

HB

52

25-LS0267C
Luckhaupt
3/21/07

CS FOR HOUSE BILL NO. 52()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVE RAMRAS

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to driver's licenses for persons under 18 years of age."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 28.15 is amended by adding a new section to read:

4 **Sec. 28.15.058. Special restriction on licensing for persons under 18 years**
5 **of age.** (a) Notwithstanding another provision of law, the department may not issue a
6 driver's license, provisional driver's license, instruction permit, temporary driver's
7 license, or special driver's permit to a person under 18 years of age unless the person

8 (1) has graduated from high school or its equivalent or is enrolled in
9 and attending an educational program that will lead to graduation from high school or
10 its equivalent; and

11 (2) provides to the commissioner a valid, current certificate of good
12 attendance from the principal of the school or educational program or chief
13 administrative officer of the school district; the decision to issue a certificate of good
14 attendance shall be based on the attendance policy of the school, district, or
15 educational program.

1 (b) The department shall revoke the driver's license, provisional driver's
2 license, instruction permit, temporary driver's license, or special driver's permit of a
3 person under 18 years of age if the department discovers or receives notice that the
4 person is no longer enrolled in or attending an educational program that qualifies
5 under (a)(1) of this section or the certificate of good attendance has been withdrawn. A
6 principal or chief administrative officer shall withdraw a certificate of good attendance
7 and provide notice of that withdrawal to the department when the person no longer
8 complies with the attendance policy of the school, district, or educational program.
9 The department may reinstate the license or permit if the person

10 (1) meets the requirements of (a) of this section by reenrolling and
11 attending an appropriate educational program and obtains a valid, current certificate of
12 good attendance for that educational program; or

13 (2) obtains a certificate of exemption from the chief administrative
14 officer of the school district in which the person resides that states

15 (A) the person is unable to pursue the educational program
16 because of disability;

17 (B) the person is unable to pursue the educational program
18 because the person is providing care or services to a disabled parent; or

19 (C) the person needs the license or permit because of the
20 person's employment needs or the employment needs of another person in the
21 same household.

22 (c) Subsections (a) and (b) of this section do not apply to a person who is not
23 required to attend public school under AS 14.30.010(5)(1), (2), (10), (11), or (12).

Representative Jay Ramras
Chair, House Judiciary
House Labor & Commerce
House Oil & Gas
House Military & Veteran
Affairs

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Alaska State Legislature



While in Session
State Capitol, Room 118
Juneau, Alaska 99801-1182
(907) 465- 3004
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Toll Free: (877) 465-3004

House District 10

House of Representatives

Memo

To: Representative Lynn
From: Barbara Cotting *BC*
Date: March 22, 2007
Re: HB 52, "No Drivers' License for Minor Dropouts"

Due to the number of concerns we've heard from parents who school their children at home, we're attaching a blank CS to specifically exempt home-schooled kids from the requirements of HB 52. See page 2, lines 22-23.

Alaska State Legislature

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Representative Jay Ramras House District 10

Chair, House Judiciary Committee • Member, House Labor & Commerce Committee • Member, House Oil & Gas Committee • Member, House Military & Veteran Affairs Committee

Sectional Analysis

HB 52

No Drivers Licenses for Minor Dropouts

03/23/07

Section 1a: A person under age 18 may not get a driver's license or permit unless the person has graduated from high school or is still in school and provides a current certificate of good attendance.

Section 1b: The driver's license or permit will be revoked if the student drops out of school or the certificate of good attendance is withdrawn.

However, the license or permit may be reinstated if the student:

re-enrolls and gets a current certificate of good attendance, or

obtains a certificate of exemption from the school district stating the person is unable to attend school because of disability or because of providing care to a disabled parent or needs the license because of employment.

Section 1c: These restrictions on obtaining a driver's license or permit do not apply if the student is enrolled in a state boarding school, is having a comparable educational experience, or is being educated at home by a parent or legal guardian.

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Sponsor Statement

HB 52

No Drivers Licenses for Minor Dropouts

02/23/07

There's no question that Alaska's high school dropout rate is alarming. As a legislature, we need to make every effort we can to motivate and encourage students to complete high school.

This bill takes a step that other states are beginning to take. It prohibits issuance of a driver's license or permit to a person under 18 years of age unless the person has graduated from high school or is still in school and has a current certificate of good attendance.

In addition, if a person under 18 already has a driver's license or permit and subsequently drops out of school, the license or permit will be revoked.

Exceptions are allowed if the minor is unable to attend school due to disability or needs the license because of employment.

Alaska State Legislature
House of Representatives

Chair, House Judiciary
Labor & Commerce
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Representative Jay Ramras
District 10

Rather than include the full reports, which are quite lengthy, we've attached excerpts from various research done on the subject of requiring school attendance for anyone under 18 to receive a driver's license or permit.

Full copies of these reports, as well as others, are available in our office. Feel free to contact Barbara Cotting at extension 6841 for more information.



— **Overview**

Broad policy decisions in education can be framed around a simple question: Do the benefits to society of investing in an educational strategy outweigh the costs?

We provide an answer for those individuals who currently fail to graduate from high school. The present cohort of 20-year olds in the US today includes over 700,000 high school dropouts, many from disadvantaged backgrounds. We investigate the economic consequences of improving their education.

First, we identify five leading interventions that have been shown to raise high school graduation rates; and we calculate their costs and their effectiveness. Second, we add up the lifetime public benefits of high school graduation. These include higher tax revenues as well as lower government spending on health, crime, and welfare. (We do not include private benefits such as higher earnings). Next, we compare the costs of the interventions to the public benefits.



We find that each new high school graduate would yield a public benefit of \$209,000 in higher government revenues and lower government spending for an overall investment of \$82,000, divided between the costs of powerful educational interventions and additional years of school attendance leading to graduation. The net economic benefit to the public purse is therefore \$127,000 per student and the benefits are 2.5 times greater than the costs.

If the number of high school dropouts in this age cohort was cut in half, the government would reap \$45 billion via extra tax revenues and reduced costs of public health, of crime and justice, and in welfare payments. This lifetime saving of \$45 billion for the current cohort would also accrue for subsequent cohorts of 20-year olds.

If there is any bias to our calculations, it has been to keep estimates of the benefits conservative. Sensitivity tests indicate that our main conclusions are robust: the costs to the nation of failing to ensure high school graduation for all America's children are substantial.

Educational investments to raise the high school graduation rate appear to be doubly beneficial: the quest for greater equity for all young adults would also produce greater efficiency in the use of public resources.



StateNotes

Accountability/Sanctions

Education Commission of the States • 700 Broadway, Suite 1200 • Denver, CO 80203-3460 • 303.299.3600 • Fax: 303.298.8332 • www.ecs.org

Sanctions on Driving Privileges

By Molly Burke
Updated February 2006

Policymakers and educators are looking for ways to keep students in school and motivate them to do well while they are there. One method states are using is tying attendance and/or school performance to driving privileges.

Twenty-four states have some type of policy connecting student attendance and/or achievement to the privilege of driving. **Nine** states make attendance a requirement and **five** states have minimum academic performance standards for initially obtaining a driver's license. **Eleven** states designate truancy or lack of academic progress a cause for suspension of a license. **Five** states have policies that address both the initial issuance of a driver's license and the ability of the state to suspend it for academic or attendance reasons.

These policies usually apply to 16- and 17-year-olds because 16 is the typical minimum age for a driver's license and 18 is the age of legal adulthood. For the compulsory school attendance ages for each state, see [Compulsory School Age Requirements](#) (Education Commission of the States, May 2004.)

Little research has been completed on the effect these types of laws have on truancy or dropout rates, but state policymakers should consider that, for many teenagers, driving is real currency. Promoting this privilege as a reward for attending and succeeding in school resonates with many students. Districts and/or schools may incur administrative costs in collaborating with the department of motor vehicles, but still these can be relatively low-cost policies.

This *StateNote* presents information and legislative language on the states that have policies tying driving privileges to attendance or academic performance. This report does not address policies that call for suspending licenses for criminal acts, such as expulsion due to firearm or drug possession.

The following categories represent the spectrum of policies and some states' policies may fit in more than one category.

States that require attendance in school to receive license:

Alabama	Rhode Island
Georgia	South Carolina
Idaho	Texas
Indiana	West Virginia
North Carolina	

States that have attendance and performance standards for receiving license:

Illinois
Mississippi
Oklahoma

Tennessee
Virginia

States with policies that suspend licenses for truancy and/or academic problems:

Arkansas
California
Nevada
Ohio
Tennessee
Wisconsin

Louisiana
New Mexico
Delaware
Florida
Kentucky

States with policies that require attendance for both issuance and maintenance of license:

California
Florida
Ohio

Rhode Island
Tennessee

Table 1: Selected Florida Education Statistics, 1998-2006

Year	Dropout Rate	Graduation Rate	Recidivism Rate^(a)
1998-99	5.4	60.2	
1999-00	4.6	62.3	
2000-01	3.8	63.8	3.07
2001-02	3.2	67.9	4.98
2002-03	3.1	69.0	3.84
2003-04	2.9	71.6	3.80
2004-05	3.0	71.9	4.05
2005-06	3.5	71.0	5.00

Notes: Florida's law, which requires individuals under the age of 18 to meet certain educational requirements or qualify for a hardship waiver in order to retain driving privileges, was implemented in 1999. There may have also been other changes to Florida's education system at the state or local levels between 1998 and 2006.

(a) The recidivism rate is the number of individuals who have had their driving privileges suspended more than once.

Sources: Rich T. Downs, Florida School Counseling Consultant, Student Support Services Project. Mr. Downs can be reached at (850) 922-3732.

Article 1. Compulsory Education.

Section

- 10. When attendance compulsory
- 20. Violations
- 30. Prevention and reduction of truancy

Section

- 45. Grounds for suspension or denial of admission
- 47. Admission or readmission when cause no longer exists

Collateral references. — 68 Am. Jur. 2d Schools, § 216 et seq.
78A C.J.S. Schools and School Districts, §§ 734-739.

Teacher's civil liability for administering corporal punishment. 43 ALR2d 469.

Regulations as to fraternities and similar associations connected with educational institution. 10 ALR3d 389.

Student organization registration statement, filed with public school or state university or college, as open to inspection by public. 37 ALR3d 1311.

What constitutes a private, parochial, or denominational school within statute making attendant at such school a compliance with compulsory school attendance law. 65 ALR3d 1222.

Student's right to compel school officials to issue degree, diploma, or the like. 11 ALR4th 1182.



Sec. 14.30.010. When attendance compulsory. (a) Every child between seven and 16 years of age shall attend school at the public school in the district in which the child resides during each school term. Every parent, guardian or other person having the responsibility for or control of a child between seven and 16 years of age shall maintain the child in attendance at a public school in the district in which the child resides during the entire school term, except as provided in (b) of this section.

(b) This section does not apply if a child

(1) is provided an academic education comparable to that offered by the public schools in the area, either by

(A) attendance at a private school in which the teachers are certificated according to AS 14.20.020;

(B) tutoring by personnel certificated according to AS 14.20.020; or

(C) attendance at an educational program operated in compliance with AS 14.45.100 — 14.45.200 by a religious or other private school;

(2) attends a school operated by the federal government;

(3) has a physical or mental condition that a competent medical authority determines will make attendance impractical;

(4) is in the custody of a court or law enforcement authorities;

(5) is temporarily ill or injured;

(6) has been suspended or expelled under AS 14.03.160 or suspended or denied admittance under AS 14.30.045;

(7) resides more than two miles from either a public school or a route on which transportation is provided by the school authorities, except that this paragraph does not apply if the child resides within two miles of a federal or private school that the child is eligible and able to attend;

(8) is excused by action of the school board of the district at a regular meeting or by the district superintendent subject to approval by the school board of the district at the next regular meeting;

(9) has completed the 12th grade;

(10) is enrolled in

(A) a state boarding school established under AS 14.16; or

(B) a full-time program of correspondence study approved by the department; in those school districts providing an approved correspondence study program, a student may be enrolled either in the district correspondence program or in the centralized correspondence study program;

(11) is equally well-served by an educational experience approved by the school board as serving the child's educational interests despite an absence from school, and the

request for excuse the principal or ad (12) is being ed

(c) If a parent, l of the child elects t after enrollment, th parent or guardian public school deterr of the child are no withdrawn from scl child until the child am § 5 ch 71 SLA J SLA 1977; am § 4 c § 4 ch 73 SLA 1988 SLA 1997; am § 1

Cross references. - part-time school attenda
Effect of amendmen ment, effective May 16, wrote paragraph (6), sub section" in paragraph (7 changes in paragraph (1

Quoted in L.A.M. v. : 1976).
Stated in In re S.D., 5

Collateral references: ents as defense to prosec with compulsory attenda
Applicability of compul children of a specified who has passed the anniv ALR2d 874.
Power of public school :

Sec. 14.30.020. V 14.30.010 is guilty of is a separate violation 1987)

Cross references. — t AS 12.55.035.

Sec. 14.30.030. P school district, includ dures to prevent and § 38 ch 98 SLA 1966, 1996)

Effect of amendments, effective September 10, 198

request for excuse is made in writing by the child's parents or guardian and approved by the principal or administrator of the school that the child attends;

(12) is being educated in the child's home by a parent or legal guardian.

(c) If a parent, legal guardian, or other person having the responsibility for or control of the child elects to enroll a child who is six years of age in first grade at a public school, after enrollment, the child is subject to the provisions of (a) and (b) of this section. If the parent or guardian of a child who is six years of age and is enrolled in first grade at a public school determines, within 60 days after the child is enrolled, that the best interests of the child are not being served by enrollment in the first grade, the child may be withdrawn from school, and the provisions of (a) and (b) of this section do not apply to the child until the child is seven years of age. (§ 37-7-1 ACLA 1949; am § 36 ch 98 SLA 1966; am § 5 ch 71 SLA 1972; am § 5 ch 190 SLA 1975; am § 1 ch 30 SLA 1976; am § 1 ch 10 SLA 1977; am § 4 ch 126 SLA 1978; am § 3 ch 11 SLA 1984; am § 1 ch 78 SLA 1987; am § 1 ch 73 SLA 1988; am § 16 ch 32 SLA 1997; am § 1 ch 68 SLA 1997; am § 16 ch 113 SLA 1997; am § 1 ch 57 SLA 2002)

Cross references. — For provisions related to part-time school attendance, see AS 14.03.095.

Effect of amendments. — The first 1997 amendment, effective May 16, 1997, in subsection (b), renumbered paragraph (6), substituted "paragraph" for "subsection" in paragraph (7), and made minor stylistic changes in paragraph (11).

The second 1997 amendment, effective September 2, 1997, added paragraph (b)(12).

The third 1997 amendment, effective September 30, 1997, made a minor stylistic change in subparagraph (b)(10)(A).

The 2002 amendment, effective July 1, 2002, added subsection (c).

NOTES TO DECISIONS

Quoted in *L.A.M. v. State*, 547 P.2d 827 (Alaska 1976).

Stated in *In re S.D.*, 549 P.2d 1190 (Alaska 1976).

Cited in *Matthews v. Quinton*, 362 P.2d 932 (Alaska 1961); *D.R.C. v. State*, 646 P.2d 252 (Alaska Ct. App. 1982).

Collateral references. — Religious beliefs of parents as defense to prosecution for failure to comply with compulsory attendance law. 3 ALR2d 1401.

Applicability of compulsory attendance law covering children of a specified age, with respect to a child who has passed the anniversary date of such age. 73 ALR2d 874.

Power of public school authorities to set minimum

or maximum age requirements for pupils in absence of specific statutory authority. 78 ALR2d 1021.

Residence for purpose of admission to public school. 83 ALR2d 497; 56 ALR3d 641.

What constitutes a private, parochial, or denominational school within statute making attendance at such school a compliance with compulsory school attendance law. 65 ALR3d 1222.

Sec. 14.30.020. Violations. A person who knowingly fails to comply with AS 14.30.010 is guilty of a violation. Each five days of unlawful absence under AS 14.30.010 is a separate violation. (§ 37-7-2 ACLA 1949; am § 37 ch 98 SLA 1966; am § 2 ch 78 SLA 1987)

Cross references. — For fines for violations, see AS 12.55.035.

Sec. 14.30.030. Prevention and reduction of truancy. The governing body of a school district, including a regional educational attendance area, shall establish procedures to prevent and reduce truancy. (§ 37-7-3 ACLA 1949; am § 1 ch 32 SLA 1949; am § 38 ch 98 SLA 1966; am § 55 ch 6 SLA 1984; am § 23 ch 85 SLA 1988; am § 3 ch 59 SLA 1996)

Effect of amendments. — The 1996 amendment, effective September 10, 1996, rewrote this section.

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FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: HB052-DOA-DMV-3-30-07
 Bill Version: HB 52
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title: "An Act relating to driver's licenses for persons under 18 years of age" RDU Division of Motor Vehicles
 Component Motor Vehicles
 Sponsor Rep. Ramras
 Requester (H) STA Component No. 2348

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	112.0	112.0	112.0	112.0	112.0	112.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	112.0	112.0	112.0	112.0	112.0	112.0

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
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
1156 Receipt Supported Services	112.0	112.0	112.0	112.0	112.0	112.0
TOTAL	112.0	112.0	112.0	112.0	112.0	112.0

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time	2	2	2	2	2	2
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill will add a requirement of good attendance from the appropriate educational program in order for a person, under age 18, to obtain and maintain a valid Alaska driver's license.

The Department of Education reports dropouts of nearly 3,500 students annually. The Division of Motor Vehicles (DMV) is factoring 5,000 persons may be affected at a rate of 1.5 times leading to 7,500 additional DMV transactions.

We anticipate additional workload equal to one (1) full-time Motor Vehicle Customer Service Representative (MVCSR, range 10) equivalent to meet this new mandate at the 'front-counter' position as well as one (1) MVCSR to process the revocations and notice of withdrawals.

Prepared by: Duane Bannock, Director Phone 269 5559
 Division: Motor Vehicles Date/Time 3/30/07 10:00 AM
 Approved by: Kevin Brooks, Deputy Commissioner Date 3/30/2007
 Agency: Department of Administration

Chair, House Judiciary
Labor & Commerce
Oil & Gas
Military & Veteran Affairs

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Representative Jay Ramras
District 10

February 26, 2007

Representative Bob Lynn, Chair
House State Affairs Committee

RE: HB 52, No Drivers Licenses for Minor Dropouts

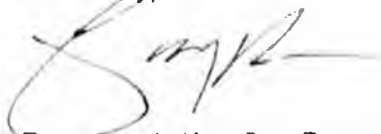
Dear Representative Lynn,

Please accept this memo as a hearing request for HB 52 in the House State Affairs Committee. Attached is the bill and pertinent information for your review.

Please contact Barbara Cotting at extension 6841 with any questions.

Thank you for your time and consideration.

Sincerely,



Representative Jay Ramras
JR/bc