28.35.032(a)) Governor's Bill

Revisor language change.

Section 15 (AS 28) The Driver License Compact.

(See Attachment)

Section 16 (AS 28.40.100 (a)(19))

Defines "vehicular way".

## THE DRIVER LICENSE COMPACT

### ARTICLE I

#### Findings and Declaration of Policy

- (a) The party states find that:
- (1) The safety of their streets and highways is materially affected by the degree of compliance with state and local ordinances relating to the operation of motor vehicles.
  - (2) Violation of such a law or ordinance is evidence that the violator engages in conduct which is likely to endanger the safety of persons and property.
  - (3) The continuance in force of a license to drive is predicated upon compliance with laws and ordinances relating to the operation of motor vehicles, in whichever jurisdiction the vehicle is operated.
- (b) It is the policy of each of the party states to:
- (1) Promote compliance with the laws, ordinances, and administrative rules and regulations relating to the operation of motor vehicles by their operators in each of the jurisdictions where such operators drive motor vehicles.
  - (2) Make the reciprocal recognition of licenses to drive and eligibility therefor more just and equitable by considering the overall compliance with motor vehicle laws, ordinances and administrative rules and regulations as a condition precedent to the continuance or issuance of any license by reason of which the licensee is authorized or permitted to operate a motor vehicle in any of the party states.

## ARTICLE II

### Definitions

As used in this Compact:

- (a) "State" means a state, territory or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.
- (b) "Home state" means the state which has issued and has the power to suspend or revoke the use of the license or permit to operate a motor vehicle.
- (c) "Conviction" means a conviction of any offense related to the use or operation of a motor vehicle which is prohibited by state law, municipal ordinance or administrative rule or regulation, or a forfeiture of bail, bond or other security deposited to secure appearance by a person charged with having committed any such offense, and which conviction or forfeiture is required to be reported to the licensing authority.

## ARTICLE III

### Report of Convictions

The licensing authority of a party state shall report each conviction of a person from another party state occurring within its jurisdiction to the licensing authority of the home state of the licensee. Such report shall clearly identify the person convicted; describe the violation specifying the section of the statute, code or ordinance violated; identify the court in which action was taken; indicate whether a plea of guilty or not guilty was entered, or conviction was a result of the forfeiture of bail, bond or other security; and shall include any special findings made in connection therewith.

ARTICLE IV

Effect of Conviction

- (a) The licensing authority in the home state, for the purposes of suspension, revocation or limitation of the license to operate a motor vehicle, shall give the same effect to the conduct reported, pursuant to Article III of this Compact, as it would if such conduct had occurred in the home state, in the case of convictions for:
- (1) Manslaughter or negligent homicide resulting from the operation of a motor vehicle;
  - (2) Driving a motor vehicle while under the influence of intoxicating liquor or narcotic drug, or under the influence of any other drug to a degree which renders the driver incapable of safely driving a motor vehicle;
  - (3) Any felony in the commission of which a motor vehicle is used;
  - (4) Failure to stop and render aid in the event of a motor vehicle accident resulting in the death or personal injury of another.
- (b) As to other convictions, reported pursuant to Article III, the licensing authority in the home state shall give such effect to the conduct as is provided by the laws of the home state.
- (c) If the laws of a party state do not provide for offenses or violations denominated or described in precisely the words employed in subdivision (a) of this Article, such party state shall construe the denominations and descriptions appearing in the subdivision (a) hereof as being applicable to and identifying those offenses or violations of a substantially similar nature and the laws of such party state shall contain such provisions as may be necessary to ensure that full force and effect is given to this Article.

## ARTICLE V

### Applications for New Licenses

Upon application for a license to drive, the licensing authority in a party state shall ascertain whether the applicant has ever held, or is the holder of a license to drive issued by any other party state. The licensing authority in the state where application is made shall not issue a license to drive to the applicant if:

- (1) The applicant has held such a license, but the same has been suspended by reason, in whole or in part, of a violation and if such suspension period has not terminated.
- (2) The applicant has held such a license, but the same has been revoked by reason, in whole or in part, of a violation and if such revocation has not terminated, except that after the expiration of one year from the date the license was revoked, such person may make application for a new license if permitted by law. The licensing authority may refuse to issue a license to any such applicant, if, after investigation, the licensing authority determines that it will not be safe to grant to such person the privilege of driving a motor vehicle on the public highways.
- (3) The applicant is the holder of a license to drive issued by another party state and currently in force unless the applicant surrenders such license.

## ARTICLE VI

### Applicability of Other Laws

Except as expressly required by provisions of this Compact, nothing contained herein shall be construed to affect the right of any party state to apply any of its other laws relating to licenses to drive to any person or circumstance, nor to invalidate or prevent any driver license agreement or other cooperative arrangement between a party state and a non-party state.

## ARTICLE VII

### Compact Administrator and Interchange of Information

- (a) The head of the licensing authority of each party state shall be the administrator of this Compact for his state. The administrators, acting jointly, shall have the power to formulate all necessary and proper procedures for the exchange of information under this Compact.
- (b) The administrator of each party state shall furnish to the administrator of each other party state any information or documents reasonably necessary to facilitate the administration of this Compact.

## ARTICLE VIII

### Entry Into Force and Withdrawal

- (a) This Compact shall enter into force and become effective as to any state when it has enacted the same into law.
- (b) Any party state may withdraw from this Compact by enacting a statute repealing the same, but no such withdrawal shall take effect until six months after the executive head of the withdrawing state has given notice of the withdrawal to the executive heads of all other party states. No withdrawal shall affect the validity or applicability by the licensing authorities of states remaining party to the Compact of any report of conviction occurring prior to the withdrawal.

## ARTICLE IX

### Construction and Severability

This Compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this Compact shall be severable and if any phrase, clause, sentence or provision of this Compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this Compact shall be held contrary to the constitution of any state party thereto, the Compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.



## WHAT MEMBER STATES SAY ABOUT COMPACT PARTICIPATION

### ILLINOIS

"Our (motor vehicle administrators) overriding objective is to serve all motorists and continue to provide the safest highway transportation system in the world. Compact membership provides all states with an opportunity to accept their share of responsibility in meeting this objective."

### VIRGINIA

"While we are confident that many lives have already been saved as a result of the Driver License Compact, we will be far from realizing our real potential until all states are members. As long as even one state provides a haven for people who want to get a second or third license, there is a weakness in the security we are trying to build."

### FLORIDA

"We believe the Driver License Compact promotes uniformity, highway safety, responsible actions on the part of the driving population, the one license-one record concept, and leads to a greater degree of reciprocity while assisting law enforcement."

### UTAH

"The benefits derived from this association (as a member of the Driver License Compact) far outweigh the costs."

## HISTORY OF THE DRIVER LICENSE COMPACT

In 1958, the Congress of the United States enacted a law based on the Beamer Resolution--which reaffirmed the principle that the states should bear primary responsibility for traffic safety--and granted congressional approval in advance to interstate compacts to further highway traffic safety.

The Council of State Governments began drafting what would become the Driver License Compact in 1960, in close cooperation with state motor vehicle administrators and the American Association of Motor Vehicle Administrators (AAMVA). The DLC was supported early on by a number of individuals and organizations, including legislators from a variety of states, the Interstate Compact Committee of the National Conference of Commissioners on Uniform State Law, the Western Interstate Committee on Highway Policy Problems, and the Western Governors' Conference.

Other organizations have endorsed the DLC, including: the International Association of Chiefs of Police, the National Association of Attorneys General, the National Grange, the National Highway Users' Conference, Inc., the National Safety Council, and the National Highway Traffic Safety Administration.

Nevada became the first state to adopt the DLC in 1961. Mississippi followed in 1962, putting the Compact into effect. Ten additional states joined in 1963. The number grew to twenty by 1966 and currently stands at 29.

In March 1965, the American Association of Motor Vehicle Administrators adopted a recommendation that AAMVA serve as the secretariat for states participating in the Compact. The Compact states ratified this action.

A Driver License Compact Commission (DLCC), made up of motor vehicle administrators from Compact states, was established in 1983 to administer the DLC and develop a long-term plan to increase membership and service. AAMVA also serves as secretariat of this organization.

## QUESTIONS AND ANSWERS

- Q. Must highway safety compacts be ratified by state legislative action?
- A. Yes. An interstate compact is the most formal, binding and stable kind of agreement for cooperative action by the states. Since it is a contract among signatory states, it must be entered into by state legislative action. The text of the compact should be identical in all states, but supplementary provisions may be varied to fit state law and policy.
- Q. Does the Driver License Compact contain new concepts in driver licensing procedures?
- A. No. Highway safety compacts are "agreements between party states entered into for the purpose of resolving mutual problems in interstate highway safety. The provisions of the DLC closely parallel--and are consistent with--the provisions of the Uniform Vehicle Code, Chapter 6, which has been developed over the years by the National Committee on Uniform Traffic Laws and Ordinances as a guide for state legislatures in dealing with licensing of drivers.
- Q. If a state has adopted the driver licensing provisions of the Uniform Vehicle Code, why does it need to adopt the DLC?
- A. Although the Uniform Vehicle Code provisions may have been adopted and general arrangements made with other states to implement its provisions, the Driver License Compact provides the stability and uniform applicability needed to control problem drivers effectively.

Q. Doesn't the National Driver Register provide adequate control of problem drivers?

A. No. It is only a partial remedy. The NDR covers about half of all revocations--those resulting from convictions of driving while intoxicated (DWI) or driving under the influence (DUI) and traffic violation convictions in connection with loss of life. It does not get information on other offenses, including many serious ones. And the Register does not automatically notify the home state of any out-of-state convictions of one of its drivers.

Q. What driver licensing principles does the DLC promote?

A. The following principles are emphasized:

- a. The driver's entire driving record, including out-of-state convictions, is known to the home state due to the exchange of information between states.
- b. The driver's record follows the driver on any moves from one state to another.
- c. The "one license" concept has become a realistic possibility among states in the Compact. Under the DLC, a driver should not be able to obtain a new license in another party state until surrendering a valid license and the driving record is reviewed. The only exception might be a driver who has never been licensed before.
- d. All drivers of a state are treated alike for purposes of suspensions or revocation, regardless of whether their violations occurred in the home state or out-of-state.

Q. Is information exchanged on all out-of-state convictions?

A. No. Only convictions which must be reported to the central state licensing authority in the state where the violation occurs are reported to the driver's home state. Normally, this includes only the most serious violations. Parking violations and other minor offenses are not reported.

The DLC recognizes four serious offenses that require action against the driver, regardless of where the convictions occur. These are: (1) manslaughter or negligent homicide; (2) driving under the influence; (3) a felony using a motor vehicle; and (4) hit-and-run driving resulting in injury or death.

Q. May a state withdraw from this Compact?

A. Yes. Any party may withdraw from this Compact by enacting a statute repealing the enabling legislation. No withdrawal can take effect until six months after the governor of the withdrawing state has given notice of the withdrawal to the governors of all other party states.

Q. Does ratification of the Compact affect other state laws or other interstate agreements?

A. No. Nothing contained in the DLC affects the rights of any party state to apply any of its other laws relating to licensing drivers. Nor does the Compact invalidate any cooperative agreements between a party state and a non-party state.

# STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

## PUBLIC DEFENDER AGENCY

900 W. 5TH AVENUE  
SUITE 200  
ANCHORAGE, ALASKA 99501  
PHONE: (907) 278-7541

### M E M O R A N D U M

TO: Representative Don Clockson      DATE: May 8, 1986  
Majority Leader

FROM: DANA FABE      RE: HCS CSSB 278 (SA)  
Public Defender

Per your request of May 7, 1986, this memo addresses HCS CSSB 278 (SA). My comments focus on Section 15 of this bill.

It is currently a misdemeanor to refuse a request to submit to a breath test after being advised that the refusal will result in a misdemeanor, license suspension, and other collateral consequences if the person was arrested while operating the vehicle. The change proposed by this section will make it a misdemeanor to refuse a breathalyzer if one is arrested "for" operating a motor vehicle (rather than "while" operating a motor vehicle). Thus, if an officer wrongfully concludes that a person was operating a motor vehicle while intoxicated and that person in fact was not the driver of the vehicle, it will still be a misdemeanor for that non-driver to refuse a breathalyzer.

Requiring people to take a breath test is a somewhat intrusive measure which is counterbalanced by the need to insure that persons driving on our highways are sober and not under the influence of alcohol or drugs. The public policy involved in balancing those two considerations is altered substantially if persons who are wrongfully charged with DWI and were in fact not driving a vehicle are required to submit to breath tests. The police may make errors in determining which occupant of a vehicle was driving, particularly since an arrest may be made for DWI on an informant's tip when an officer has not actually witnessed the driving. If an officer, based on a vague description given by a motorist who has noticed erratic driving on the road, erroneously places a passenger under arrest for DWI, that passenger should not later be convicted of a misdemeanor if he or she refuses the breath test. This is particularly true given that an innocent

passenger, who has not broken any law, will be required to serve not only three days in jail but also have their driver's license suspended and deal with other administrative license consequences.

No other section of the bill appears to have an impact on the Public Defender Agency. Please let me know if you have any other questions regarding this bill or any other, and I will be happy to respond.



Official Business

# Alaska State Legislature

## House of Representatives

### Committee on State Affairs

Pouch V  
State Capitol  
Juneau, Alaska 99811

10071 468-4863

HOUSE STATE AFFAIRS COMMITTEE  
LETTER OF INTENT  
FOR  
HOUSE COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE  
FOR SENATE BILL 278 (FINANCE) AMENDED

It is the intent of the legislature that when taking action under the Compact for offenses under AS 28.37.140, the Division of Motor Vehicles shall give the effect to the conduct that is provided by the laws of the home state if the offense has elements or due process rights similar to those of the home state as defined in the home state at the time the offense was committed.

\_\_\_\_\_  
Rep. Katie Hurley, Chair  
House State Affairs Committee

\_\_\_\_\_  
Rep. Virginia Collins

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Rep. Mike Navarre, Vice-Chair

\_\_\_\_\_  
Rep. Roger Jenkins

\_\_\_\_\_  
Rep. H.A. Boucher

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Rep. M.M. Miller

\_\_\_\_\_  
Rep. Bette Cato

\_\_\_\_\_  
Date



# Alaska State Legislature Senate

OFFICIAL BUSINESS

PO BOX V  
CAPITOL BUILDING  
JUNEAU, ALASKA 99811

SENATE LETTER OF INTENT ON  
CS FOR SENATE BILL NO. 278(FIN) am

THE DRIVER LICENSE COMPACT WILL ENABLE THE STATE OF ALASKA  
TO EXCHANGE DRIVERS' LICENSE RECORDS WITH 29 MEMBER  
STATES.

IT IS THE INTENT OF THE SENATE STATE AFFAIRS COMMITTEE THAT  
THE INCREASED FEE SCHEDULE FOR DRIVERS' LICENSES AND PERMITS  
COVER THE COST FOR IMPLEMENTING THE DRIVERS LICENSE COMPACT.

Adopted by the Senate February 26, 1986.

STATE OF ALASKA 1986 LEGISLATIVE SESSION  
FISCAL NOTE

**REQUEST :**  
 Bill Resolution No. : CSSB 278 (FIN)  
 Title : \_\_\_\_\_  
 \_\_\_\_\_  
 Sponsor : \_\_\_\_\_  
 Requestor : Senate Finance  
 Date of Request : 2-7-86

**FISCAL DETAIL :**  
 Agency Affected : Public Safety  
 BRU : Motor Vehicles  
 \_\_\_\_\_  
 Components : Vehicle Services  
and Driver Services  
 \_\_\_\_\_

**EXPENDITURES/REVENUES : (Thousands of Dollars)**

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		100.9	105.9	111.2	116.8	122.6
TRAVEL						
CONTRACTUAL		43.6	14.8	15.6	16.4	17.2
SUPPLIES		.6	.6	.7	.7	.7
EQUIPMENT		6.1				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>		<b>151.2</b>	<b>121.3</b>	<b>127.5</b>	<b>133.9</b>	<b>140.5</b>

CAPITAL						
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REVENUE		690.0	643.8	674.0	705.7	739.0
---------	--	-------	-------	-------	-------	-------

**FUNDING : (Thousands of Dollars)**

GENERAL FUND		151.2	121.3	127.5	133.9	140.5
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>		<b>151.2</b>	<b>121.3</b>	<b>127.5</b>	<b>133.9</b>	<b>140.5</b>

**POSITIONS :**

FULL-TIME		3	3	3	3	3
PART-TIME		1	1	1	1	1
TEMPORARY						

**ANALYSIS :** Attach a separate page if necessary

This fiscal note prepared at request of Senate Finance combining CS SB84 (Judiciary) and CS SB278 (SA).

ASSUMPTIONS: Effective July 1, 1986.

5% inflation factor used for FY88 and subsequent years.

Prepared by: Bill Brown Phone: 465-2650  
 Division: Motor Vehicles Date: 2-11-86  
 Approved by Commissioner: [Signature] Date: 2/11/86  
 Agency: Public Safety

**Distribution (by Agency preparing fiscal note):**

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

CONTINUATION OF FISCAL NOTE ANALYSIS

For Bill Resolution No. CSB 278 (Fair)

DETAIL

100	Personal Services		
	One Doc. Proc. Clk II (DL Compact)	29.2	
	Two Doc. Proc. Clk I (DL Compact)	55.4	
	One MVR III PPT (Natl' Guard Plates)	16.3	100.9
300	Contractual Services		
	License Plates (3,000 @ \$5.00 for first year, and 500 each succeeding year (Natl' Guard Plates)	15.0	
	Postage (D.L. Compact)	1.2	
	Postage (Natl' Guard Plates)	2.0	
	Forms (Natl' Guard Plates)	.5	
	DP Programming (Natl' Guard Plates)	2.0*	
	DP Programming (D.L. Compact)	15.0*	
	One CRT terminal @182 per month (D.L. Compact)	2.2	
	One printer @92 per month (D.L. Comp)	1.1	
	DP line charges - 1 CRT (D.L. Comp)	2.0	
	DP data circuit - 1 CRT (D.L. Comp)	1.5	
	Maintenance - 1 CRT and 1 printer (D.L. Compact)	1.1	43.6
400	Commodities		
	Normal office supplies (D.L. Compact)	.6	.6
500	Equipment		
	3 typewriters @1,242 (D.L. Compact)	3.7	
	3 chairs @272 (D. L. Compact)	.8	
	4 accoustical panels (D.L. Compact)	1.6	
			6.1
	TOTAL		151.2

\* initial programming charge - first year only

REVENUE

(D.L. Compact - Increase D.L. Fees) This bill doubles most driver licensing fees. Estimated increase for FY87 for revenue is \$575,000. At the present time, on a cost per year basis, the Alaska driver's license costs less now than in 1961, because the duration of the license was increased from three to five years in 1978, and the fees were not changed. Also, on a cost per year basis, only Wyoming charges less for a driver's license than Alaska.

(National Guard License Plates) Estimate based on 3,000 new registrations the first year at \$30, plus the \$10 increase for 2,500 personalized license plates each year. The revenue estimates for this item could vary depending on the number of National Guard members who obtained the special plate.

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill Resolution No. CSB 278 (Fair)

DETAIL

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One Doc. Proc. Clk II (DL Compact)	29.2	
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400 Commodities

Normal office supplies (D.L. Compact)	.6	.6
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500 Equipment

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Position Title <b>Motor Vehicle Representative III</b>			No. of Positions 1	Range/Step 10B	Barg. CGA	Gov.	Approv.	Disapp	
Time Status PPT	Staff Months 12	RP Number	Location Anchorage		Election District	Leg.			
Type of Expenditure			Justification						
		Amount	<p>This position will be responsible for accepting, verifying and processing applications for issuance of National Guard license plates. After the first year this position will be responsible for the maintenance of this program, which includes issuance of new plates and transfer of the plates to other vehicles. The position will also be responsible for cancelling the plates once the person leaves the National Guard, and is no longer eligible for the plates.</p> <p>Prepared-using one-half of the monthly salary and benefits.</p>						
1	2	3							
Salary	11,790								
Benefits	2,948								
Premium Pay									
Other	1,514								
Total Personal Services		16.3							
Travel									
Contractual									
Commodities									
Equipment									
Other									
Total Cost		16.3							
Receipt Code	Funding Source								
	Federal Receipts	1002							
	G. F. Match	1003							
	General Funds	1004							16.3
	I-A Receipts	1005							
	Program Receipts	1028							
	CIP Receipts	1061							
	Other								
For B&M Use Only Key Number _____									

**Request For  
New Position**

Agency Public Safety  
 BRU Motor Vehicles  
 Component Vehicle Services

Page 3 of 6  
 Revised Date \_\_\_\_\_

**FY 87**

Position Title Document Processing Clerk I			No. of Positions	Range/Step 7h	Barg. Unit P.G.U.	Gov.	Approv.	Disopt
Time Status PFT	Staff Months 12	RP Number	Location Juneau		Election District 4	Leg.		
Type of Expenditure			Justification					
		Amount	<p>This person would be responsible to mail surrendered out-of-state licenses to the state of issuance and send an inquiry if applicant did not have the license in possession, to obtain the licensee's previous driving record. Also send notices to violator's home state when individual licensed in another jurisdiction is convicted of, or suspended/revoked for, a traffic offense in Alaska.</p> <p>Review driving records received from other states, decode, and determine if they are to be added to the Alaska driving record. For those which can, code and enter on computer.</p> <p>After out-of-state driving records have been microfilmed, enter data into microfilmed retrieval system.</p> <p>Equipment breakdown for this position is as follows:</p> <p>Typewriter - 1,242 Desk - 576 Chair - 272</p>					
1	2	3						
Salary	19,752							
Benefits	4,938							
Premium Pay								
Other	3,027							
Total Personal Services		27,717						
Travel								
Contractual								
Commodities		100						
Equipment		2,090						
Other								
Total Cost		29,907						
Receipt Code			Funding Source					
			Federal Receipts 1002					
			G. F. Match 1003					
			General Funds 1004					
			I-A Receipts 1005					
			Program Receipts 1028					
			CIP Receipts 1061					
			Other					
			29,907					
For B&M Use Only								
Key Number								

**Request For  
New Position**

Agency Department of Public Safety  
 BRU Motor Vehicles  
 Component Driver Services

Page 4 of 6  
 Revised Date

**FY 87**

Position Title Document Processing Clerk "I"			No. of Positions	Range/Step 7b	Barg. Unit GCII	Gov.	Approv.	Disapp
Time Status PFT	Staff Months 12	RP Number	Location Juneau		Election District 4	Leg.		
Type of Expenditure			Justification					
		Amount	<p>This person would enter data into the computer when an Alaska license is returned from another state when the licensee becomes licensed in that state.</p> <p>A driving record would then be generated and mailed to the new licensing state.</p> <p>Answer inquiries received from other states concerning an Alaska driving record.</p> <p>Enter data from out-of-state driving records and convictions into microfilm retrieval system.</p> <p>Equipment breakdown for this position is as follows:</p> <p style="margin-left: 40px;">Typewriter - 1,242 Desk - 576 Chair - 272</p>					
1	2	3						
Salary	19,752							
Benefits	4,938							
Premium Pay								
Other	3,027							
Total Personal Services		27,717						
Travel								
Contractual								
Commodities		100						
Equipment		2,090						
Other								
Total Cost		29,907						
Receipt Code	Funding Source							
	Federal Receipts	1002						
	G. F. Match	1003						
	General Funds	1004	29,907					
	I-A Receipts	1005						
	Program Receipts	1028						
	CIP Receipts	1061						
	Other							
For B&M Use Only Key Number _____								

**Request For  
New Position**

Agency Department of Public Safety  
 BRU Motor Vehicles  
 Component Driver Services

**FY 87**

Page 6 of 6  
 Revised Date \_\_\_\_\_



# Alaska State Legislature

## House of Representatives

### Committee on State Affairs

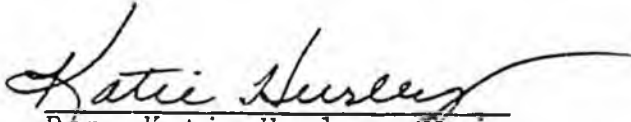
Official Business

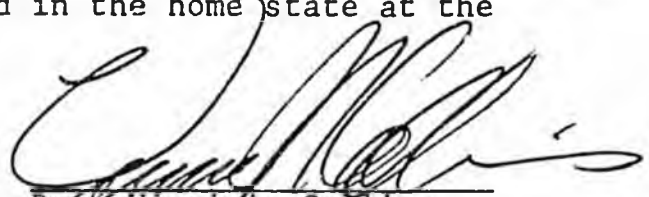
Pouch V  
State Capitol  
Juneau, Alaska 99811

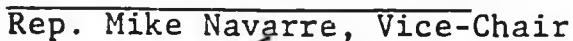
(907) 468-4868

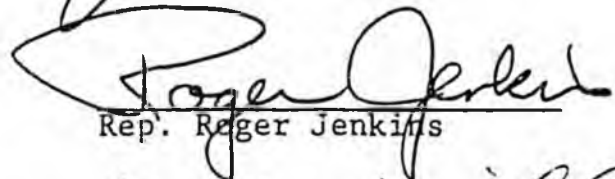
HOUSE STATE AFFAIRS COMMITTEE  
LETTER OF INTENT  
FOR  
HOUSE COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE  
FOR SENATE BILL 278 (FINANCE) AMENDED

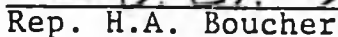
It is the intent of the legislature that when taking action under the Compact for offenses under AS 28.37.140, the Division of Motor Vehicles shall give the effect to the conduct that is provided by the laws of the home state if the offense has elements or due process rights similar to those of the home state as defined in the home state at the time the offense was committed.


  
Rep. Katie Hurley, Chair  
House State Affairs Committee

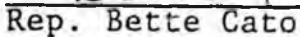
  
Rep. Virginia Collins

  
Rep. Mike Navarre, Vice-Chair

  
Rep. Roger Jenkins

  
Rep. H.A. Boucher

  
Rep. M.M. Miller

  
Rep. Bette Cato

5/2/80  
Date