

SB

146

HOUSE COMMITTEE REPORT

(7)

Date Referred: May 13, 1991

FURTHER REFERRALS:

State Affairs
Judiciary

Date of Committee Action: 3/10/92

The TRANSPORTATION Committee considered:

CSSB 146(JUD)

CS FOR SENATE BILL NO. 146 (JUDICIARY)

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 _____ the same title

have attached amendments(s) a new title

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) _____

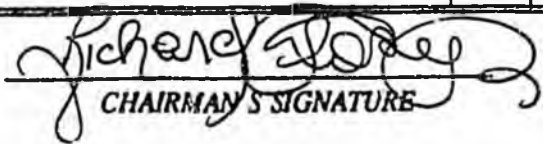
fiscal impact _____

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
Richard Spady	*				
Bill Hulse	✓				
Edward G. Kupcia	✓				
Robert A. Lemmon	✓				
Gail Phillips	✓				


 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 FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-
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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. Hensley*
 Agency: Department of Public Safety Date: 3/10/92

Distribution: (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

Phub
3/10/92

Changes in CSSB-146 (STA.)

No.

STATE OF ALASKA
1991 LEGISLATIVE SESSION

have no fiscal impact. This
fiscal note is appropriate.
3/13/91 date W.A.S. Comte Aide (initial)

(S) Publish Date: 3/14/91

Revision Date:
Title: An Act relating to limited driving privileges.

DEPARTMENT AFFECTED: Public Safety
BRU: Motor Vehicles
Component: Driver Services

Sponsor:
Requestor:

COMPONENT SERIAL NO.

	5	0	0
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EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not Included)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
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-
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER/PROG RCPT						
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

Changes in CSSB-146 (STA.)
have no fiscal impact. This
fiscal note is appropriate.

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact anticipated.

4-15-91 date W.A.S. Comte Aide (initial)

Changes in

Prepared by: Juanita Hensley, Chief
Division: Division of Motor Vehicles
Approved by Commissioner: Richard E. Burton
Agency: Department of Public Safety

Phone: 465-4335
Date: 3/4/91
Date: 3/4/91

Distribution (by preparer): & Impacted Agency(ies).



Alaska State Legislature

Senator Curt Menard



While in
Session:
P.O. Box V
Juneau, Alaska
99811
(907)465-2579

Interim:
165 E. Parks
Highway
Wasilla, Alaska
99687
(907)373-2878

Senate
District
E

DATE: April 8, 1991

TO: Senator Rick Halford, Chair
Senate Judiciary Committee

FROM: Senator Curt Menard

RE: SB 146, relating to limited driving privileges
for a person whose driver's license is
suspended for failure to have motor vehicle
liability insurance.

The above referenced bill has been referred to Senate Judiciary. I am writing to request that it be scheduled for hearing at your earliest convenience.

The bill allows the Department of Motor Vehicles an important additional factor to be considered in granting limited licenses to persons whose license has been suspended for failure to have liability insurance. SB 146 adds medical purposes as a reason for which a limited license may be granted. Current law allows a limited license for work purposes only.

This legislation applies only to licenses suspended for failure to have motor vehicle liability insurance. It does not apply to license revocation or suspension for any other offense, such as accumulation of points, DWI, or failure to provide proof of financial responsibility.

Although the legislation provides an additional purpose for which a limited license may be granted, the same restrictions remain:

- . Proof that insurance has been obtained (SR 22) and
- . The license has not been suspended two or more times in the preceding 10 years.

Thank you for your consideration of my request. If you have any questions please give me a call. I would appreciate your favorable consideration on this measure.

CS FOR SENATE BILL NO. 146 (JUDICIARY)
 IN THE LEGISLATURE OF THE STATE OF ALASKA
 SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 4/17/91
 Referred: Rules

Sponsor(s): SENATOR MENARD

A BILL

FOR AN ACT ENTITLED

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

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

4 * Section 1. AS 28.22.041(c) is amended to read:

5 (c) The department may grant limited license privileges only for medical care or for
 6 work purposes [ONLY] to a person whose license has been suspended under this section if

7 (1) the person has filed proof of financial responsibility for the future as required
 8 by AS 28.22.061;

9 (2) the person's license has not been suspended two or more times under this
 10 section or former AS 28.22.240 in the preceding 10 years;

11 (3) the department determines that the person's or the person's dependent's
 12 medical care needs cannot be met or the person's ability to earn a livelihood would be
 13 severely impaired unless [IF] a limited license privilege is [NOT] granted; and

14 (4) ~~the~~ department determines that a limitation can be placed on the license that

added
↓

1 will enable the person or the person's dependent to receive medical care or the person to earn
2 a livelihood without excessive danger to the public.

SENATE BILL NO. 146
 IN THE LEGISLATURE OF THE STATE OF ALASKA
 SEVENTEENTH LEGISLATURE - FIRST SESSION

BY SENATOR MENARD

Introduced: 2/27/91
 Referred: State Affairs and Judiciary

A BILL

FOR AN ACT ENTITLED

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

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

4 * Section 1. AS 28.22.041(c) is amended to read:

5 (c) The department may grant limited license privileges only for medical reasons, ~~or~~

6 *delete* ~~or~~ family hardship or for work purposes [ONLY] to a person whose license has been
 7 suspended under this section if

8 (1) the person has filed proof of financial responsibility for the future as required
 9 by AS 28.22.061;

10 (2) the person's license has not been suspended two or more times under this
 11 section or former AS 28.22.240 in the preceding 10 years;

12 (3) the department determines that the person's medical needs cannot be met,
 13 *delete* ~~that severe hardship on the person's family cannot be avoided,~~ the person's ability to earn
 14 a livelihood would be severely impaired unless [IF] a limited license privilege is [NOT] granted;

1 and

2 (4) the department determines that a limitation can be placed on the license that
3 will enable the person to receive medical care, ~~avoid family hardship,~~ or earn a livelihood
4 without excessive danger to the public.

BILL NO: CSSB 146 (SA)

DATE: 4/9/91

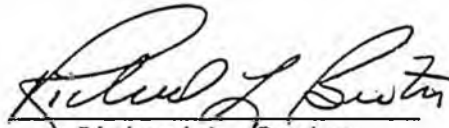
TITLE: Limited Licenses for
Mandatory Insurance

CONTACT: Juanita Hensley
465-4335

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, or for work purposes".

The Department of Public Safety supports CSSB 146 (SA).



Richard L. Burton
Commissioner

POSTED IN PUBLIC AREA

BILL NO: SB 146

DATE: 3/6/91

TITLE: Limited Licenses for
Mandatory Insurance

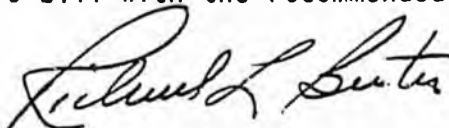
CONTACT: Juanita Hensley
465-4335

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

POSTMASTER / RETURN TO: DEPARTMENT OF PUBLIC SAFETY



Palmer Police Department

423 SOUTH VALLEY WAY
PALMER, ALASKA 99643



RONALD L. OTTE
CHIEF OF POLICE

PHONE: (907) 743-4811

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: Iola 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 dictates.

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

TO: Sen. Menard

DEPT: _____ FAX #: 416-3756

FROM: Palmer PD PHONE: 743-4011

CO: R. L. Otte EXT: 746-9314

Post-it brand program is memo 787

NO. OF PAGES
1

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