

HB

299



Official Business

Ala ka State Legis' iture

HOUSE OF REPRESENTATIVES

Committee on Finance

P.O. Box V
State Capitol
Juneau, Alaska 99811

HOUSE FINANCE COMMITTEE

LETTER OF INTENT

FOR

CS HB 299 (FIN)

"It is the intent of the Alaska Legislature that new general fund program receipts provided by increases in the driver's license reinstatement fee be divided equally between the Department of Public Safety and the Department of Health and Social Services. The new program receipts received by the Department of Health and Social Services should be used for alcohol and drug abuse prevention and treatment programs specifically targeted at youth."

Ronald J. Larson 3/23/94
Co-Chair Larson Date

E.P. MacLean
Co-Chair MacLean

3/23/94
Date

Adopted by the HOUSE 3/29/94

FISCAL NOTE

No. 5
 Bill Version: CSHB 299(FIN)
 (H) Publish Date: 3/25/94

STATE OF ALASKA
 1994 LEGISLATIVE SESSION

Revision Date: 3/24/94 Dept. Affected: Public Safety
 Title: An Act relating to revocation of a driver's BRU: Motor Vehicles
license and providing for an effective date. Component: Driver Services/Field Services
 Sponsor: Representative Toohy
 Requestor: (H) FIN COMPONENT SERIAL NO. 500, 502

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

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES	126.1	126.1	126.1	126.1	126.1	126.1
TRAVEL	1.5	0	0	0	0	0
CONTRACTUAL	23.4	16.1	16.1	16.1	16.1	16.1
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT	42.0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	194.0	143.2	143.2	143.2	143.2	143.2
CAPITAL EXPENDITURES						
CHANGE IN REVENUES (1005) <small>Revenue Code</small>	622.5	622.5	622.5	622.5	622.5	622.5

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts	194.0	143.2	143.2	143.2	143.2	143.2
1006 GF/MHTIA						
Other						
TOTAL	194.0	143.2	143.2	143.2	143.2	143.2

Estimate of current year (FY 94) impact: \$ _____

POSITIONS:

FULL-TIME	3	3	3	3	3	3
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)
 See Attached

Mudu
 3/24/94

Prepared By: Juanita M. Hensley Phone: 465-2650
 Division: Motor Vehicles Date: 03/24/94
 Approved by Commissioner: *[Signature]* Date: 03/24/94
 Agency: Richard L. Burton, Dept. of Public Safety

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REV 01/94

This bill will require the Division of Motor Vehicles to administratively revoke the driver's license of any person between the ages of 14 through 20 who has consumed or who is in possession of drugs or alcohol. The Division of Family and Youth Services (DFYS) reports approximately 1,200 youths between the ages of 14 through 17 are referred to their agency by police authorities for alcohol or drug offenses yearly. The Department of Public Safety Uniform Crime Report for 1992 shows approximately 1,300 persons between the ages of 18 through 20 are arrested or charged with drug and alcohol offenses (other than DWI) each year. The total number of youths whose driver's license or privilege to drive would be revoked is approximately 2,500. The Department of Public Safety Uniform Crime Report does not include 37 cities or rural communities.

In order to handle the additional 2,500 license revocations a year, and provide due process for the minor, one full-time Driver Improvement Specialist/Hearing Officer, and two full-time Motor Vehicle Representative I/II's would be required. The cost for personal services for a Driver Improvement Specialist/Hearing Officer is 52.8; the cost for two Motor Vehicle Representative I/II's is 73.3. The total for personal services is 126.1. The Driver Improvement Specialist and one Motor Vehicle Representative will be located in the Juneau Driver Services office and will handle the paperwork and hearings associated with administering the revocation of the driver's license. The second Motor Vehicle Representative will be located in the Anchorage Field Services section and will be used in the Motor Vehicle Field office to handle the reinstatement and issuance of a driver's license.

To revoke 2,500 additional driver's licenses a year takes over 30 processing steps per revoked license. It takes approximately 20 minutes to one hour to conduct an administrative hearing. Each processing step varies in the time it takes to complete. Complete accuracy is essential, as an error of entry onto a driving record could result in civil liability to the State. It takes approximately 20 minutes per applicant to reinstate a revoked driver's license; this time is exclusive of the time it takes a person to take the required tests; the person must make a new application for the driver's license or permit, take all of the required tests, and if the person is under the age of 18 a parent or legal guardian must give consent for the driver's license or permit and pay the reinstatement fee. Travel and per diem requested is to send the hearing officer to the National Judicial College for professional training in the fair hearing process.

Under existing law, each person whose license has been revoked must pay a \$100 fee when applying for reinstatement of his or her driver's license. This bill amends current law by requiring a reinstatement fee of \$250 for anyone who has had their driver's license suspended, revoked or limited more than one time. Assuming 90 percent of the minors who are eligible for reinstatement will comply with the reinstatement requirements and pay the \$100 fee, approximately \$225.0 will be generated annually as new program receipts/general fund revenue.

In FY93 the division reinstated approximately 5,300 driver's licenses where the person paid a fee of \$100. It is estimated that 50 percent or 2,650 have first time actions against their record and will continue to pay the \$100 fee and 50 percent or 2,650 of these drivers have prior actions against their record and will be required to pay the \$250 fee. The 2,650 drivers will be required to pay an additional \$150 which will generate an additional \$397.5 in new program receipt/general fund revenue. The total new program receipts/general fund revenue is \$622.5.

	FY 95	FY 96
<u>PERSONAL SERVICES</u>		
2 Motor Vehicle Representative I/II's 1 Driver Improvement Specialist/ Hearing Officer		
Total Personal Services	126.1	126.1
<u>TRAVEL & PER DIEM</u>		
Airfare and per-diem to National Judicial College (one time expense)		
Total Travel & Per Diem	1.5	
<u>CONTRACTUAL</u>		
323 Sq. Ft. office space lease @ \$1.95 per sq. ft. = \$7.6 per year Postage and tolls = \$1.7 per year Telephone charges/conference call/ long distance charges = \$6.3 per year Tuition for National Judicial College \$1.3 (one time expense) 80 hours computer programming time @ \$75/hr = \$6.0		
Total Contractual	23.4	16.1
<u>SUPPLIES & MATERIALS</u>		
Office supplies		
Total Supplies	1.0	1.0
<u>EQUIPMENT</u>		
3 Complete workstations @ \$10.0 each Copier 11.0 (Equipment is a one time expense)		
Total Equipment	42.0	
TOTAL COST	194.0	143.2



LASKA STATE MEDICAL ASSOCIATION

4107 Laurel Street • Anchorage, Alaska 99508-5334 • (907) 562-2662

February 15, 1994

Representative Cynthia Toohay
Alaska State Legislature
P. O. Box 7 (MS 3130)
Juneau, AK 99811

Dear Representative Toohay:

On behalf of the Alaska State Medical Association I would like to offer you our organization's strongest support for your committee substitute for House Bill #299. As physicians we are well aware of the trauma alcohol and drugs inflict upon Alaskans. These problems often begin while our youth are in their teens and this bill will serve as a ringing wake-up call that substance abuse has serious consequences and will not be tolerated. This bill is elegant in its simplicity and will be eloquent in its message once under-age drivers realize that substance abuse is incompatible with driving privileges. When enacted, this bill will be a model for other states to deal with this problem.

I thank you and your staff for your hard and thoughtful work on this bill. If I can be of any assistance to you in its passage, do not hesitate to contact me. If my testimony would ever be helpful, I would be happy to assist you.

Sincerely yours,

Donald P. Lehmann, M.D., A.B.F.P.
President, Alaska State Medical Association

DRL:bj

Alaska Association Chiefs of Police



February 15, 1994

Representative Cynthia Tooney
Room 104
State Capital Building
Juneau, Alaska, 99801-1182

Dear Representative Tooney:

On behalf of the Alaska Association of Chiefs of Police I would like to offer our support for CSHB 299 (work draft of 2/11/94).

The number of teenagers killed while drinking and driving is an endless and ever increasing tragedy in today's society. In Alaska, where the illegal use of drugs and alcohol by minors is significantly higher than other parts of the country, the number of dysfunctional teens seems to be growing at an alarming rate.

The standard law enforcement approach of arrest and incarceration for possession or consumption has not solved or reduced this growing problem. (In the case of teens under the age of eighteen (18) it is simply a ride home with a later court appearance.) Education and counseling, along with innovative incentives is the only hope for reducing this behavior. Revocation of a minor's drivers license for any illegal possession or consumption, regardless of whether a vehicle was involved, is an extremely innovative approach to a very old problem. Because driving is such a cherished past time with most young people, the threat of losing this privilege may be the catalyst needed for some to finally "just say no".

If we can be of any assistance in the passage of this bill please let me know.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Ronald L. Otte".

Ronald L. Otte
President

RLO/lp



ALASKA COUNCIL ON

PREVENTION

OF ALCOHOL AND DRUG ABUSE, INC.

Founded 1962

February 15, 1994

Representative Cynthia Toohey
House of Representatives
State Capitol, Room 104
Juneau, AK 99801-1182

Dear Representative Toohey,

Thank you for informing me about C.S. House Bill 299 draft dated February 11, 1994. The data you are about to read comes from the Robert Wood Johnson Foundation report dated October 1993. Prepared by the Institute for Health Policy, Brandeis University entitled *Substance Abuse the Nations Number One Health Problem, Key Indicators for Policy*. I am in support of this bill for the following reasons:

- Adolescent is a period of experimentation with substance use and teenagers are particularly at risk for being involved with alcohol and drug related vehicle injuries.
- Traffic crashes remain the single greatest cause of death among American youth and young adults and almost half of all traffic fatalities are alcohol-related.
- Diverse efforts under way in communities across the country including prompt license suspension, sobriety police checks, zero tolerance for underage drivers and public education have had an impact on alcohol impaired driving decline.
- The public supports stringent sanctions against driving while intoxicated and according to a national poll would like to see tougher enforcement of drinking age laws (64%) automatic license suspension for the first offense (89%) and automatic confiscation of plates for the second offense (89%).



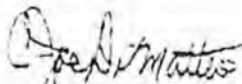
Representative Tooley
February 15, 1994
Page two

- Alcohol in any quantity is a risk factor for young drivers and nearly 40% of 16 to 19 year old drivers in alcohol involved fatal crashes had a B.A.C. level under 0.10%.
- Early use is related to later problems. By the eighth grade 70% of adolescents have consumed alcohol.

The above statistics show that any intervention we create as a community for young people will save many lives. Tougher laws and higher prices on alcohol and tobacco have proven to be effective deterrents for substance use and abuse among young people.

I wish you success in getting House Bill 299 approved. If there is anything that I can do to help, please feel free to call me.

Sincerely,



Joseph DiMatteo
Executive Director

/JDM



Alaskans For Drug-Free Youth

Statewide Headquarters

2417 Tongass, Suite #114, Ketchikan, Alaska 99901
 Phone: 907-247-2273, 1-800-478-2273, fax 907-247-2232

February 15, 1994

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The Honorable Cynthia Toohey
 State Capitol
 Juneau, AK 99801-1182

Dear Representative Toohey:

Thank you for sending us the latest draft of HB 299. Our organization fully supports the "Use It - Lose It" administrative revocation of minors' permits and licenses. We believe this will be a very cost effective tool for law enforcement and more importantly, will provide our young people with a reason not to drink and use other drugs.

If there is one thing teenagers have in common, it is that they are all anxious to have a drivers license. The threat of losing it should make them think twice about taking a drink.

We are also interested in incorporating a .00 BAC for those under 21 years old. If it is possible to amend this bill to include that provision, we would appreciate it. We will continue to advocate for it in any case.

Thank you for being responsive to our suggestions for changes to your bill. If there is anything else we can do to help, please let us know. Lynda Adams will be back in the office next week and will be happy to answer any questions you may have.

Sincerely,

Cheri Davis,
 Development Director

ALASKA PEACE OFFICERS ASSOCIATION

State APOA Office • P.O. Box 240106 • Anchorage, Alaska 99524-0106 • (907) 277-05



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February 23, 1994

MAR 2 1994

Representative Cynthia Toohey
State Capitol
Juneau, AK 99801-1182

Dear Representative Toohey,

The Alaska Peace Officers Association supports HB 299. We feel that drinking and driving under the influence of drugs or alcohol continues to be a matter of grave concern to the citizens of Alaska. People have come to understand and realize the high price we pay for such excesses. Finally, attitudes toward underage drinking and driving are becoming more critical. It is no longer a "rite of passage" for a young person to consume alcohol.

We agree with the intent of this legislation--to thwart underage drinking by limiting their privilege to drive if they possess or consume alcohol. The loss of this privilege will act as a strong deterrent to such acts.

Sincerely,

Michael A. Grimes
Statewide President
Alaska Peace Officers Association

POSITION PAPER - Department of Public Safety

BILL NO: CSHB 299 (HES)

DATE:

February 15, 1994

TITLE: Driver's License Revoca-
tion; Alcohol/Drugs

CONTACT:

Lorn M. Campbell
Executive Director
Highway Safety
Planning Agency

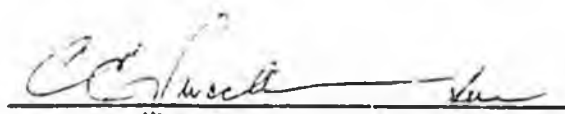
"An Act relating to revocation of a youth under 21 years of age driver's license for illegal possession or use of a controlled substance or illegal possession or consumption of alcohol."

Under Alaska Statute 28.15.011 the exercise to drive or have any degree of control over a motor vehicle upon a highway is a privilege and not a right guaranteed by law. Impaired driving and impaired-related crashes involving young drivers constitute a major problem in every motorized country in the world. In the United States, drivers age 16-19 have the highest crash rate--20.1 crashes per million miles driven in 1990--compared with a rate of 5.3 for all other ages combined.

Alaska is no exception to this problem as alcohol/drugs continue to be a major contributor in youthful traffic accidents and deaths in the State of Alaska. Statistics for 1992 showed 44.4 percent of youths under the age of 21 were impaired at the time of their deaths. Autopsy results disclosed that all of the youth who were impaired had blood alcohol levels well over 0.10.

As consumption or possession of alcohol or a controlled substance is unlawful by all persons under the age of 21 years, license revocation is a particularly appropriate penalty for young drivers for a number of reasons. First of all, mile for mile the teenage driver is a high-risk operator, especially when drinking. Every mile that this high-risk driving can be reduced by significant safety dividends for the individual and the public. Since the privilege to drive is important to a teenager, loss of the driver's license is particularly relevant in motivating the young driver to avoid alcohol or drug related offenses.

The Department of Public Safety strongly supports passage of CSHB 299 (HES) or similar legislation that saves the lives of our State's most valuable resource--our youth.


Richard L. Burton,
Commissioner

SCOTT & WESLEY GERRISH
MEMORIAL

MADD

ANCHORAGE, ALASKA
CHAPTER

MAILING ADDRESS:

30 W. International Airport Rd., Suite J
Anchorage AK 99518

(907) 258-MADD

BUSINESS ADDRESS

30 W. International Airport Rd., Suite J
Anchorage AK 99518

March 1, 1994

Rep. Tooney
State Capitol
Rm #104
Juneau, AK 99801-1132

RE: "Bill #299 - Use It - Lose It"

Dear Representative Tooney:

The Anchorage Chapter of Mothers Against Drunk Driving supports the legislation to establish immediate license revocation for those juveniles who use controlled substances or consume alcohol.

Administrative license revocation has proven effective in reducing Driving Under the Influence offenses. It is constitutional, the U. S. Supreme Court, in "Mackey vs. Montromy: 2612, 2620-71 (1979), has recognized that suspension of a drivers license prior to an administrative hearing is not a violation of due process so long as provisions are made for a swift post-suspension hearing.

MADD notes that an overloaded court system too often delays the judicial response to juvenile consumption or possession of a controlled substance. While awaiting their court date, many continue their actions with sometimes fatal results. On Labor Day, 1986, three (3) young people in Worcester County, Massachusetts, were killed by a 19-year old drunk driver who had been allowed to keep his license, even though he had more than .10% on a breath test a few days before. MADD chapters in Massachusetts united to help write a tough drunk driving bill in Massachusetts which became effective the following year.

The NHTSA, 1993 report on Drinking, Driving and other Drugs states that more than 43% of all 16- to -20 year-old deaths result from motor vehicle crashes. About half of these fatalities were alcohol-related crashes. Estimates are that 2,314 teenagers 16-20 years old died in alcohol related crashes in 1992.

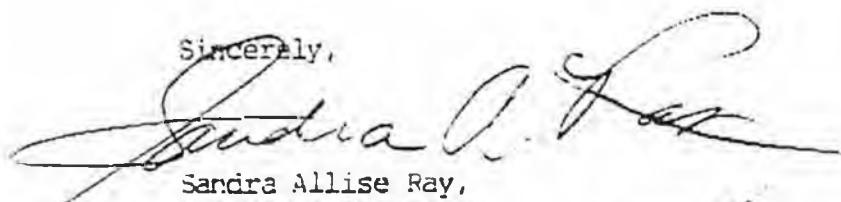
March 3, 1994

Page Two

NHTSA, 1993 report states that approximately 60% of pedestrians 16 years and older killed in nighttime crashes had a BAC of .10 or greater. The statistics are alarming. Youthful drinking in Alaska and drug usage is not the exception, it is so ordinary that students I have personally spoken with, have advised me that our area high schools are actually the easiest place to buy drugs in the state. They report that they not only buy drugs in plain view, but they use in plain view.

As a retired police officer from the State of Florida and now the Executive Director of the Anchorage Chapter of MADD, I strongly urge the passage of this "Use It-Lose It" legislation. More stringent laws are needed to reduce the numbers of youthful consumption of alcohol and drugs. If we say it's illegal to possess it, we need a counter-measure which will effectively reduce the incidence. We must do more to prevent such needless loss of life and health. I sincerely believe that this law would constitute the strongest deterrent available to youthful drivers in Alaska. The best payoff is the contribution this legislation will make to our safety as we drive from place to place within Alaska.

Sincerely,



Sandra Allise Ray,
Executive Director
Scott & Wesley Gerrish Memorial Chapter
Mothers Against Drunk Driving
Anchorage, Alaska



Alaska Federation of Natives
**Sobriety Movement*

March 10, 1994

Representative Toohey
Alaska State Legislature
House of Representatives
State Capitol
Juneau, AK 99801-1182

Dear Representative Toohey,

The AFN Sobriety Movement focuses on sobriety as the solution for many problems facing our people. The passage of House Bill 299 may well be an opportunity for early intervention with young people who are experiencing an alcohol or other drug addiction, thereby giving them a better chance for a successful treatment experience and hopefully saving them and the people around them from some of the devastating effects of alcohol and other drug abuse.

I believe that with the passage of House Bill 299, it will encourage sobriety*, as it requires youth offending for the first time to participate in a treatment program for license reinstatement, and I support the passage of this bill.

Sincerely,

Greg Nothstine, Coordinator
AFN Sobriety Movement

RVII

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

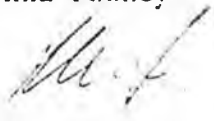
130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

March 29, 1994

SUBJECT: Sectional Summary of CSHB 299(FIN)
(Work Order No. 8-LS0961\D)

TO: Representative Cynthia Toohey

FROM: Michael F. Ford 
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1.

Sec. 28.15.183. Requires administrative revocation of a driver's license of a person who is at least 14, but not yet 21 years old, who has illegally consumed or possessed alcohol or a controlled substance. Establishes periods of mandatory revocation. Provides that revocation under this section is consecutive to revocation under another provision of law, except for a revocation under AS 28.15.185. Allows for the Department of Public Safety to grant limited license privileges.

Sec. 28.15.184. Provides for review of the administrative revocation before a hearing officer. If the illegal possession or consumption is proven by a preponderance of the evidence the revocation is required to be sustained. Provides for appeal of the hearing officer's decision to superior court.

Section 2. Technical amendment to remove a specified fee for reinstatement of a driver's license.

Section 3. Technical amendment to remove a specified fee for reinstatement of a driver's license.

Representative Cynthia Toohey
March 29, 1994
Page 2

Section 4. Imposes a fee of \$100 for first time offenders and for repeat offenders a fee of \$250 for reinstatement of a driver's license under AS 28.15.211.

Section 5. Applicability.

Section 6. Effective date.

MFF:pl
94-257.plm

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BI. No. 4
Bill Version: CSHB 299(JUD)
(H) Publish Date: 3/9/94

Revision Date: March 9, 1994
Title: ...revocation of a driver's license for illegal possession or use of a controlled substance...alcohol..
Sponsor: Representative Toohy
Requestor: Representative Toohy

Department Affected: Department of Law
BRU: Prosecution
Component: All
COMPONENT SERIAL NO. 0085 through 0090

EXPENDITURES/REVENUES:

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND &						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

REVENUE						
---------	--	--	--	--	--	--

FUNDING:

1002 Federal						
1003 GF Match						
1004 GF						
1005 GF/Program						
1006 GF/MHTIA						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

Estimate of current year (FY94) impact: -0-

ANALYSIS: (Attach a separate page if necessary.)
Please see the attached analysis.

Prepared by: Richard I. Peques, Director
Division: Administrative Services Division

Phone: 465-3672
Date: March 9, 1994

Approved by Commissioner: Bruce M. Botelho, Attorney General
Agency: Department of Law

Date: March 9, 1994

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CSHB 299 (JUD)

ANALYSIS CONTINUATION:

The House Judiciary Committee version of HB 299 adds a new section to AS 28.15 that provides for the revocation of a driver's license of a person that is at least 14 years of age, but not yet 21 years of age, for the possession or use of a controlled substance in violation of AS 11.17, or the possession or use of alcohol in violation of AS 04.16.050.

Revocation would be handled administratively by the Department of Public Safety if a police officer had probable cause based on personal observation that the possession or use occurred. The administrative process includes a provision for an administrative appeals hearing, as well as providing for subsequent judicial review. A police officer would be required to read a notice and to deliver a copy to the person advising that revocation will occur in seven days, unless the person requests an administrative review within the seven days. The written notice would serve as a temporary seven day license or permit, and the police officer would seize the person's license or permit if it is in the person's possession. Revocation would include the person's driver's license, permit, privilege to drive, or privilege to obtain a license or permit. A first revocation would result in a revocation for a period of 90 days; a second revocation would result in a revocation for a period of one year; and a third revocation would result in revocation for a period of three years. The bill also provides that the Department of Public Safety may not issue a new license or reissue a license to a person whose driver's license, permit, or privilege to drive has been revoked, under these provisions, unless the person is enrolled in or in compliance with, or has successfully completed and paid for (1) an alcoholism education and rehabilitation program, if the revocation resulted from the possession or use of alcohol, or (2) a drug rehabilitation treatment program if the revocation resulted from the possession or use of a controlled substance. Finally, the bill increases the amount of the reinstatement fee, from \$100 to \$250, for any person who seeks a driver's license at the end of the revocation period.

Current statute (AS 28.15.185) contains similar penalties for the same offense; however, the existing statute is limited to youths ages 13 through 17, and the penalties can be invoked only if the person is adjudicated by a juvenile court of misconduct involving a controlled substance or alcohol.

Because the revocation process will be handled administratively within the Department of Public Safety, the bill is unlikely to have a direct fiscal impact on the Department of Law. However, we are concerned that there will be a secondary impact caused by youthful offenders who drive while their license is revoked or who cannot obtain a license or permit during a revocation period. We also expect that there will be a larger number of revocations than now occurs under the existing statute, because the age span covered by the bill is greater and because revocation will not require an adjudication. Thus it appears that the incidence of DWLS offenses will increase. However, data is not available that would give any clear idea on the amount of increase that will result if the bill is approved. Consequently, fiscal impact costs have not been shown. We therefore caution that increasing prosecutor caseload at a time when revenues are decreasing, and at a time when the existing caseload is already increasing, will result in prosecutors being forced to decline prosecution of certain offenses in favor of prosecuting more serious offenses.

Finally, we note that the bill includes well-reasoned findings in respect to the dangers involved in mixing alcohol and driving and the particular danger to youths under the age of 21. However, no findings have been included in respect to controlled substances and the dangers they present to youths under the age of 21.



Official Business

Alaska State Legislature

State Capitol
Juneau, AK 99801-118:

SPONSOR STATEMENT

House Bill 299

"An Act relating to revocation of a driver's license for illegal possession or use of a controlled substance or illegal possession or consumption of alcohol; and providing for an effective date."

House Bill 299 is referred to as "*Use It-Lose It*" legislation.

There is no doubt that the dangerous association of controlled substances and alcohol with driving begins at an early age. It cannot be stressed enough that usage of alcohol or controlled substances causes a reduction of mental and physical capabilities and can severely impair one's ability to drive in a responsible manner. HB299 would provide the Department of Public Safety with a tool to help discourage youth from starting the dangerous and often fatal association of controlled substances and alcohol with driving.

Driving is a privilege looked forward to by all youngsters. Loss of this privilege can be a powerful deterrent. The intent of this bill is to provide the strongest possible incentive for our children to say "no" to controlled substances or alcohol. It gives youth a reason, that is acceptable to their peers, to say "no," while providing positive reinforcement to alcohol and drug-free teenagers by maintaining their eligibility to drive.

Under HB299, a minor who is old enough to have either a permit or license to drive would lose that license, permit, or privilege if said minor possessed, used, or consumed a controlled substance or alcohol. Revocation would be through an administrative proceeding.

This bill is supported by the Department of Public Safety, the Alaska Medical Association, the Alaskan Federation of Natives Sobriety Movement, the Alaska Council on Prevention of Alcohol and Drug Abuse, Alaskans for Drug-Free Youth, Mothers Against Drunk Driving, the Alaska Peace Officers Association, the Governor's Advisory Board on Alcoholism and Drug Abuse, the Ketchikan Mayor's Task Force on Substance Abuse, and the Alaska Association of Chiefs of Police. It has a fiscal note from the Department of Public Safety, but it is anticipated the revenue generated would more than cover the cost of the implementation. It would also enable the State to access additional federal funds. There is a zero fiscal note from the Department of Law. Your support would be appreciated.