

S B

146

**SEVENTEENTH LEGISLATURE
SENATE JUDICIARY COMMITTEE BILL FILE**

BILL NUMBER: SJB 146
 ABBREVIATED TITLE: Limited Driving Privileges / Suspended License
 SPONSER: Menard ORIGINAL RECEIVED: 3-15-91
 WRITTEN REQUEST TO SCHEDULE REC'D: 3-18-91 FROM: Menard
 SPONSER'S STATEMENT REC'D: 3-18-91 FROM: Menard (Iola Young)
 SECTIONAL ANALYSIS RQST'D: _____ FROM: _____
 SECTIONAL ANALYSIS RECEIVED: _____

FISCAL NOTE (ORIGINAL)
 RQST'D OF: _____ REC'D FROM: Public Safety DATE: With Bill
 RQST'D OF: _____ REC'D FROM: _____ DATE: _____
 RQST'D OF: _____ REC'D FROM: _____ DATE: _____
 FISCAL NOTE (C.S.)
 RQST'D OF: _____ REC'D FROM: _____ DATE: _____
 RQST'D OF: _____ REC'D FROM: _____ DATE: _____
 RQST'D OF: _____ REC'D FROM: _____ DATE: _____
 FIVE DAY NOTICE GIVEN: _____ NOTICE OF HEARINGS GIVEN: _____
 COMMITTEES OF REFERRAL: FIRST: Jud SECOND: _____ THIRD: _____

COMMITTEE ACTION

DATE: 4-9-91
Heard - Amended - Passed on Individual Rec.
Bill Sent to Sen Frank for Signature & Final
CS Requested of LAA.

PERSONS TO BE NOTIFIED OF HEARING

1. SPONSOR Menard (Iola) 6. _____
2. AGENCY Public Safety - 4322 7. _____
3. _____ 8. _____
4. _____ 9. _____
5. _____ 10. _____

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

No. 1
 Bill Version: SB 146
 (S) Publish Date: 3/14/91

STATE OF ALASKA
 1991 LEGISLATIVE SESSION

3/13/91 date
ALH Comte Aide (initial)

Revision Date: _____
 Title: An Act relating to limited driving privileges.
 Sponsor: _____
 Requestor: _____
 Department Affected: Public Safety
 BRU: Motor Vehicles
 Component: Driver Services

COMPONENT SERIAL NO.

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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

ANALYSIS: (Attach a separate page if necessary)
 No fiscal impact anticipated.

Prepared by: Juanita Hensley, Chief Phone: 465-4335
 Division: Division of Motor Vehicles Date: 3/4/91
 Approved by Commissioner: Richard L. Burton Richard L. Burton
 Agency: Department of Public Safety Date: 3/4/91

Distribution (by preparer): L

OMB, & Impacted Agency(ies).



Alaska State Legislature

Senator Curt Menard



While in
Session:
P.O. Box V
Juneau, Alaska
99811
(907)465-2679

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.





Alaska State Legislature

Senator Curt Menard



While in
Session:
P.O. Box V
Juneau, Alaska
99811
(907)465-2679

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

DATE: March 18, 1991

TO: Senator Rick Halford, Chair
Senate Judiciary Committee

FROM: Senator Curt Menard *CM/1*

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.

Senate
District
E

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.

WE SUPPORT



SB 196 -

Adams - Wants to Pick up Drive Dependents
for medical care.

Adams - How can dept decide who gets the
special permit.

Collin - Med Person is too broad. What if a
person has a hard time walking.

Knutz - Need amendment if we want to cover
dependents -

Collin - Change medical reasons to
medical care - on line 5 -

and medical care needs on line 11 -

Amendment on p 5 & 11 -

Same title -

Moved on Ind Res

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

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 3/14/91
Referred: Judiciary

Sponsors: SENATOR MENARD

AP'D 9 - Passed on the floor

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} 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 ^{in this dependent car - needs} medical needs cannot be met
12 or the person's ability to earn a livelihood would be severely impaired unless [IF] a limited
13 license privilege is [NOT] granted; and

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

BILL NO: CSSB 146 (SA)

DATE: 4/9/91

TITLE: Limited Licenses for
Mandatory Insurance

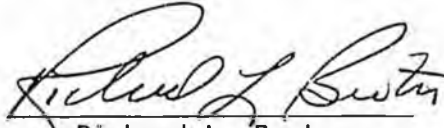
CONTACT: Juanita Hensley
465-4335

DEPARTMENT OF
PUBLIC SAFETY

FOR THE PEOPLE

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

BILL NO: SB 146

DATE: 3/6/91

TITLE: Limited Licenses for
Mandatory Insurance

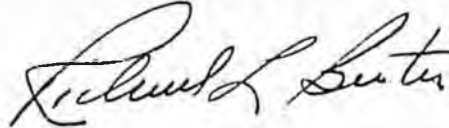
CONTACT: Juanita Hensley
465-4335

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



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 #: 416-3726

FROM: Palmer PD PHONE: 745-4811

CC: Chief Otte FAX: 745-3314

Permit to re-examine a 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 90 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 J. Ness