

HB

82

<TARGET><BILL>HB 82</BILL><SUBJECT>HB
82</SUBJECT><COMM></COMM></TARGET>

ALASKA LEGISLATURE
Representative Jonathan Kreiss-Tomkins

Angoon · Coffman Cove · Craig · Edna Bay · Elfin Cove · Game Creek · Hollis · Hoonah · Kake · Kasaan · Klawock · Kupreanof · Naukati · Pelican Petersburg · Point Baker · Port Alexander · Port Protection · Sitka · Tenakee Springs · Thorne Bay · Whale Pass

April 11, 2017

Senator Bert Stedman,
Chair, Senate Transportation

Dear Senate Transportation:

Attached are all the documents relating to HB 82, the Off-Highway Driver's License bill. We'd like to respectfully request that it be heard in Senate Transportation.

The bill was heard in House Transportation and House State Affairs earlier this session. It passed with a vote of 35 to 4 on the House Floor on April 9.

The staffer assigned to the bill is Berett Wilber, and she can be reached at either 465-5446 or berett.wilber@akleg.gov.

Thanks for your help, and we appreciate your consideration.

Best,



Representative Jonathan Kreiss-Tomkins

ALASKA LEGISLATURE

Representative Jonathan Kreiss-Tomkins

Sponsor Statement | HB 82 Off-Highway Driver's Licenses

HB 82 fixes recent regulatory changes to Alaska's off-highway driver's license program, returning to the common-sense rules the program successfully operated under for more than thirty years.

Historically, drivers in 294 Alaskan communities which are 1) off the road system and 2) do not have a DMV office qualify for off-highway driver's licenses (OHDLs). Residents in eligible off-highway communities can get OHDLs through the mail by taking a written test; the road test is waived. Without OHDLs, the only options for rural Alaskans to drive legally in their home communities is to take a plane or ferry to a city with a DMV office, pay for a hotel, find a car, and schedule and take a road test in an unfamiliar city with unfamiliar driving conditions. OHDLs allow rural people to drive legally without having to shoulder disproportionate costs and inconvenience for services other Alaskans can get at home.

But in the last five years, new regulations were passed which work against the purpose of the off-highway license program. As of 2014, if any segment of any road in an off-highway community has an average daily traffic count of more than 499 (the Department of Transportation's estimate of how many times any road is driven over during any given day), that community is not eligible for off-highway driver's licenses. Traffic count is not a meaningful metric for off-highway licensure. Off-road communities either have DMV offices, and their residents can easily get regular licenses, or they don't have DMV offices, and their residents should qualify for off-highway licenses. Traffic count is irrelevant.

Traffic counts also change. Under the current regulations, off-highway communities are at risk of getting their eligibility revoked each time the Dept. of Transportation (DOT) studies traffic. And because there is no systematic way to transfer traffic count data, as collected by DOT, to the DMV, the new regulations are being enforced inconsistently: some communities have been allowed to remain eligible despite violating the new criteria, while others have been removed. Drivers may not know whether their community is no longer eligible until they apply for an off-highway license and are turned down.

HB 82 was drafted in close cooperation with the Division of Motor Vehicles to make sure the off-highway licenses program returns to the workable, common-sense rules that the program operated under for almost thirty years: if a community is off the road system, and doesn't have a DMV, it qualifies for off-highway licenses. The bill would re-add Kake, Hoonah, Angoon, Hyder, and Seldovia to the list of communities that can get OHDLs, and would protect access to OHDLs for other off-highway communities. HB 82 fulfills the intent of the OHDL program, removes the arbitrary metric of traffic count, ends the current inconsistency in enforcement, and sets up a clear and simple system that both DMV and the public can easily navigate.

ALASKA LEGISLATURE

Representative Jonathan Kreiss-Tomkins

Angoon · Coffman Cove · Craig · Edna Bay · Elfin Cove · Game Creek · Hollis · Hoonah · Kake · Kasaan · Klawock · Kupreanof · Naukati
Pelican · Petersburg · Point Baker · Port Alexander · Port Protection · Sitka · Tenakee Springs · Thorne Bay · Whale Pass

Sectional Analysis | HB 82 — Off-Highway Driver's Licenses

Section 1.

Amends AS.28.10.011, the vehicle registration exemption statute. It exempts non-commercial vehicles driven in off-road eligible areas by drivers with valid driver's licenses, including off-road system restricted noncommercial driver's license, from registration. The requirements for off-highway commercial driver's licenses remain unchanged to comply with federal law.

Section 2.

Amends section AS 28.10.011. Requires the department to publish a list of areas which don't have land-connected road access to a driver's test once a year. Drivers in communities on this list are eligible for off-highway licenses.

Section 3.

Amends AS 28.15.201(d) to use the word "area" instead of "community" in the statute on drivers required to use in-vehicle ignition interlock devices, and updates the statutory citation that references off-highway areas.

Section 4.

Amends AS 28.15.201(g) to use the word "area" instead of "community" in the statute on court limitations of driver's licenses, and updates the statutory citation that references off-highway areas.

Section 5.

Amends AS 28.22.011 to maintain that non-commercial vehicles driven in off-road areas (as dictated by updated list published by the department) are exempt from vehicle insurance.

Section 6.

Amends AS 28.35.030(t). Uses the word "areas" instead of "communities" to include off-road system eligible places in existing statutes on ignition interlock devices, and updates the statutory citation for off-highway areas.

Section 7.

Amends 28.35.032(t). Uses the word "areas" instead of "communities" to include off-highway restricted eligible drivers in existing statutes on ignition interlock devices, and updates

the statutory citation for off-highway areas.

Section 8.

Repeals 28.22.011(b), which required the DMV to annually publish a list of communities exempt from registration and insurance under the old eligibility guidelines, since the new list is required to be published under AS 28.10.011(b).

ALASKA LEGISLATURE
Representative Jonathan Kreiss-Tomkins

HB 82 — Off-Highway Driver's Licenses
Summary of Changes ver A to ver D

Section 1.

CS clarifies that all non-commercial vehicles driven in off-highway restricted areas are exempt from registration, regardless of the type of license held by the operator.

Removes reference to commercial vehicles, which under federal law are subject to registration no matter where they are driven.

Section 2.

CS establishes that "off-highway restricted" areas are those in which residents do not have access to the land-connected state highway, or DMV driver's testing more than once every fiscal year. Asks DMV to make that list available to the public.

Section 3.

Updates the statutory citation of the published list of communities.

Section 4.

CS clarifies that all non-commercial vehicles driven in off-highway restricted areas are exempt from insurance, regardless of the type of license held by the operator.

Removes reference to commercial vehicles, which under federal law are subject to insurance no matter where they are driven.

Section 5.

Updates the statutory citation of the published list of communities.

Section 6.

Updates the statutory citation of the published list of communities.

Section 7.

Deletes old definition off-road system area which is now unnecessary because it is included in Section 2.

Summary of Changes ver D to ver J

One amendment with three changes was offered in House State Affairs, after a conversation with the Division of Motor Vehicles in which they clarified their internal policies on off-highway driver's licenses, requested a few additional changes.

Section 2. A change was made to explicitly clarify that communities with ferry access would count as eligible for off-highway driver's licenses, by deleting reference to "state highway" (which technically includes the Alaska Marine Highway) in favor of state road (which does not include AMHS).

"12 months" was substituted for "fiscal year." If a road test was offered in the first month of one fiscal year, and last month of the next fiscal year, technically the language of the bill would be fulfilled, but drivers could go 22 months without access to road tests. Changing the language to 12 months guarantees a specific time limit in which driver's must be able to take a road test.

Section 4. "Non-commercial" was inserted before "motor vehicle" to be consistent with language in Section 1.

Fiscal Note

State of Alaska
2018 Legislative Session

Bill Version: HB 82
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB082CS(STA)AM-DOA-DMV-02-24-18
Title: OFF HWY DRIVER'S
LIC.;REGISTRATION;INSUR.
Sponsor: KREISS-TOMKINS
Requester: (S) TRA

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)

	FY2019	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2019 Request	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
OPERATING EXPENDITURES	FY 2019	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
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

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) 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? **No**
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version/comments:

Updated for current year.

Prepared By: <u>Marla Thompson, Director</u>	Phone: <u>(907)269-5574</u>
Division: <u>Motor Vehicles</u>	Date: <u>02/24/2018 02:45 PM</u>
Approved By: <u>Leslie Ridle, Commissioner</u>	Date: <u>02/24/18</u>
Agency: <u>Administration</u>	

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2018 LEGISLATIVE SESSION

BILL NO. cshb82

Analysis

HB 82 amends the criteria in AS 28.10.011 that determines which vehicles are exempted from registration; adds a new section to AS 28.15.126 to provide a description of an off-road restricted driver license; defines the area it can be used; and requires the Division of Motor Vehicles (DMV) to publish a list of areas that qualify as an off-road system area.

A new definition of "off-road system eligible area" will be added to AS 28.90.990(a). This bill will also change the reference for the areas that qualify for a waiver of the ignition interlock device used for limited licenses from AS 28.22.011(b) to AS 28.15.126.

Cost to DMV:

DMV anticipates increased staff time to process the number of drivers applying for off-highway licenses, perform research and send letters to customers who won't qualify due to traffic law violations, and for the annual review and upkeep of the community lists. Existing staff will absorb these duties; therefore, the agency submits a zero fiscal note.

Fiscal Note

State of Alaska
2017 Legislative Session

Bill Version:	CSHB 82(STA)
Fiscal Note Number:	2
(H) Publish Date:	3/31/2017

Identifier: HB082CS(TRA)-DOA-DMV-03-23-17
 Title: RESTRICTED OFF HWY DRIVER'S LICENSE
 Sponsor: KREISS-TOMKINS
 Requester: House 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)

	FY2018 Appropriation Requested	Included in Governor's FY2018 Request	Out-Year Cost Estimates					
			FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
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

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2017) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2018) 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? 01/01/20

Why this fiscal note differs from previous version:

Updated for committee substitute version. Removed CDL driver exemption and deleted the request for position.
--

Prepared By:	Marla Thompson, Director	Phone:	(907)269-5574
Division:	Motor Vehicles	Date:	03/23/2017 12:00 PM
Approved By:	Sheldon Fisher, Commissioner	Date:	03/23/17
Agency:	Department of Administration		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2017 LEGISLATIVE SESSION

Analysis

HB 82 amends the criteria in AS 28.10.011 that determines which vehicles are exempted from registration, adds a new section to AS 28.15.126 to provide a description of an off-road restricted driver license, defines the area it can be used, and requires DMV to publish a list of the areas that qualify as an off-road system area.

A new definition of an "off-road system eligible area" will be added to AS 28.90.990(a). This bill will also change the reference for the areas that qualify for a waiver of the ignition interlock device used for limited licenses from AS 28.22.011(b) to AS 28.15.126.

Cost to DMV:

DMV anticipates increased staff time to process the number of drivers applying for off-highway licenses, perform research and send letters to customers who won't qualify due to traffic law violations, and for the annual review and upkeep of the community lists. However, existing staff will absorb these duties.

HB 82: Off-Highway Driver's Licenses

Senate Transportation | Rep. Kreiss-Tomkins

Prepared by Berett Wilber

What is an OHDL?

- Off-highway driver's licenses were designed for off road-system communities without DMVs to be able to get driver's licenses through the mail.
- Since before 1984, operating in 294 off-highway communities.
- No road test — just written test — required.
- Only valid in off-highway communities.
- Exempt from registration and insurance.

**1120
OHDLs
currently
in AK**

Map of OHDL Eligible Communities in AK



Adak	Cape Lisburne	Elim	Kanatak	Meshik	Pelican	Savoonga	Tyonek
Afognak	Cape Newenham	Ellamar	Kantishna	Mellaklatla	Pennock Island	Scammon Bay	Ugashik
Akiak	Cape Pole	Emmonak	Kartuk	Meyers Chuck	Perry Island	Seal Bay	Umiat
Akiachak	Cape Yakataga	English Bay	Kashegegok	Moses Point	Perryville	Selawik	Umnak
Akiak	Chakaktolik	Evansville	Kasigluk	Mountain Village	Pikmiktalik	Shageluk	Unalakleet
Akolmiut	Chalkyitsik	Excursion Inlet	Katalla	Mumtrak	Pile Bay	Shaktocilik	Venetie
Akulurak	Chandalar	Falls Bay	Kiana	Nanwalek	Pilot Point	Sheldon Point	Wainwright
Akutan	Chaniliut	False Pass	King Cove	Napaimiut	Pilot Station	Shemya	Wales
Alakanuk	Chase	Fire Cove	King Island	Napakiaik	Pitka's Point	Shishmaref	White Mountain
Alatna	Chatham	Flat	Kipnuk	Napamute	Platinum	Shungnak	Wiseman
Allakaket	Chefornak	Fort Yukon	Kivalina	Napaskiak	Point Baker	Skwentna	Woody Island
Amakdedori	Chenega	Fortuna Ledge	Kivalik	Nashagak	Point Chatham	Sleetmute	Yes Bay
Ambler	Chenega Bay	Galena	Kobuk	Naukati Bay	Point Hope	Sneltisham	Mentasta Lake
Amchitka	Chenik	Gambell	Kokhanok	Nelson Lagoon	Point Lay	South Naknek	Pedro Bay
Amook	Chernofski	Golovin	Kokrines	New Stuyahok	Point Nowell	Squaw Harbor	
Anaktuvuk Pass	Chevak	Goodnews Bay	Koiganek	Newhalen	Poorman	St. George Island	
Andreafski	Chichagof Island	Grayling	Kongiganak	Newtok	Port Alexander	St. Lawrence Island	
Aniak	Chignik	Gustavus	Kotlik	Nightmute	Port Alsworth	St. Mary's	
Annette Island	Chignik Lagoon	Hawk Inlet	Koyuk	Nikolai	Port Ashton	St. Michael	
Anvik	Chignik Lake	Hawkins Island	Koyukuk	Nikolski	Port Bailey	St. Paul Island	
Arctic Village	Chisana	Haycock	Kwichak	Noatak	Port Clarence	Stebbins	
Atka	Christian	Hinchinbrook Island	Kwethluk	Nolan	Port Graham	Stevens Village	
Atmaulluak	Chuathbaluk	Hobart Bay	Kwigillingok	Nondalton	Port Heiden	Stony River	
Atkasuk	Clark's Point	Hogatza	Kwiguk	Noorvik	Port Lions	Takotna	
Attu	Gold Bay	Holy Cross	Kwinhagak	Nuiqsut	Port Moller	Taku Harbor	
Baranof	Crevice Creek	Hooper Bay	Lake Minchumina	Nulato	Port Oceanic	Tanana	
Bartlett Cove	Crooked Creek	Hughes	Larsen Bay	Nunachuk	Port San Juan	Tanunak	
Beaver	Cuba Cove	Huslia	Latouche	Nunam Iqua	Port Wakefield	Tatitlek	
Belkofski	Deering	Iditarod	Levelock	Nunapitchuk	Port Walter	Tatliina	
Bell Island	Diomedes	Igiugig	Lime Village	Nushagak	Port Williams	Tenakee Springs	
Belmezok	Dolomi	Igushik	Little Diomedes	Nyac	Portlock	Tetlin	
Bettles	Dora Bay	Iliamna	Long	Old Harbor	Pribilof Islands	Tin City	
Bettles Field	Edna Bay	Inalik	Loring	Olga Bay	Quinhagak	Todd	
Biorka	Eek	Ivanof Bay	Lower Kalskag	Ophir	Railroad City	Togiak	
Birch Creek	Egavik	Ivanoff Bay	Manokotak	Orca	Rampart	Tokten	
Border	Egegik	Kachemak	Marshall	Oscarville	Red Devil	Toksook Bay	
Brevig Mission	Ekuak	Kaguyak	Mary's Igloo	Ouzinkie	Ruby	Tuluksak	
Buckland	Ekwok	Kakhonak	McGrath	Pauloff Harbor	Russian Mission	Tuntutuliak	
Candle	Elfin Cove	Kaktovik	Medfra	Pavlov Harbor	Sanak	Tununak	
Canyon	Kaltag	Kalskag	Mekoryuk	Peak Island	Sand Point	Twin Hills	



Why do we care?

In 2012, our constituents from Angoon got in touch.

People from Angoon, Kake, and Hoonah were recently denied eligibility for off-highway licenses after decades of enjoying eligibility.

This prompted us to learn more.

They were confused and frustrated.

Regarding off-highway licenses: I applied for one when I was visiting my daughter in Wrangell last year, and they would not issue one because they said we are no longer off-road.

- Georgina Davis-Gastelum, Angoon

I have had my off system license for years, then they took it away. I am needing my off system license for getting to and from work. I "DO NOT" drive in any cities. Getting off system back in places like Hoonah would be beneficial to people like me who only drives in own community.

Or if we are city status as they claim, then spend thousands bringing DMV office and employees to Hoonah. Off system is a better option though.

Especially for us that chose not to drive in cities and very much need it for work. As with my job, getting up at 4 am and walking to work during spring/summer is not an option with bears. And other job I held I worked till 11pm and walking home at night once again is not an option.

A cab would be only other option. I can't afford \$5 a night. Be looking at a few hundred a month for cabs — when I already have a truck paid off and insured, that I can no longer drive.

- Anjeanette Larsen, Hoonah

The DMV will not give "off system" licenses anymore and says that Kake drivers need at least a class D license. Which is fine, but if they are going to do that to people here then they should find a way to offer a road test in Kake so they don't have to travel to do it or at least do extra road tests at the dmV in Juneau that accommodate people who have to come in from out of town.

Many people cannot afford to travel to Juneau (\$340 by plane or \$132 + meals and longer time off by ferry), pay for a hotel (\$\$\$), pay for meals, pay for their dmV fees, & take work off (because they don't offer road tests on the weekends), just for a license to drive in a town that has a speed limit of 30 mph at the highest. Please help!

-Rissa Jackson, Kake

You have to take the Driver's Test (in Juneau). For the kids outside of Juneau to practice driving in Juneau to take test, it's pretty hard. Than you take the test, hope you pass or wait a year for a new permit...

The ferries really don't work well for going over and taking a test and then coming back the same day. The dmV will tell you yes you can use a rental, or no you can't use a rental. All depending on who you talk to (I don't think they even know)...coming from Hoonah, getting in a car you're not familiar with -- than take a test in Juneau.

It's crazy stupid! It just puts the kids in the village a step behind the rest.. Go through all that just to drive in Hoonah.

-Michelle Anderson, Hoonah

Regulatory History!

1984-2006: From 1984 until 2006, there were no explicit provisions in the Administrative Code providing for off-highway driver's licenses. The old regulations relating to classes of licenses ([13 AAC 08.150](#)) were replaced and moved to Title 2 in 2006. As best we can tell, DMV used common sense to deem eligibility for off-highway driver's licenses.

2006-2011: After two decades of informally administering OHDLs, DMV drafted regulations, as part of a Palin-era push to formalize regulations of all kinds. The new OHDL eligibility regs listed two criteria communities needed to qualify for OHDLs: (1) not connected to the road system, and (2) without access to a DMV office offering road testing ([2 AAC 90.220\(b\)](#)).

2011-2014: The regulatory language changes again! The new regs restrict OHDL eligibility only to communities not connected to the "land-connected state highway system" and with no access to a DMV office offering road testing. The DMV interpreted a ferry as counting as "access."

Considering that a trip to Juneau from Angoon typically involves an overnight stay, Rep. Kreiss-Tomkins questioned the liberal interpretation of "access" and engaged DMV on the interpretation.

So then....

JKT office gets in touch with the DMV.

The former DMV director notes that because Angoon and Hoonah people can hop on a ferry (even if the ferry takes 12 hours) to Juneau, Angoon and Hoonah residents do have "access" to a DMV office.

Rep. JKT points out that these regulations are being applied inconsistently. Many communities on the AMHS system are still eligible for OHDLs (Old Harbor, Cold Bay, Sandy Point) — but not Angoon, Hoonah, and Kake.

In September of 2014, DMV proposes new regulations that directly correspond to Rep. JKT's question.

2014: DMV promulgates new regulations (replacing the 2011 regulations), which borrow criteria from vehicle registration exemption statutes. The new 2014 regs add a requirement that a community not have an average daily traffic count over 499.

This creates a new "hard" criterion definitively excluding Angoon, Kake, and Hoonah from OHDL eligibility. Angoon, Kake, and Hoonah happen to be three of the very few off-highway communities in Alaska for which DMV says they have traffic data. DMV says that they do not have traffic data for other OHDL communities, including (for instance) Sand Point, which has a population twice that of Angoon's.

Hello, HB 82.

Clarifies OHDL community eligibility so that eligibility criteria are aligned with the intent of OHDLs.

- Traffic count is a highly arbitrary metric. In 2013, Angoon had a traffic count of 915: not eligible for OHDLs. In 2015, Angoon's highest traffic count was 433 — suddenly, it's eligible! But for Angoon, there's no difference: whether their traffic count is above or below 499, they still can't get a driver's license unless they take the ferry to Juneau. In small, limited-road communities, it shouldn't be a surprise that everyone drives on the same one or two main roads over and over. Your ability to get a driver's license shouldn't be staked on whether or not a traffic count was measured on a busy day in town.
- There's no systematic way for DOT to share traffic count data with DMV. Removing traffic count from the equation allows DMV to go back to using common sense metrics to determine whether a community is off-highway, and saves DMV the administrative hassle of having redetermine whether each community is eligibility each year.
- If it's made prohibitively difficult for people in rural communities to get driver's licenses, they will (and do) drive illegally.

What should matter?

Is your community off the road system?

Do you not have a DMV?

Then you should qualify for off-highway driver's licenses.

That's what our bill does.

It's simple. And it's the way it effectively worked
(and worked well) for more than two decades.

	Population	Regular Licenses	Registered Vehicles	# of off Highway Licenses	% of population with Off Hwy Licenses
Currently Eligible Communities:					
Sand Point	976	415	168	95	9.70%
Hooper Bay	1093	132	15	6	0.55%
Gustavus	442	479	489	13	2.94%
Togiak	817	207	46	10	1.22%
Unalakleet	689	386	133	33	4.79%
King Cove	938	333	113	93	9.91%
Metlakatla	1375			124	9.01%
Newly Eligible Communities:					
				*applied avg of OHDLs	
Hoonah	760	565	644	41	Average: 5.45%
Kake	557	289	210	31	
Angoon	459	219	143	25	
Seldovia	255	418	715	14	
Hyder	87	74	122	5	

Metrics

- Traffic count does not provide any information about whether a community is off-highway.
- There are significantly larger communities which are OHDL eligible.
- Only a small proportion of an eligible population typically gets an OHDL.
- There are communities with ferry access currently eligible.

OHDL Eligible Towns with Ferry Access

Metlakatla
Sand Point
Akutan
King Cove
Port Lions
Tatitlek
Cold Bay
Chignik
Alatna

Thanks.

- DMV: Marla Thompson, Director.
Audrey O'Brien, Office Manager.
- DOA: Sheldon Fisher, Commissioner
Minta Montalbo, Leg Liaison.
- DOT: Mike Lesman, Leg Liaison.
Jennifer Anderson, Transportation
Planner
Clint Farr, Crash Monitor
David Epstein, Architect and Technical
Engineer
- DPS: Alison Hanzawa, Leg Liaison.
- Courts: Nancy Meade, Deputy Admin
Director
- DCCED: Micaela Fowler, Leg Liaison,
Division of Insurance
- DOL: Michael Stanker, Attorney
- City of Seldovia: Cassidi Little

To: Rep. Kreiss-Tomkins
From: Georgina Davis-Gastelum, Kake
Date: February 15, 2018
Subject: Letter of Support for House Bill 82

Thank you for advocating on behalf of rural communities with House Bill 82. This letter is in support of HB 82, "An Act relating to vehicle registration; relating to off-highway restricted areas; and relating to motor vehicle liability insurance":

Residents living in rural communities not considered "off highway" have many obstacles to overcome in order to receive our drivers' licenses that urban residents do not face:

1. Since there is no DMV office in my community of Kake, we must travel to Juneau, Sitka, or Wrangell to take the written/road tests. Sitka DMV only administers road tests on Tuesdays and Thursdays. If the ferry schedule coincides, this trip would cost at least \$100 one way + hotel + food. If the ferry schedule does not coincide, flying in a small plane would cost \$320 RT + hotel + food; if we get stormbound, which happens often, add \$150 a day for expenses + time away from work.
2. To take the road test, drivers must borrow or rent a car (if rentals are allowed), or take our own vehicle. I calculated my vehicle + driver ticket on the ferry at \$228 one way, even with senior citizen rates. With the cuts in ferry service in our communities, I would have to wait in Juneau at least 4 days to bring my car back to Kake, arrange for someone to put it on the ferry or fly back to Juneau to bring it back. Our March schedule is worse, with a 12-day wait in Juneau before I can bring my car back. As you can see, this gets very complicated.
3. If there are any young children in the family, child care is also involved, especially for single parents; getting a sitter for several days can get quite costly.
4. DMV on their website lists 3rd party testers, independent businesses who administer road tests; Kake, Angoon and Hoonah are not included in these sites.

It would be much easier and less of a financial burden if we only had to take the written test, rather than having to pay the \$700+ expense of taking the road test—especially for Kake residents, whose unemployment rate at times has exceeded 80%; or for senior citizens who are living on a fixed income. According to the U.S. Census Bureau in 2014, 28% of Kake's population at that time lived under the poverty threshold, nearly triple the State's poverty rate, and nearly

double the national.* Many of our residents just cannot afford the cost of traveling to the city to take the driver's test.

Some rural drivers only wish to drive in the village, myself included. I am 65 years old, and only wish to drive in my village of Kake—the only place I have ever driven. I have spoken with others who only would like to drive in Kake, and do not even consider driving in the city. When I am in Juneau, I would rather take a bus or a cab than drive; or if I am with my husband, he does the driving.

As a lifelong resident of the State of Alaska, I urge you to pass HB 82, and once again include Kake, Angoon and Hoonah as locations authorized for Off Highway Drivers' Licenses. Thank you for your consideration.

Georgina Davis-Mastelum

*Bennett, Lindsey, Impact of Unemployment in Kake, Alaska: Community Assessment, August 2015

Letter of Support from Angie Larsen, Hoonah

From: angie Larsen <angie_larsen2001@yahoo.com>
Sent: Wednesday, November 11, 2015 3:06 PM
To: Berett Wilber
Subject: Re: New messages from Anjeanette Larsen Voeller

The off system license is much needed for communities as Hoonah..
Some have anxiety attacks driving in cities etc
Such as myself, I cannot drive over 30 :(I have tried..
When going over 30 my heart pounds, clench wheel etc..
But my need for the off system is great, with that I can sustain a early morning or late night job.
And to be able to be self sufficient I need to work..
My two jobs in the past either started at 4am or ended at 11pm, and with either walking during
bear season wasn't a option. Cabs 5\$ a trip adds up also..
Plus some need it for transportation, meaning that I at the moment have my grand daughter and
need to get her to and from school.she is in kindergarten . Sometimes transportation is just more
convenient for that especially if running late.. Also loosing my dad in January I now need to be able
to help my mom go to store etc, as my dad was the driver for them..
There is also gathering of food, having off system would allow myself and my family go out berry
picking, hunting etc..
I would love to have the option to work late nights again, as two jobs would help me so financially..
And as a licensed driver, my stickers, license, insurance was always kept up.
Another thing is that in order to even get license, we have to travel out of town, possibly take own
vehicle or find one, as I have heard that you cannot use a rental, but in any case it would cost a few
hundred, travel, hotel vehicle etc and some just cannot afford that.. Being seasonal, or one income
household, such as myself..

Thank you so much for your time
Anjeanette larsen

CITY OF ANGOON

PO. BOX 189 • ANGOON, ALASKA 99820 • (907) 788-3653 • FAX (907) 788-3821

City of Angoon
Albert Kookesh III
700 Aan Deina At St.
Angoon, AK. 99820
January 26, 2015

Representative Kreiss-Tomkins
Alaska State Legislature
State Capitol Room 426
Juneau AK, 99801

Dear Representative Kreiss-Tomkins:

I am writing on behalf of the City of Angoon in support of HB-62 Off-Highway Driver's Licenses. The City of Angoon, which is located on Admiralty Island, has a population of 459 residents with less than 10 miles of road all together.

The City of Angoon greatly supports HB-62 because we have no DMV office in town and the only way to get to a DMV is to travel to either Juneau or Sitka, which adds a financial strain on many residents. The cost of traveling to Juneau or Sitka is quite expensive and even then, Sitka is only accessible during the summer ferry schedule. We agree with HB-62 Sponsor Statement:

“Instead, these residents face prohibitive conditions to receive licenses: they must travel to and stay in communities with DMV offices; borrow or rent vehicles; and schedule and take road tests on unfamiliar roads or highways before they can be legally allowed to drive at home.”

We at the City of Angoon Support HB-62 and feel that its residents should be legally allowed to drive in the City they have grown up in with only an off-highway license. We understand that this license would only pertain to Angoon and we accept that in order to drive outside of Angoon we would need a Class-D License.

Sincerely,



City of Angoon
Albert Kookesh III
[Title]



City of Kake

"HOME OF THE WORLD'S LARGEST TOTEM POLE"


P.O. BOX 500
KAKE, AK 99830
PHONE: (907) 785-3804
FAX: (907) 785-4815

January 26, 2015

To Whom It May Concern:

This letter is to express support of HB 62. Under HB 62, the State would allow residents in rural communities, such as Kake, who have no road access to DMV offices, to qualify for off-highway licenses, saving them the time and expense of traveling to DMV offices for services other Alaskans can get at home.

Respectfully,


William Bean Jr.
City Administrator



City of Hoonah

P.O. Box 360 Hoonah, AK 99829 (907) 945-3663 Fax (907) 945-3445

January 26, 2015

Honorable Members of
The State of Alaska Legislature.

Dear Alaska State Legislators:

In regards to House Bill number 62, Off-Highway Driver's Licenses, establishing eligibility criteria for off-highway (non-commercial driver's licenses).

We feel that this bill should be passed. As a rural community it is difficult for our residents to access a DMV office to complete the requirements established to obtain a Driver's License. To do so is sometimes cost-prohibitive to the families involved; due to travel costs and a stay in a city that does have a DMV office. At this time the criteria that allows eligibility is set for communities with a populations less than 499. Our population is at approximately 850. To further extend the eligibility to communities that do not have access by road to the State's DMV offices is a favorable change for our community and it's residents.

It is our feeling that the action that should be taken on House Bill number 62 is a Do-Pass.

Thank you.

Respectfully,

Kenneth Skaflestad
Mayor
City of Hoonah



January 26, 2015

Representative Jonathan Kreiss-Tomkins
State Capitol, Room 426
Juneau, AK 99801

RE: Support for HB 62 – Off-Highway Drivers' Licenses

Dear Representative Kreiss-Tomkins;

Southeast Conference supports HB62 – Off Highway Drivers' Licenses. This bill would clarify eligibility requirements for off-highway driver's licenses, making them available to people in towns like Kake and Hoonah and Angoon. This means that folks in rural areas wouldn't have to travel to larger cities with DMV offices to get driver's licenses on unfamiliar roads.

Southeast Conference is a regional, membership based nonprofit corporation that advances the collective interest of the people, communities and businesses in Southeast Alaska. Members include municipalities, native corporations and village councils, regional and local businesses, civic organizations and individuals throughout the region. Our goal is to support policies that promote strong economies, healthy communities, and a quality environment for Southeast Alaska. We are the State-designated Alaska Regional Development Organization (ARDOR) and the federally-designated Economic Development District (EDD) for Southeast Alaska. Each of these designations requires Southeast Conference to take an active role in regional resource management and economic development planning.

With this legislation our members would have better access to a legal driver's license. On behalf of our Board of Directors, I encourage support for this legislation.

Sincerely,

A handwritten signature in black ink that reads "Shelly Wright". The signature is written in a cursive, flowing style.

Shelly Wright
Executive Director



Not offered

30-LS0367/J.A.1
Martin
3/5/18

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR WILSON

TO: CSHB 82(STA) am

1 Page 1, line 4, through page 2, line 23:

2 Delete all material and insert:

3 * **Sec. 1.** AS 28.10.201(b) is amended to read:

4 (b) The owner of a vehicle described in AS 28.10.011 as being exempt from
5 registration and the owner of a snowmobile or off-highway vehicle may not apply for,
6 nor may the department issue, a certificate of title for the vehicle. However, the
7 department

8 (1) may issue a certificate of title to the owner of a vehicle exempt
9 from registration under AS 28.10.011(3), (6), or (7) [, OR (10)] only upon application
10 by that owner; and

11 (2) except as provided in (e) of this section, shall issue a certificate of
12 title to the owner of a manufactured home upon application, display of evidence of
13 ownership satisfactory to the department, and payment of a fee of \$100 by the owner;
14 a certificate of title issued under this paragraph must comply with AS 28.10.231.

15

16 Renumber the following bill sections accordingly.

17

18 Page 3, line 9:

19 Delete "AS 28.10.011(b) [AS 28.22.011(b)]"

20 Insert "AS 28.22.011(b)"

21

22 Page 4, line 15:

23 Delete "AS 28.10.011(b) [AS 28.22.011(b)]"

1 Insert "AS 28.10.011(b)"

2

3 Page 5, line 8:

4 Delete "AS 28.10.011(b)"

5 Insert "(b) of this section"

6

7 Page 5, following line 18:

8 Insert a new bill section to read:

9 "* **Sec. 5.** AS 28.22.011(b) is amended to read:

10 (b) The department shall annually publish a list of areas **of the state that do not have land-**
11 **connected road access to a location where the driver skills test is conducted at least once**
12 **every 12 months. The department shall make the list** [THAT MEET THE
13 REQUIREMENTS OF (a)(1) OF THIS SECTION. THIS LIST SHALL BE] available [FOR
14 PUBLIC INSPECTION] at each office of the department **and on the department's Internet**
15 **website.**"

16

17 Renumber the following bill sections accordingly.

18

19 Page 5, line 23:

20 Delete "**AS 28.10.011(b)** [AS 28.22.011(b)]"

21 Insert "AS 28.22.011(b)"

22

23 Page 5, line 28:

24 Delete "**AS 28.10.011(b)** [AS 28.22.011(b)]"

25 Insert "AS 28.22.011(b)"

26

27 Page 5, line 29:

28 Delete "AS 28.22.011(b)"

29 Insert "AS 28.10.011(10)"

OFFERED ; PASSED 4/18/17

RESCINDED 4/18

30-LS0367J.A.2
Martin
3/5/18

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR WILSON

TO: CSHB 82(STA) am

1 Page 5, lines 1 - 18:

2 Delete all material.

3

4 Renumber the following bill sections accordingly.

5

6 Page 5, line 29:

7 Delete all material and insert:

8 "** Sec. 7. AS 28.22.011(a)(1) and 28.22.011(b) are repealed."