

**SB**

**206**

<TARGET><BILL>SB 206</BILL><SUBJECT>SB  
206</SUBJECT><COMM>HSTA28</COMM></TARGET>



# ALASKA STATE LEGISLATURE

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## SENATOR PETER A. MICCICHE

### Sponsor Statement

#### DISTRICTS

*Anchor Point*

*Clam Gulch*

*Cohoe*

*Diamond Ridge*

*Fox River*

*Fritz Creek*

*Funny River*

*Halibut Cove*

*Happy Valley*

*Homer*

*Kachemak City*

*Kachemak Selo*

*Kalifornsky*

*Kasilof*

*Kenai*

*Nikolaevsk*

*Ninilchik*

*Razdolna*

*Ridgeway*

*Seldovia*

*Soldotna*

*Voznesenka*

**SB 206 "An Act relating to motor vehicle registration and fees; relating to licensing of school bus drivers; relating to notice of an accident involving a motor vehicle; and providing for an effective date."**

**SB 206 is legislation that helps deliver the sponsor's vision to provide more efficient and convenient Division of Motor Vehicles (DMV) services for Alaskans. The bill is designed to lead toward a service environment where Alaskans will likely view and manage all of their accounts, transfers, driver's license and registration renewals in one location through their MyAlaska or similar online account.**

**Although the DMV is currently making use of internet technology, minor statutory changes will allow a substantive increase in efficiency for Alaskan customers and cost reductions for the Division. Alaska statutes also require a \$10 service fee for in-person vehicle renewals and DMV's practice has been to extend the \$10 fee waiver for online renewals. This bill places the \$10 fee waiver into statute.**

**Enactment of SB 206 will also allow the DMV to receive accident reports from law enforcement agencies and drivers across the state electronically, reducing staff time and the wasting of paper that has to be processed by multiple agencies. The change will also provide the Department of Public Safety and other state agencies immediate access to accident reports.**

**Additionally, SB 206 will modify statutes governing the licensing process for school bus drivers and will protect children across the state from those with inappropriate criminal records. SB 206 adds reasonable limitations to the licensing requirements to ensure the safety of Alaska's youth.**

**I hope you will join me in supporting this legislation as an effort to improve DMV efficiency, provide for electronic accident reporting by law enforcement agencies and protect children from those with criminal records while being transported to and from school.**

## CS SB 206 (STA)

### Explanation of Amendments

Amendments were made in Senate State Affairs as follows:

1. The misdemeanor offense of contributing to the delinquency of a minor was moved from the group of felony offenses that would prohibit obtaining a school bus driver license. This misdemeanor will prohibit the issuance of a school bus driver license for two years after the date of conviction.
2. In order to clarify the time frame for applicability of the misdemeanor crimes the term 'unconditional discharge' was changed to the 'date of conviction'. The date of conviction is the date that sentence is imposed for the offense.
3. The department was given discretion to issue a license to a person convicted of one of the misdemeanors if the offense was not against a child.
4. Holders of the school bus driver license must report, on a form provided by the department, a conviction that would constitute a bar to issuance of the license.
5. At each 5 year license renewal a person holding a school bus driver license shall be required to obtain a background check.
6. Felony criminal convictions listed in this statute create a prohibition to holding a school bus driver license; however, for renewal of a license this Act does not apply to an offense for which the person was unconditionally discharged prior to July 1, 2004.

## CS FOR SENATE BILL 206 (STA) 28-LS 1531\C

**\*Section 1:** Amends AS 28.10.108(h)

Amended to permit the Division of Motor Vehicles (DMV) to use electronic mail as a method to provide notice of registration renewal to the registered owner of record.

**\*Section 2:** Amends AS 28.10.421(a)

Amends the statute to waive the \$10 service fee for vehicle registration renewals conducted online.

**\*Section 3:** Amends AS 28.15.046(b)

Amended to require the applicant for a school bus license under AS 28.15.046(a) to submit a criminal background check with a 10 year history. The current statutory requirement only provides for a two year history. A criminal background check is an individual's complete record. The bill requires the DMV to look for crimes from the last 10 years instead of the last two years.

**\*Section 4:** Repeals and reenacts AS 28.15.046(c)

Repealed and reenacted to restructure the disqualifying offenses for school bus drivers in the state. The changes will allow the DMV to deny an application for a school bus license if the person has been convicted of the following offenses:

1. murder in the first and second degree;\*
2. manslaughter; criminally negligent homicide;\*
3. multiple deaths;\*
4. murder or manslaughter of an unborn child;\*
5. criminally negligent homicide of an unborn child;\*
6. assault in the first, second, and third degree;\*
7. stalking in the first and second degree;\*
8. assault of an unborn child in the first and second degree;\*
9. kidnapping;\*
10. custodial interference;\*
11. human trafficking in the first and second degree;\*
12. sexual assault in any degree;
13. sexual abuse of a minor in any degree;
14. robbery in the first and second degree;\*
15. extortion;\*
16. sexual abuse in any degree;
17. incest;
18. online enticement of a minor;
19. indecent exposure in the first and second degree;\*
20. unlawful exploitation of a minor;
21. a felony violation of endangering the welfare of a child in the first degree;\*
22. felony indecent viewing or photography;\*

23. distribution of child pornography;\*
24. possession of child pornography;\*
25. distribution of indecent material to minors;\*
26. felony prostitution;\*
27. sex trafficking in the first, second, or third degree;\*
28. a felony involving distribution of a controlled or imitation controlled substance;
29. felony DUI;
30. felony refusal.

\*New disqualifying offense for becoming a school bus driver.

The bill also prohibits the issuance of a bus driver license if less than two years have elapsed since an individual's conviction for assault in the fourth degree, reckless endangerment, a misdemeanor violation of endangering the welfare of a child, contributing to the delinquency of a minor, or misdemeanor prostitution.

**\*Section 5:** Repeals and reenacts AS 28.15.046(d)

The new statute will modify the two year period to require the DMV deny issuance of a license if less than two years has elapsed since the applicant's conviction for the first time for driving under the influence or a refusal, less than five years has elapsed from their conviction for the second time for driving under the influence or refusal, or less than 10 years has elapsed from conviction from a refusal to submit to a chemical test if the offense occurred while driving a commercial motor vehicle.

**\*Section 6:** Amends AS 28.15.046(e)

This statute modifies the language "substantially similar" to "similar," which will provide the DMV with a broader mechanism for reviewing if convictions under prior state laws or laws from other jurisdictions would disqualify the applicant from being eligible for obtaining a school bus license in Alaska.

**\*Section 7:** Amends AS 28.15 by adding new subsections.

Newly created subsections will allow the DMV to immediately cancel the license of a school bus operator if they have been convicted of any of the disqualifying offenses. Section 7 also requires school bus drivers to renew licenses every five years and submit to a criminal background check. This section gives the DMV discretion to issue a license to a person convicted of one of the misdemeanor offenses if the offense was not against a child.

**\*Section 8:** Amends AS 28.15.101(c)

Amends the statute to allow eligible DMV customers to renew their license by using the DMV's website. DMV currently allows for a partial renewal by mail by completing the application online then mailing the paperwork to DMV for processing.

**\*Section 9:** Amends AS 28.15.161(a)

Amends the statute to allow DMV to cancel the school bus license that has been issued if the person has been convicted of an offense described in AS 28.15.046 that would otherwise disqualify the licensee from obtaining a license.

**\*Section 10:** Amends AS 28.35.080(b)

Amends the statute to allow for a driver involved in an accident to submit either a written or electronic version of an accident report for crashes that exceed \$2000 or more and are not reported by law enforcement.

**\*Section 11:** Amends AS 28.35.080(c)

Amends the statute to allow for the accident report that is required to be completed for a driver involved in a qualifying accident to be available on the DMV's website. This will bring current practice into law.

**\*Section 12:** Amends 28.35.080(e)

Amends the statute to allow law enforcement who investigate an accident to submit an electronic crash report to the DMV unless they qualify for an exemption from DPS. This process will put the submission of crash reports into a format that is currently used with the electronic submission of citations using the traffic record and criminal software (TRaCS) software.

**\*Section 13:** Amends AS 28.35.080 by adding new subsection (g)

The terminology among law enforcement and other state agencies has transitioned from the term "accident" to "crash." Rather than changing "accident" to "crash" throughout Title 28, this statute is being amended to add a new section that will allow all accident reports submitted under this section to satisfy the requirements of reporting a motor vehicle accident in Alaska.

**\*Section 14:** Amends the uncodified law of the State of Alaska

Authorizes section 4-7 of the Act to apply to offenses committed before, on, or after the effective date of the Act. For those renewing bus driver licenses they do not apply if they were unconditionally discharged before July 1, 2004.

**\*Section 15:** Effective date

Makes the effective date July 1, 2014.

# Fiscal Note

State of Alaska  
2014 Legislative Session

Bill Version: CSSB 206(STA)  
Fiscal Note Number: 1  
(S) Publish Date: 3/26/14

Identifier: SB206-DOA-DMV-03-14-14  
Title: VEHICLE REGIS/LICENSING/ACCIDENT  
REPORTS  
Sponsor: MICCICHE  
Requester: Senate State Affairs

Department: Department of Administration  
Appropriation: Motor Vehicles  
Allocation: Motor Vehicles  
OMB Component Number: 2348

**Expenditures/Revenues**

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

(Thousands of Dollars)

	FY2015	Included in	Out-Year Cost Estimates					
	Appropriation Requested	Governor's FY2015 Request	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<b>OPERATING EXPENDITURES</b>	<b>FY 2015</b>	<b>FY 2015</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>	<b>0.0</b>

**Fund Source (Operating Only)**

None								
<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>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time								
Part-time								
Temporary								

<b>Change in Revenues</b>								
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**Estimated SUPPLEMENTAL (FY2014) cost:** 0.0 (separate supplemental appropriation required)  
(discuss reasons and fund source(s) in analysis section)

**Estimated CAPITAL (FY2015) cost:** 0.0 (separate capital appropriation required)  
(discuss reasons and fund source(s) in analysis section)

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes  
If yes, by what date are the regulations to be adopted, amended or repealed? 01/01/15

**Why this fiscal note differs from previous version:**

Not applicable, initial version.

Prepared By: Amy Erickson, Director Phone: (907)269-5574  
Division: Motor Vehicles Date: 03/14/2014 02:15 PM  
Approved By: Curtis Thayer, Commissioner Date: 03/14/14  
Agency: Department of Administration

FISCAL NOTE ANALYSIS #1

STATE OF ALASKA  
2014 LEGISLATIVE SESSION

BILL NO. CSSB 206(STA)

**Analysis**

This bill will amend a number of statutes to create efficiencies at DMV. The amendments will permit DMV to notify vehicle owners of registration renewal by electronic mail, waive the \$10 service fee for online registration renewal, allow customers to renew their driver license over the Internet if they meet the required criteria, and permit law enforcement agents and the public to submit vehicle accident reports electronically.

This bill will also require a person applying for a school bus license to submit information about where they have resided for the previous 10 years before application and changes the period after conviction for most offenses in which an applicant is disqualified from obtaining a school bus license from 20 years after conviction to 10 years.

This bill has no fiscal impact on the DMV.

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## SENATOR PETER A. MICCICHE

### MEMORANDUM

#### DISTRICT O

*Anchor Point*

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*Diamond Ridge*

*Fox River*

*Fritz Creek*

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*Homer*

*Kachemak City*

*Kachemak Selo*

*Kalifornsky*

*Kasilof*

*Kenai*

*Nikolaevsk*

*Ninilchik*

*Razdolna*

*Ridgeway*

*Seldovia*

*Soldotna*

*Voznesenka*

TO: Representative Lynn

House State Affairs Committee Chair

FR: Senator Peter Micciche *PAM*

DA: April 10, 2014

RE: Scheduling CS SB 206 (STA) in House STA Committee

I respectfully request the scheduling of CS SB 206 (STA) in the House State Affairs Committee.

If you have any questions, please feel free to contact Larry Semmens at 465-4899.

Thank you for your consideration of this request.