

SB

146

(7)

HOUSE COMMITTEE REPORT

Date Referred: March 11, 1992

FURTHER REFERRALS:

Judiciary

Date of Committee Action: 3/18/92

The STATE AFFAIRS Committee considered:

CSSB 146(JUD)

CS FOR SENATE BILL NO. 146 (JUD)

LIMITED PRIVILEGES FOR REVOKED LICENSES

"An Act relating to limited driving privileges for a person whose driver's license is suspended for failure to have motor vehicle liability insurance."

RECOMMENDATIONS:

be replaced with CSSB 146 (STA) [x] the same title [] a new title

[] have attached amendments(s)

[x] do pass

[] do not pass

[] no recommendations

[] individual recommendations

[] additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

[] fiscal impact _____

[] fiscal note(s) _____

[] zero fiscal note _____

[x] zero fiscal note(s) Dept of Public Safety 3-11-92

blna
yer
quitt
ndina
1100
-cabay

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
Eugene G. Kubera	✓				
T. M. Oyer	✓				
W. M. [Signature]	✓				
Mike Hiller	✓				
F. L. Muenberg	✓				

Eugene G. Kubera
CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSSB 146(JUD)

Revision Date: 3/10/92 Department Affected: Public Safety

Title: An Act relating to limited driving BRU: Motor Vehicles

privileges Component: Driver Services

Sponsor: Senator Menard

Requestor: House Transportation COMPONENT SERIAL NO.

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EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
FUND SOURCE:						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact anticipated.

Prepared By: Juanita Hensley Phone: 465-4335

Division: Motor Vehicles Date: 3/10/92

Approved by Commissioner: Richard L. Burton *J.A. Anetki*

Agency: Department of Public Safety Date: 3/10/92

Distribution (by preparer): Leg. Fin., Legis.

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 Agency(ies).

Thub
3/10/92



Alaska State Legislature

N
Senator Curt Menard



While in
Session:
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Juneau, Alaska
99811
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Interim:
165 E. Parks
Highway
Wasilla, Alaska
99687
(907)373-2878

Senate
District
E

MEMORANDUM

TO: REPRESENTATIVE GENE KUBINA
CHAIR, HOUSE STATE AFFAIRS

FROM: SEN. CURT MENARD *Curt Menard*

DATE: MARCH 10, 1992

SUBJ: REQUEST FOR HEARING
CSSB 146(JUD)
LIMITED PRIVILEGES FOR REVOKED LICENSES

Please schedule a hearing for CSSB 146(JUD) at your earliest convenience.

This bill allows the Department of Motor Vehicles an important additional factor in the consideration of granting a limited license to persons who have had licenses suspended for failure to have liability insurance.

This bill applies to licenses suspended for failure to have the proper motor vehicle insurance. It does not apply to any other issue with regard to suspended operators license.

If I may be of assistance to the committee, please call either myself, or my staff aide, Steve Richards.

Thank you for your prompt attention to this request.

WE SUPPORT



SPONSOR STATEMENT

It's against the law to drive without liability insurance. If someone who does not have insurance or some proof of financial responsibility, is involved in an accident, whether they are at fault or not, their driving priveleges are suspended. After the offender who was not at fault has rectified the situation, by obtaining SR 22 insurance, they are then eligible for a limited license--for work purposes only.

If a driver who is at fault in the accident does not have insurance--that driver's license is suspended twice: once for not having insurance and once for not proving financial responsibility. The second suspension can be lifted in five different ways. Generally it is done by paying for the damage or posting a bond as required by the state. Until this second, accident related, suspension is lifted the driver is not eligible for a limited license.

In either case--at fault and not having insurance or not at fault and not having insurance--limited licenses of any kind are not issued until the entire situation is rectified.

Once the offender has "fixed" the problem, they can get a limited license for work purposes only. I've introduced the legislation before you today to add one other circumstance that can be considered by the Department of Public Safety as a reason to grant a limited license. That reason is:

because the driver or the driver's dependent has specific medical care needs that cannot otherwise be met.

This wording in the bill is very tight. It is a humanitarian means to allow for instances like taking a child to radiation treatments, it does not allow the offender to get a limited license just because they would be inconvenienced or made uncomfortable.

There are three major points I want to emphasize:

* . this bill applies only to offenders who did not have liability insurance--it does not apply to DWI offenses or to suspensions due to excessive points

* . only after the reason for the suspension has been rectified--the offender has obtained insurance, and has paid for any damage they may have caused--are they eligible for a limited license

* . the added consideration is very limited in scope--to receive medical care.

SB 146 is supported by the Department of Public Safety and has a zero fiscal note. I urge your support of this legislation.

During calendar year 1990 more than 6200 drivers were cited for not having liability insurance. Of those 6200 more than 3000 were able to provide proof of insurance and 3066 were actually suspended for being uninsured.

Of those 3,066 just 436 applied for limited licenses. There were 221 issued and 215 that were not for a variety of reasons.

BILL NO: SB 146

DATE: 3/6/91

TITLE: Limited Licenses for
Mandatory Insurance

CONTACT: Juanita Hensley
465-4335

POSTAL PERMIT / DEPARTMENT OF PUBLIC SAFETY

This bill requires the Department to issue a "limited license" to persons whose licenses are suspended for not having motor vehicle liability insurance. Under this bill, limited licenses could be issued for "medical reasons, to avoid family hardship, or for work purposes".

The Department's position is that the wording "to avoid a family hardship" is too broad, and should be deleted. The bill does not give any guidance as to what "a family hardship" is. Any family which would be inconvenienced by losing the services of an adult driver would feel that they are experiencing a hardship. Suspension of a drivers license is a punitive sanction, imposed because the motorist violated state law. There isn't much point in suspending a driver's license for not having motor vehicle insurance if an individual can be issued a limited license to drive for any reason.

The Department supports this bill with the recommended amendment.



Richard L. Burton
Commissioner



Palmer Police Department

423 SOUTH VALLEY WAY
PALMER, ALASKA 99645



RONALD L. OTTE
CHIEF OF POLICE

PHONE: (907) 745-4811

TO: Senator Curt Menard

FROM: Ron Otte
Chief of Police - Palmer

DATE: March 4, 1991

RE: SB 146
"Limited driving privileges for a person whose driver's
license is suspended for failure to have liability insurance."

ATTENTION: Lola Young

I have reviewed the proposed amendments to AS 28.22.041 (c). I have no objections and, in fact, would support the concept of allowing limited driving privileges for medical reasons to avoid family hardship once a person has filed proof of financial responsibility. SB 146 provides balance and common sense when legitimate human needs dictate.

***** TRANSMITTAL MEMO *****

TO: Sen. Menard

DEPT: _____ FAX # 465-3756

FROM: Palmer PD PHONE: 745-4811

CC: Ron Otte EXT: 746-2314

Post-it brand transmittal memo 787

NO. OF PAGES
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LETTERS OF SUPPORT

3-2-91

To Whom it May Concern:

I support the new bill Curt Menard has introduced.

I am a single father (7 years) of an 11 year old boy. I lost my license because of an uninsured accident, which was not my fault.

I received a limited license to go to and from work. However, this license does not permit me to go to the store, post office or bank.

Because I live in the Mat-Su Valley, where city transit is non-existent and postal service is not available, not to mention grocery stores which are 5 miles away, I have no choice but to break this law nearly daily.

I was stopped recently by the Alaska Troopers coming from the post office. I was ticketed for violation of my limited license. Now I face a mandatory 10 days in jail and another years suspension. When I get out I'm sure I will be ticketed again.

The law, the way it stands, has made a common criminal out of me.

Sincerely,
Craig S. Ness



House State Affairs Committee

Representative Gene Kubina, Chair

DATE: March 18, 1992

PLACE: Capital Room 102

SUBJECT OF MEETING:

- HJR 69 - Relating to Statehood for Wash. D.C.
- *HJR 3 - Relating to Change Terms of Representatives to four Years
- HB 348 - Relating to Grp Health & Life Insurance State Employees
- SB 146 - Relating to Limited Privileges for Revoked Licenses
- SJR 37 - Relating to Source Tax

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
<i>Gene Kubina</i>	<i>DIA</i>			<i>5-207</i>		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<i>HB 348</i>
<i>MIKE MILLER</i> <i>Mike Miller</i>	<i>Self</i>	<i>Juneau</i>		<i>586-3007</i>		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<i>HJR 69</i>
<i>Juanita Hensley</i>	<i>DPS/DMV</i>	<i>Juneau</i>		<i>465-4335</i>		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<i>SB 146</i>
<i>Jay Dufrenoy</i>	<i>DMV</i>	<i>5700 E Tudor Anch 99507</i>			<i>264-5539</i>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<i>SB 146</i>
<i>Rickie Wolford</i>	<i>Senator</i>	<i>Capital Room 103</i>		<i>4-58</i>		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<i>SB 146</i>
						<input type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	
						<input type="checkbox"/> Y <input type="checkbox"/> N	
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