

HB

204

- > In 1993 there were 24,310 licensed drivers in Alaska, between the ages of 16 years through 20 years of age, which was 6.2% of the State's licensed drivers. Yet they were the driver in 12.9% of the total vehicle crashes.
- > These are new drivers with little behind-the-wheel experience. When alcohol is combined the chance of them becoming involved in a fatal or serious injury accident multiplies greatly.
- > In 1993, 88 fatal crashes occurred, 28 of which had a driver between 16 through 20 years of age. In 9 of the fatal crashes or 32.1% involving youth, alcohol was a contributing factor.
- > The continuing abuse of alcohol and other drugs is exacting a horrific toll on Alaskan youth. Ten Alaskan children and young adults (newborn to 20 years) were killed in alcohol related crashes in 1993. Using a simple average of 50 years per fatality, a minimum of 500 years of lost life productivity (10 X 50) can be calculated for just this one year.
- > The monetary damage, expressed as a percent of total societal costs, is more than twice as great for crashes in which there is alcohol involvement. Alcohol was a factor in slightly less than 11 percent of all traffic crashes, yet those crashes accounted for almost 21 percent of the societal costs attributed to traffic collisions in Alaska during 1993.

Alaska Highway Safety Planning Agency
March 16, 1995

Year	FATAL YOUTH CRASHES				ALCOHOL-RELATED					
	Total Crashes	Youth Crashes	< Diff >	% Total Crashes	Total Alcohol Crashes	Youth Alcohol Crashes	< Diff >	Youth % of Total Alcohol Crashes	Youth Crash < Diff >	Alcohol % of Youth Crashes
1979	81	28	53	34.6%	45	19	26	42.2%	9	67.9%
1980	79	15	64	19.0%	43	7	36	16.3%	8	46.7%
1981	90	19	71	21.1%	50	17	33	34.0%	2	89.5%
1982	98	9	89	9.2%	54	9	45	16.7%	0	100.0%
1983	135	40	95	29.6%	53	13	40	24.5%	27	32.5%
1984	123	37	86	30.1%	61	14	47	23.0%	23	37.8%
1985	107	27	80	25.2%	58	12	46	20.7%	15	44.4%
1986	89	14	75	15.7%	46	5	41	10.9%	9	35.7%
1987	70	15	55	21.4%	40	6	34	15.0%	9	40.0%
1988	86	20	66	23.3%	43	6	37	14.0%	14	30.0%
1989	79	11	68	13.9%	44	7	37	15.9%	4	63.6%
1990	92	8	84	8.7%	47	3	44	6.4%	5	37.5%
1991	90	13	77	14.4%	45	7	38	15.6%	6	53.8%
1992	89	21	68	23.6%	50	9	41	18.0%	12	42.9%
1993	88	28	60	31.8%	37	9	28	24.3%	19	32.1%
Total	1,396	305	1,091	21.8%	716	143	573	20.0%	162	46.9%

Year	YOUTH DEATHS				ALCOHOL-RELATED						
	Total Deaths	Youth Deaths	< Diff >	% Total Deaths	Total Alcohol Deaths	Youth Alcohol Deaths	Alcohol < Diff >	Youth % of Total Alcohol Deaths	Youth Death < Diff >	Alcohol % of Youth Deaths	
1979	91	32	59	35.2%	69	23	46	33.3%	9	71.9%	
1980	88	18	70	20.5%	64	8	56	12.5%	10	44.4%	
1981	100	25	75	25.0%	76	23	53	30.3%	2	92.0%	
1982	107	9	98	8.4%	54	9	45	16.7%	0	100.0%	
1983	150	45	105	30.0%	64	15	49	23.4%	30	33.3%	
1984	137	37	100	27.0%	70	14	56	20.0%	23	37.8%	
1985	127	30	97	23.6%	69	14	55	20.3%	16	46.7%	
1986	101	14	87	13.9%	50	6	44	12.0%	8	42.9%	
1987	76	17	59	22.4%	44	7	37	15.9%	10	41.2%	
1988	97	22	75	22.7%	48	6	42	12.5%	16	27.3%	
1989	84	12	72	14.3%	46	8	38	17.4%	4	66.7%	
1990	98	8	90	8.2%	48	3	45	6.3%	5	37.5%	
1991	101	16	85	15.8%	50	9	41	18.0%	7	56.3%	
1992	108	25	83	23.1%	61	10	51	16.4%	15	40.0%	
1993	118	34	84	28.8%	49	10	39	20.4%	24	29.4%	
Total	1583	344	1,239	21.7%	862	165	697	19.1%	179	48.0%	

1993 DRIVERS IN TRAFFIC CRASHES

Age Group	1993 Licensed Drivers	% Of Licensed Drivers	1993 Crash Drivers	% Represented in Total Crashes
< 16	1	0.0%	75	0.3%
16-20	24,310	6.2%	3,257	12.8%
21-25	41,861	10.6%	3,195	12.6%
26-30	48,780	12.4%	2,919	11.5%
31-35	57,756	14.7%	3,123	12.3%
36-40	58,506	14.9%	2,902	11.4%
41-45	50,586	12.8%	2,416	9.5%
46-50	37,471	9.5%	1,622	6.4%
51-55	25,819	6.6%	1,094	4.3%
56-60	17,226	4.4%	733	2.9%
61-65	12,396	3.1%	490	1.9%
66-70	8,979	2.3%	370	1.5%
71 +	10,236	2.6%	439	1.7%
Unknown	4	0.0%	2,740	10.8%
Totals	393,931	100.0%	25,375	100.0%

Zero-Tolerance Laws To Reduce Alcohol-Impaired Driving By Youth

The U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA) encourages States to enact zero tolerance laws designed to reduce drinking and driving among younger drivers. Such laws should:

- ❑ Establish that any measurable amount (.02 maximum) of alcohol in the blood, breath, or urine of a driver under age 21 would be an "illegal per se" offense; and,
- ❑ Provide for immediate driver license suspension periods for those under age 21 who exceed the applicable blood alcohol concentration (BAC) limit.

All 50 States and the District of Columbia now have laws that prohibit the purchase and public possession of alcoholic beverages by those under the age of 21. Therefore, it would seem reasonable to expect drivers under the age of 21 to have no alcohol in their systems, and the appropriate BAC for these drivers would be zero. However, NHTSA recognizes that, given the present level of technology of alcohol breath testing devices, it is difficult for law enforcement officers to detect extremely low amounts of alcohol in the body. It is for this reason that the agency generally supports States that have laws establishing a BAC level of 0.02, at which it is illegal for those under the age of 21 to operate a motor vehicle.

Younger drivers place a high value on their drivers' licenses, and the threat of license revocation has proved to be an especially effective sanction for this age group.

Key Facts

- ❑ More than 40 percent of all deaths of 15 to 20 year olds result from motor vehicle crashes. In 1993, 40 percent of the 5,905 traffic fatalities of 15 to 20 year olds were alcohol-related. The percentage translated to 2,364 traffic fatalities in this age group that were alcohol-related last year.
- ❑ In 1993, 24 percent of 15 to 20 year old drivers involved in fatal crashes had some alcohol in their blood. The alcohol involvement rate for young drivers, based on the total licensed driver population, is about twice that of the over 21 age driver.
- ❑ NHTSA estimates that 816 lives were saved in 1993 by minimum drinking age laws. Since 1975, it is estimated that almost 13,968 lives have been saved in the affected ages by these laws. However, young people under age 21 are still greatly over-represented in alcohol-related crashes and fatalities.
- ❑ Driver license revocation or suspension has proven to be an effective deterrent in reducing crashes and the reoccurrence of alcohol-related driver offenses in the general population. Some State licensing officials believe sanctions have an even greater effect on younger drivers, since they value their drivers' licenses so highly.

U.S.
Department of
Transportation



National
Highway
Traffic Safety
Administration

States with Special Laws for Youth

Twenty-nine States and the District of Columbia have lower BAC limits for underage drivers: Arizona, Arkansas, California, Georgia, Idaho, Illinois, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, New Hampshire, New Jersey, New Mexico, North Carolina, Ohio, Oklahoma, Oregon, Rhode Island, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin. These BAC limits vary from 0.00 to 0.07 percent. Arizona, Arkansas, California, the District of Columbia, Idaho, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nebraska, New Jersey, New Mexico, Ohio, Oregon, Tennessee, Utah, Virginia, Washington, and West Virginia provide zero tolerance for everyone below 21. To correspond to age 21 alcohol purchase laws, NHTSA supports the use of age 21 as an appropriate threshold for lower BAC limits and longer suspension periods.

How The Laws Work

Typically, zero tolerance laws provide that any amount of alcohol in the body of a driver under age 21 (generally measured as 0.02 percent BAC or greater) is an offense for which the driver's license may be suspended for a period varying from 10 days to three months. These laws should allow a police officer to require a breath test from any driver under the age of

21, if the officer has probable cause to believe that the individual has been drinking (and should not require that the officer have probable cause to suspect actual impairment). Refusal to take such a test should result in license suspension under implied consent or administrative license revocation (ALR) laws. In the 37 States and the District of Columbia with ALR laws, providing a sample that is positive for alcohol should result in license suspension under that law. Currently, States vary in whether the special BAC level for underage drivers is included in their ALR laws.

Other States, such as Delaware, have taken the approach of extending the period of license suspension and increasing other penalties for underage youth without changing the BAC definition of an offense. Many States have extended the period of license suspension and also changed the BAC definition.

Cost Benefit Estimates

A NHTSA evaluation of the 0.02 law in Maryland showed an 11 percent decrease in the number of drivers under age 21 involved in crashes who, police report, "had been drinking." A study of four other States (Maine, New Mexico, North Carolina, and Wisconsin) revealed a 34 percent decline in adolescent night fatal crashes during

States with Lower BAC Levels for Youthful DWI Offenders September 1994



<p>Drivers under age 21:</p> <ul style="list-style-type: none"> .01 BAC (AZ, DC, IL, MN, OR, UT) .02 BAC (AR, ID, MA, MD, ME, MI, NE, NM, OH, TN, VA, WA, WY)
<ul style="list-style-type: none"> .04 BAC (NH, RI for drivers under 21) .04 BAC (CA, LA for drivers under 18) .07 BAC (TX for drivers under 21) .08 BAC (NC, WI for drivers under 18) .02 BAC (OK, VT for drivers under 18)

Cost Benefit Estimates *(continued)*

the post-law years compared to only a 7 percent decrease in adult night fatal crashes. A more recent study of 12 States with lower limits showed a 16 percent decrease in single vehicle nighttime fatal crashes for drivers targeted by the laws while these crashes rose one percent among drivers of the same ages in comparison States where the laws were not changed.

Making any amount of alcohol in the body of an underage person an offense can make the enforcement effort easier. If the officer has any reason to suspect that the individual has been drinking, he or she can demand a breath test and take action to arrest the underage driver. Passive sensors, which can detect low BACs, permit the police to identify individuals with small amounts of alcohol in their bodies. This has the potential to reduce enforcement and adjudication time and expense, particularly if handled in an administrative process.

Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991

ISTEA provides incentive grants to States that achieve at least five of the following six criteria:

- An expedited administrative procedure for suspending the license of drunk drivers;
- A law setting a 0.10 blood alcohol concentration as evidence of driving while intoxicated (after three years, it must drop to 0.08);
- A statewide sobriety checkpoint program;
- A self-sustaining drunk driving prevention program;

- A program to prevent drivers under age 21 from obtaining alcoholic beverages; and
- A mandatory sentence of 48 consecutive hours in jail or not less than 10 days of community service for any person convicted of DWI more than once in any five year period.

States can also earn supplemental grants, one of which is based on adopting a 0.02 blood alcohol concentration limit for drivers under age 21.

Additional Sources of Information

A number of reports have supported legislation of this type:

Lower BAC Limits For Youth: Evaluation of the Maryland .02 Law. NHTSA Report Number DOT HS 807 860, March 1992. (Technical Summary. DOT HS 807 859, March 1992.)

"Reduced BAC Limits for Young People (Impact on Night Fatal Crashes)", Alcohol, Drugs, and Driving. R. Hingson, et al., Vol. 7 No. 2, pp 117-127.

"Lower Legal Blood Alcohol Limits for Young Drivers" R. Hingson, et al, 73rd Meeting, Transportation Research Board, January 1994.

These reports and additional information are available through your State Office of Highway Safety, the NHTSA Regional Office serving your State, or from NHTSA Headquarters, Traffic Safety Programs, NTS-21, 400 Seventh St., S.W., Washington, D.C. 20590, (202) 366-9588.

HOUSE COMMITTEE REPORT

3/17/95

Judiciary

(7)

Date Referred: February 27, 1995

FURTHER REFERRALS:

Date of Committee Action: 3/15

The TRANSPORTATION Committee considered:

HB 204

HOUSE BILL NO. 204

NO DRINK BEFORE DRIVING 'F UNDER 21

"An Act relating to the administrative revocation of a minor's license to drive; creating criminal offenses of minor operating a vehicle after consuming alcohol, a minor's refusal to submit to chemical test, and driving during the 24 hours after being cited for minor operating a vehicle after consuming alcohol; establishing penalties for these offenses; and relating to implied consent to certain testing if operating a motor vehicle, aircraft, or watercraft."

recommends it be replaced the same title
 with the following committee substitute _____ a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) _____ (5) zero fiscal note(s) (2) Admin, Law, (2) Public Safety 2/27/95

SIGNING WIT' RECOMMENDATIONS	DP	DNP	NR	AM
<i>Jerry Sanders</i> Sanders	✓			
<i>Frank Williams</i> Williams	✓			
<i>Donna James</i> James	✓			
<i>Eileen Maclean</i> Maclean	✓			
<i>Henry Masek</i> MASEK	✓			
<i>G Davis</i> G DAVIS			✓	
	(5)		(1)	

CHAIR'S SIGNATURE *G Davis*

Rep. Gary Davis, Chair
House Transportation Committee
State Capitol
Room 420
Juneau, AK 99801

March 7, 1995

Dear Representative Davis:

I am writing in support of HB 204 as it was introduced on February 27, 1995 by Governor Tony Knowles. If this sort of bill had been in effect when I was in high school, I believe many of the car crashes and drinking and driving that occurred unchecked might have been prevented.

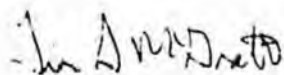
Kids are smart and will react to a law that will effect them if they are caught in a car where alcohol or other drugs are present. This important bill gives the state stronger tools to combat impaired driving and sends a clear and consistent message that "zero-tolerance" is the standard for minors who consume alcohol and attempt to operate a motor vehicle, aircraft, or watercraft.

I support this intolerance for underage drinking and strongly believe that it will get young people thinking about the consequences and directly save lives by keeping kids accountable for drinking or being in the presence of those drinking while driving.

I support the bill's amendments to AS 28.15.184 and 28.15.184 which gives police officers and the appropriate officials the right to revoke a minor's driver's license or permit, privilege to drive and privilege to obtain a license, if the minor is found to be intoxicated while driving.

Representative Davis, I urge your favorable action on this bill. Thank you for your time and attention.

Sincerely,



Tim S. McGrath
Alaskan

5889 Kensington Dr.
Anchorage, AK 99504-3734

March 7, 1995

Rep. Gary Davis, Chair
House Transportation Committee
State Capitol
Room 420
Juneau, AK 99801

Dear Representative Davis:

I, would like to offer my complete support for HB 204 as it was introduced on February 27, 1995, by Governor Tony Knowles.

This bill is important to me because it provides the state with new tools to respond to the problem of drunk driving by establishing a "zero tolerance level" for minors and I also believe this should apply to adults who consume alcohol and then operate a motor vehicle, aircraft or watercraft.

I, support the intolerance for underage drinking and believe that lives will be saved as a result of this bill's enforcement. As a parent of three teenagers I have a difficult time going to sleep on the weekends that the kids are out on the highways and by ways of Anchorage. I believe the passage of this bill will help prevent the presence of additional drunk drivers on our streets and highways.

I, support the bill's amendments to AS 28.15 183 and 28.15 184 which would give police officers and the appropriate officials the right to revoke a minor's driver's license or permit, privilege to drive and privilege to obtain a license, if the minor is found to be intoxicated while driving.

I, urge your favorable action on this bill.

Sincerely,

Sam Lamabull

Sam Lamabull

7431 Tangle Crt.

Anch. AK 99504

LETTER OF SUPPORT

Alaskans For Drug-Free Youth

Statewide Headquarters
2417 Tongass, Suite #114
Ketchikan, Alaska 99901
Tel 907 247-2273
1-800-478-2273
Fax 907 247-2232

Post-It™ brand fax transmittal memo 7671 # of pages 1

To Gary Davis	From Miriam Tucker
Co.	Co. ADFY
Dept.	Phone # 247-2273
Fax # 465-3835	Fax # 247-2232

March 7, 1995

Representative Gary Davis
Chairman, House Transportation Committee
State Capitol, Room 420
Juneau, AK 99801

Dear Representative Davis:

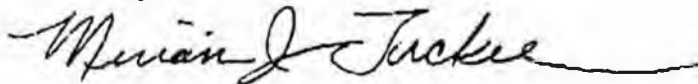
Alaskans For Drug-Free Youth, Ketchikan Partner, supports passage of HB204. We feel this bill offers an opportunity to intervene early with minors who operate a motor vehicle after consuming alcohol. This piece of legislation establishes a zero tolerance level for minors who consume alcohol and then drive.

An additional preventative feature of this bill is the provision that any minor who is cited for driving after consuming alcohol will be prohibited from operating a motor vehicle, aircraft, or watercraft during the 24 hours after the citation is issued. This will ensure that the minor does not drive while under the influence of alcohol.

The "zero tolerance" level for minors within this piece of legislation reinforces the support for no use of alcohol by anyone under the age of 21 and will make a positive impact in support of nurturing drug-free youth and their potential.

Please pass this early intervention legislation to help youth refuse the use of alcohol. This violation tool before a traffic judge can prevent future road tragedies for our young people.

Sincerely,



Miriam Tucker, President
Ketchikan Partner



Community Partners

Anchorage
Fairbanks
Juneau
Ketchikan
Nome
Petersburg
Wrangell

Advisory Board

Mrs. Ermae Michel

Tom Pool, Special Agent
Drug Enforcement Administration

Mrs. Nancy Murkowski
Congressional Families for
Drug-Free Youth

Billy G. Andrews
FBI Demand Reduction Coordinator

Corporation Sponsors
Alascom
Alaska Pipeline Service Company
Exxon Company, U.S.A.
Hames Group
Ketchikan Pulp Company
The Landing/Gilmore/Annabelle's
Louisiana Pacific Foundation
A United Way Southeast Agency



LETTER OF SUPPORT

A Partner of National Family Partnership
Dedicated to Healthy Drug-Free Youth

FISCAL NOTE

No. 5
 Bill Version: HB 204
 (H) Publish Date: 2/27/95

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO:

Revision Date: _____ Dept. Affected: Public Safety
 Title: An Act relating to alcohol related driving BRU: Motor Vehicles
offenses of minors... Component: Driver Services
 Sponsor: Governor
 Requestor: _____ COMPONENT SERIAL NO. 0500

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

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ()	-0-	-0-	-0-	-0-	-0-	-0-
Revenue Code						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GE Match						
1004 GE						
1005 GE/Program Receipts						
1006 GE/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-


Estimate of current year (FY 95) impact: \$ _____

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)

This bill will not impact the programs of the Division of Motor Vehicles. Current law requires DMV to administratively revoke the driver's license for the offense of minor in possession or consumption of alcohol.

Prepared By: Juanita M. Hensley Phone: 465-2650
 Division: Motor Vehicles Date: 2/21/95
 Approved by Commissioner:  Date: 2/21/95
 Agency: Ronald L. Otte, Dept of Public Safety

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO

No. 4
Bill Version: HB 204
(H) Publish Date: 2/27/95

Revision Date: _____ Dept. Affected: Public Safety
Title: An Act relating to alcohol related driving offenses of minors.... BRU: Alaska State Troopers
Sponsor: Governor Component: Detachments
Requestor: _____ COMPONENT SERIAL NO. 0799

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

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ()	-0-	-0-	-0-	-0-	-0-	-0-
Revenue Code						

FUNDING: (Thousands of Dollars)

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

Estimate of current year (FY 95) impact: \$ _____

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)

This bill would not impact the programs of the Alaska State Troopers. Currently, troopers are enforcing the alcohol laws as they pertain to minors including serving revocation notices to drivers.

Prepared By: 1st Sgt. Joe D'Amico Phone: 269-5412
Division: Alaska State Troopers Date: 2/21/95
Approved by Commissioner: *Ronald L. Otte* Date: 2/21/95
Agency: Ronald L. Otte, Dept. of Public Safety

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FISCAL NOTE

lo. 3
 Bill Version: HB 204
 (H) Publish Date: 2/27/95

**STATE OF ALASKA
 1995 LEGISLATIVE SESSION**

Revision Date: _____ Dept. Affected: Department of Law
 Title: "...administrative revocation of a minor's license
to drive...operating a motor vehicle after consuming alcohol..." BRU: Prosecution
 Sponsor: Rules on Request of the Governor Component: All
 Requester: Office of the Governor/OMB COMPONENT SERIAL NO. 0085-0090

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY95) cost: \$ 0.0

POSITIONS

POSITIONS	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill amends As 28 to establishes a "zero tolerance level" for minors who consume alcohol and then operate a motor vehicle, aircraft, or watercraft by creating three new criminal violations: "minor operating a vehicle after consuming alcohol", "minor's refusal to submit to a chemical test," and "driving within the 24 hours after being cited for minor operating a vehicle after consuming alcohol." These new offenses would be infractions and would not result in jail time being imposed. However, the penalty would be a fine of not more than \$1,000, an order that the minor perform community work service, or a combination of the two. The bill also provides that a minor convicted of these violations will also be subject to administrative revocation of the minor's driver's license under the state's "use it, lose it" statutes. The bill will not have a fiscal impact for the Department of Law because infractions are presented in district court by the arresting officer, which does not require the presence or assistance of a prosecutor.

Richard I. Peques

Prepared by: Richard I. Peques, Director
 Division: Administrative Services Division
 Approved by Commissioner: Bruce M. Borelho, Attorney General
 Agency: Department of Law

Phone: 465-3672
 Date: 2/17/95
 Date: 2/17/95

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FISCAL NOTE

No. 2
 6 /ersion: HB 204
 (H) Publish Date: 2/27/95

STATE OF ALASKA
 1995 LEGISLATIVE SESSION

Revision Date: _____
 Title: "An Act relating to the administrative revocation of a
 minor's license to drive . . ."
 Sponsor: _____
 Requestor: _____

Department Affected: Administration
 BRU: Public Defender Agency
 Component: Public Defender Agency
 COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
------------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 95) cost: \$ 0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.) There are two variables which will determine impact: 1) the number of projected arrests related to these newly created infractions and 2) a legal determination regarding the right to legal representation for said infractions. Ordinarily an individual is not entitled to public counsel services for mere infractions. On the other hand, the possible sanctions go beyond the normal range for infractions to include loss of driver's license. As such, it is an open question regarding court-appointed legal representation and therefore fiscal impact, if any.

Prepared by: John B. Salvo Director
 Division: Public Defender Agency

Phone: (907) 264-4412
 Date: _____

Approved by Commissioner: Mark Boyer
 Agency: Department of Administration

Date: 2/22/95

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FISCAL NOTE

No. 1
 Bill Version: HB 204
 (H) Publish Date: 2/27/95

STATE OF ALASKA
 1995 LEGISLATIVE SESSION

Revision Date: _____
 Title: "An Act relating to a minor operating vehicle after alcohol consumption..."
 Sponsor: Governor
 Requestor: _____

Department Affected: Administration
 BRU: Office of Public Advocacy
 Component: Office of Public Advocacy
 COMPONENT SERIAL NO. 43

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0	0	0	0	0	0
CHANGE IN REVENUES ()	0	0	0	0	0	0

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 95) cost: \$ -0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

There is no fiscal impact.

Prepared by: Brant McGee
 Division: Office of Public Advocacy

Phone: 274-1684
 Date: 2-17-95

Approved by Commissioner: Mark Boyer
 Agency: Department of Administration

Date: 2-17-95

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February 27, 1995

The Honorable Gail Phillips
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Speaker Phillips:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to minors operating vehicles after consuming alcohol. Despite our best efforts to date, the number of drunk drivers continues to rise in Alaska. The state needs new tools to respond to the problem of drunk driving.

An important step in making our roads and other avenues of transportation safe is to focus on high-risk drivers and let the police take them off the road before tragedy strikes. Two particularly high-risk groups of drivers are those who operate commercial motor vehicles and minors. The legislature addressed commercial motor vehicle operators in 1992, passing stringent laws that keep commercial drivers off the roads when they are under the influence of alcohol. The time has come to do the same with underage drivers, who generally are not allowed under the law to possess or consume any alcohol.

This bill establishes a "zero tolerance level" for minors who consume alcohol and then operate a motor vehicle, aircraft, or watercraft. It does this by creating three new criminal violations: "minor operating a vehicle after consuming alcohol," "minor's refusal to submit to a chemical test," and "driving within the 24 hours after being cited for minor operating a vehicle after consuming alcohol."

These new offenses are only infractions and cannot result in jail time being imposed. Instead, the penalty is a fine of not more than \$1,000, an order that the minor perform community work service, or a combination of the two. An important feature of the proposed new law is that the minor can be taken off the road and to a police station or other location for the administration of a chemical test to determine the presence of

The Honorable Gail Phillips
February 27, 1995
Page 2

alcohol in the minor's blood or breath. If the minor refuses to take the test, that is a separate infraction, much like the misdemeanor crime of refusal we have for driving-while-intoxicated cases.

This bill's amendments to AS 28.15.183 and 28.15.184 would make the minor's driver's license or permit, privilege to drive, or privilege to obtain a license subject to administrative revocation under those "use it, lose it" statutes.

Under the bill, a minor who is cited for driving after consuming alcohol is prohibited from operating a motor vehicle, aircraft, or watercraft during the 24 hours after the citation is issued. This will help ensure that the minor stays off the road or other avenues of transportation while under the influence of alcohol.

I urge your favorable action on this bill.

Sincerely,



Tony Knowles
Governor