SB 206

<TARGET><BILL>SB 206</BILL><SUBJECT>SB 206</SUBJECT><COMM>SSTA28</COMM></TARGET>

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 2/26/14

FURTHER:

Date of 5-Day Notice: 3-20-14
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: 3-25-14

State Affairs Committee considered SENATE BILL NO. 206

SB 206-VEHICLE REGIS/LICENSING/ACCIDENT REPORTS

"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."

and recommends:

[ ] be **replaced** with **CS** SB 206 (STA) [✓] *Same Title* [ ] *New Title*

[ ] adopt **previous CS** _____ (_____) [ ] *Same Title* [ ] *New Title*

[ ] 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 #
ADM			✓	1

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

[ ] **APPROPRIATION - no fiscal note**

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Wielechowski			✓	
	Coghill	✓			
	Dessel	✓			
CHAIR:	Dyson	✓			

ALASKA STATE LEGISLATURE

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Juneau, Alaska 99801-1182
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270 W. Pioneer Ave.
Homer, AK 99603
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SENATOR PETER A. MICCICHE

MEMORANDUM

DISTRICT O

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

TO: Senator Dyson Chairman, State Affairs Committee

FR: Senator Peter Micciche PAM

DA: March 11, 2014

RE: Scheduling 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."

I respectfully request the scheduling of SB 206 in the Senate State Affairs Committee.

This bill provides for better use of technology in the Division of Motor Vehicles for registration and licensing and provides for changes in school bus driver licensing requirements that will protect children.

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

Thank you for your consideration of this request.

E-Mail: Senator.Peter.Micciche@akleg.gov

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SENATOR PETER A. MICCICHE

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Ninilchik
Razdolna
Ridgeway
Seldovia
Soldotna
Voznesenka

Sponsor Statement

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.

E-Mail: Senator.Peter.Micciche@akleg.gov

CS FOR SENATE BILL NO. 206(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): SENATORS MICCICHE, McGuire

A BILL

FOR AN ACT ENTITLED

"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."

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

* **Section 1.** AS 28.10.108(h) is amended to read:

(h) The department shall mail **or deliver** notice of registration expiration to the registered owner of record at the owner's mailing address **or electronic mail address** as shown in the records of the department. An owner of a vehicle subject to registration who has received notice under this subsection may renew registration of the vehicle **on the department's Internet website or** by returning the notice form, together with appropriate fees, to the department by mail postmarked **not** [NO] later than the fifth day of the registration renewal period shown **on** [UPON] the vehicle's current registration or notice form. Upon receipt of a timely [POSTMARKED] registration renewal **application** and the appropriate fees and taxes, the department

shall renew the registration and mail the current registration card and registration plates or tabs to the owner at the owner's mailing address as shown in the department's records.

* **Sec. 2.** AS 28.10.421(a) is amended to read:

(a) Unless otherwise provided by law,

(1) the fees prescribed in this section shall be paid to the department at the times provided under AS 28.10.108 and 28.10.111; and

(2) an additional fee of $10 shall be added to the registration fee set out in this section for registration not conducted by mail**, on the department's Internet website,** or [NOT CONDUCTED] at an emissions inspection station or contract office offering vehicle registration services; the department may waive this additional fee for a good cause based on criteria established in regulations adopted by the department.

* **Sec. 3.** AS 28.15.046(b) is amended to read:

(b) The department may not issue a license under this section unless the applicant

(1) is at least 21 years of age;

(2) has had a license to operate a motor vehicle at least three years before the date of application;

(3) has successfully completed all required driving, written, and physical examinations;

(4) has submitted the applicant's fingerprints, the fees required by the Department of Public Safety under AS 12.62.160 for criminal justice information and a national criminal history record check, and other information sufficient to complete a background check consisting of a fingerprint check of national criminal records and state criminal records of the state or states in which the applicant has resided for the past **10** [TWO] years; the department shall submit the fingerprints and fees to the Department of Public Safety for a report of criminal justice information under AS 12.62 and a national criminal history record check under AS 12.62.400;

(5) has completed a state approved school bus driver training course established under AS 14.07.020(a)(14) or has for the previous two years been licensed by the state to operate a school bus.

1 * **Sec. 4.** AS 28.15.046(c) is repealed and reenacted to read:
2 (c) The department may not issue a license under this section to an applicant
3 (1) who has been convicted of any of the following offenses:
4 (A) a violation, or an attempt, solicitation, or conspiracy to
5 commit a violation, of AS 11.41.100 - 11.41.220, 11.41.260 - 11.41.320,
6 11.41.360 - 11.41.530;
7 (B) a felony violation of endangering the welfare of a child in
8 the first degree under AS 11.51.100;
9 (C) felony indecent viewing or photography under
10 AS 11.61.123;
11 (D) distribution of child pornography under AS 11.61.125;
12 (E) possession of child pornography under AS 11.61.127;
13 (F) distribution of indecent material to minors under
14 AS 11.61.128;
15 (G) felony prostitution under AS 11.66.100(c);
16 (H) sex trafficking in the first, second, or third degree under
17 AS 11.66.110 - 11.66.130;
18 (I) a felony involving distribution of a controlled substance
19 under AS 11.71 or imitation controlled substance under AS 11.73;
20 (J) a felony violation under AS 28.35.030(n) or 28.35.032(p);
21 or
22 (2) who has been convicted of any of the following offenses and less
23 than two years have elapsed since the applicant's date of conviction for the offense:
24 (A) assault in the fourth degree under AS 11.41.230;
25 (B) reckless endangerment under AS 11.41.250;
26 (C) contributing to the delinquency of a minor under
27 AS 11.51.130;
28 (D) misdemeanor prostitution under AS 11.66.100(a)(2);
29 (E) a misdemeanor violation of endangering the welfare of a
30 child in the first degree under AS 11.51.100.
31 * **Sec. 5.** AS 28.15.046(d) is repealed and reenacted to read:

(d) The department may not issue a license under this section if, at the time of application

(1) and under circumstances other than those described in (2) of this subsection,

(A) less than two years have elapsed from the date of the applicant's first conviction of either driving while under the influence of an alcoholic beverage, inhalant, or controlled substance under AS 28.35.030 or refusal to submit to a chemical test under AS 28.35.032;

(B) less than five years have elapsed from the date of the applicant's second conviction of driving while under the influence of an alcoholic beverage, inhalant, or controlled substance under AS 28.35.030 or refusal to submit to a chemical test under AS 28.35.032, or both, and less than 10 years have elapsed from the date of the first conviction of either offense;

(2) less than 10 years have elapsed from the date of the applicant's conviction for

(A) refusal to submit to a chemical test under AS 28.35.032 if the offense occurred while driving a commercial motor vehicle; or

(B) an offense described in AS 28.33.140(a)(1), (4), (5), or (10).

* **Sec. 6.** AS 28.15.046(e) is amended to read:

(e) For purposes of determining whether an applicant has been convicted of an offense listed under (c) or (d) of this section, a conviction under prior state law or in another jurisdiction of an offense having elements [SUBSTANTIALLY] similar to those of the offenses listed in (c) or (d) of this section is considered a conviction.

* **Sec. 7.** AS 28.15.046 is amended by adding new subsections to read:

(g) Conviction of an offense described in (c) or (d) of this section is grounds for the immediate cancellation of a license issued under this section.

(h) To qualify for a license, an applicant who has been convicted of an offense described in (c)(2) or (d) of this section shall supply proof that is acceptable to the department of the date of the applicant's conviction for the offense.

(i) A license issued under this section expires unless renewed within five years

after the date of its issuance. A person may renew a license under this section within one year before its expiration upon proper application, payment of the required fee, and the completion of a background check under (b)(4) of this section.

(j) The holder of a school bus driver's license under this section shall, at the time of renewal, report, on a form provided by the department, a conviction for an offense listed in (c), (d), or (e) of this section.

(k) Notwithstanding (c) of this section, the department may, under standards set by regulation, issue a license to a person who has been convicted of an offense listed under (c)(2)(A) - (D) of this section if less than two years have elapsed since the date of conviction and the offense was not against a child.

(*l*) In this section, the date of conviction is the date that sentence is imposed for the offense.

* **Sec. 8.** AS 28.15.101(c) is amended to read:

(c) A driver's license may be renewed by mail **<u>or on the department's Internet website</u>** if the licensee complies with (a) of this section, except that a license may not be renewed by mail **<u>or on the department's Internet website</u>** if

(1) the most recent renewal of the applicant's license was by mail **<u>or on the department's Internet website</u>**; or

(2) the applicant is 69 years of age or older on the expiration date of the driver's license being renewed.

* **Sec. 9.** AS 28.15.161(a) is amended to read:

(a) The department shall cancel a driver's license upon determination that

(1) the licensee is not medically or otherwise entitled to the issuance or retention of the license, or has been adjudged incompetent to drive a motor vehicle;

(2) there is an error or defect in the license;

(3) the licensee failed to give the required or correct information in the licensee's application;

(4) the license was obtained fraudulently; [OR]

(5) the licensee is restricted from purchasing alcoholic beverages under AS 04.16.160; if a license is cancelled under this paragraph, when a new license is issued, it must reflect that restriction and the requirements of AS 28.15.111 if the

period of restriction under AS 04.16.160 is still in effect**; or**

(6) the licensee has a license issued under AS 28.15.046 and has been convicted of an offense described in AS 28.15.046(c) or (d) that would disqualify the licensee from obtaining a license under that section.

* **Sec. 10.** AS 28.35.080(b) is amended to read:

(b) The driver of a vehicle involved in an accident resulting in bodily injury to or death of a person or total property damage to an apparent extent of $2,000 or more shall, within 10 days after the accident, forward a written **or electronic** report of the accident to the Department of Administration and to the local police department if the accident occurs within a municipality. A report is not required under this subsection if the accident is investigated by a peace officer.

* **Sec. 11.** AS 28.35.080(c) is amended to read:

(c) The form of accident report required under (b) of this section can be obtained from **the department's Internet website,** any local police department**,** or the Department of Public Safety.

* **Sec. 12.** AS 28.35.080(e) is amended to read:

(e) Every law enforcement officer who, in the regular course of duty, investigates a motor vehicle accident for which a report must be made, either at the time of and at the scene of the accident or thereafter by interviewing the participants or witnesses, shall, within 24 hours after completing the investigation, forward **an electronic** [A WRITTEN] report of the accident to the Department of Administration. **However, the law enforcement officer may submit a written report if the law enforcement agency employing the officer has received an exemption from the Department of Public Safety because the law enforcement agency does not have the technological capacity to submit reports of motor vehicle accidents electronically. The commissioner of public safety shall notify the Department of Administration of the exemption and the period for which the exemption was granted under this subsection.**

* **Sec. 13.** AS 28.35.080 is amended by adding a new subsection to read:

(g) The Department of Administration shall consider accident reports under this section to satisfy any requirements for reporting of motor vehicle crashes in the

state.

* **Sec. 14.** The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. (a) Except as provided in (b) of this section, secs. 4 - 7 of this Act apply to offenses committed before, on, or after the effective date of this Act.

(b) For a person applying for renewal of a license under AS 28.15.046, secs. 4 - 7 of this Act do not apply to an offense for which the person was unconditionally discharged before July 1, 2004.

(c) In this section, "unconditional discharge" has the meaning given in AS 12.55.185.

* **Sec. 15.** This Act takes effect July 1, 2014.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM March 24, 2014

SUBJECT: CSSB 206(STA) - School Bus Drivers
(Work Order No. 28-LS1531\N)

TO: Senator Fred Dyson
Attn: Joshua Banks

FROM: Kathleen Strasbaugh
Legislative Counsel

Please find enclosed a new version of the above referenced bill.

I wanted to bring two items to your attention. First, as I discussed with Mr. Banks when the last version was drafted, changing the disqualifying crimes provisions of the bill so that the disqualification lapses at a period of time dating from the date of conviction rather than the date on which the person was unconditionally discharged may result in the granting of a license to a person who may still be on probation or parole. A person may also still be incarcerated, and the crime could be one that involves children. *See, e.g.* proposed AS 28.15.046(c)(2)(C) and (D).[1]

Second, I do not believe it is necessary to define the date of conviction in section 7 (page 5, lines 12 - 13). However, I have included that subsection in the draft.

If I may be of further assistance, please advise.

KJS:med
14-033.med

Enclosure

[1] I do not know if federal education or highway money is tied to specific requirements for school bus drivers.

28-LS1531\N
Strasbaugh
3/24/14

CS FOR SENATE BILL NO. 206(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): SENATORS MICCICHE, McGuire

A BILL

FOR AN ACT ENTITLED

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

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shall renew the registration and mail the current registration card and registration plates or tabs to the owner at the owner's mailing address as shown in the department's records.

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(a) Unless otherwise provided by law,

(1) the fees prescribed in this section shall be paid to the department at the times provided under AS 28.10.108 and 28.10.111; and

(2) an additional fee of $10 shall be added to the registration fee set out in this section for registration not conducted by mail**, on the department's Internet website,** or [NOT CONDUCTED] at an emissions inspection station or contract office offering vehicle registration services; the department may waive this additional fee for a good cause based on criteria established in regulations adopted by the department.

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(1) is at least 21 years of age;

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(3) has successfully completed all required driving, written, and physical examinations;

(4) has submitted the applicant's fingerprints, the fees required by the Department of Public Safety under AS 12.62.160 for criminal justice information and a national criminal history record check, and other information sufficient to complete a background check consisting of a fingerprint check of national criminal records and state criminal records of the state or states in which the applicant has resided for the past **10** [TWO] years; the department shall submit the fingerprints and fees to the Department of Public Safety for a report of criminal justice information under AS 12.62 and a national criminal history record check under AS 12.62.400;

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5 commit a violation, of AS 11.41.100 - 11.41.220, 11.41.260 - 11.41.320,
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21 or
22 (2) who has been convicted of any of the following offenses and less
23 than two years have elapsed since the applicant's date of conviction for the offense:
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(1) and under circumstances other than those described in (2) of this subsection,

(A) less than two years have elapsed from the date of the applicant's first conviction of either driving while under the influence of an alcoholic beverage, inhalant, or controlled substance under AS 28.35.030 or refusal to submit to a chemical test under AS 28.35.032;

(B) less than five years have elapsed from the date of the applicant's second conviction of driving while under the influence of an alcoholic beverage, inhalant, or controlled substance under AS 28.35.030 or refusal to submit to a chemical test under AS 28.35.032, or both, and less than 10 years have elapsed from the date of the first conviction of either offense;

(2) less than 10 years have elapsed from the date of the applicant's conviction for

(A) refusal to submit to a chemical test under AS 28.35.032 if the offense occurred while driving a commercial motor vehicle; or

(B) an offense described in AS 28.33.140(a)(1), (4), (5), or (10).

* **Sec. 6.** AS 28.15.046(e) is amended to read:

(e) For purposes of determining whether an applicant has been convicted of an offense listed under (c) or (d) of this section, a conviction under prior state law or in another jurisdiction of an offense having elements [SUBSTANTIALLY] similar to those of the offenses listed in (c) or (d) of this section is considered a conviction.

* **Sec. 7.** AS 28.15.046 is amended by adding new subsections to read:

(g) Conviction of an offense described in (c) or (d) of this section is grounds for the immediate cancellation of a license issued under this section.

(h) To qualify for a license, an applicant who has been convicted of an offense described in (c)(2) or (d) of this section shall supply proof that is acceptable to the department of the date of the applicant's conviction for the offense.

(i) A license issued under this section expires unless renewed within five years

after the date of its issuance. A person may renew a license under this section within one year before its expiration upon proper application, payment of the required fee, successful completion of a test of the licensee's eyesight, and the completion of a background check under (b)(4) of this section.

(j) The holder of a school bus driver's license under this section shall, at the time of renewal, report, on a form provided by the department, a conviction for an offense listed in (c), (d), or (e) of this section.

(k) Notwithstanding (c) of this section, the department may, under standards set by regulation, issue a license to a person who has been convicted of an offense listed under (c)(2)(A) - (C) of this section if less than two years have elapsed since the date of conviction and the offense was not against a child.

(*l*) In this section, the date of conviction is the date that sentence is imposed for the offense.

* **Sec. 8.** AS 28.15.101(c) is amended to read:

(c) A driver's license may be renewed by mail **<u>or on the department's Internet website</u>** if the licensee complies with (a) of this section, except that a license may not be renewed by mail **<u>or on the department's Internet website</u>** if

(1) the most recent renewal of the applicant's license was by mail **<u>or on the department's Internet website</u>**; or

(2) the applicant is 69 years of age or older on the expiration date of the driver's license being renewed.

* **Sec. 9.** AS 28.15.161(a) is amended to read:

(a) The department shall cancel a driver's license upon determination that

(1) the licensee is not medically or otherwise entitled to the issuance or retention of the license, or has been adjudged incompetent to drive a motor vehicle;

(2) there is an error or defect in the license;

(3) the licensee failed to give the required or correct information in the licensee's application;

(4) the license was obtained fraudulently; [OR]

(5) the licensee is restricted from purchasing alcoholic beverages under AS 04.16.160; if a license is cancelled under this paragraph, when a new license is

issued, it must reflect that restriction and the requirements of AS 28.15.111 if the period of restriction under AS 04.16.160 is still in effect**; or**

(6) the licensee has a license issued under AS 28.15.046 and has been convicted of an offense described in AS 28.15.046(c) or (d) that would disqualify the licensee from obtaining a license under that section.

* **Sec. 10.** AS 28.35.080(b) is amended to read:

(b) The driver of a vehicle involved in an accident resulting in bodily injury to or death of a person or total property damage to an apparent extent of $2,000 or more shall, within 10 days after the accident, forward a written **or electronic** report of the accident to the Department of Administration and to the local police department if the accident occurs within a municipality. A report is not required under this subsection if the accident is investigated by a peace officer.

* **Sec. 11.** AS 28.35.080(c) is amended to read:

(c) The form of accident report required under (b) of this section can be obtained from **the department's Internet website,** any local police department**,** or the Department of Public Safety.

* **Sec. 12.** AS 28.35.080(e) is amended to read:

(e) Every law enforcement officer who, in the regular course of duty, investigates a motor vehicle accident for which a report must be made, either at the time of and at the scene of the accident or thereafter by interviewing the participants or witnesses, shall, within 24 hours after completing the investigation, forward **an electronic** [A WRITTEN] report of the accident to the Department of Administration. **However, the law enforcement officer may submit a written report if the law enforcement agency employing the officer has received an exemption from the Department of Public Safety because the law enforcement agency does not have the technological capacity to submit reports of motor vehicle accidents electronically. The commissioner of public safety shall notify the Department of Administration of the exemption and the period for which the exemption was granted under this subsection.**

* **Sec. 13.** AS 28.35.080 is amended by adding a new subsection to read:

(g) The Department of Administration shall consider accident reports under

this section to satisfy any requirements for reporting of motor vehicle crashes in the state.

*** Sec. 14.** The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. (a) Except as provided in (b) of this section, secs. 4 - 7 of this Act apply to offenses committed before, on, or after the effective date of this Act.

(b) For a person applying for renewal of a license under AS 28.15.046, secs. 4 - 7 of this Act do not apply to an offense for which the person was unconditionally discharged before July 1, 2004.

(c) In this section, "unconditional discharge" has the meaning given in AS 12.55.185.

*** Sec. 15.** This Act takes effect July 1, 2014.

SB 206 Draft Changes

A) Page 3, move lines 9 - 10 to line 26 (above/below list of misdemeanors) and remunerate section 4 items accordingly.

B) Page 5, line 5 - 7: Amend to the following:

"(j) The holder of a school bus driver's license under this section shall report <u>at the time of renewal</u>, on a form provided by the department, a conviction for an offense listed in (c), (d) or (e) of this section [within 30 days after the date of the conviction]."

C) Page 5, after line 11: Insert the following:

"(l) In this section, the department shall consider the date of conviction as occurring on the date that sentence is imposed for the offense."

This is similar to AS 11.41.295. Does it meet our needs?

D) Page 7, lines 3 – 4: Delete all material and insert the following:

APPLICABILITY. (a) Except as provided in (b) of this section, Sections 4 – 7 of this Act apply to offenses committed before, on, or after the effective date of this Act.

(b) For a person applying for renewal of a license under AS 28.15.046, Sections 4 – 7 of this Act do not apply to offenses for which the person was unconditionally ~~released~~ before July 1, 2004.

discharged

28-LS1531\U
Strasbaugh
3/19/14

CS FOR SENATE BILL NO. 206( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATORS MICCICHE, McGuire

A BILL

FOR AN ACT ENTITLED

"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."

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

* **Section 1.** AS 28.10.108(h) is amended to read:

(h) The department shall mail **<u>or deliver</u>** notice of registration expiration to the registered owner of record at the owner's mailing address **<u>or electronic mail address</u>** as shown in the records of the department. An owner of a vehicle subject to registration who has received notice under this subsection may renew registration of the vehicle **<u>on the department's Internet website or</u>** by returning the notice form, together with appropriate fees, to the department by mail postmarked **<u>not</u>** [NO] later than the fifth day of the registration renewal period shown **<u>on</u>** [UPON] the vehicle's current registration or notice form. Upon receipt of a timely [POSTMARKED] registration renewal **<u>application</u>** and the appropriate fees and taxes, the department

shall renew the registration and mail the current registration card and registration plates or tabs to the owner at the owner's mailing address as shown in the department's records.

* **Sec. 2.** AS 28.10.421(a) is amended to read:

(a) Unless otherwise provided by law,

(1) the fees prescribed in this section shall be paid to the department at the times provided under AS 28.10.108 and 28.10.111; and

(2) an additional fee of $10 shall be added to the registration fee set out in this section for registration not conducted by mail**, on the department's Internet website,** or [NOT CONDUCTED] at an emissions inspection station or contract office offering vehicle registration services; the department may waive this additional fee for a good cause based on criteria established in regulations adopted by the department.

* **Sec. 3.** AS 28.15.046(b) is amended to read:

(b) The department may not issue a license under this section unless the applicant

(1) is at least 21 years of age;

(2) has had a license to operate a motor vehicle at least three years before the date of application;

(3) has successfully completed all required driving, written, and physical examinations;

(4) has submitted the applicant's fingerprints, the fees required by the Department of Public Safety under AS 12.62.160 for criminal justice information and a national criminal history record check, and other information sufficient to complete a background check consisting of a fingerprint check of national criminal records and state criminal records of the state or states in which the applicant has resided for the past **10** [TWO] years; the department shall submit the fingerprints and fees to the Department of Public Safety for a report of criminal justice information under AS 12.62 and a national criminal history record check under AS 12.62.400;

(5) has completed a state approved school bus driver training course established under AS 14.07.020(a)(14) or has for the previous two years been licensed by the state to operate a school bus.

1 * **Sec. 4.** AS 28.15.046(c) is repealed and reenacted to read:
2 (c) The department may not issue a license under this section to an applicant
3 (1) who has been convicted of any of the following offenses:
4 (A) a violation, or an attempt, solicitation, or conspiracy to
5 commit a violation, of AS 11.41.100 - 11.41.220, 11.41.260 - 11.41.320,
6 11.41.360 - 11.41.530;
7 (B) a felony violation of endangering the welfare of a child in
8 the first degree under AS 11.51.100;
9 (C) contributing to the delinquency of a minor under
10 AS 11.51.130;
11 (D) felony indecent viewing or photography under
12 AS 11.61.123;
13 (E) distribution of child pornography under AS 11.61.125;
14 (F) possession of child pornography under AS 11.61.127;
15 (G) distribution of indecent material to minors under
16 AS 11.61.128;
17 (H) felony prostitution under AS 11.66.100(c);
18 (I) sex trafficking in the first, second, or third degree under
19 AS 11.66.110 - 11.66.130;
20 (J) a felony involving distribution of a controlled substance
21 under AS 11.71 or imitation controlled substance under AS 11.73;
22 (K) a felony violation under AS 28.35.030(n) or 28.35.032(p);
23 or
24 (2) who has been convicted of any of the following offenses and less
25 than two years have elapsed since the applicant's date of conviction from the offense:
26 (A) assault in the fourth degree under AS 11.41.230;
27 (B) reckless endangerment under AS 11.41.250;
28 (C) misdemeanor prostitution under AS 11.66.100(a)(2);
29 (D) a misdemeanor violation of endangering the welfare of a
30 child in the first degree under AS 11.51.100.
31 * **Sec. 5.** AS 28.15.046(d) is repealed and reenacted to read:

sentencing or determination of guilt

(d) The department may not issue a license under this section if, at the time of application

(1) and under circumstances other than those described in (2) of this subsection,

(A) less than two years have elapsed from the date of the applicant's first conviction of either driving while under the influence of an alcoholic beverage, inhalant, or controlled substance under AS 28.35.030 or refusal to submit to a chemical test under AS 28.35.032;

(B) less than five years have elapsed from the date of the applicant's second conviction of driving while under the influence of an alcoholic beverage, inhalant, or controlled substance under AS 28.35.030 or refusal to submit to a chemical test under AS 28.35.032, or both, and less than 10 years have elapsed from the date of the first conviction of either offense;

(2) less than 10 years have elapsed from the date of the applicant's conviction for

(A) refusal to submit to a chemical test under AS 28.35.032 if the offense occurred while driving a commercial motor vehicle; or

(B) an offense described in AS 28.33.140(a)(1), (4), (5), or (10).

* **Sec. 6.** AS 28.15.046(e) is amended to read:

(e) For purposes of determining whether an applicant has been convicted of an offense listed under (c) or (d) of this section, a conviction under prior state law or in another jurisdiction of an offense having elements [SUBSTANTIALLY] similar to those of the offenses listed in (c) or (d) of this section is considered a conviction.

* **Sec. 7.** AS 28.15.046 is amended by adding new subsections to read:

(g) Conviction of an offense described in (c) or (d) of this section is grounds for the immediate cancellation of a license issued under this section.

(h) To qualify for a license, an applicant who has been convicted of an offense described in (c)(2) or (d) of this section shall supply proof that is acceptable to the department of the date of the applicant's conviction for the offense.

(i) A license issued under this section expires unless renewed within five years

after the date of its issuance. A person may renew a license under this section within one year before its expiration upon proper application, payment of the required fee, successful completion of a test of the licensee's eyesight, and the completion of a background check under (b)(4) of this section.

(j) The holder of a school bus driver's license under this section shall report, on a form provided by the department, a conviction for an offense listed in (c), (d), or (e) of this section within 30 days after the date of the conviction.

(k) Notwithstanding (c) of this section, the department may, under standards set by regulation, issue a license to a person who has been convicted of an offense listed under (c)(2)(A) - (C) of this section if less than two years have elapsed since the date of conviction and the offense was not against a child.

* **Sec. 8.** AS 28.15.101(c) is amended to read:

(c) A driver's license may be renewed by mail **<u>or on the department's Internet website</u>** if the licensee complies with (a) of this section, except that a license may not be renewed by mail **<u>or on the department's Internet website</u>** if

(1) the most recent renewal of the applicant's license was by mail **<u>or on the department's Internet website</u>**; or

(2) the applicant is 69 years of age or older on the expiration date of the driver's license being renewed.

* **Sec. 9.** AS 28.15.161(a) is amended to read:

(a) The department shall cancel a driver's license upon determination that

(1) the licensee is not medically or otherwise entitled to the issuance or retention of the license, or has been adjudged incompetent to drive a motor vehicle;

(2) there is an error or defect in the license;

(3) the licensee failed to give the required or correct information in the licensee's application;

(4) the license was obtained fraudulently; [OR]

(5) the licensee is restricted from purchasing alcoholic beverages under AS 04.16.160; if a license is cancelled under this paragraph, when a new license is issued, it must reflect that restriction and the requirements of AS 28.15.111 if the period of restriction under AS 04.16.160 is still in effect**<u>; or</u>**

Bus drivers

(6) the licensee has a license issued under AS 28.15.046 and has been convicted of an offense described in AS 28.15.046(c) or (d) that would disqualify the licensee from obtaining a license under that section.

* **Sec. 10.** AS 28.35.080(b) is amended to read:

(b) The driver of a vehicle involved in an accident resulting in bodily injury to or death of a person or total property damage to an apparent extent of $2,000 or more shall, within 10 days after the accident, forward a written **or electronic** report of the accident to the Department of Administration and to the local police department if the accident occurs within a municipality. A report is not required under this subsection if the accident is investigated by a peace officer.

* **Sec. 11.** AS 28.35.080(c) is amended to read:

(c) The form of accident report required under (b) of this section can be obtained from **the department's Internet website,** any local police department**,** or the Department of Public Safety.

* **Sec. 12.** AS 28.35.080(e) is amended to read:

(e) Every law enforcement officer who, in the regular course of duty, investigates a motor vehicle accident for which a report must be made, either at the time of and at the scene of the accident or thereafter by interviewing the participants or witnesses, shall, within 24 hours after completing the investigation, forward **an electronic** [A WRITTEN] report of the accident to the Department of Administration. **However, the law enforcement officer may submit a written report if the law enforcement agency employing the officer has received an exemption from the Department of Public Safety because the law enforcement agency does not have the technological capacity to submit reports of motor vehicle accidents electronically. The commissioner of public safety shall notify the Department of Administration of the exemption and the period for which the exemption was granted under this subsection.**

* **Sec. 13.** AS 28.35.080 is amended by adding a new subsection to read:

(g) The Department of Administration shall consider accident reports under this section to satisfy any requirements for reporting of motor vehicle crashes in the state.

1 * **Sec. 14.** The uncodified law of the State of Alaska is amended by adding a new section to
2 read:
3 APPLICABILITY. Sections 4 - 7 of this Act apply to offenses committed before, on,
4 or after the effective date of this Act.
5 * **Sec. 15.** This Act takes effect July 1, 2014.

SB 206 - VEHICLE REGIS/LICENSING/ACCIDENT REPORTS
Sectional Analysis

***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)

Amends the statute 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.

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

This section is being repealed and reenacted to allow for a restructuring of the disqualifying offenses to be a school bus driver in the state. The statute as currently written only allows the DMV to deny an application for a school bus license if the person has been convicted within a 20 year period of the following offenses:

1. sexual abuse of a minor in any degree;
2. sexual assault in any degree;
3. incest under AS 11.41.450;
4. unlawful exploitation of a minor;
5. contributing to the delinquency of a minor;
6. a felony involving possession of a controlled or imitation controlled substance;
7. a felony or misdemeanor involving distribution of a controlled or imitation controlled substance;
8. sex trafficking in the first or second degree; and
9. indecent exposure.

The statute as currently written did not allow for the DMV to deny an application of a person who was convicted of a serious felony assault on an infant. The reenacted statute will significantly add to the disqualifying offenses listed above by allowing the DMV to deny a license to a person who has been convicted of:

1. a violation, or an attempt, solicitation or conspiracy to commit a violation of AS 11.41.100-11.41.220, 11.41.260-11.41.320, 11.41.360-11.41.370, 11.41.410-11.41.470, or 11.41.500—11.41.530;

2. a felony violation of endangering the welfare of a child in the first degree under AS 11.51.100;
3. contributing to the delinquency of a minor under AS 11.51.130;
4. felony indecent viewing or photography under AS 11.61.123;
5. distribution of child pornography under AS 11.61.125;
6. possession of child pornography under AS 11.61.127;
7. distribution of indecent material to minors under AS 11.61.128;
8. felony prostitution under AS 11.66.100(c);
9. sex trafficking in the first, second, or third degree under AS 11.66.110- AS 11.66.130;
10. a felony involving distribution of a controlled or imitation controlled substance under AS 11.71 or AS 11.73; or
11. a felony violation under AS 28.35.030(n) or AS 28.35.032(p).

The bill also prohibits issuance of a license if the applicant has been convicted of assault in the fourth degree, reckless endangerment, misdemeanor prostitution, or a misdemeanor violation of endangering the welfare of a child in the first degree and less than two years have elapsed from their unconditional discharge.

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

The current wording of the statute prohibits the DMV from issuing a license to an applicant who has been convicted of misdemeanor driving under the influence of an alcoholic beverage, inhalant, or controlled substance within two years of the time of application. The new statute will modify the two years period to require the DMV deny issuance of a license if less than two years has elapsed since the applicant's unconditional discharge from a first time conviction for driving under the influence or a refusal, less than five years has elapsed from their unconditional discharge for a second conviction for driving under the influence or refusal, or less than 10 years has elapsed from unconditional discharge 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 28.15.046 by adding subsections (g),(h),(i)

The newly created subsections will allow the DMV to immediately cancel the license of a school bus operator if there has been a conviction under subsection (c) or (d); adds a subsection that determines how a person convicted under (c)(2) must supply proof of the unconditional discharge; and defines "unconditional discharge."

***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 statue to allow the DMV to cancel the school bus driver license of a person determined to have been convicted of any of the offenses that would disqualify them from initially obtaning the 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 $2,000 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.

***Section 15:** Effective date

Makes the effective date July 1, 2014.

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: SB 206
Fiscal Note Number:
() Publish Date:

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 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates				
OPERATING EXPENDITURES	**FY 2015**	**FY 2015**	**FY 2016**	**FY 2017**	**FY 2018**	**FY 2019**	**FY 2020**
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**

Fund Source (Operating Only)

None							
Total	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							

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

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. SB 206

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.

Senate Bill 206 Offenses to Deny School Bus License

Current Offenses			
Statute	Offense	Mis./Fel.	Class
11.41.434-.440	Sexual abuse of a minor in any degree	Fel./Mis.	U,B,C(Fel),A(Mis)
11.41.410-.425	Sexual assault in any degree	Felony	U,B,C
11.41.450	Incest	Felony	C
11.41.455	Unlawful exploitation of a minor	Felony	A,B
11.51.130	Contributing to delinquency of a minor	Misdemeanor	A
11.71 and 11.73	Possession of a controlled or imitation controlled substance	Felony	C
11.71 and 11.73	Distribution of controlled or imitation controlled substance	Fel./Mis.	U,A,B,C
11.66.110-.120	Sex trafficking in first or second degree	Felony	A,B
11.41.458-.460	Indecent exposure	Fel./Mis.	C(Fel),B(Mis)

Other Stipulations
20 Year Look-back period

Same Offenses
Modified Offenses
Eliminated Offenses

SB 206 Offenses w/ Lifetime Look-back Period			
Statute	Offense	Mis./Fel.	Class
11.41.100-.180	Homicide, Manslaughter	Felony	U,A,B
11.41.200-.220	Assault, 1st, 2nd, 3rd Degree	Felony	A,B,C
11.41.260-.270	Stalking 1st, 2nd Degree	Fel./Mis.	C(Fel), A(Mis)
11.41.280-.289	Assault of unborn child, 1st, 2nd Degree	Felony	A,B
11.41.300	Kidnapping	Felony	U,A
11.41.320-.330	Custodial Interference, 1st, 2nd Degree	Fel./Mis.	C(Fel), A(Mis)
11.41.360-.370	Human Trafficking, 1st, 2nd Degree	Felony	A,B
11.41.410-.432	Sexual Assault, 1st through 4th Degree	Fel./Mis.	U,B,C(Fel),A(Mis)
11.41.434-.445	Sexual Abuse of a minor, 1st through 4th Degree	Fel./Mis.	U,B,C(Fel),A(Mis)
11.41.450	Incest	Felony	C
11.41.452	Online Enticement of a minor	Felony	A,B
11.41.455	Unlawful explotation of a minor	Felony	A,B
11.41.458-.470	Indecent exposure, 1st, 2nd degree	Fel./Mis.	C(Fel), B(Mis)
11.41.500-.510	Robbery, 1st, 2nd Degree	Felony	A,B
11.41.520	Extortion	Felony	B
11.41.530	Coercion	Felony	C
11.51.100	Endangering the welfare of a child in the first degree	Felony	B,C
11.51.130	Contributing to delinquency of a minor	Misdemeanor	A
11.61.123	Indecent viewing or photography	Felony	C
11.61.125	Distribution of child pornography	Felony	A,B
11.61.127	Possession of child pornography	Felony	C
11.61.128	Distribution of indecent material to minors	Felony	B,C
11.66.100(c)	Prostitution with a minor	Felony	C
11.66.110-.130	Sex trafficking in the first, second, or third degree	Felony	A,B,C
11.71	Distribution of a controlled substance	Felony	U,A,B,C
11.73	Distribution of an imitation controlled substance	Felony	B,C
28.35.030(n)	3rd time DUI	Felony	C
28.35.032(p)	Refusal to take breath test with 2 DUI's	Felony	C

Same Offenses	Eliminated Offenses
Modified Offenses	New Offenses

SB 206 Offenses w/ Two year look-back period				
Statute	Offense	Mis./Fel.	Class	
11.41.230	Assault in the 4th Degree	Misdemeanor	A	
11.41.250	Reckless Endangerment	Misdemeanor	A	
11.51.100	Endangering the welfare of a child, 1st Degree	Misdemeanor	A	
11.66.100(a)(2)	Prostitution	Misdemeanor	B	

Current 60 Day disqualification of license (120 on 2nd offense) changed to 10 years				
Statute	Offense	Mis/Fel.	Class	
28.35.032	Refusal to chemical test while driving commercial vehicle	Misdemeanor	A	
28.33.030	DUI while operating a commercial vehicle	Misdemeanor	A	28.33.140(a)(1)
28.35.060	Leaving the scene of an accident	1-10 year prison and/or $500-10,000 Fine		
28.35.110	Fail to file/provide false info. in accident report	90 Days-1 Year prison/$200-$1,000 Fine		
28.33.140(a)(5)	Convicted of felony facilitated by driving motor vehicle	Felony	U,A,B,C	28.33.140(a)(5)
28.33.140(a)(10)	Caused fatality through negligent operation comm. vehicle			28.33.140(a)(10)
28.33.140(a)(10)	Caused fatality by commiting felony with comm. vehicle			28.33.140(a)(10)

Other Stipulations

Two and Ten year look-back period starts at unconditional discharge, not conviction

Same Offenses	Eliminated Offenses
Modified Offenses	New Offenses

SB 206 VS. Current Statute

Type of Crime	In Current law?	What is new pursuant to SB 206?	Notes
Murder 1st and 2nd (AS 11.41.100) (AS 11.41.110)	No	New Crime being added.	Indefinite look back period for this offense.
Manslaughter (AS 11.41.120)	No	New Crime being added.	Indefinite look back period for this offense.
Criminally Negligent Homicide (AS 11.41.130)	No	New Crime being added.	Indefinite look back period for this offense.
Multiple deaths (AS 11.41.135)	No	New Crime being added.	Indefinite look back period for this offense.
Murder of an unborn child (AS 11.41.150)	No	New Crime being added.	Indefinite look back period for this offense.
Manslaughter of an unborn child (AS 11.41.160)	No	New Crime being added.	Indefinite look back period for this offense.
Criminally negligent homicide of an unborn child (AS 11.41.170)	No	New Crime being added.	Indefinite look back period for this offense.
Assault in the first degree (AS 11.41.200)	No	New Crime being added.	Indefinite look back period for this offense.
Assault in the second degree (AS 11.41.210)	No	New Crime being added.	Indefinite look back period for this offense.
Assault in the third degree (AS 11.41.220)	No	New Crime being added.	Indefinite look back period for this offense.
Assault in the fourth degree (AS 11.41.230)	No	New Crime being added.	Can apply after two years have elapsed since conviction.

Type of Crime	In Current law?	What is new pursuant to SB 206?	Notes
Stalking 1st and 2nd degree (AS 11.41.260) (AS 11.41.270)	No	New Crime being added.	Indefinite look back period for this offense.
Assault of an unborn child 1st and 2nd degree (AS 11.41.280) (AS 11.41.282)	No	New Crime being added.	Indefinite look back period for this offense.
Kidnapping (AS 11.41.300)	No	New Crime being added.	Indefinite look back period for this offense.
Custodial interference in the first degree (AS 11.41.320)	No	New Crime being added.	Indefinite look back period for this offense.
Human trafficking in the 1st and 2nd degree (AS 11.41.360) (AS 11.41.365)	No	New Crime being added.	Indefinite look back period for this offense.
Sexual Assault 1st – 4th degree (AS 11.41.410-427)	Yes	Changes from a 20 year look back to no look back period.	
Sexual Abuse 1st - 4th degree (AS 11.41.434-440)	Yes	Changes from a 20 year look back to no look back period.	
Incest (AS 11.41.450)	Yes	Changes from a 20 year look back to no look back period.	
Online enticement of a minor (AS 11.41.452)	No	New Crime being added.	Indefinite look back period for this offense.
Unlawful exploitation of a minor (AS 11.41.455)	Yes	Changes from a 20 year look back to no look back period.	

Type of Crime	In Current law?	What is new pursuant to SB 206?	Notes
Indecent Exposure 1st and 2nd (AS 11.41.458) (AS 11.41.460)	No	New Crime being added.	Indefinite look back period for this offense.
Robbery 1st and 2nd (AS 11.41.500) (AS 11.41.510)	No	New Crime being added.	Indefinite look back period for this offense.
Extortion (AS 11.41.520)	No	New Crime being added.	Indefinite look back period for this offense.
Endangering the welfare of a child 1st degree- Felony (AS 11.51.100)	No	New Crime being added.	Indefinite look back period for this offense
Endangering the Welfare of a child 1st degree- Misdemeanor (AS 11.51.100)	No	New Crime being added.	Can apply after two years have elapsed since conviction.
Contributing to the delinquency of a minor (AS 11.51.130)	Yes	Changes from a 20 year look back to no look back period.	
Felony indecent viewing or photography (AS 11.61.123)	No	New crime being added.	Indefinite look back period for this offense.
Distribution of child pornography (AS 11.61.125)	No	New crime being added.	Indefinite look back period for this offense.
Possession of child pornography (AS 11.61.127)	No	New crime being added.	Indefinite look back for this offense.
Distribution of indecent material to minors (AS 11.61.128)	No	New crime being added.	Indefinite look back period for this offense.
Felony Prostitution (AS 11.66.100(c))	No	New crime being added.	Indefinite look back period for this offense.

Type of Crime	In Current law?	What is new pursuant to SB 206?	Notes
Misdemeanor Prostitution (AS 11.66.100(a)(2))	No	New crime being added.	Can apply after two years have elapsed since conviction.

Sex trafficking 1st-2nd degree	Yes	Changes from a 20 year look back to no look back period	
Sex trafficking 3rd degree	No	New crime being added.	Indefinite look back period for this offense.
Felony Distribution of a controlled or imitation controlled Substance (AS 11.71)	Yes	Removes the misdemeanor crimes and changes the look back period from 20 years to indefinite.	
Felony DUI (AS 28.35.030(n))	No	Adds a new crime	Indefinite look back period for this offense
Felony Refusal (AS 28.35.032(p))	No	Adds a new crime	Indefinite look back period for this offense
Misdemeanor DUI (AS 28.35.030) **And Misdemeanor Refusal** (AS 28.35.032)	Yes	Creates a new subsection to distinguish between misdemeanor and felony offenses	First conviction- can apply after two years have elapsed since unconditional discharge. Second conviction- can apply after five years have elapsed since unconditional discharge. Third conviction or in a CDL- Can apply after 10 years have elapsed since unconditional discharge.