

H B

4 2 2

# HOUSE COMMITTEE REPORT

(7)

Date Referred: January 27, 1992

FURTHER REFERRALS:

Judiciary  
Finance

Date of Committee Action: 2/20/92

The TRANSPORTATION Committee considered:

HOUSE BILL NO. 422

REVOCATION OF DRIVER'S LICENSE

"An Act relating to the revocation of a person's driver's license, privilege to drive, or privilege to obtain a license; and providing for an effective date."

- RECOMMENDATIONS:  the same title  
 be replaced with \_\_\_\_\_  a new title
- have attached amendments(s)  
 do pass  
 do not pass  
 no recommendations  
 individual recommendations  
 additional referral to the \_\_\_\_\_ Committee

ADOPTS: House Transportation letter of Intent

- ATTACHES NEW FISCAL NOTE(S): (Dept: \_\_\_\_\_) APPROVES PREVIOUS: (Dept/Date) \_\_\_\_\_  
 fiscal impact DPS  fiscal note(s) \_\_\_\_\_  
 zero fiscal note \_\_\_\_\_  zero fiscal note(s) \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Harold D. Lehman</i>	✓				
<i>Edward G. Kuhn</i>					
<i>Bill Hurd</i>	✓				
<i>Richard J. Doherty</i>	*	<i>David Phillips</i>		✓	
				✓	

*Richard J. Doherty*  
 CHAIRMAN'S SIGNATURE

FISCAL NOTE

Revision Date: 02/20/92  
Title: Revocation of a person's driver's license

Agency Affected: DOT&PF  
BRU:

Sponsor: House Rules Committee  
Requestor: Governor

Components:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTURAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	<10,600>*	<10,600>*	<21,200>*	<21,200>*	<22,200>*	<22,200>*
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	<10,600>*	<10,600>*	<21,200>*	<21,200>*	<22,200>*	<22,200>*
OTHER	0	0	0	0	0	0
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

\* Estimates of future year impacts are based on the Federal Highway Administration's tentative allocation of the Intermodal Surface Transportation Efficiency Act of 1991 for the next six years.

**ANALYSIS:** Failure to enact legislation to bring Alaska into compliance with PL 101-516 (1990) will put our highway dollars in jeopardy. PL 101-516 (1990) provides for 5% sanctions against highway funding for states that do not comply by October 1, 1992. If a state is not in compliance by 1993, 10% sanctions will be applied against its highway dollars.

Prepared by: M. Clyde Stoltzfus  
Division: Office of Strategic Management, Policy and Planning

Phone: 465-3900  
Date: February 20, 1992

Approved by Commissioner: Frank G. Turpin   
Agency: Department of Transportation and Public Facilities

Date: February 20, 1992

Distribution (by preparer):

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

FISCAL NOTE

No. 1  
 Bill Version: HB 422  
 (H) Publish Date: 1/27/92

STATE OF ALASKA  
 1992 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Department Affected: Public Safety  
 Title: "An Act relating to the revocation of a driver's license for drug convictions..." BRU: Motor Vehicles  
 Component: Driver Services  
 Sponsor: Rules  
 Requestor: Governor COMPONENT SERIAL NO. 

5	0	0
---	---	---

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

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	43.3	43.3	43.3	43.3	43.3
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	1.4	1.4	1.4	1.4	1.4
SUPPLIES	0	.5	.5	.5	.5	.5
EQUIPMENT	0	8.2	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	53.4	45.2	45.2	45.2	45.2

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE GF/PRGM FUND SOURCE: 1005	0	54.0	54.0	54.0	54.0	54.0
--------------------------------------	---	------	------	------	------	------

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER GF/PRGM FUND SOURCE: 1005	0	53.4	45.2	45.2	45.2	45.2
TOTAL	0	53.4	45.2	45.2	45.2	45.2

POSITIONS:

FULL-TIME	0	1	1	1	1	1
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

See attached.

Prepared By: Juanita Hensley Phone: 465-4335  
 Division: Motor Vehicles Date: 1/17/92  
 Approved by Commissioner: Richard L. Burton  
 Agency: Department of Public Safety Date: 1/17/92

This bill, mandated by federal law, will require the Division of Motor Vehicles to revoke the driver's license of persons who have been convicted of controlled substance offenses in Alaska or in the Federal Court system.

The Department of Law reports that approximately 500 persons a year are convicted of misdemeanor or felony drug offenses each year in Alaska. The federal law requires that notice of a conviction must be sent to the offender's home state, and the home state must take the action to revoke the driver's license. The federal courts were not able to report the number of Alaska residents who are convicted of drug offenses nationwide; the Division of Motor Vehicles estimates an additional 100 convictions from the federal courts.

In order to handle these 600 additional license suspensions a year, one full-time Document Processor III will be required. The duties of this position are detailed in the attached request for a new position. The cost for personal services for a Document Processor III is 37.9; the additional 5.4 is for overtime expenses associated with reinstatement of a revoked driver's licenses. The overtime pay is requested in lieu of a Motor Vehicle Representative III position, as the workload required to reinstate the offenders' driver's licenses will be borne by all of the Motor Vehicle Field offices throughout the state.

To revoke 600 additional driver's licenses a year takes over 30 processing steps per revoked license. Each processing step varies in the time it takes to complete the transaction. Complete accuracy is essential as an error of entry onto a record could result in civil liability to the State. It takes approximately 20 minutes per applicant to reinstate a revoked driver's license; the person must make a new application for the driver's license, take all of the required tests, pay the reinstatement fee and submit proof of SR-22 (Certificate of Insurance), thus totalling approximately 200 hours of additional workload for the Motor Vehicle Field office personnel.

Under existing law, each person whose license has been suspended must pay a \$100 fee when applying for reinstatement of his or her driver's license. Assuming that 90 percent of the individuals who are eligible for reinstatement will comply with the reinstatement requirements, approximately 54.0 will be generated annually as program receipts.

No. 1  
Bill Version: HB 422  
(H) Publish Date: 1/27/92

COMMITTEE COPY

DETAIL

		<u>FY94</u>
100	PERSONAL SERVICES	43.3
	One Document Processor III 37.9	
	Overtime for MVRIII Field Office 5.4	
200	CONTRACTUAL	1.4
	Postage and tolls	
400	SUPPLIES	.5
	Routine Office Supplies	
500	EQUIPMENT	8.2
	1 Computer Terminal	
	1 Network Line Hook-up	
	1 Desk	
	1 Chair	
	1 5-Drawer File Cabinet	
	TOTAL	<u>53.4</u>

No. 1

Bill Version: HB 422

(H) Publish Date: 1/27/92

COMMITTEE COPY

Position Title Document Processor III			No. of Positions 1	Range/Step 10A	Barg. Unit GGU
Time Status PFY	Staff Months 12		Location Juneau		Election District
Type of Expenditure			Amount		
1			2		3
Salary*			25.3		////////////////////
Benefits*			12.6		////////////////////
Premium Pay (Included in Above)			////////////////////		////////////////////
Other			////////////////////		////////////////////
Total Personal Services			////////////////////		37.9
Travel					
Contractual					1.4
Commodities					.5
Equipment					8.2
Other - Overtime					5.4
Total Cost					53.4
Funding Source for Total Cost					
Federal Receipts 1002					
G.F. Match 1003					
General Fund 1004					
Program Receipts/GF 1005					53.4
I-A Receipts 1007					
CIP Receipts 1061					
Other					
* Personal Services Salary and Benefits Costs are from PACS calculations.					
Justification This position would handle the necessary paperwork and computer entry onto the person's driving record. Among other duties, this person will send out notice of license revocation, prepare files, prepare certified copies of driving records, file, close files out, sanitize for microfilm, microfilm, enter microfilm documents for microfilm retrieval, enter license revocation, change status, change record to reflect new court action, send judgement to home state of an out-of-state resident, and process court judgements for driving while license revoked.					

No. 1  
 Bill Version: HB 422  
 (H) Publish Date: 1/27/92

**REQUEST FOR  
NEW POSITION**

AGENCY Department of Public Safety  
 BRU Division of Motor Vehicles  
 COMPONENT Driver Services

Page 4 of 4  
 Revised Date

FY 93

**COMMITTEE COPY**

WALTER J. HICKEL  
GOVERNOR

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

January 27, 1992

*The Honorable Ben Grussendorf  
Speaker of the House  
Alaska State Legislature  
State Capitol  
Juneau, AK 99801-1182*

*Dear Speaker Grussendorf:*

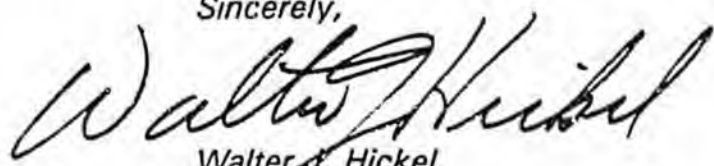
*Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the revocation of a person's driver's license, privilege to drive, or privilege to obtain a license upon conviction for an offense involving controlled substances.*

*The bill requires a court to revoke, for a minimum of six months, a person's driver's license, privilege to drive, or privilege to obtain a license when the person is convicted of any drug offense. A new federal law (Public Law 101-516, November 5, 1990) requires the withholding of federal highway money if the state does not enact this legislation by October 1, 1993. The only alternative by which the state could continue to receive the highway money at risk (\$15,000,000) is if, during this session, I certify that I am opposed to the enactment of such a law and both houses of this legislature adopt resolutions expressing opposition to such a law.*

*The provisions of this bill are similar to existing state law (AS 28.15.185) governing the revocation of the driver's license of a juvenile who is adjudicated delinquent for a drug or alcohol offense. This bill is broader for drug-related offenses, however, in that it applies to all persons and not just juveniles. Under the bill, the period of revocation of a juvenile's license or privilege to drive is increased to a minimum of six months for a drug-related conviction or adjudication.*

*I urge your favorable action on this bill.*

Sincerely,



Walter J. Hickel  
Governor



Please complete all sections

# House Transportation Committee

DATE: 2/20/92

PLACE: Room 17

SUBJECT OF MEETING:  
 HB 422 -  
 HB 444 -  
 HB 351 -

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?	
		Please complete all sections					Y	N	
JOSH FINK	REP. CHARLOTTE					<input checked="" type="radio"/>	N	HB 444	
Juanita Hensler	DPS/DMU	PO Box 20020	99802		465-4335	<input checked="" type="radio"/>	N	HB 422 / 444	
Margo Knuth	law	P O Box KC		3428		<input checked="" type="radio"/>	N	422	
Chauce E Hodge		5350 A Comm AFB Eink			272-1659	<input checked="" type="radio"/>	N	HB 444	
Sarah Bergey		P.O. Box 301 King Salmon, AK 99613	99702		246-6695	Y	N		
						Y	N		
						Y	N		
						Y	N		
						Y	N		
						Y	N		