

HB

212

<TARGET><BILL>HB 212</BILL><SUBJECT>HB
212</SUBJECT><COMM>SSTA28</COMM></TARGET>

SENATE COMMITTEE REPORT

DATE: 3/18/14

FURTHER: Rules
 DATE TURNED
 IN TO OFFICE: 3-25-14

State Affairs Committee considered HOUSE BILL NO. 212

HB 212-DRIVER'S LICENSING EXEMPTION: MILITARY

"An Act relating to an exemption from driver licensing requirements for spouses of members of the armed forces of the United States."

and recommends:

- be replaced with SCS _____ (_____) Same Title Technical Title Change
 New Title/SCR No. _____
- adopt previous SCS _____ (_____) Same Title Technical Title Change
 New Title/SCR No. _____
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

Dept Abbr.	
ADM	LWF
CED	LAW
COR	LEG
CRT	MVA
EED	DNR
DEC	DPS
DFG	REV
GOV	DOT
DHS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
ADM			✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Willechowski				✓
	Coghill	✓			
	Giessel	✓			
CHAIR:	Dyzan	✓			

Alaska State Legislature
House of Representatives

Rep.Doug.Isaacson@akleg.gov

Representative Doug Isaacson

Interim

301 Santa Claus Lane
North Pole, AK 99705

Session

State Capitol
Juneau, AK 99801
Phone - (907) 465.4527



Date: March 10, 2014

To: Senator Fred Dyson, Chair Senate State Affairs Committee

From: Representative Doug Isaacson

Re: HB 212

I respectfully request a hearing, pending referral, for HB 212, "An Act relating to an exemption from driver licensing requirements for spouses of members of the armed forces of the United States."

We request LIO teleconference support statewide

Please find the following materials in the HB 212 packet:

- All versions of HB 212
- Sponsor Statement
- Sectional Analysis
- Fiscal Note
- Supporting Documents

My staff contact for this legislation is Brenda Hewitt, who can be reached at 465-2847 or Brenda.hewitt@akleg.gov.

Thank you for your consideration of this request.

**Alaska State Legislature
House of Representatives**

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SPONSOR STATEMENT FOR HB 212

Our military members come from all over the United States to serve in defense of our country. Alaska requires all residents who wish to operate a motor vehicle in this state to obtain an Alaskan driver's license within 90 days of entering the state with some exceptions, including if they are active military.

Many members of the armed forces choose to maintain permanent residency in another state, thus allowing them to vote in their home state elections and retain their home state driver's license while serving in Alaska. This is already state law. (A.S. 28.15.021(3))

Unfortunately, we do not currently join 39 other states in extending those same benefits to the spouse which can pose an unnecessary burden on the military family. HB 212 corrects that imbalance and strengthens the harmony of the family unit.

Staff contact: Brenda Hewitt (907) 465-2847

Alaska State Legislature House of Representatives

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Representative Doug Isaacson

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301 Santa Claus Lane
North Pole, AK 99705

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Sectional Analysis of HB 212-Driver's Licensing Exemption: Military

“An Act relating to an exemption from driver licensing requirements for spouses of members of the armed forces of the United States.”

This bill amends AS28.1.021 to additionally exempt spouses from obtaining an Alaska driver's license if they hold a valid license in another state where they declare permanent residency.

Page 1 line 14 and Page 2 lines 1-3

Section 1. Subsection (3) adds **or, if the member's spouse is 18 years of age or older, the spouse of a member of the armed forces of the United States** who has a valid driver's license issued by another jurisdiction when the permanent residence of the member **or spouse** is maintained in that jurisdiction.

By making the law relevant to spouses 18 or over, it removes the potential conflict arising from Alaska's graduated licensing program requirements. The driving skill level of a 16-18 year old in Alaska's unique terrain and climate should still be taken into consideration when weighing if a license issued in another state would equate to the same level of skill and knowledge needed to drive in Alaska. 16-18 year olds should take the opportunity to study and learn more about the driving conditions in Alaska and would therefore still be required to seek a license from Alaska within 90 days.

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: HB 212
Fiscal Note Number: 1
(H) Publish Date: 2/12/14

Identifier: HB212-DOA-DMV-01-31-2014
Title: DRIVER'S LICENSING EXEMPTION: MILITARY
Sponsor: ** ISAACSON, HUGHES
Requester: House Military and Veterans 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 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates					
			FY 2015	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues								
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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? **01/01/16**

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: 01/31/2014 04:36 PM
Approved By: Curtis Thayer, Commissioner Date: 01/31/14
Agency: Department of Administration

FISCAL NOTE ANALYSIS #1

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. HB 212

Analysis

With enactment of this legislation, the spouse of a member of the armed services would not be required to obtain an Alaska driver's license. Currently, under AS 28.15.021, one must surrender his/her license and acquire an Alaska license within 90 days of moving to the state.

Revenue loss

DMV has no way to determine which new residents of the State of Alaska are spouses of members of the armed services, and, thus, eligible for this exemption. Therefore, DMV is unable to quantify the loss of revenue should the measure be implemented.

In the absence of reliable information DMV believes the impact to be de minimis and therefore a zero fiscal note is submitted.

DRIVER'S LICENSE INFORMATION

39 states

For Active Duty Members:

	This is my Home State. Will It Extend My Driver's License Past Its Expiration Date If I Am Stationed Out Of State?	This Is My Home State. How Long Is My Driver's License Valid And How May I Extend Or Renew It?	This Is The State Where I Am Stationed. Is My Home State Driver's License Valid Here?	Where Can I Get More Information?
Alabama	No	Member and family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	Motor Vehicle Division (334) 242-4433
Alaska	No	Member and family members may renew by mail	No; current license only honored for 90 days; member and family members must obtain state license Yes, valid home state license honored for active duty military until 90 days after discharge.	Motor Vehicle Division (907) 465-4363
Arizona	Yes	Extended to six months after discharge; members and family members may renew by mail	Yes, valid home state license honored; family members must obtain state license if employed or have children enrolled in school	Motor Vehicle Division (602) 255-8071 Driver's License Office (602) 255-8121
Arkansas	No	Extended on application (by mail, if necessary), not to exceed six years, if member is in first tour of duty; member and family members may renew by mail	Yes, valid home state license honored; family members must obtain state license	Motor Vehicle Division (501) 682-3333
California	Yes	Extended to 30 days after discharge; member and family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	Department of Motor Vehicles (916) 657-7669
Colorado	Yes	Extended to 3 years after expiration date or 90 days after return to state, whichever comes first; may renew by mail; same rule applies to family members	Yes, valid home state license honored; same rule applies to family members	Motor Vehicle Division (303) 623-9463
Connecticut	No	Member and family members may renew by mail; free license issued during active duty service	Yes, valid home state license honored; same rule applies to family members	Department of Motor Vehicles (203) 566-4710

Delaware	No	Member and family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	Division of Motor Vehicles (302) 739-2500
District of Columbia	No	Extended, on application (by mail, if necessary) to six years after expiration date; must apply for extension every four years; members and family members may renew by mail, one time only	Yes, valid home state license honored; same rule applies to family members	Bureau of Motor Vehicle Services (202) 727-6680
Florida	No	License not valid for operation after expired; but, member may renew (by mail, if necessary) without penalty through 90 days after discharge or return to state, whichever comes first; similar provision for family members	Yes, valid home state license honored; same rule applies to family members	Division of Motor Vehicles (904) 488-3405
Georgia	No	Members may request a deferral of expiration if stationed outside the state for less than four years, may renew by mail; same rules apply to family members	Yes, valid home state license honored; same rule applies to family members	Department of Public Safety (404) 657-9300
Hawaii	No	May renew by mail (license issued prior to Jan 1, 1968 is valid until 30 days after discharge or return to state, whichever comes first)	Yes, valid home state license honored	Division of Motor Vehicles and Licensing (808) 532-7730
Idaho	No	Members are allowed a four year extension; may renew by mail; same rules apply to family members	Yes, valid home state license honored; same rule applies to family members	Transportation Department, Motor Vehicles (208) 334-8663
Illinois	Yes	Members serving in the U.S. may request an extension to 45 days after discharge; for members serving overseas, license is extended to 45 days following return to U.S.; member and family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	Department of Vehicle Services 217-782-2720
Indiana	No	May renew by mail; same rule applies to family members	Yes, valid home state license honored; same rule applies to family members	Bureau of Motor Vehicles (317) 232-2861
Iowa	Yes	Extended to six months after discharge; only member may renew by mail; family member's license extended to five years past expiration	Yes, valid home state license honored; same rule applies to family members	Office of Vehicle Services (515) 237-3110
Kansas	No	Member and family members may renew by mail	Yes, valid home state license honored provided home state registration is also maintained; same rule applies to family members	Division of Vehicles (913) 296-3963

Kentucky	No	Member and family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	Department of Motor Vehicle Licensing (502) 564-6800
Louisiana	Yes	Extended to 60 days after discharge; may renew by mail; no extension or renewal by mail for family members	Yes, valid home state license honored; family members must obtain state license	Motor Vehicle Division (504) 922-2821
Maine	Yes	Member may apply (by mail, if necessary) to extend to 30 days after discharge; upon request, member may be licensed without payment of fee; member and family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	Motor Vehicle Division (207) 287-3856
Maryland	Yes	Extended to 30 days after discharge or reassignment to state, whichever comes first; may renew by mail; same rules apply to family members	Yes, valid home state license honored, if home state registration is maintained; same rule applies to family members	Motor Vehicle Administration (410) 768-7000
Massachusetts	Yes	Member may apply to extend to 60 days after discharge; no extension for family members; may not renew by mail	Yes, valid home state license honored; same rule applies to family members	Registry of Motor Vehicles (617) 351-4500
Michigan	Yes	Extended to 30 days after first military leave of absence or discharge; member or family members may renew by mail	Yes, valid home state license honored	Division of Driver and Vehicle Records (517) 322-1166
Minnesota	Yes	Extended to 90 days after discharge, if state is notified prior to expiration; members and family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	Driver and Vehicle Services Division (612) 296-6911
Mississippi	Yes	Extended to 90 days after discharge; members and family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	State Tax Commission (601) 987-1212
Missouri	No	May renew by mail; same rule applies to adult members	Yes, valid home state license honored; same rule applies to family members	Motor Vehicle Bureau (314) 751-4450
Montana	Yes	Extended to 30 days after discharge; member and family members may renew by mail	No, license must be secured within 90 days; same rule applies to family members	Motor Vehicle Division (406) 444-3292
Nebraska	Yes	Extended to 60 days after discharge; may renew by mail; same rules apply to spouse	Yes, valid home state license honored; same rule applies to family members	Department of Motor Vehicles (402) 471-2281

Nevada	No	Member and family members may renew by mail	Yes, valid home state license honored provided home state registration is also maintained; same rule applies to family members	Department of Motor Vehicles (702) 687-5373
New Hampshire	No	Members and family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	Division of Motor Vehicles (603) 271-2251
New Jersey	No	Members and family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	Motor Vehicle Services (609) 292-6500
New Mexico	No	Members and family members may renew by mail	Yes, valid home state license honored; family members must obtain state license	Motor Vehicle Division (505) 827-2294
New York	Yes	Extended to six months after discharge; however, member must notify NY Commissioner of Motor Vehicles within 60 days of entry into service; members and family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	Department of Motor Vehicles (518) 473-5595
North Carolina	No	May renew by mail with endorsement from Commanding Officer; family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	Division of Motor Vehicles (919) 733-5110
North Dakota	Yes	Extended to 30 days after discharge or return to state, whichever comes first; member may renew by mail	Yes, valid home state license honored; same rule applies to family members	Motor Vehicle Division (701) 328-2725
Ohio	No	Member and family members may renew by mail	Yes, valid home state license honored; family members must obtain state license	Bureau of Motor Vehicles (614) 752-7500
Oklahoma	No	Members and family members may renew by mail; for members serving overseas, is extended automatically to 60 days after returning to the U.S.	Yes, valid home state license honored; vehicle must be registered in state or home state; same rule applies to family members	Motor Vehicle Division (405) 425-2424
Oregon	No	Member and family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	Driver and Motor Vehicle Services (503) 945-5000
Pennsylvania	Yes	Extended to 45 days after discharge or return to state, whichever occurs first; may renew by mail; same rules applies to family members	Yes, valid home state license honored; same rule applies to family members	Bureau of Motor Vehicles (717) 787-3130

Rhode Island	Yes	Members may apply (by mail, if necessary) for a special license that is good to 30 days after discharge; members and family members may renew by mail	Yes, valid home state license honored if home state registration is maintained; same rule applies to family members	Department of Motor Vehicles (401) 277-2970
South Carolina	No	Member and family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	Division of Motor Vehicles (803) 251-2940
South Dakota	Yes	Extended to 30 days after discharge; member and family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	Division of Motor Vehicles (605) 773-3541
Tennessee	Yes	Extended to 60 days after discharge or return to state, whichever comes first, (if desired, members may apply for a special license which shows the extension); members and family members may renew by mail	Yes, valid home state license honored if home state registration is also maintained; same rule applies to family members	Motor Vehicle Division (615) 251-5254
Texas	Yes	Extended to 90 days after discharge or return to state, whichever comes first; members and family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	Department of Public Safety (512) 465-2000
Utah	Yes	Extended to 90 days after discharge; may renew by mail; same rules apply to family members	Yes, valid home state license honored; family members must obtain state license if employed in the state	Motor Vehicle Customer Service Division (801) 965-4437
Vermont	Yes	Extended to four years after date of expiration; members and family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	Department of Motor Vehicles (802) 828-2000
Virginia	Yes	Extended to six months after discharge, but not to exceed five years from the date of expiration; member and family member may renew by mail	Yes, valid home state license honored; family members must obtain state license if employed in the state	Department of Motor Vehicles (804) 367-6614
Washington	Yes	Member may apply (by mail, if necessary) to extend to 90 days after discharge; family members may not renew by mail, but can request a 90 day extension allowing time to renew in person	Yes, valid home state license honored; vehicle must be registered in state or home state; same rule applies to family members	Department of Licensing (360)902-4050
West Virginia	Yes	Extended to six months after discharge; member and family members may renew by mail	Yes, valid home state license honored if home state registration is also maintained	Department of Motor Vehicles (304) 558-3900

Wisconsin	No	Member and family members may renew by mail	Yes, valid home state license honored; same rule applies to family members	Department of Motor Vehicles (608) 266-2325
Wyoming	No	Members may apply (by mail, if necessary) to extend license for four years after the expiration date, one time only; may renew by mail; same rule applies for family members	Yes, valid home state license honored; same rule applies to family members	Motor Vehicle Licensing and Titling (307) 777-4834

For Dependents:

State	Spouse/Dependents specifically addressed?	Rule
Alabama	No	Code of Ala. @ 32-6-2 (1997) The following persons when driving a motor vehicle under the following conditions are exempt from a license hereunder: 3) A nonresident who is at least 16 years of age and who has in his immediate possession a valid driver's license issued in his home state or country . . .
Alaska	Yes	Alaska Statutes (AS) 28.15.021(2): The following persons are exempt from driver licensing under this chapter... (2) a nonresident who is at least 16 years of age and who has a valid driver's license issued by another jurisdiction; however, an Alaska driver's license must be obtained by the end of a 90-day period after entry into the state..." Members of the armed forces are exempt if their "permanent residence" is in another jurisdiction and their license is from that other jurisdiction, but their dependents fall under the above rule (i.e. they have to get one within 90 days).
Arizona	No	A.R.S. @ 28-3152 (1997) A . . . [T]he following persons are exempt from licensing under this chapter: 3. A person who is a nonresident, who is at least sixteen years of age and who has in the person's immediate possession a valid driver license issued to the person in the person's home state or country while the person is operating a motor vehicle requiring a class D license.
Arkansas	No	Ark. Stat. Ann. @ 27-16-603 (1997) The following persons are exempt from licensing under this act: (3) A nonresident who is at least sixteen (16) years of age and who has in his immediate possession a valid noncommercial driver's license issued to him in his home state or country may operate a motor vehicle in this state only as a noncommercial driver;
California	Yes	Driver License

Heidi Redmond

From: Kim Nahom <kdnahom@gmail.com>
Sent: Monday, January 27, 2014 9:38 PM
To: Rep. Doug Isaacson; Rep. Gabrielle LeDoux; Rep. Shelley Hughes
Subject: HB 212

Representatives,

I am a military spouse living on Joint Base Elmendorf-Richardson in Anchorage. It was just brought to my attention that you are the sponsors of HB 212. Thank you very much for sponsoring this Bill. I am very much in support of it and sincerely hope it passes. I have been married to my active duty spouse for 18 years and have moved 10 times during our marriage. We are Florida residents and vote in that state. I was surprised when I moved to AK and was told that spouses weren't exempt from the requirement to get an AK drivers' license, as our active duty spouses are. It is very difficult every time we move to obtain the required licenses required to drive and work in a new state. The passing of HB 212 would be a great benefit to military spouses here! I find that AK is very supportive of the military and it would be nice to support their spouses as well. Thanks again for sponsoring this issue.

Kim Nahom

Heidi Redmond

From: Shannon & Dave Sieve <gatorsx3@gci.net>
Sent: Friday, January 31, 2014 6:19 PM
To: Rep. Doug Isaacson
Subject: Bill 212

Follow Up Flag: Flag for follow up
Flag Status: Flagged

January 31, 2014

To Whom It May Concern,

My husband has been an active duty officer in the United States Air Force for 20 years and he is currently stationed at Eielson Air Force Base, Alaska. We are approaching 17 years of marriage and have lived a mobile military lifestyle, moving on average every 2 years. Although "home" has been wherever the Air Force sent us, we are also allowed a "home of record" for tax purposes. Likewise, due to the Military Spouse Residency Relief Act, I have been able to maintain my driver's license in that state as well. It has recently come to my attention that Alaska does not recognize this as law.

Simply said, "We serve too!", and whatever you could do to make our mobile military lifestyle and an already stressful relocation process (to and from) less troublesome would be the right thing to do. Please pass Bill 212 that would change Alaska's current position and allow dependent spouses to keep out-of-state driver's licenses.

Thank you for your time and attention to this matter.

Sincerely,

A Concerned Air Force Spouse

Eielson Air Force Base, Alaska

February 4, 2014

Rep. Doug Isaacson
State Capitol Room 13
120 Fourth St
Juneau, AK 99801

Rep. Doug Isaacson,

Thank you for your time and effort to help military spouses living and working in Alaska. While many military spouses will undoubtedly become Alaska residents, many of us would like to remain residence of our home states. Voting and Tax purposes are two examples of how the Military Spouses Residency Relief Act would make our lives a lot easier when we move from state to state. I have lived in 4 states in the past 6 years. It's time consuming changing many documents each and every time we move across state lines. Also, it would be helpful to keep our home state drivers license. I am asking you to consider enacting the Military Spouses Relief Act in the state of Alaska by passing House Bill 212.

Thank you for your consideration,

Tanya Kelly
1 Eielson Place
Eielson AFB, AK 99702
907-372-1262

Tanya Kelly

Heidi Redmond

From: TnC Randolph <randolph91@acsalaska.net>
Sent: Monday, January 27, 2014 12:59 PM
To: Rep. Doug Isaacson
Subject: Military Spouse Residency Relief Act

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Isaacson,

I just wanted to add my voice in support of the Military Spouse Residency Relief Act. I am married to a 20 year member of the United States Air Force. My husband is planning on a 25 year career as he has recently been promoted to E-9, Chief Master Sgt. He is currently stationed out of Eielson AFB as the Deputy Fire Chief.

We have lived in Nebraska, Missouri, New Mexico, Virginia, Alaska and Germany. The ability to maintain our driver's license is helpful to us for two reasons. One is residency. Many of us maintain homes in the various states we have been stationed in. Many of us plan on returning to one of these states after retirement. Is it hard to get a new driver's license? No, of course not. But when one is away from home, is it "just" a driver's license or is it a connection to our "home" state while we are away?

The second isn't a reason for the individual, but rather the state that issued the license. I would think a state that wishes to retain its citizens would think on that point. In our travels, it is not uncommon to find we identify with one state over another, the ability to maintain the state identity is a touch of home and in return, helps reinforce where a citizen needs to be when they have parted ways with active duty. Far easier a decision is made when one has seen themselves as, for example, "Alaskan" since they lived there.

While I am not one of those people who feel that a driver's license is the map to where my heart lies and again, it's really not that hard to get a new one but I do recognize for others there is a slight advantage to both the State and the Individual for this act to pass.

Cathy Randolph

"Always be yourself, unless you can be a dragon.
Then always be a dragon." -unknown