

**SB**

**6**

**SFIN**

**FILE**

# SENATE FINANCE COMMITTEE REPORT

DATE: 2/9/95

REPORTED OUT OF  
SFC 3-30-95

FURTHER:

DATE TURNED INTO OFFICE: 3-30-95

The Finance Committee considered SENATE BILL NO. 6

"An Act relating to registration of a motor vehicle and suspension of a driver's license for failure to appear in court or failure to pay a fine."

and recommends:

be replaced with CS 586 (FIN)

adopt previous CS ( )

attached amendment(s)

adopt Letter of Intent by \_\_\_\_\_ Committee

further referral to the \_\_\_\_\_ Committee

Senate Bill:  
 same title  
 new title  
House Bill:  
 technical change  
 new: SCR# \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>	<input checked="" type="checkbox"/>		
<i>David Donley</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>	<input checked="" type="checkbox"/>		
		<i>[Signature]</i>	<input checked="" type="checkbox"/>		
Co-Chair: <i>[Signature]</i>	<input checked="" type="checkbox"/>				
Co-Chair: <i>[Signature]</i>		<i>Rich Helford</i>	<input checked="" type="checkbox"/>		

**NEW FISCAL NOTE(S):**

Department	Date	Zero	Fiscal
CORR	2/24/95		38.0
PS (Motor Vehicles)	3/10/95		114.6

**PREVIOUS FISCAL NOTE(S):\***

Department	Date	Zero	Fiscal
#3 COURT	2/4/95		7.2
#2 PS (Troopers)	2/1/95	0	0

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# FISCAL NOTE

#5

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. CS SB 6

Revision Date: \_\_\_\_\_ Dept. Affected: Corrections  
 Title: An Act relating to suspension of a driver's license BRU: community corrections  
 Component: \_\_\_\_\_  
 Sponsor: Sen. Taylor  
 Requester: Senate Finance COMPONENT SERIAL NO. \_\_\_\_\_

**Expenditures/Revenues (Thousands of Dollars)**

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	38.0	38.0	38.0	38.0	38.0	38.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>38.0</b>	<b>38.0</b>	<b>38.0</b>	<b>38.0</b>	<b>38.0</b>	<b>38.0</b>

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ( )						
------------------------	--	--	--	--	--	--

**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF	38.0	38.0	38.0	38.0	38.0	38.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>38.0</b>	<b>38.0</b>	<b>38.0</b>	<b>38.0</b>	<b>38.0</b>	<b>38.0</b>

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

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS:** (Attach a separate page if necessary)

This bill would add failure to pay bail or fines related to moving traffic violations to the list of offenses for which driving privileges could be suspended. Under AS 28.15.291, upon a second conviction of driving a motor vehicle while the defendant's driving privileges have been suspended under AS 28.15.181 could result in a ten day jail sentence. The DOC does not supervise misdemeanor probation or community work service imposed in misdemeanor cases.

The language of related statutes allows considerable discretion to the court and the prosecutor with this offense and it is impossible to accurately predict how many individuals would receive additional time to serve due to the provisions of this bill. These offenders would serve their sentence in a CRC.

Each person who was sentenced to ten days for a second condition would serve 6.67 days at a cost of \$57.00 per day in a CRC for a total cost of \$0.380 per offender. One hundred offenders would result in an additional cost of \$38.0 annually.

Prepared by: Jerry Shriner Phone: 465-4640  
 Division: \_\_\_\_\_ Date: 3/21/95  
 Approved by Commissioner: *Margaret M. Pugh* Date: 3/21/95  
 Agency: Department of Corrections

**PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**  
 For further distribution information, call the Governor's Legislative Office

# FISCAL NOTE

#4

**STATE OF ALASKA**  
**1995 LEGISLATIVE SESSION**

**BILL NO: SB 6**

Revision Date: 3/10/95 Dept. Affected: Public Safety  
 Title: An Act relating to registration of a motor BRU: Motor Vehicles  
vehicle and suspension of a driver license... Component: Driver Services & Field Services  
 Sponsor: Senator Taylor  
 Requestor: S.JUD. COMPONENT SERIAL NO. 0500 & 0502

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

	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
<b>OPERATING</b>						
PERSONAL SERVICES	75.1	75.1	75.1	75.1	75.1	75.1
TRAVEL						
CONTRACTUAL	18.5	12.7	12.7	12.7	12.7	12.7
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT	20.0					
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>114.6</b>	<b>88.8</b>	<b>88.8</b>	<b>88.8</b>	<b>88.8</b>	<b>88.8</b>
<b>CAPITAL EXPENDITURES</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
<b>CHANGE IN REVENUES (1004 Revenue Code)</b>	<b>416.2</b>	<b>416.2</b>	<b>416.2</b>	<b>416.2</b>	<b>416.2</b>	<b>416.2</b>

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GE Match						
1004 GE	114.6	88.8	88.8	88.8	88.8	88.8
1005 GE/Program Receipts						
1006 GE/MHTIA						
Other						
<b>TOTAL</b>	<b>114.6</b>	<b>88.8</b>	<b>88.8</b>	<b>88.8</b>	<b>88.8</b>	<b>88.8</b>

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

**POSITIONS:**

FULL-TIME	2	2	2	2	2	2
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)  
 SEE ATTACHED

*3/10/95*

Prepared By: Juanita M. Hensley Phone: 465-2650  
 Division: Motor Vehicles Date: 3/10/95  
 Approved by Commissioner: *Ronald L. Otte* Date: 3/10/95  
 Agency: Ronald L. Otte, Dept. of Public Safety

**PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**

For further distribution information call the Governor's Legislative Office

This bill allows the courts to suspend a driver's license of a person who has failed to appear in court or failed to pay a fine for a moving traffic offense. The court has advised there are 25,000 moving violations each year where the person fails to pay the fine or fails to appear in court for these offenses. Assuming the court suspends the driver's license of 10 percent or 2,500 driver's license each year.

This bill impacts the Division of Motor Vehicles by resulting to 4,750 updates to the driving record of the persons whose license is being suspended. One computer entry to add the suspension to the driving record; and another entry to end the suspension once the person has complied. Reinstating the driver's license will also impact the DMV field offices. The Motor Vehicle Representative will be required to see proof from the court that the person has complied with the court requirements by, appearing in court, or by paying the fine for the moving violation. It is estimated 90 percent of all persons whose license is suspended will reinstate their driving privilege. A \$100.00 reinstatement fee is charged anytime a person has had their license suspended or revoked within the 10 years preceding application for a driver's license. It is estimated 1,125 individual's will pay the \$100. If the license was suspended or revoked more than one time within the 10 years preceding application for a driver's license, the reinstatement fee is increased to \$250. It is estimated 1,125 will pay the \$250. A person will also have to pay a duplicate license fee of \$10 prior to the license being issued. The amount of additional new general fund program receipt revenue generated by this bill is approximately \$416.2

Total number of suspension notices received from the courts by DMV	2,500
Total number of suspension notices being ended when a person has complied with the courts	2,250
Total number of license reinstated	2,250

<u>OPERATING</u>	<u>FY 96</u>	<u>FY97</u>
<u>Personal Services</u>	<u>Salary and Benefits</u>	
Administrative Clerk III (Juneau)	\$38.4	\$38.4
Motor Vehicle Representative II (Anchorage)	\$36.7	\$36.7
<u>Contractual</u>		
Computer line Charges (Mainframe connection) \$0.5 per workstation	\$1.0	\$1.0
Postage 1st class mail	\$0.8	\$0.8
Postage is for 2,500 courtesy letters informing the individual of the effective date of the license suspension.		
Telephone lease & line charges	\$1.1	\$1.1
Redesign and printing of traffic citations	\$5.8	
Office lease space allocation 440 sq ft @\$1.85 per sq ft	\$9.8	\$9.8
<u>Supplies</u>		
Routine office supplies	\$1.0	\$1.0
<u>Equipment</u>		
2 Computer Workstations @ \$10.0 each (One time costs)	\$20.0	
<b>TOTAL OPERATING</b>	<b>\$114.6</b>	<b>\$88.8</b>
 <u>REVENUE</u>		
2,250 Reinstatements 1,125 @\$100, 1,125 @\$250	\$393.7	\$393.7
2,250 Duplicate license fees @10	\$22.5	\$22.5
<b>TOTAL REVENUE</b>	<b>\$416.2</b>	<b>\$416.2</b>

POSITION INFORMATION HAS BEEN UPDATED AND FUNDING HAS BEEN ADJUSTED.  
 03/02/95 Position Information Inquiry/Update

10:55:47

Position: 12-125213 Project: 0 Salary Costs: 24,972.00  
 Component: 12-55-07-07-01-01 Region: Benefits Costs: 12,994.88  
 Scenario: 7 FY: 96 COLA % = 0.000 Total Costs: 37,966.88

-----  
 Actuals from Payroll (Status: FILLED) Retirement Code: A  
 -----

A Step: A for 12.0 months & Step: B for 0.0 months (total: 12.00 )  
 04/10/16 Merit Date; use merit defaults? N ( 3.5 @ B & 3.5 @ C )  
 Class/Sched Prefix: 1 Schedule: 1A (actual: 1A )  
 GG Bargaining Unit: GG Range: 10 (actual: 10 )  
 AWA Location Code: AWA Place: JUNEAU  
 P1135 Job Class Code: P1135 Title: ADMINISTRATIVE CLERK III  
 F Seasonal Indic.: F Type: FACL - FULL TIME / OMB AUTH

Optional Override Salary Rates:

Monthly Rate: 0.00 for 0.0 months & rate of 0.00 for 0.0 months  
 Hourly Rate: 0.00 for 0.0 months Frozen at this rate? (Y/N): N

Premium Pay Items/Amounts Budgeted	Item Cost	---- Actual Costs ----	
		Y.T.D.	Prior Year
Overtime Hours: 0.0	0.00	0	0
Graveyard Shift Diff. (months): 0.00	0.00	0	0
Swing Shift Diff. (months): 0.00	0.00	0	0
Hazard Pay (\$): 0.00	0.00	0	0
Sea Duty Pay (\$): 0.00	0.00	0	0
Standby Pay (\$): 0.00	0.00	0	0
Higher Class Work Pay (\$): 0.00	0.00		
Area Subsistence Pay (\$): 0.00	0.00	0	0
Additional Salary (\$): 0.00	0.00		
PLUS 0.00000 PERCENT C.O.L.A.	0.00		
<b>Total Premium Pay Costs:</b>	<b>0.00</b>	<b>0</b>	<b>0</b>

Press ENTER to update record; enter # or use PF key to go another screen:

1=Position Inquiry/Update 2=Funding info 12=Exit w/o update Selection: 0

POSITION INFORMATION HAS BEEN UPDATED AND FUNDING HAS BEEN UPDATED.

03/08/95

Position Information Inquiry/Update

10:35:26

Position: 12-125234                      Project: 0 \_\_\_\_\_                      Salary Costs:                      23,556.00  
 Component: 12-55-07-07-01-01            Region:                                      Benefits Costs:                      12,552.81  
 Scenario:    7            FY: 96                                      COLA % = 0.000                      Total Costs:                        36,108.81

-----  
 Actuals from Payroll                      (Status: FILLED )                      Retirement Code:                      A  
 -----

A                      ° Step: A for 12.0 months & Step: B for 0.0 months (total: 12.00 )  
 95/08/16            ° Merit Date; use merit defaults?    N                      (    1.5 @ A & 10.5 @ B )  
 1                      ° Class/Sched Prefix: 1                      Schedule: 1A (actual: 1A )  
 GG                      ° Bargaining Unit:                      GG                      Range:                      09 (actual: 08 )  
 AWA                      ? ° Location Code:                      EBA                      Place: ANCHORAGE  
 P7549                      ? ° Job Class Code:                      P7550                      Title: MOTOR VEHICLE REP II \_\_\_\_\_  
 F                      ° Seasonal Indic.:                      F                      Type: FACL - FULL TIME / OMB AUTH

Optional Override Salary Rates:

Monthly Rate: 0.00 \_\_\_\_\_ for 0.0 months & rate of 0.00 \_\_\_\_\_ for 0.0 months  
 Hourly Rate: 0.00 \_\_\_\_\_ for 0.0 months                      Frozen at this rate? (Y/N): N

Premium Pay Items/Amounts Budgeted

	Item Cost	---- Actual Costs ----	
		Y.T.D.	Prior Year
Overtime Hours: _____ 0.0	0.00	0	0
Graveyard Shift Diff. (months): _____ 0.00	0.00	0	0
Swing Shift Diff. (months): _____ 0.00	0.00	0	0
Hazard Pay (\$): _____ 0.00	0.00	0	0
Sea Duty Pay (\$): _____ 0.00	0.00	0	0
Standby Pay (\$): _____ 0.00	0.00	0	0
Higher Class Work Pay (\$): _____ 0.00	0.00		
Area Subsistence Pay (\$): _____ 0.00	0.00	0	0
Additional Salary (\$): _____ 0.00	0.00		
PLUS 0.00000 PERCENT C.O.L.A.	0.00		
	=====	=====	=====
Total Premium Pay Costs:	0.00	0	0

Press ENTER to update record; enter # or use PF key to go another screen:

1=Position Inquiry/Update    2=Funding info    12=Exit w/o update    Selection: 0

# FISCAL NOTE

No. 3  
 Bill Version: SB 6  
 (S) Publish Date: 2-9-95

STATE OF ALASKA  
 1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Dept. Affected: Alaska Court System  
 Title: License/Registration - Suspension/ BRU: Trial Courts  
 Denial: \_\_\_\_\_ Components: \_\_\_\_\_  
 Sponsor: Sen. Taylor  
 Requestor: \_\_\_\_\_ COMPONENT SERIAL NO. 768

**EXPENDITURES/REVENUES** (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	5.5	5.5	5.5	5.5	5.5	5.5
TRAVEL						
CONTRACTUAL	1.5	1.5	1.5	1.5	1.5	1.5
SUPPLIES	0.2	0.2	0.2	0.2	0.2	0.2
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
<b>TOTAL OPERATING</b>	<b>7.2</b>	<b>7.2</b>	<b>7.2</b>	<b>7.2</b>	<b>7.2</b>	<b>7.2</b>
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	7.2	7.2	7.2	7.2	7.2	7.2
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>7.2</b>	<b>7.2</b>	<b>7.2</b>	<b>7.2</b>	<b>7.2</b>	<b>7.2</b>

**POSITIONS**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY 95) cost: \$ None

**ANALYSIS:** (Attach a separate page if necessary)

See attached fiscal analysis.

Prepared by: C. S. Christensen III, Staff Counsel *[Signature]* Phone: 264-8228  
 Agency: Alaska Court System Date: 02/02/95

Approved by: Arthur H. Snowden, II, Administrative Director *[Signature]* Date: 02/02/95  
 Agency: Alaska Court System

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

Alaska Court System  
Fiscal Analysis  
SB 6

This bill provides the option of suspending driver's licenses for persons who fail to pay fines in traffic-related offenses and to persons who fail to appear at the court for moving violations. The court will be required to prepare two new forms: (1) a notice of license revocation and (2) a notice of termination of license revocation. During FY 94, the court system processed over 71,700 traffic offenses of which over 41,000 involved moving violations. For purposes of this fiscal note, we have used the following assumptions:

Estimated Number of Warrants Issued for Failure to Satisfy (25% of all traffic citations)	17,900	
10% of warrant recipients will receive Notice of Revocation		1,800
80% of notice recipients will receive Notice of Termination of Revocation		1,400
Estimated Number of Warrants Issued for Failure to Appear (20% of moving violation citations)	8,200	
10% of warrant recipients will receive Notice of Revocation		800
80% of notice recipients will receive Notice of Termination of Revocation		600
Total number of notices processed by the courts		4,800

It is assumed that each notice will require 3 minutes of clerical time for preparation, mailing and tracking. Statewide clerical overtime needs are estimated at 230 hours.

Fiscal Impact

Amount

Personal Services

Overtime pay for clerical staff to accomplish additional computations. Based on range 10C Anchorage court clerk

5,522

Contractual

Postage - mail 4,600 notices at 32¢ each

1,472

Supplies

Cost of paper and envelopes for printing and mailing notices

202

Total Cost \$7,198

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

No. 2  
Bill Version: SB 6  
(S) Publish Date: 2/3/95

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: "An Act relating to registration of a motor vehicle...suspension...for failure to pay a fine..." BRU: Alaska State Troopers  
 Component: Detachments  
 Sponsor: Senator Robin Taylor  
 Requestor: (S) State Affairs 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						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CAPITAL EXPENDITURES</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CHANGE IN REVENUES ( )</b>	-0-	-0-	-0-	-0-	-0-	-0-
<small>Revenue Code</small>						

**FUNDING: (Thousands of Dollars)**

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

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

**POSITIONS:**

	0	0	0	0	0	0
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.)  
See attached discussion.

Prepared By: Francis C. Allan Phone: 269-5691  
 Division: Alaska State Troopers Date: 01/31/95  
 Approved by Commissioner: *Dee Smith* Date: 2/1/95  
 Agency: Ronald L. Otte, Dept. of Public Safety

**PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**  
 For further distribution information call the Governor's Legislative Office

Division of Alaska State Troopers  
Fiscal Note Analysis  
Senate Bill 6

In Alaska, there are approximately 27,000 driver's licenses in a suspended or revoked status. The Alaska State Troopers apprehend approximately 8%, or about 2,000 people operating motor vehicles with suspended or revoked licenses per year. The Alaska Court System indicates that if the bill passes, they would present an additional 2,500 licenses for suspension per year. Currently, about 25,000 traffic citations are not paid per year.

Most of these cases are handled relatively quickly through the court system either at arraignment or a change of plea proceeding relatively soon afterwards. About 10-15% of the cases move through the court system towards a trial, and have evidentiary hearings and occasionally some trials.

Currently, very few troopers are available for proactive traffic enforcement, and this is not expected to change. While it is likely that additional cases of Driving with a Suspended License (DWLS) would be encountered by troopers, at this time it is difficult to estimate how many cases would be affected or their exact costs. It is possible that the department may have to prepare a request for additional funds in the future if these costs prove to be significant.

# FISCAL NOTE

No. 1

Bill Version: SB6

**STATE OF ALASKA**  
**1995 LEGISLATIVE SESSION**

**BILL NO:** (G) Publish Date: 2/3/95

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: An Act relating to registration of a motor BRU: Motor Vehicles  
vehicle and suspension of a driver license... Component: Driver Services & Field Services  
 Sponsor: Senator Taylor  
 Requestor: (S) State Affairs COMPONENT SERIAL NO. 0500 & 0502

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

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	75.1	75.1	75.1	75.1	75.1	75.1
TRAVEL						
CONTRACTUAL	8.7	2.9	2.9	2.9	2.9	2.9
SUPPLIES	1.0	1.0	1.0	1.0	1.0	1.0
EQUIPMENT	20.0					
LAND & STRUCTURES						
GRANTS CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>104.8</b>	<b>79.0</b>	<b>79.0</b>	<b>79.0</b>	<b>79.0</b>	<b>79.0</b>
<b>CAPITAL EXPENDITURES</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
<b>CHANGE IN REVENUES (1004) Revenue Code</b>	<b>416.2</b>	<b>416.2</b>	<b>416.2</b>	<b>416.2</b>	<b>416.2</b>	<b>416.2</b>

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GE Match						
1004 GE	104.8	79.0	79.0	79.0	79.0	79.0
1005 GE/Program Receipts						
1006 GE/MHTIA						
Other						
<b>TOTAL</b>	<b>104.8</b>	<b>79.0</b>	<b>79.0</b>	<b>79.0</b>	<b>79.0</b>	<b>79.0</b>

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

**POSITIONS:**

FULL-TIME	2	2	2	2	2	2
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

SEE ATTACHED

*Replaced by 4/95*

Prepared By: Juanita M. Hensley Phone: 465-2650  
 Division: Motor Vehicles Date: 1/26/95  
 Approved by Commissioner: Ronald L. Otte Date: 2/1/95  
 Agency: Ronald L. Otte, Dept. of Public Safety

**PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE**

For further distribution information call the Governor's Legislative Office

DPS FISCAL ANALYSIS  
SB 6

This bill allows the courts to suspend a driver's license of a person who has failed to appear in court or failed to pay a fine for a moving traffic offense. The court has advised there are 25,000 moving violations each year where the person fails to pay the fine or fails to appear in court for these offenses. Assuming the court suspends the driver's license of 10 percent or 2,500 driver's license each year.

This bill impacts the Division of Motor Vehicles by resulting to 4,750 updates to the driving record of the persons whose license is being suspended. One computer entry to add the suspension to the driving record; and another entry to end the suspension once the person has complied. Reinstating the driver's license will also impact the DMV field offices. The Motor Vehicle Representative will be required to see proof from the court that the person has complied with the court requirements by, appearing in court, or by paying the fine for the moving violation. It is estimated 90 percent of all persons whose license is suspended will reinstate their driving privilege. A \$100.00 reinstatement fee is charged anytime a person has had their license suspended or revoked within the 10 years preceding application for a driver's license. It is estimated 1,125 individual's will pay the \$100. If the license was suspended or revoked more than one time within the 10 years preceding application for a driver's license, the reinstatement fee is increased to \$250. It is estimated 1,125 will pay the \$250. A person will also have to pay a duplicate license fee of \$10 prior to the license being issued. The amount of additional new general fund program receipt revenue generated by this bill is approximately \$416.2

Total number of suspension notices received from the courts by DMV	2,500
Total number of suspension notices being ended when a person has complied with the courts	2,250
Total number of license reinstated	2,250

	<u>FY 96</u>	<u>FY97</u>
<u>Personal Services</u>		
	<u>Salary and Benefits</u>	
Administrative Clerk III (Juneau)	\$38.4	\$38.4
Motor Vehicle Representative II (Anchorage)	\$36.7	\$36.7
<u>Contractual</u>		
Computer line Charges (Mainframe connection) \$0.5 per workstation	\$1.0	\$1.0
Postage 1st class mail	\$0.8	\$0.8
Postage is for 2,500 courtesy letters informing the individual of the effective date of the license suspension.		
Telephone lease & line charges	\$1.1	\$1.1
Redesign and printing of traffic citations	\$5.8	
<u>Supplies</u>		
Routine office supplies	\$1.0	\$1.0
<u>Equipment</u>		
2 Computer Workstations @ \$10.0 each (One time costs)	\$20.0	
<b>TOTAL</b>	<b>\$104.8</b>	<b>\$79.0</b>

*Rev of Bill #6  
Delivered to H.F. in  
5/10/95*

# FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. CSSB 6 (CRA)

Revision Date: \_\_\_\_\_ Dept. Affected: Department of Law  
 Title: "...suspension of a driver's license for failure to  
appear in court or failure to pay a fine..." BRU: Prosecution  
 Sponsor: Senator Taylor Component: Third Judicial District  
 Requester: Governor's Office/OME COMPONENT SERIAL NO. 0087

**Expenditures/Revenues (Thousands of Dollars)**

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	51.4	51.4	51.4	51.4	51.4	51.4
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	12.0	12.0	12.0	12.0	12.0	12.0
SUPPLIES	3.3	3.3	3.3	3.3	3.3	3.3
EQUIPMENT	15.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>81.7</b>	<b>66.7</b>	<b>66.7</b>	<b>66.7</b>	<b>66.7</b>	<b>66.7</b>

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ( )						
------------------------	--	--	--	--	--	--

**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF	81.7	66.7	66.7	66.7	66.7	66.7
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>81.7</b>	<b>66.7</b>	<b>66.7</b>	<b>66.7</b>	<b>66.7</b>	<b>66.7</b>

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

**POSITIONS**

FULL-TIME						
PART-TIME	2.0	2.0	2.0	2.0	2.0	2.0
TEMPORARY						

**ANALYSIS: (Attach a separate page if necessary)**

This bill amends AS12.25.200 and AS 28.15.181 to provide that the court may suspend the driver's license, privilege to drive, or privilege to obtain a license of a person who fails to appear in court as required by citation for an offense involving a moving motor vehicle, or who fails to pay a fine as required by the court for an offense involving a moving motor vehicle. The Department of Law believes that 400 new cases will have to be handled by state prosecutors if this bill is enacted. That is because revocation of a driver's license as a penalty stemming from a criminal offense requires a jury trial on the underlying offense, as provided by the Alaska Supreme Court's ruling in Baker v. City of Fairbanks, 471 P.2d 386 (Alaska 1970). Consequently, state prosecutors will have to handle a large influx of one-day jury trials in district court.

The Alaska Court System estimates (based on 1994 data) that 20% of the 41,000 persons who are issued citations for moving violations each year fail to appear in court or fail to pay the fines resulting from those violations. Thus, about 8,000 persons fail to appear or pay a fine annually. It is conservatively estimated

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

Phone: 465-3672  
 Date: 5/6/95  
 Date: 5/6/95

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information, call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. CSSB 6 (CRA)

ANALYSIS CONTINUATION:

that about 10% of these persons (or 800 or more defendants) will continue to avoid appearing in court, or avoid paying a fine, resulting in a one-day jury trial to enforce the license revocation provisions of the bill. We believe that about one-half of these trials (400) will involve citations issued by the Department of Public Safety, requiring prosecution by a state prosecutor.

Although these offenses occur throughout the state, and in many cases will have to be handled by the department's existing staff, an attorney and a legal secretary will be needed in Anchorage to handle the large number of one-day trials (150) that will occur in Southcentral Alaska. And, although these cases do not generally require very much time, their sheer volume and the time necessary to prepare for trial, will require one part-time attorney annually to handle this increased caseload.

	(PPT) <u>Attorney III</u>	(PPT) <u>Legal Secretary I</u>	<u>Total</u>
Personal Services	34.6	16.8	51.4
Travel	0.0	0.0	0.0
Contractual	7.2	4.8	12.0
Supplies	2.1	1.2	3.3
Equipment	<u>6.5</u>	<u>8.5</u>	<u>15.0</u>
Total	50.4	31.3	81.7

03/069 ATTORNEY III F ANCHORAGE A XE AA 22A 12 53304 0 10305 71609.98

\*\*\* JUSTIFICATION:

This position will be needed to handle several hundred misdemeanor actions that will occur if alcohol or drug related offenses, now being handled administratively by the Division of Family and Youth Services, are moved to the District court for prosecution by state prosecutors.

TRAVEL COSTS	0.00
CONTRACTUAL COSTS	8600.00
SUPPLIES COSTS	3300.00
EQUIPMENT COSTS	6500.00
OTHER COSTS	0.00
=====	
TOTAL COSTS	90009.98 71609.98

\*\*\* FUNDING DETAIL:

100% GENERAL FUND RECEIPTS 71609.98

TOTAL FUNDING 71609.98

03/070 LEGAL SECRETARY I F ANCHORAGE A GG 2A 10A 12 25140 0 11403 36603.52

\*\*\*\* JUSTIFICATION:

This position will be needed to handle several hundred misdemeanor actions that will occur if alcohol or drug related offenses, now being handled administratively by the Division of Family and Youth Services, are moved to the District court for prosecution by state prosecutors.

TRAVEL COSTS	0.00
CONTRACTUAL COSTS	6000.00
SUPPLIES COSTS	2400.00
EQUIPMENT COSTS	8500.00
OTHER COSTS	0.00
=====	
TOTAL COSTS	53500.52 36603.52

\*\*\* FUNDING DETAIL:

100% GENERAL FUND RECEIPTS 36603.52

TOTAL FUNDING 36603.52

03/073 ATTORNEY III P ANCHORAGE A XE AA 22A 6 26652 0 7917 34569.32

\*\*\*\* JUSTIFICATION:

If enacted, this bill will require the Department of Law to handle 400 one-day jury trials to enforce driver's license revocation penalties for persons who fail to appear in court, or fail to pay a fine resulting from a moving violation citation. Because the majority of these trials will occur in Anchorage and the surrounding areas, this position will be needed in Anchorage to handle these trials.

TRAVEL COSTS	0.00
CONTRACTUAL COSTS	7200.00
SUPPLIES COSTS	2100.00
EQUIPMENT COSTS	6500.00
OTHER COSTS	0.00
=====	
TOTAL COSTS	50369.32 34569.32

\*\*\* FUNDING DETAIL:

100% GENERAL FUND RECEIPTS 34569.32

TOTAL FUNDING 34569.32

03/02/95

11:16:42.6

## PERSONAL SERVICES EXPENDITURES NEW POSITION DETAIL REPORT

PAGE: 3

COMPONENT #: 6501020300 NAME: THIRD JUDICIAL DISTRICT

DEPARTMENT OF LAW

SCENARIO: 2

BRU NAME: PROSECUTION

PCN	UNAUTN PCN	JOB CLASS TITLE	T S	LOCATION NAME	R C	D U	S	R&S BUDG	MOS	SALARY	PREM PAY	DERES	PER.SERV. COSTS	G. F. AMOUNT
3/074		LEGAL SECRETARY I	P	ANCHORAGE	A	GG	2A	10A	6	12370	0	4304	16762.25	

## \*\*\* JUSTIFICATION:

If enacted, this bill will require the Department of Law to handle 400 one-day jury trials to enforce driver's license revocation penalties for persons who fail to appear in court, or fail to pay a fine resulting from a moving violation citation. Because the majority of these trials will occur in Anchorage and the surrounding areas, this position will be needed in Anchorage to handle these trials.

TRAVEL COSTS	0.00	
CONTRACTUAL COSTS	4800.00	
SUPPLIES COSTS	1200.00	
EQUIPMENT COSTS	8500.00	
OTHER COSTS	0.00	
TOTAL COSTS	31262.25	16762.25

\*\*\* FUNDING DETAIL:  
1004 GENERAL FUND RECEIPTS 16762.25

TOTAL FUNDING 16762.25

## \*\*\* COMPONENT TOTALS:

FULL TIME NEW POSITIONS	5
PART TIME/SEASONAL NEW POSITIONS	3
NON PERMANENT NEW POSITIONS	0
OTHER.....	0
	====

TOTAL PERSONAL SERVICES	385675.52
TOTAL COSTS INC. ASSOZ COSTS	526175.52

NUMBER OF NEW POSITIONS IN COMPONENT: 0

FUNDING DATA: G.F. & G.F. MATCH:	305675.52
OTHER FUNDS	0.00
TOTAL FUNDING:	305675.52

9-LS0091\NC-  
Ford  
3/16/95

CS FOR SENATE BILL NO. 6( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
NINETEENTH LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): SENATORS TAYLOR, Sharp

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to suspension of a driver's license for failure to appear in court  
2 or failure to pay a fine; and relating to citations and court procedures for  
3 municipal traffic and parking offenses."

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

5 \* Section 1. PURPOSE AND INTENT OF SECTION 4. The purpose of sec. 4 of this Act  
6 is to create a mechanism to enforce citations issued for offenses involving a moving motor  
7 vehicle. It is the intent of the legislature that after a person has made a required court  
8 appearance or paid a fine required by the court, that any driver's license suspension imposed  
9 by the court be terminated as quickly as possible.

10 \* Sec. 2. AS 12.25.200(b) is amended to read:

11 (b) A citation issued under AS 12.25.180 must indicate the amount of bail or  
12 fine applicable to the offense, the procedure a person must follow in responding to the  
13 citation. [AND] that if the person fails to pay the bail or fine the person must appear  
14 in court, and that failure to pay the bail or fine or appear in court for an offense

1 involving a moving motor vehicle may result in suspension of the person's driver's  
2 license, privilege to drive, or privilege to obtain a license. In addition, a citation  
3 must indicate that the person has a right to

- 4 (1) a trial;  
5 (2) engage counsel;  
6 (3) confront and question witnesses;  
7 (4) testify; and  
8 (5) subpoena witnesses on the person's behalf.

9 \* Sec. 3. AS 28.01.010 is amended by adding a new subsection to read:

10 (h) A municipality may not

11 (1) issue a citation for a traffic offense unless the citation complies with  
12 the provisions of AS 12.25.200;

13 (2) enact a parking citation trial or appeal process unless the trial or  
14 appeal process and fees charged for it are substantially similar to the applicable trial  
15 or appeal process adopted by the Alaska Supreme Court or imposed by law; or

16 (3) issue a citation for a traffic offense unless the citation is issued by  
17 a peace officer; this paragraph does not apply to a citation issued for a parking  
18 violation; in this paragraph, "parking violation" means a violation of law relating to  
19 the space occupied by a motor vehicle and does not include another violation of law.

20 \* Sec. 4. AS 28.15.181 is amended by adding a new subsection to read:

21 (h) The court may suspend the driver's license, privilege to drive, or privilege  
22 to obtain a license of a person who fails to appear in court as required by a citation  
23 for an offense involving a moving motor vehicle, or who fails to pay a fine as required  
24 by the court for an offense involving a moving motor vehicle. If the court suspends  
25 a driver's license under this subsection, the court shall also provide notice of the  
26 suspension to the department. A suspension imposed under this subsection remains  
27 in effect until the person appears in court as required by the citation, or pays the fine  
28 as required by the court. When the person appears in court or pays the required fine,  
29 the court shall terminate the suspension imposed under this subsection and provide the  
30 department and the person with written notice of the termination.

Page 2  
Line 14 After "similar"

Or, in Municipalities with a  
population in excess of  
50,000, identical

FISCAL NOTES

SB 6 - REGISTRATION OF MOTOR VEHICLE & SUSPENSION OF DRIVERS  
LICENSE

<u>NO.</u>	<u>DEPT.</u>	<u>DATE</u>	<u>SB6</u>	<u>CSSB 6</u>
1.	PS Motor Vehicles	2/1/95	104.8	<i>replaced by #4</i>
2.	PS Troopers	2/1/95	-0-	
3.	COURT	2/2/95	7.2	
<i>71.1</i> NEW	PS	3/10/95	114.6	
<i>11.5</i> NEW	CORR	3/21/95		38.0
TOTAL			226.6	38.0

*226.6*

# Alaska State Legislature

Chairman,  
Judiciary Committee

Vice Chairman,  
Transportation Committee

Member,  
Resources Committee  
Western Legislative Forestry Task Force



State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-3873  
Fax: (907) 465-3922

352 Front Street  
Ketchikan, Alaska 99901  
(907) 225-8088  
Fax: (907) 225-0713

**Senator Robin L. Taylor**

## MEMORANDUM

**TO: Larry Stevens**  
**FROM: Joe Ambrose**  
**DATE: 3/27/95**  
**REF: Draft CS for SB 6 (Version 0091\F**

\*\*\*\*\*

The attached CS was drafted at the request of Sen. Frank. The major change from the last version is the language on page 2 at line 7 and the new section on page 2 at line 28.

Senator Taylor has no objection if Senator Frank decides to offer this amended CS.

Thanks for your help.

9-LS0091\F  
Ford  
3/25/95

CS FOR SENATE BILL NO. 6( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): SENATORS TAYLOR, Sharp

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to suspension of a driver's license for failure to appear in court  
2 or failure to pay a fine; relating to court and collection costs for traffic offenses;  
3 and relating to citations and court procedures for municipal traffic and parking  
4 offenses."

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

6 \* Section 1. PURPOSE AND INTENT OF SECTION 5. The purpose of sec. 5 of this Act  
7 is to create a mechanism to enforce citations issued for offenses involving a moving motor  
8 vehicle. It is the intent of the legislature that after a person has made a required court  
9 appearance or paid a fine required by the court, that any driver's license suspension imposed  
10 by the court be terminated as quickly as possible.

11 \* Sec. 2. AS 12.25.200(b) is amended to read:

12 (b) A citation issued under AS 12.25.180 must indicate

13 (1) the amount of bail or fine applicable to the offense;

14 (2) [,] the procedure a person must follow in responding to the citation;

1                   (3) [, AND] that if the person fails to pay the bail or fine the person  
2 must appear in court;

3                   (4) that failure to pay the bail or fine or appear in court for an  
4 offense involving a moving motor vehicle may result in

5                   (A) suspension of the person's driver's license, privilege to  
6 drive, or privilege to obtain a license; or

7                   (B) attachment of the person's permanent fund dividend to  
8 pay the fine plus court and collection costs under AS 28.05.155; and

9                   (5) [. IN ADDITION, A CITATION MUST INDICATE] that the  
10 person has a right to

11                   (A) [(1)] a trial;

12                   (B) [(2)] engage counsel;

13                   (C) [(3)] confront and question witnesses;

14                   (D) [(4)] testify; and

15                   (E) [(5)] subpoena witnesses on the person's behalf.

16 \* Sec. 3. AS 28.01.010 is amended by adding a new subsection to read:

17                   (h) A municipality may not

18                   (1) issue a citation for a traffic offense unless the citation complies with  
19 the provisions of AS 12.25.200;

20                   (2) enact a parking citation trial or appeal process unless the trial or  
21 appeal process and fees charged for it are substantially similar to the applicable trial  
22 or appeal process adopted by the Alaska Supreme Court or imposed by law; or

23                   (3) issue a citation for a traffic offense unless the citation is issued by  
24 a peace officer; this paragraph does not apply to a citation issued for a parking  
25 violation; in this paragraph, "parking violation" means a violation of law relating to  
26 the space occupied by a motor vehicle and does not include another violation of law.

27 \* Sec. 4. AS 28.05 is amended by adding a new section to read:

28                   Sec. 28.05.155. COURT AND COLLECTION COSTS. If a person's  
29 permanent fund dividend is attached to pay the bail or fine for an offense involving  
30 a moving motor vehicle, the court shall increase the bail or fine of that person by at  
31 least

1 (1) \$25 for court costs; and

2 (2) \$10 for collection costs.

3 \* Sec. 5. AS 28.15.181 is amended by adding a new subsection to read:

4 (h) The court may suspend the driver's license, privilege to drive, or privilege  
5 to obtain a license of a person who fails to appear in court as required by a citation  
6 for an offense involving a moving motor vehicle, or who fails to pay a fine as required  
7 by the court for an offense involving a moving motor vehicle. If the court suspends  
8 a driver's license under this subsection, the court shall also provide notice of the  
9 suspension to the department. A suspension imposed under this subsection remains  
10 in effect until the person appears in court as required by the citation, or pays the fine  
11 as required by the court. When the person appears in court or pays the required fine,  
12 the court shall terminate the suspension imposed under this subsection and provide the  
13 department and the person with written notice of the termination.

## MEMORANDUM

## ANCHORAGE PARKING AUTHORITY

**TO:** Members of the Senate Finance Committee

**FROM:** Ernie Hall, Chairman of the Board 

**SUBJECT:** SB 6

**DATE:** March 23, 1995

Recently, the Senate Finance Committee considered two changes to SB 6 which I believe that, with this additional information, you'll wish to reconsider.

a. Section 2. was removed. This section would provide local government with the ability to assure that if a citizen ignores payment for fines for parking violations, a vehicle registration will not be renewed until such obligations are satisfied. The local government would have to reimburse DMV for costs associated with the program. Putting this section back in will help assure that laws are obeyed, that violators pay for the cost of enforcement and that other citizens not subsidize enforcement of those who refuse to pay fines. If the Legislature is seeking ways of having state and municipal governments survive our fiscal challenges, this section would play a small but important part in achieving that goal. If the Legislature feels more comfortable in increasing the number of violations from 3 to 4, or to 5 (i.e. This seems more reasonable), the concept would be intact and still acceptable.

b. Sen. Donley amendment. The Senator proposed a well intended amendment which would, however, remove from municipal government the right to enforce vehicle registration violations for parked vehicles with code enforcement officers and require that only "peace" officers issue such citations. Reconsidering this amendment would be in the public interest, as its passage is projected to have the following negative impacts:

1. It is estimated that only 1% of the registration display violations in Anchorage currently being cited would be cited by APD in the future; their priorities are life/safety issues, not vehicle registration laws; and

**Page Two**

**2. that about 10,000 fewer vehicles in Anchorage (more statewide) per year will register; and**

**3. that many thousands more vehicles in Anchorage/statewide will not display current registration, even if it is timely purchased, with public safety connotations; and**

**4. that State and municipal governments could receive less DMV collected registration revenue due to declining registration; and**

**5. that since efficient and low cost code enforcement of registration law is the single most important incentive for I/M inspection, air quality in the Anchorage bowl and elsewhere could be diminished, with impact on EPA enforcement and potential withdrawal of Federal funding; and**

**6. that such action will adversely affect Anchorage's pledge to parking garage bond holders.**

**I respectfully recommend reinstatement of Section 2 (for 4 or more repeat violations for a given vehicle) and withdrawal of Sen. Donley's amendment (Section 3. in the CS).**

**Thank you for your consideration; APA's management and I stand ready to answer questions which the Members may have.**

**cc: Dave Harbour, APA Executive Director (276-8970)  
APA Board of Directors**

MAR. -23' 95 (THU) 13:36 ANCH PARK AUTHORITY

TEL: 907 2795073

P. 002

**TO: Senate Finance Committee**  
**FROM: Anchorage Assembly Member Bob Bell**  
**SUBJECT: SB 6**  
**DATE: March 23, 1995**

The Senate Finance is about to act on an amendment to SB 6 which concerns me: it requires citations written for registration violations to be issued by peace officers.

I assume that some of the encouragement for this action could be the fair amount of press Legislators see regarding the APA. Indeed, APA is an extremely inviting political target. I would hope that the Legislature could appreciate that local Assemblies are closer to the local enforcement needs of the community than is the Legislature. Beginning last Fall, the Assembly began a series of public hearings on parking enforcement policies lasting for more than 25 hours in total. At the end of that process we modified APA powers and parking policies in a way which best meets the needs of Anchorage. Who writes tickets, whether it is the local police or local code enforcement officers should be decided by the local government.

I know you don't intend this, but if these items are approved, you'll, in effect, be passing on "UNFUNDED PARKING ENFORCEMENT MANDATES" to local communities, at least to Anchorage, as follows:

1. Fewer folks will register their vehicles, since enforcement will be only a fraction of its current level, and
2. MOA will get less registration revenue from DMV, and
3. APA could default on its parking garage bonds and MOA taxpayers would likely have to pick up the costs, and
4. the MOA would still have to enforce registration laws, but at a much higher cost to taxpayers, and
5. even though I'm not a fan of EPA, it concerns me that if we have less conformity with I/M laws we're jeopardizing the Federal funds Anchorage receives.

Accordingly, I recommend that the amended bill be modified as indicated on the attached page. I am sure that the MOA administration shares my concern and have suggested that they immediately forward their position to you as well.

WORK DRAFT

WORK DRAFT

WORK DRAFT

1 involving a moving motor vehicle may result in suspension of the person's driver's  
2 license, privilege to drive, or privilege to obtain a license. In addition, a citation  
3 must indicate that the person has a right to

- 4 (1) a trial;
- 5 (2) engage counsel;
- 6 (3) confront and question witnesses;
- 7 (4) testify; and
- 8 (5) subpoena witnesses on the person's behalf.

9 \* Sec. 3. AS 28.01.010 is amended by adding a new subsection to read:

10 (h) A municipality may not

- 11 (1) issue a citation for a traffic offense unless the citation complies with
- 12 the provisions of AS 12.25.200;
- 13 (2) enact a parking citation trial or appeal process unless the trial or
- 14 appeal process and fees charged for it are substantially similar to the applicable trial
- 15 or appeal process adopted by the Alaska Supreme Court or imposed by law; or
- 16 (3) issue a citation for a traffic offense unless the citation is issued by
- 17 a peace officer; this paragraph does not apply to a citation issued for a parking
- 18 violation; in this paragraph, "parking violation" means a violation of law relating to
- 19 the space occupied by a motor vehicle and does not include another violation of law.

20 \* Sec. 4. AS 28.15.181 is amended by adding a new subsection to read:

21 (h) The court may suspend the driver's license, privilege to drive, or privilege  
22 to obtain a license of a person who fails to appear in court as required by a citation  
23 for an offense involving a moving motor vehicle, or who fails to pay a fine as required  
24 by the court for an offense involving a moving motor vehicle. If the court suspends  
25 a driver's license under this subsection, the court shall also provide notice of the  
26 suspension to the department. A suspension imposed under this subsection remains  
27 in effect until the person appears in court as required by the citation, or pays the fine  
28 as required by the court. When the person appears in court or pays the required fine,  
29 the court shall terminate the suspension imposed under this subsection and provide the  
30 department and the person with written notice of the termination.

9-LS0091VC-  
Ford  
3/16/95

CS FOR SENATE BILL NO. 6( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
NINETEENTH LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): SENATORS TAYLOR, Sharp

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to suspension of a driver's license for failure to appear in court  
2 or failure to pay a fine; and relating to citations and court procedures for  
3 municipal traffic and parking offenses."

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

5 \* Section 1. PURPOSE AND INTENT OF SECTION 4. The purpose of sec. 4 of this Act  
6 is to create a mechanism to enforce citations issued for offenses involving a moving motor  
7 vehicle. It is the intent of the legislature that after a person has made a required court  
8 appearance or paid a fine required by the court, that any driver's license suspension imposed  
9 by the court be terminated as quickly as possible.

10 \* Sec. 2. AS 12.25.200(b) is amended to read:

11 (b) A citation issued under AS 12.25.180 must indicate the amount of bail or  
12 fine applicable to the offense, the procedure a person must follow in responding to the  
13 citation, [AND] that if the person fails to pay the bail or fine the person must appear  
14 in court, and that failure to pay the bail or fine or appear in court for an offense

1 involving a moving motor vehicle may result in suspension of the person's driver's  
2 license, privilege to drive, or privilege to obtain a license. In addition, a citation  
3 must indicate that the person has a right to

- 4 (1) a trial;
- 5 (2) engage counsel;
- 6 (3) confront and question witnesses;
- 7 (4) testify; and
- 8 (5) subpoena witnesses on the person's behalf.

9 \* Sec. 3. AS 28.01.010 is amended by adding a new subsection to read:

10 (h) A municipality may not

- 11 (1) issue a citation for a traffic offense unless the citation complies with  
12 the provisions of AS 12.25.200;
- 13 (2) enact a parking citation trial or appeal process unless the trial or  
14 appeal process and fees charged for it are substantially similar to the applicable trial  
15 or appeal process adopted by the Alaska Supreme Court or imposed by law; or
- 16 (3) issue a citation for a traffic offense unless the citation is issued by  
17 a peace officer; this paragraph does not apply to a citation issued for a parking  
18 violation; in this paragraph, "parking violation" means a violation of law relating to  
19 the space occupied by a motor vehicle and does not include another violation of law.

20 \* Sec. 4. AS 28.15.181 is amended by adding a new subsection to read:

21 (h) The court may suspend the driver's license, privilege to drive, or privilege  
22 to obtain a license of a person who fails to appear in court as required by a citation  
23 for an offense involving a moving motor vehicle, or who fails to pay a fine as required  
24 by the court for an offense involving a moving motor vehicle. If the court suspends  
25 a driver's license under this subsection, the court shall also provide notice of the  
26 suspension to the department. A suspension imposed under this subsection remains  
27 in effect until the person appears in court as required by the citation, or pays the fine  
28 as required by the court. When the person appears in court or pays the required fine,  
29 the court shall terminate the suspension imposed under this subsection and provide the  
30 department and the person with written notice of the termination.

Note

TO: Larry  
FROM: Kathy  
DATE: March 21, 1995  
RE: CSSB 6 - LICENSING/REGISTRATION SUSPENSION/DENIAL

Received a phone call this morning from Jerry Shriner at Dept. of Corrections regarding the department note for CSSB 6. He advised that the department is preparing a \$38.0 fiscal note that assumes approximately 100 people will be sentenced to minimum time (10 days in a CRC) for a second offense of driving without a license. The note has not yet been signed by the Commissioner or submitted to the Governor's legislative office for review. We will not receive it this morning.

Larry, I asked Mr. Shriner about Senator Halford's concern that those charged with DWLS by reason of a DWI and those charged with DWLS for failure to pay court fines would be swept up together and no distinction would be made between the two. Mr. Shriner said that Margot Knuth from the department of law briefly reviewed the bill and felt that a distinction would be made. He admitted, however, that Margot's review was extremely cursory, and she would prefer not to be held to that initial impression.

My notes from the March 17 meeting on CSSB 6 indicate Juanita Hensley testified that DWLS carries a 10-day jail sentence with 10 days suspended in exchange for 80 hours of community service.

3-17-95  
4:25 p.m.

Larry -

Phoned Jerry Shriner at DOC and requested a DOC fiscal note based on draft C55B6 dated 3/16/95. Faxed him a copy of the draft, and noted that bill could come back before Finance as early as Tuesday. Requested that he give me a call Monday, p.m., to advise of progress.

Kathy  
2018

# A FAX

Alaska State Legislature

*Filed again 3/20/95*

Date: 3/17/95

To: Jerry Shriner

Fax#: 3390 Phone#: 4640

From: Kathy, Senate Finance

Phone#: 2618

Re: CS5B6

Fiscal Note - Dept. of Corrections

Following this page, please find 2 pages(s). If this does not reach you in full, please inform us ASAP.



THANK YOU.

9-LS0091AC-  
Ford  
3/16/95

CS FOR SENATE BILL NO. 6( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
NINETEENTH LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): SENATORS TAYLOR, Sharp

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to suspension of a driver's license for failure to appear in court  
2 or failure to pay a fine; and relating to citations and court procedures for  
3 municipal traffic and parking offenses."

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

5 \* Section 1. PURPOSE AND INTENT OF SECTION 4. The purpose of sec. 4 of this Act  
6 is to create a mechanism to enforce citations issued for offenses involving a moving motor  
7 vehicle. It is the intent of the legislature that after a person has made a required court  
8 appearance or paid a fine required by the court, that any driver's license suspension imposed  
9 by the court be terminated as quickly as possible.

10 \* Sec. 2. AS 12.25.200(b) is amended to read:

11 (b) A citation issued under AS 12.25.180 must indicate the amount of bail or  
12 fine applicable to the offense, the procedure a person must follow in responding to the  
13 citation, [AND] that if the person fails to pay the bail or fine the person must appear  
14 in court, and that failure to pay the bail or fine or appear in court for an offense

1 involving a moving motor vehicle may result in suspension of the person's driver's  
2 license, privilege to drive, or privilege to obtain a license. In addition, a citation  
3 must indicate that the person has a right to

- 4 (1) a trial;  
5 (2) engage counsel;  
6 (3) confront and question witnesses;  
7 (4) testify; and  
8 (5) subpoena witnesses on the person's behalf.

9 \* Sec. 3. AS 28.01.010 is amended by adding a new subsection to read:

10 (h) A municipality may not

11 (1) issue a citation for a traffic offense unless the citation complies with  
12 the provisions of AS 12.25.200;

13 (2) enact a parking citation trial or appeal process unless the trial or  
14 appeal process and fees charged for it are substantially similar to the applicable trial  
15 or appeal process adopted by the Alaska Supreme Court or imposed by law; or

16 (3) issue a citation for a traffic offense unless the citation is issued by  
17 a peace officer; this paragraph does not apply to a citation issued for a parking  
18 violation; in this paragraph, "parking violation" means a violation of law relating to  
19 the space occupied by a motor vehicle and does not include another violation of law.

20 \* Sec. 4. AS 28.15.181 is amended by adding a new subsection to read:

21 (h) The court may suspend the driver's license, privilege to drive, or privilege  
22 to obtain a license of a person who fails to appear in court as required by a citation  
23 for an offense involving a moving motor vehicle, or who fails to pay a fine as required  
24 by the court for an offense involving a moving motor vehicle. If the court suspends  
25 a driver's license under this subsection, the court shall also provide notice of the  
26 suspension to the department. A suspension imposed under this subsection remains  
27 in effect until the person appears in court as required by the citation, or pays the fine  
28 as required by the court. When the person appears in court or pays the required fine,  
29 the court shall terminate the suspension imposed under this subsection and provide the  
30 department and the person with written notice of the termination.

SB6 DOC F/W ?

Unintended consequence

DWLS -

Is there distinction  
between those

DWLS because they did  
not pay fines.

†  
DWLS for DWI ?

SR - Could DWLS/fines fall  
under day-fine arrangement?

DPS says

DWLS carries 10 days with

⑩ days suspended and

80 hrs. community work service.

FISCAL NOTES

**SB 6 - REGISTRATION OF MOTOR VEHICLE & SUSPENSION OF DRIVERS  
LICENSE**

<u>NO.</u>	<u>DEPT.</u>	<u>DATE</u>	<u>SB6</u>	<u>CSSB 6</u>
1.	PS Motor Vehicles	2/1/95	104.8	
2.	PS Troopers	2/1/95	-0-	
3.	COURT	2/2/95	7.2	
NEW	PS	3/10/95	114.6	
NEW	CORR	3/21/95		38.0
TOTAL			<hr/> 226.6	<hr/> 38.0

# Alaska State Legislature

FEB 23 1995

*During Interim*

116 West 4th Avenue, Suite 500  
Anchorage, Alaska 99501-2133  
(907) 258-8185  
Fax (907) 258-0226



*During Session:*

State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-4993  
Fax (907) 465-3872

**Drue Pearce**  
*President of the Senate*

## Memorandum

To: All Senators

From: Senator Drue Pearce  
PRESIDENT OF THE SENATE

Date: 21 February, 1995

Re: Fiscal Note Requests

A handwritten signature in cursive script that reads "Drue Pearce".

In past years, back up and appropriate fiscal notes have been requested from the bill sponsor, by the committee, before a bill would be considered for scheduling. This has caused the departments some unnecessary and time-consuming work. Frankly, there is no overriding need for a fiscal note before a bill is scheduled.

Thus, Pat Pourchot and I have agreed on the following procedure and I am requesting that committee chairs revise their fiscal note policy.

The bill sponsor will still be expected to provide the committee with appropriate back up. However, fiscal notes will only be required once a bill is scheduled. Thus, on Thursdays, after schedules are published, it will be incumbent on committee aides to contact the appropriate departments for fiscal notes.

If the departments do not have them by the close of business the day before they are to be heard, committees will be authorized to write their own fiscal notes.

If you have any questions or comments concerning this request please contact Stephanie Szymanski, of my staff, at 465-4993.

A M E N D M E N T

OFFERED IN THE SENATE  
TO: SB 6

BY SENATOR DONLEY

1 Page 1, line 1:

2 Delete "and"

3 Insert ";

4 Page 1, line 2, after "fine":

5 Insert ", and to citations, fines, and court procedures for municipal traffic  
6 offenses'

7 Page 2, after line 3:

8 Insert a new bill section to read:

9 " \* Sec. 3. AS 28.01.010 is amended by adding a new subsection to read:

10 (h) A municipality may not

11 (1) issue a citation for a traffic offense unless the citation complies  
12 with the provisions of AS 12.25.200;

13 (2) impose a fine for a <sup>Parking</sup> ~~traffic~~ offense if a fine for that offense is also  
14 imposed under state law or regulations and the municipal fine exceeds the amount  
15 imposed for that offense under state law or regulations;

16 (3) enact a <sup>enact</sup> ~~traffic~~ citation trial or appeal process unless the trial or  
17 appeal process and fees charged for it are substantially similar to the applicable trial  
18 or appeal process adopted by the Alaska Supreme Court ~~or~~ <sup>State law; or</sup>

19 (4) issue a citation for a violation that is not related to parking unless  
20 the citation is issued by a peace officer."

21 Renumber the following bill section accordingly.

# Alaska State Legislature

FEB 13 1995

Chairman,  
Judiciary Committee

Vice Chairman,  
Transportation Committee

Member,  
Resources Committee  
Western Legislative Forestry Task Force



Senator Robin L. Taylor

State Capitol  
Juneau, Alaska 99801-4182  
907-465-3873  
Fax: 907-465-3922

352 Front Street  
Ketchikan, Alaska 99901  
907-225-8088  
Fax: 907-225-0715

## MEMORANDUM

TO: Senator Rick Halford, Co-Chairman  
Senate Finance Committee

FROM: Senator Robin L. Taylor <sup>RLT.</sup>

DATE: 2/13/95

REF: Hearing Requests

\*\*\*\*\*

Please consider this to be my formal request for hearings at your earliest convenience on the following bills:

- \* Senate Bill 6 - Licensing/Registration Suspension/Denial
- \* Senate Bill 39 - Memorial Scholarship Loans

Thank you for your consideration.

SENATE COMMITTEE REPORT

DATE: 2/3/95

FURTHER:

*has no further*

DATE TURNED INTO OFFICE: 2-8-95

*JWR*

Judiciary Committee considered SENATE BILL NO. 6

"An Act relating to registration of a motor vehicle and suspension of a driver's license for failure to appear in court or failure to pay a fine."

*FN  
Φ FN*

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to the \_\_\_\_\_ Committee

Senate Bill:  
same title  
new title  
House Bill:  
technical change  
new: SCR# \_\_\_\_\_

SIGNING WITH RECOMMENDATIONS:	DP	DNP	NR	AM
<i>Mike Miller</i> <del>NR</del> NR (2)			✓	
<i>Al Adams</i> DNP (3) <del>DNP</del>		X		
<i>Lynn Green</i> <del>NR</del> NR (2)			✓	
<i>My Elms</i> DNP (3) <del>DNP</del>		X		
CHAIR: <i>Adrian Taylor</i> (1)	✓			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
<i>Alaska Court System</i>	<i>2/2/95</i>		<i>7.2</i>

PREVIOUS FISCAL NOTE(S):\*

Department	Date	Zero	Fiscal	Fy96
<i>DPS / DMV</i>	<i>2/1/95</i>			<i>104.8</i>
<i>DPS / Troopers</i>	<i>2/1/95</i>	✓		

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# SENATE COMMITTEE REPORT

## First Committee of Referral

DATE: 1/16/95

FURTHER: Judiciary

*June*

Date of 5-Day Notice: 1/26/95  
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 2-2-95

State Affairs      Committee considered      SB 6

"An Act relating to registration of a motor vehicle and suspension of a driver's license for failure to appear in court or failure to pay a fine."

*FR + 9 Feb's*

and recommends:

be replaced with \_\_\_\_\_ CS \_\_\_\_\_

adopt previous \_\_\_\_\_ CS \_\_\_\_\_

attached amendment(s)

adopt Letter of Intent by \_\_\_\_\_ Committee

further referral to the \_\_\_\_\_ Committee

Senate Bill:

same title

new title

House Bill:

technical change

new: SCR# \_\_\_\_\_

SIGNING WITH RECOMMENDATIONS: <i>ALL DP</i>	DP	DNP	NR	AM
<i>Tom A. Luman</i>	✓			
<i>Bill E. Reed</i>	✓			
<i>David Wiley</i>	✓			
CHAIR: <i>Bob Sharp</i>	✓			

NEW FISCAL NOTE(S): *5/96*

Department	Date	Zero	Fiscal
<i>OPS / DMV</i>	<i>2/1/95</i>		<i>104.8</i>
<i>OPS / TROOPERS</i>	<i>2/1/95</i>	✓	

PREVIOUS FISCAL NOTE(S):\*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

\*include fiscal notes accompanying Governor's bill

# FISCAL NOTE

DRAFT  
BILL NO. CS SB 6 |

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Dept. Affected: Corrections  
 Title: An Act relating to suspension of a driver's license BRU: community corrections  
 Component: \_\_\_\_\_  
 Sponsor: Sen. Taylor  
 Requester: Senate Finance COMPONENT SERIAL NO. \_\_\_\_\_

### Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	38.0	38.0	38.0	38.0	38.0	38.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>38.0</b>	<b>38.0</b>	<b>38.0</b>	<b>38.0</b>	<b>38.0</b>	<b>38.0</b>

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ( )						
------------------------	--	--	--	--	--	--

### 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	38.0	38.0	38.0	38.0	38.0	38.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>38.0</b>	<b>38.0</b>	<b>38.0</b>	<b>38.0</b>	<b>38.0</b>	<b>38.0</b>

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						
PART-TIME						
TEMPORARY						

### ANALYSIS: (Attach a separate page if necessary)

This bill would add failure to pay bail or fines related to moving traffic violations to the list of offenses for which driving privileges could be suspended. Under AS 28.15.291, upon a second conviction of driving a motor vehicle while the defendant's driving privileges have been suspended under AS 28.15.181 could result in a ten day jail sentence. The DOC does not supervise misdemeanor probation or community work service imposed in misdemeanor cases.

The language of related statutes allows considerable discretion to the court and the prosecutor with this offense and it is impossible to accurately predict how many individuals would receive additional time to serve due to the provisions of this bill. These offenders would serve their sentence in a CRC.

Each person who was sentenced to ten days for a second condition would serve 6.67 days at a cost of \$57.00 per day in a CRC for a total cost of \$0.380 per offender. One hundred offenders would result in an additional cost of \$38.0 annually.

Prepared by: Jerry Shriner Phone: 465-4640  
 Division: \_\_\_\_\_ Date: 3/21/95  
 Approved by Commissioner: Wayne H. Pugh Date: 3/21/95  
 Agency: Department of Corrections

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE  
 For further distribution information, call the Governor's Legislative Office