

SB

95-H

HOUSE COMMITTEE REPORT

(11)

Date referred: 3/17/88

FURTHER REFERRALS:

DATE: 4-18-88

The Finance Committee has considered CSSB 95(SA) an

"An Act relating to renewal of a driver's license; and providing for an effective date."

RECOMMENDS:

- replace with _____ the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):

- fiscal impact same as previous fiscal note published 1-10 SENATE
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

Adams Lee Adams

Pourchet John Pourchet

Larson Bron Larson

Goll Peter Goll

Swack Ed Swack

Boyer Mary Boyer

Frank John Frank

Walls Kay Wallis

Brown Jay Brown

Davis Mike Davis

SIGNING OTHER RECOMMENDATIONS:

Rieger Steve Rieger

Lee Adams
Chairman's signature

FISCAL NOTE

REQUEST:

Revision Date: 1-14-88
Title: An Act relating to renewal of a driver's license.
Sponsor: Kerrtula
Requestor: Rules

Agency Affected: Public Safety
BRU: Motor Vehicles
Components: Field Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL		20.8	10.3	10.6	10.9	11.2
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	20.8	10.3	10.6	10.9	11.2

CAPITAL						
---------	--	--	--	--	--	--

REVENUE	-0-	6.3	12.6	12.6	12.6	12.6
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	20.8	10.3	10.6	10.9	11.2
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	20.8	10.3	10.6	10.9	11.2

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

See Page 2.

Prepared by: Charles R. Hosack *CRH/HJB* Phone: 269-5551
Division: Motor Vehicles Date: 1-14-88

JAR Approved by Commissioner: *[Signature]* Date: 1/14/88
Agency: Public Safety

Distribution (by preparer):

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSSB 95 (SA)

ASSUMPTIONS:

1. Each year 80,000 licenses are due for renewal. (400,000 active licenses divided by 5 year license term)
2. Of these, 70%, or 56,000, will be eligible for mail renewal, and will be sent notices. The other 30% will not be eligible due to a license action, conviction, or age.
3. Of the eligible drivers, 25% have left the State during the 5 year period, leaving 42,000 drivers who could take advantage of the program. (Percentage is based on renewal statistics for 1986).
4. Of these drivers, only 30%, or 12,600, will take advantage of the mail renewal program. The 30% estimate is based on the actual figures from the mail-in vehicle registration program. Other factors affecting this figure will be drivers who have changed addresses, and have not notified DMV, and drivers who wish to have a new photo, personal information, or new address recorded on the actual license.

EXPENDITURES:

Contractual

Postage

28,000 notices @ \$.18	5.1
6,300 renewals @ \$.22	1.4

Forms

Renewal notices and stickers	1.5
Savings on photo licenses (6,300 @ \$.75)	(4.7)

Data Processing Costs

Initial programming (One time cost)	15.0
Monthly runs of renewal notices	2.5

TOTAL	<u>20.8*</u>
-------	--------------

*Based on effective date of 1-1-89 A 3% inflation factor was used for FY90 and subsequent years.

ANALYSIS:

Personnel costs were not included because there will be no change in this area. Due to this program it is estimated there will be 12,600 less customers annually statewide in the field offices, which will result in some savings. At the same time, there will be extra work to do the monthly mailing, update the records, and process the returns for mailing. The savings and the extra work are roughly equal, resulting in no change in personnel costs.

REVENUE:

Section 3 increases renewal fee by \$1.00 if the driver's license is renewed by mail. Since bill is only effective for half of FY89, the amount generated is estimated to be \$6,300 page 2 of 2

Original sponsor: Kerttula

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 CS FOR SENATE BILL NO. 95 (State Affairs) am
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - SECOND SESSION
5 A BILL

6 For an Act entitled: "An Act relating to renewal of a driver's license;
7 and providing for an effective date."

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

9 * Section 1. AS 28.15.101(a) is repealed and reenacted to read:

10 (a) Except as otherwise provided in this chapter, a driver's
11 license expires on the licensee's birthday in the fifth year following
12 issuance of the license. A license may be renewed within one year of
13 its expiration upon proper application, payment of the required fee,
14 and except when a license is renewed under (c) of this section, suc-
15 cessful completion of a test of the licensee's eyesight.

16 * Sec. 2. AS 28.15.101 is amended by adding a new subsection to read:

17 (c) A driver's license may be renewed by mail if the licensee
18 complies with (a) of this section, except that a license may not be
19 renewed by mail if

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22 under AS 28.15.181(a) or another law or ordinance with substantially
23 similar elements;

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26 AS 28.15.165 or 28.15.251;

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28 convicted of a moving traffic violation;

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1 by mail; or

2 (5) the applicant is 69 years of age or older on the ex-
3 piration date of the driver's license being renewed.

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5 (b) In addition to the fees under (a) of this section, a person
6 who renews a driver's license by mail shall be charged a fee of \$1.

7 * Sec. 4. This Act takes effect January 1, 1989.

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SB-95

The purpose of SB-95 is two fold.

1. Provide a convenient method of Drivers license renewal for the public.
2. Rewards those individuals with a 5 year clean driving record.

Motor Vehicle offices are open Monday-Friday during regular business hours.

This requires that a person take time off work in order to renew a licence.

Many people also need to travel long distances to get to a Motor Vehicle office. It is not uncommon in the Mat-Su Borough for a person to drive 200 miles round trip in order to get a licence renewed. Mat-Su borough is about the size of West Virginia.

In addition Alaska residents such as students attending schools out of state frequently need to renew a licence and sometimes are forced to get an out of state licence in order to keep a licence that has not expired. (Some students have expressed a concern that this is an indication that they may be giving up there Alaska residency and put them in a difficult situation when apply for a loan the following year.)

The renewal-by-mail program will provide greater convenience to the public.

The legislation allows only those individuals with a driving record free of any moving violations or other action that may have been taken by the Department for the previous 5 years to renew by mail.

The Motor Vehicle Department expressed to me that the cost would approximately 10,000 a year. This is based on a 12,000 to 13,000 participation.

Approximately 80,000 renewals each year.

56,000 would meet the criteria set out in SB-95.

The Dept has a 75% renewals rate which would mean about 42,000 possible renewals by mail.

Based on the renewals by mail for auto registration about 30% take advantage of this program.

If the same percentage take advantage of the Drivers license renewal it could be expected that 12,000 to 13,000 individuals might participate in this method of licence renewal.

No Evidence to show that there is an increase in accidents when visual acuity test are not given.

A number of states do not give eye test at tall

U.S. Passport photo good for 10 years.

Some states do not use a photo on the drivers licence.

Some of the states which currently use mail in drivers licence renewal are: California, Utah, Florida, and Arizona.

Alaska State Legislature

Senate Advisory Council



P.O. Box V
State Capitol
Juneau, Alaska 99811
Phone: (907) 465-3114

MEMORANDUM

TO: Senator Kerttula
Alaska State Legislature

ATTN: Beth Kerttula

FROM: Lee Ann Lucas *ld*
Senate Advisory Council

DATE: February 26, 1987

RE: Renewal by Mail of Driver Licenses
Research Request 87-003173

I contacted Mr. Jerry Holman, Division of Motor Vehicles, who is Program Director for Arizona's renewal by mail program which went into effect January 1, 1987.

Mr. Holman related that the program has presently generated 57,000 applications and he expects it to generate 200,000 applications by the end of the year. Mr. Holman stated that Arizona had looked at California's demonstration program prior to implementing a program; however, Arizona did not model their legislation after California.

Mr. Holman pointed out that Subsection A, paragraph 5 of ARS 28.426.01 (copy attached) has been extended to include vision testing at any state motor vehicle office due to complaints by individuals who do not want to or cannot afford to spend the money to have a vision test by a licensed ophthalmologist, optometrist or physician.

I have asked Mr. Holman to send relevant information on the program as well as any background materials on the enacting legislation. I will make copies available to you as soon as they are received.

LAL:lal
Attachment

TRANSPORTATION

TRANSPORTATION

§ 28-426.01

... of a violation of the
... shall be entitled to
... of this chapter.
... or vehicle in any manner
... used to him.

... inces, see § 13-801 et seq.
... risonment, see § 13-701 et

... ion by mail

... operator's or chauffeur's
... the applicant's birthday.

... six months prior to the
... res four years from the
... require an examination of

... chauffeur's license expires
... to renew his operator's or
... te of his discharge from

... operator's or motorcycle
... of this state at the time the
... eriod to last at least thirty
... not extend the expiration
... by the applicant of the fee
... of extension which is valid
... In addition, applicants for

... applicants, except that the

... § 28-205, the department
... license of a spouse or child
... armed forces of the United
... photograph of the licensee.
... applicant would be denied a
... in this state. In addition,

... 28-205, Laws 1984, Ch. 31, § 2

... standing the provisions of
... Revised Statutes, the director
... of transportation, in order to
... of the four year license provided

for in § 3 of this act and to avoid uneven work-
loads in calendar years 1986, 1987 and 1988 may
issue or renew licenses for three years in accord-
ance with the following schedule:

Calendar Year	Not to Exceed
1984	75%
1985	50%
1986	25%

"B. The director of the department of trans-
portation may enact rules which will establish a
random basis for selection of applicants to be
issued a three year license so as to distribute the

renewal workload as uniformly as practicabl-
throughout the twelve months of the calendar
year.

"D. The provisions of this section expire
from and after December 31, 1986."

1977 Reviser's Note:

In the section heading "; renewal" was insert-
ed pursuant to authority of § 41-1304.02.

Library References

Automobiles ¶136.

C.J.S. Motor Vehicles §§ 21, 146 et seq.

§ 28-426.01. Driver's license: renewal by mail: application; eyesight standards;
rules; violation; classification

A. On payment of the fee prescribed in § 28-205, the department may renew by mail:
the operator's or motorcycle operator's license of a person who meets all of the following
requirements:

1. Has not been convicted of a moving traffic violation pursuant to chapter 6 of this
title¹ for the four years immediately preceding the determination of eligibility for renewal
under this section.
2. Has not had his license suspended, revoked, cancelled or denied according to the
records of the department for the four years immediately preceding the determination of
eligibility for renewal under this section.
3. Is renewing the license for the same class of license currently held.
4. Is not seventy years of age or older.
5. If sixty years of age or older, has presented or mailed to the department on a form
prescribed by the department a report based upon an examination not more than three
months prior to the date of its submission of the applicant's eyesight by an ophthalmolo-
gist, optometrist or physician licensed to practice medicine.
6. Has been issued a driver's license for at least seven years, the last three years of
which have been issued by this state.
7. The license issued by this state has not been renewed by mail in the last four years
immediately preceding the expiration of the current license.

B. The department shall notify persons meeting the requirements of subsection A of
this section that they may renew their license by mail and shall enclose an application in
the form prescribed by the director. If renewing by mail, the applicant shall complete
and return the application to the department.

C. The department shall issue a certificate of renewal to those applicants qualifying
which shall include the applicant's name, date of birth, address, driver's license expiration
date, number of the license renewed and other information as the department requires.
The certificate is not valid until it is signed by the applicant and attached to the last
license issued by this state which contains the photograph of the applicant.

D. The department shall decide whether in each case the eyesight reported pursuant
to subsection A, paragraph 5 of this section is sufficient to meet current eyesight
standards.

E. An ophthalmologist or optometrist licensed to practice in this state who examines a
person licensed under this article and determines that such a person does not meet the
standards set by the medical advisory board pursuant to § 28-433 shall notify the director
of such failure to meet the standards. Upon receipt of such a notification, the director
shall promptly notify the individual that his eyes must be examined within ten days of
notification as prescribed by the director. If the individual fails the eye examination or
fails to report for the eye examination, his license shall be revoked until such time that he
passes the examination.

F. The department may promulgate rules for the issuance of the renewals of licenses under this section as it deems necessary for the safety and welfare of the traveling public.

G. Notwithstanding § 13-2704, a person who makes a false certification on an application permitted under this section is guilty of a class 1 misdemeanor.

Added by Laws 1986, Ch. 308, § 3, eff. Jan. 1, 1987.

¹ Section 28-601 et seq.

Effective January 1, 1987

For delayed effective date of provision of Laws 1986, Ch. 308, see Historical Note following § 16-112.

1986 Reviser's Note:

Pursuant to authority of § 41-1304.02, in the heading of this section "eyesight standards:" was added following "application:".

§ 28-127. Notice of change of address or name

Cross References

Service of notice of suspension, revocation, or cancellation of operator's or chauffeur's license, see § 28-453.

Law Review Commentaries

Name change, minors. 18 Ariz.L.Rev. 725 (1976).

§ 28-128. Records to be kept by department

A. The department shall file every application for a license received by it and shall maintain suitable indexes containing, in alphabetical order:

1. All applications denied and on each application a note of the reasons for the denial.
2. All applications granted.

3. The name of every licensee whose license has been suspended or revoked by the department and after each name a note of the reasons for the action.

B. The department shall also file all abstracts of court records of convictions received by it under the laws of this state and in connection therewith maintain convenient records or make suitable notations in order that an individual record of each licensee showing the convictions of the licensee and the traffic accidents in which he has been involved is readily ascertainable and available for the consideration of the department upon an application for renewal of license and at other suitable times.

C. The department shall maintain all such records for a period of five years after the application, suspension, revocation or abstract of a court record of conviction has become inactive.

Amended by Laws 1983, Ch. 66, § 2.

Notes of Decisions

1. Construction and application

In personal injury action wherein motorist and his wife alleged that State breached duty owed to them when motor vehicle department issued driver's license in violation of statute to driver with known history of psychomotor seizure who, while unconscious due to seizure, struck motorist and thereby injured him, substantial fact issue existed as to whether any duty state may have breached was owed to public generally and not to plaintiffs, precluding summary judgment. *Oleszczuk v. State* (1979) 124 Ariz. 373, 604 P.2d 637.

Statutory duties requiring motor vehicle department to keep records of driver's license applications, suspensions of licenses and reasons therefor and convictions and traffic accidents for all licensees and to establish medical advisory board to advise department of medical standards for driver licensing are specific and designed to protect that portion of public using highways. *Id.*

Portion of driver's license application which required applicant to indicate whether he was subject to epilepsy, seizures, or fainting spells was designed to protect persons who might be injured in automobile accident as result of driver suffering such spell. *Id.*

LEGISLATION

BRIEFLY

UA action

Bill would allow driver's license renewals by mail: Alaskans who have to take time off work or drive hours in to get to an office where they can renew their drivers' licenses might be able to renew by mail, under a bill passed by the Senate on Wednesday.

The measure (CSSB95) would allow renewals by mail only for people who have no moving violations on their driving record, said Sen. Jay Kerttula, the prime sponsor.

People who are at least 69 years old would have to renew their licenses in person.

Kerttula explained the lack of an eye test - now part of the renewal process - probably would not be a problem for people younger than 69.

The eye test given in Alaska is "perfunctory" and several other states have dropped the test, he said. The Senate voted 18-1 for the bill, which goes on to the House for debate.

Teleconferences listed:

Today, 1:30 p.m.: Sponsor: House Judiciary, Subject: Leg. Public Hearing: HB 237 - Abuse of Minors; Room: Capitol 120

Saturday, 1 p.m.: Sponsor: Sen. Coghill, Rep. Shultz; Subject: Public Hearing regarding boroughs; Room: C-30, Sen. Coghill's Office.

Tuesday, 3:30 p.m.: Sponsor: Joint House and Senate Community & Regional Affairs; Subject: Leg. Public Hearing: Local Boundary Commission; Room: Capitol, Room 205.

Tuesday, 6 p.m.: Sponsor: Rep. Cato, House District 6; Subject: Constituent Meeting, Room: C-17 (Office).

Tuesday, 7 p.m.: Sponsor: Interior Delegation; Subject: Constituent Meeting; Room: Capitol, Room 205 Butrovich.

Tuesday, 8 p.m.: Sponsor: Senate District B, Senator Eliason; Subject: Constituent Meeting; Room: Capitol, Room 417 (Office).

Wednesday, 6 p.m.: Sponsor: District N-27, Sen. Zharoff, Rep. Davidson; Subject: Constituent Meeting; Room: Capitol 121, Sen. Zharoff's Office.

Wednesday, 7 p.m.: Sponsor: Sen. Zharoff & Rep. Herrmann; Subject: Constituent Meeting; Room: Capitol, Room 121 (Sen. Zharoff's Office).

Thursday, 9 a.m.: Sponsor: Sen. Binkley & Rep. Hoffman; Subject: Constituent Meeting; Room: C-518 (Office).

By LARRY PERSILY

THE ASSOCIATED PRESS

The Alaska Legislature is not expected to take action this session regarding the merger of the University of Alaska and community college systems, and instead will wait for this fall's public referendum on the issue.

Although lawmakers will wait for the results of this fall's vote, they are concerned about problems arising from last year's consolidation.

"This away," chairmen commit the merger. The sales leased it. Pour subcommittee the operating training features can be p

Bill would ch

By LARRY PERSILY

THE ASSOCIATED PRESS

In response to the political problems that followed the death of Fairbanks Sen. Don Bennett last year, the Senate Rules Committee has proposed a major rewrite of state law for filling legislative vacancies.

The bill would require the local political organization to submit a list of at least three names to the governor for appointment of a successor to the vacant seat.

If the political party fails to submit at least three names for consideration, the measure (SB361) would

allow the qualified. Follow 30, Fairbanks done the and submitted former L now Repul Gov. St point Ranc The pol later whe submitted Cowper se ate Republ ning's app

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8 * Section 1. AS 28.15.101(a) is repealed and reenacted to read:

9 (a) Except as otherwise provided in this chapter, a driver's
10 license expires on the licensee's birthday in the fifth year following
11 issuance of the license. A license may be renewed within one year of
12 its expiration upon proper application, payment of the required fee,
13 and except when a license is renewed under (c) of this section, suc-
14 cessful completion of a test of the licensee's eyesight.

15 * Sec. 2. AS 28.15.101 is amended by adding a new subsection to read:

16 (c) A driver's license may be renewed by mail if the licensee
17 complies with (a) of this section, except that a license may not be
18 renewed by mail if

19 (1) the applicant's license, within the previous five
20 years, has been revoked by a court after conviction for an offense
21 under AS 28.15.181(a) or another law or ordinance with substantially
22 similar elements;

23 (2) the applicant's license, within the previous five
24 years, has been suspended, revoked, or denied by the department under
25 AS 28.15.165 or 28.15.251;

26 (3) the applicant, within the previous five years, has been
27 convicted of a moving traffic violation; or

28 (4) the applicant's license has previously been renewed by
29 mail two consecutive times for five-year periods.
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