

**HB**

**212**

<TARGET><BILL>HB 212</BILL><SUBJECT>HB  
212</SUBJECT><COMM>HFIN27</COMM></TARGET>

Adopted  
4/4/12

27-LS0738I

**CS FOR HOUSE BILL NO. 212(TRA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE TRANSPORTATION COMMITTEE

Offered: 4/4/12

Referred: Finance

Sponsor(s): REPRESENTATIVE MILLETT BY REQUEST

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to requirements for persons holding provisional drivers' licenses; and**  
2 **providing for an effective date."**

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

4 \* **Section 1.** AS 28.15.055 is amended by adding new subsections to read:

5 (b) A person holding a provisional driver's license shall display in each motor  
6 vehicle operated by the person a moveable sticker issued by the department that  
7 identifies that the vehicle is operated by a provisional licensee. The department may  
8 charge a fee for the issuance of a sticker. The sticker shall be displayed in the rear  
9 window of the vehicle, or in a location specified by the department if the department  
10 has adopted a regulation specifying a different location for display of the sticker. The  
11 department may by regulation exempt the operation of certain types of motor vehicles  
12 from the requirement to display a sticker under this subsection. Failure to display a  
13 sticker as required by this subsection is an infraction and may be punished by a fine of  
14 not more than \$200. However, a person charged with violating this section may not be

1 convicted if the person

2 (1) has not previously been arrested, charged, or cited for a violation of  
3 this section; and

4 (2) produces in court proof that the person has obtained and affixed the  
5 sticker required by this subsection.

6 (c) Notwithstanding any other provision of law, a peace officer may not stop  
7 or detain a motor vehicle to determine compliance with (b) of this section, or issue a  
8 citation for a violation of (b) of this section, unless the peace officer has probable  
9 cause to stop or detain the motor vehicle other than for a violation of (b) of this  
10 section.

11 (d) The requirements in (b) of this section do not apply to

12 (1) provisional licenses issued to persons to operate motor vehicles in  
13 areas of the state off the road system when operating motor vehicles in those areas;  
14 and

15 (2) a person holding a provisional license when the person is operating  
16 a motor vehicle in a municipality with a population of less than 500.

17 \* **Sec. 2.** AS 28.15.055(b), 28.15.055(c), and 28.15.055(d) are repealed December 31, 2016.

18 \* **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to  
19 read:

20 **APPLICABILITY.** The requirements of AS 28.15.055(b), added by sec. 1 of this Act,  
21 apply to persons holding provisional driver's licenses issued on or after January 1, 2013.

22 \* **Sec. 4.** This Act takes effect January 1, 2013.

# FISCAL NOTE

STATE OF ALASKA  
2012 LEGISLATIVE SESSION

Bill Version CSHB212  
Fiscal Note Number \_\_\_\_\_  
( ) Publish Date \_\_\_\_\_

Identifier (file name) HB212CS(TRA)-DOA-DMV-4-4-2012 Dept. Affected Administration  
Title Provisional Driver License Stickers Appropriation Motor Vehicles  
Allocation Motor Vehicles  
Sponsor Representative Millett  
Requester House Finance OMB Component Number 2348

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

Note: Amounts do not include inflation unless otherwise noted below.

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
<b>OPERATING EXPENDITURES</b>	<b>FY13</b>	<b>FY13</b>	<b>FY14</b>	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

FUND SOURCE		(Thousands of Dollars)					
1002	Federal Receipts						
1003	GF Match						
1004	GF						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
<b>TOTAL</b>		<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

POSITIONS							
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES							
--------------------	--	--	--	--	--	--	--

Estimated SUPPLEMENTAL (FY12) operating costs \_\_\_\_\_ (separate supplemental appropriation required)  
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs \_\_\_\_\_ (separate capital appropriation required)  
(discuss reasons and fund source(s) in analysis section)

**Why this fiscal note differs from previous version (if initial version, please note as such)**

Updated version for CS(TRA)

Prepared by Whitney Brewster  
Division Motor Vehicles  
Approved by John Cramer  
Deputy Commissioner, Department of Administration

Phone 907-269-5559  
Date/Time 4/4/12 11:15 AM  
Date 4/4/12 11:33AM

FISCAL NOTE

STATE OF ALASKA  
2012 LEGISLATIVE SESSION

BILL NO. CSHB212

**Analysis**

*The effective date of this bill is January 1, 2013.*

This bill would require provisional drivers to adhere a sticker to the vehicle that they are operating that designates them as a provisional driver's license holder. It would also make it an infraction with a fine of not more than \$200 for failure to display the sticker. The bill applies only to those who were issued provisional licenses after January 1, 2013. The requirements do not apply to drivers operating vehicle in areas off the road system and within a municipality with a population of less than 500.

The bill sunsets December 31, 2016.

This bill will have a minor fiscal impact on the Division of Motor Vehicles (DMV) for producing the provisional stickers. DMV will absorb the costs in its operating budget.

# Novice Driver Safety

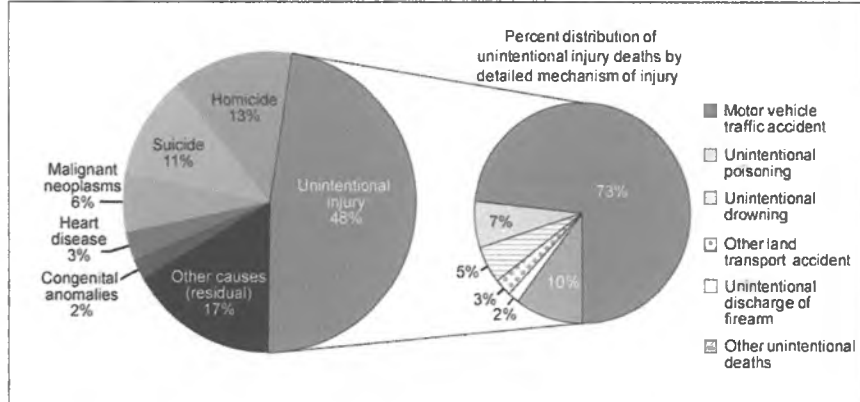


Safer Alaskan Roads for Alaskan  
Drivers



## Cause of death among teenagers between 1999-2006

Figure 2. Percent distribution of all deaths to teenagers 12-19 years, by cause of death: United States, 1999-2006



SOURCE: National Vital Statistics System, Mortality

## Alaska Statistics for Drivers 14-16 2004-2008

### Motor Vehicle Traffic Crashes Involving Drivers age 14-16, 2004-2008

	2004	2005	2006	2007	2008
<b>Crashes</b>	692	592	477	441	437
Property Damage Only	428	377	307	270	288
Minor Injury Crashes	222	191	146	137	127
Major Injury Crashes	37	22	19	28	15
Fatal Crashes	5	2	5	6	7
<b>Non-Fatal Injuries</b>	398	321	256	264	223
Minor Injuries	348	296	228	230	201
Major Injuries	50	25	28	34	22
<b>Fatal Injuries</b>	5	2	5	7	8
<b>Occupants Not Injured</b>	1830	1361	1195	987	1070

Source: State of Alaska, Department of Transportation and Public Facilities, Highway Analysis System (HAS)

## Alaska Statistics for drivers ages 16-17 between 2002-2011

### The Total Drivers in Fatal Crashes by Age, Alaska 2002-2011

- Fourteen 16 year olds were involved in fatal crashes in Alaska between 2002-2011
- This is 1.3% of the total amount of drivers in fatal crashes
- Eighteen 17 year olds were involved in fatal crashes in Alaska between 2002-2011
- This is 1.7% of the total amount of drivers in fatal crashes

### The total Drivers License in Alaska by Age between 2002-2011

- 61,254 sixteen year olds were licensed, this is 1.2% of the total
- 74,882 seventeen year olds were licensed, this is 1.5% of the total

## Provisional Licensed Drivers

- Provisional Licensed Drivers are hazardous due to:
  - Apprehension
  - Lack of experience
  - Weather conditions
  - No drivers education requirement
  - Alaska's diversity from other states

## Solution

- A person holding a provisional driver's license shall display in the rear window of each vehicle operated by the person a sticker issued by the department that identifies that the vehicle is operated by a provisional licensee..





## Why This Solution?

- This is a simple solution to benefit Alaskan drivers.
- It will impress other driver's to be more cautious driving around the novice teen driver
- It will provide other drivers the information necessary to understand the Provisional Licensee's position
- This will assist law enforcement officers in implementing the law

## Enforcement

- Failure to display a sticker as required by this subsection is an infraction and may be punished by a fine of not more than \$200. .



## Procedures

- The state of Alaska will supply the Department of Motor Vehicles with stickers to distribute to those persons acquiring an Provisional License
- Those acquiring a Provisional License will pay for the sticker as part of the permitting process.
- Sticker will be placed on the rear window of the operating vehicle

## Summary

- Teen drivers with Provisional License are statistically more hazardous to themselves and other Alaskans
- Require Provisional drivers to identify their status
- Reduce the number of accidents and infractions in Alaska, and help save Alaskan lives



# Alaska Legislature

## Representative Charisse Millett

Session:  
State Capitol Building, Room 13  
Juneau, AK 99801  
Phone (907) 465-3879  
Fax (907) 465-2069  
Toll free (888) 269-3879



Interim:  
Anchorage LIO  
716 W 4<sup>th</sup> Ave., Room 630  
Anchorage, AK 99501  
Phone (907) 269-0222  
Fax (907) 269-0223

*District 30*

Date: 4/3/2012  
Version: House Transportation

### Sponsor Statement - House Bill 212

**"An Act relating to requirements for persons holding provisional drivers' licenses."**

The Alaska Graduated License Program is a three-step program designed to develop safe driving habits as well as slowly introduce young drivers to the Alaskan road system. One of the steps in the program is graduating from an Instructional Permit to a Provisional License. There are some restrictions that follow having a Provisional License. Some examples are; You may not carry passengers unless one of the passengers is a person at least 21 years of age, You may carry passengers under the age of 21 only if they are your siblings, and you may not operate a motor vehicle between the hours of 1:00 a.m. and 5:00 a.m. unless accompanied by a person at least 21 years of age. Even though these restrictions are in place for young drivers, many choose to ignore these limitations that are there to provide safety to them and other Alaskans.

Every year, teen drivers account for about 20 percent of the fatalities and major injuries that occur on Alaskan roads and highways. Many teen drivers fail to comply with the rules of the Graduated License Program. This is a problem that many schools in Alaska's urban school districts face. Teen drivers with their provisional license will take other passengers from their schools and choose not to abide by this law. This is not only a problem in the schools', but across Alaska in general.

In order to reduce the number of accidents caused by teen drivers, and to provide safety to Alaskan roads, a solution to this problem would be to issue a sticker with each Provisional License and to place the sticker in the rear window of a motor vehicle that is being operated by a Provisional License driver. This sticker would make other drivers aware that there is a newly licensed driver on the road, and it would assist law enforcement officers with identifying teen drivers who are breaking the law.

The House State Affairs Committee amended the bill to specify that failure to display the sticker is not a primary offense.

The House Transportation Committee made a series of amendments including a sunset provision, allowing the DMV to determine by regulation where the sticker can be placed other than the rear window, lowering the maximum fine for failing to display a sticker to two hundred dollars and allowing DMV by regulation to exempt certain types of vehicles from the law.

The Alaska Department of Motor Vehicles will determine the design of the sticker can charge the licensee for the sticker.

HB 212 was passed by the House State Affairs Committee on Tuesday, March 13, 2012 and the House Transportation Committee on April 3, 2012. It now goes to the house Finance Committee. For more information, contact Rep. Millett at (907) 465-3879.

# Alaska Legislature

## Representative Charisse Millett

### Session:

State Capitol Building, Room 13  
Juneau, AK 99801  
Phone (907) 465-3879  
Fax (907) 465-2069  
Toll free (888) 269-3879



### Interim:

Anchorage LIO  
716 W 4<sup>th</sup> Ave., Room 390  
Anchorage, AK 99501  
Phone (907) 269-0222  
Fax (907) 269-0223

*District 30*

April 3, 2012  
Version 27-LS0738\|

## HB 212 Explanation of Changes

### CS for HB 212 (STA)

The House State Affairs Committee amended the bill on March 13, 2012 by adding a new subsection (c) to the bill that clarifies failure to display a provisional license sticker is NOT a primary offense.

Page 2, Line 6

"Notwithstanding any other provision of law, a peace officer may not stop or detain a motor vehicle to determine compliance with (b) of this section, or issue a citation for a violation of (b) of this section, unless the peace officer has probable cause to stop or detain the motor vehicle other than for a violation of (b) of this section."

### CS for HB 212(TRA)

The House Transportation Committee adopted several amendments to the bill during two committee hearings on Tuesday, March 27 and Tuesday, April 3, 2012.

- 1) Page 1, line 1, following "licenses":  
Insert ": and providing for an effective date"
- 2) Page 1, line 5, following "each" inserted "motor"

3) Page 1, line 6 following "a" insert "movable"

4) Page 1, line 9 after "vehicle," Insert "Or in a location specified by the department if the department has adopted a regulation specifying a different location for display of the sticker."

5) Page 1, line 10, following "sticker" inserted "The department may by regulation exempt the operation of certain types of motor vehicles from the requirement to display a sticker under this subsection."

6) Page 1, line 14 replaced "\$300" with "\$200"

7) Page 2, following line 11: inserted a new subsection to read  
"(d) the requirements in (b) of this section does not apply to  
(1) provisional licenses issued to persons to operate motor vehicles in areas of the state off the road system when operating motor vehicles in those areas; and  
(2) a person holding a provisional license when the person is operating a motor vehicle in a municipality with a population of less than 500."

8) Page 2, following line 16

Insert new bill section to read:

**\*Sec. 2.** AS 28.15.055(b) and 28.15.055(c), and 28.15.055(d) are repealed December 31, 2016.

9) Page 2, following line 17

Insert new bill section to read:

**\*Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to read:

**APPLICABILITY.** The requirements of AS 28.15.055(b), added by sec. 1 of this Act, apply to persons holding provisional driver's licenses issued on or after January 1, 2013