

ALASKA LEGISLATURE COMMITTEE FILES, 2003-2004 8672

11087 HOUSE TRANSPORTATION

AS 28.15.101. Expiration and renewal of driver's license.

(a) Except as otherwise provided in this chapter, a driver's license expires on the licensee's birthday in the fifth year following issuance of the license. A license may be renewed within one year of its expiration upon proper application, payment of the required fee, and except when a license is renewed under (c) of this section, successful completion of a test of the licensee's eyesight.

(b) The department may defer the expiration of the driver's license of a person who is outside the state under terms and conditions that the department shall prescribe by regulation.

(c) A driver's license may be renewed by mail if the licensee complies with (a) of this section, except that a license may not be renewed by mail if

(1) the most recent renewal of the applicant's license was by mail; or

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



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DRIVER'S LICENSES AND IDENTIFICATION
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Introduction

In response to national security concerns and identity theft, state legislatures have taken a closer look at policies concerning state-issued identification. In 2003, state legislatures addressed the issue of driver's license and identification card security on three main fronts: 1) eligibility requirements; 2) falsification concerns; and 3) anti-counterfeiting measures. First, states considered who should be eligible to apply for a state driver's license or identification (ID) card and what acceptable forms of identification documents applicants must present. Second, states deliberated ways to stop people from obtaining driver's licenses or identification cards through presenting false documentation to the licensing office. Finally, states contemplated means to stop people from sidestepping the state licensing office requirements altogether through the production of counterfeit licenses and identification cards. In addition to these three areas, states have considered measures aimed at protecting individuals from identity theft and tightening compliance with selective service registration for male driver's license applicants.

Although the driver's license is the primary form of identification, state-issued ID cards also are important. Teen driver restrictions have pushed back the age of eligibility for an unrestricted driver's license in some states, but the first trip to the licensing office may nonetheless be earlier because most states issue identification cards to minors who have not yet reached the driving age. Typically, state ID cards and driver's licenses look similar and require the same documentation. Although the focus of legislation in this area during the past two legislative sessions has been on the policies protecting the security of the driver's license, the majority of licensing policies affect both state-issued ID cards and driver's licenses because the issuing criteria for both often are governed under the same statutes or administrative rules.

The states and the District of Columbia license more than 191 million drivers, who represent roughly 88 percent of those eligible for a license. Since as early as 1903, when Massachusetts and Missouri enacted the first state driver's licensing laws, states and territories have administered their own driver licensing systems. Since 1959, all states have required an examination that tests actual driving skills and traffic safety knowledge before a license is issued. Examining drivers and issuing licenses, however, is no longer the sole concern of state licensing agencies. Because the driver's license has assumed a role beyond traffic safety, where both government and private entities rely on the license for personal identification, state legislatures and driver's license agencies are concerned about the safety and security of the license as an identifier. In 2003, 45 states considered legislation aimed at keeping the license secure in its function as an identifier.

Contents

<i>General Identity</i>	
Documentation	2
<i>Consular Identification</i>	
Legislation	3
<i>Lawful Presence</i>	3
<i>Social Security</i>	
Numbers	7
<i>Selective Service</i>	
Registration	11
<i>Fighting</i>	
Technology with	
Technology	11
<i>Hardened Licenses ..</i>	13
<i>Biometrics</i>	14
<i>Criminal Laws, Fraud</i>	
and Underage	
Drinking	15
<i>Religious Exceptions</i>	
to State Driver's	
License Photo	
Requirements	16
<i>The Federal Role</i>	
in Driver's	
Licensing	17
<i>Conclusion</i>	18

The federal government is not directly involved in state procedures for licensing of recreational drivers. It is, however, involved in the licensing and oversight of commercial vehicle (CMV) drivers. Commercial drivers are issued a commercial driver's license (CDL). CDLs have different qualifying criteria than noncommercial driver's licenses. The CDL is also governed by different rules and procedures in which the federal government, in contrast to other driver's licenses, does provide specific rules and recommendations.

States determine key criteria for issuing noncommercial driver's licenses, including age restrictions, traffic safety knowledge, and physical requirements a driver's license applicant must meet, such as vision testing. Other issues facing state lawmakers include special requirements for teens and older drivers and regulating the commercial driver's license. The events of September 11, particularly those related to identity theft and fraudulent driver's license issues, caused many state legislators to reexamine driver's license and identification card systems. States contemplated ways to address the identification issues from the perspective of traffic safety, balanced with concerns about personal and national security.

General Identity Documentation

Obtaining a state-issued driver's license or ID card involves a key transaction: the applicant presents documentation identifying himself or herself as the person applying for a driver's license or ID card, and the licensing official accepts that documentation as a valid and accurate identification of the applicant. Most states regulate what forms of personal identification are acceptable. For a driver's license applicant to prove his or her identity, most states require proof through both primary and secondary documents. States differ, however, on which documents fall into each category, how many documents from each category must be presented at application, and what identifying information documents from each category may provide.

Ohio, for example, has implemented a primary/secondary identity document requirement. To obtain a driver's license or state ID card, applicants must present two forms of documentation to prove date of birth and social security number (SSN), if one was ever assigned. At least one of the two identity documents must be from the primary list. All primary documents must display the full name and birth date of the applicant and must be verifiable. Examples of primary documents accepted in Ohio include state driver's license or ID card not expired more than six months, certified birth certificate, valid Immigration and Naturalization Service (INS) documentation, certified copies of court orders that include name and date of birth, military identification documents (with photograph), or valid U.S. or Canadian passports. Examples of acceptable secondary documents include credit cards, employer or student identification cards, health insurance cards, valid foreign passports, and vehicle titles.

At least 12 states—Arizona, California, Colorado, Florida, Hawaii, Illinois, Maryland, Missouri, Nebraska, Rhode Island, Texas and Virginia—considered legislation in 2003 pertaining to documentation requirements. Colorado, Hawaii and Maryland have passed such measures. In 2003, Colorado enacted the Secure and Verifiable Identity Documents Act (HB 1224), which prohibits public entities that provide services from accepting or relying upon documents that are not secure and verifiable as proof of identification. The new law defines a "secure and verifiable document" as "... documents issued by a state or federal jurisdiction, or recognized

by the U.S. government, and that are verifiable by state or federal law enforcement, intelligence, or homeland security agencies." Private businesses, such as banks, do not fall under this law. In addition, the new law states that public entities that issue licenses or ID cards shall not accept identification documents that are not "secure and verifiable."

Consular Identification Legislation

Consular identification refers to an official identity card issued by a foreign national government to its citizens who are living in the United States and other countries abroad. Some U.S. states officially recognize consular identification. In 2003 at least 10 states—Arizona, California, Colorado, Georgia, Hawaii, Louisiana, Nevada, New York, Tennessee, and Texas—introduced legislation regarding the consular identification (table 1). Legislation in California, Hawaii and New York sought to broaden acceptance of the consular identification cards as valid identification documents, while legislation in Tennessee sought to restrict their use. In June 2003, Tennessee enacted HB 1705, which expressly prohibits the use of the *matricula consular*—consular identification from Mexico—as an identification document.

Federal legislation on consular identification was also introduced in 2003. HR 502 would prohibit any federal agency, commission or other entity within the executive, legislative, or judicial branches from accepting any identification document not issued by a state or federal jurisdiction and subject to verification (table 2).

Lawful Presence

Some—but not all—states require the applicant to be lawfully present in the United States before issuing a license. By definition, all U.S. citizens and U.S. nationals are lawfully present in the United States. Those who are neither U.S. citizens nor U.S. nationals (for convenience referred to herein as noncitizens) are lawfully present in the United States when they have some form of immigration status. There are many different categories of immigration status, including lawful permanent residents (or people with green cards), refugees, asylees, people granted temporary protected status, and people who have been granted employment authorization by the Bureau of Citizenship and Immigration Services (BCIS).

Although a birth certificate showing birth in a U.S. state or territory or the District of Columbia is the most common document used as proof of U.S. citizenship and lawful presence, many other documents also serve this purpose. Many people who were born abroad are U.S. citizens, either through a U.S. citizen parent or through naturalization in the United States. People born in the Northern Mariana Islands or Swain's Island may not be U.S. citizens but still may be U.S. nationals and, as such, are entitled to remain in the United States. Just as numerous immigration categories fall under the definition of lawful presence, a great variety of documents may be presented by noncitizens to demonstrate that they have an immigration status. For example, there are at least six documents that prove that a person is a lawful permanent resident and at least four documents that prove that a person is a refugee.

State	Citation	Summary	Last Action as of June 2003
Arizona	SB 1152	Eliminates the requirement that an applicant for a driver's license or ID card to prove legal presence in the United States. Allows use of an embassy or consulate issued ID card as form of identification at application for a driver's license or ID card.	Bill died at end of regular session—no carry over.
California	AB 522	Requires that city and county governments accept, for purposes of identification, identification cards issued by the Mexican Consulate Office except where possession of a driver's license is required by law.	04/28/03 - Passed Assembly, in Senate.
Colorado	SB 159	Creates the consular driver's license. Requires the Department of Revenue to use the consular identification number in lieu of a SSN at application for the license and requires the consular number to be displayed on the license. Requires that the license contain nomenclature identifying it as a consular driver's license and that the duration of the license be one year.	02/13/03 - Died in Senate Transportation Committee.
Georgia	HB 126	Amends current law to allow any person, regardless of residency status to apply for a driver's license. Also allows applicants who are not eligible to receive a SSN to provide an ITIN, a matricula consular, or a certified citizenship or birth document issued by a consulate or embassy in the United States.	Session adjourned; no action after 01/27/03.
	SB 181	Allows citizens of Free Trade of the Americas Act (FTAA) countries and other countries to submit an official driver's license or other identification documents from their country to the Georgia Department of Motor Vehicle Safety, whereby, upon verification of the authenticity of this documentation, these people shall be allowed to take the driver's licensing exam and be issued a driver's license.	Session adjourned; no action after 04/7/03.
Hawaii	HB 654 SR 15 SCR 26	Allows the matricula consular to be accepted as identification from Mexican nationals residing in Hawaii. Urges local governments to accept the matricula consular as valid identification. Urges local governments to accept the matricula consular as valid identification.	In House Committee on International Affairs at end of 2003 regular session. In Senate Committee on Judiciary and Hawaiian Affairs at end of 2003 regular session. In Senate Committee on Judiciary and Hawaiian Affairs at end of 2003 regular session.
Louisiana	HB 1521	Prohibits the Office of Motor Vehicles from accepting any document not approved by the Immigration and Naturalization Service, including but not limited to a Matricula Consular.	05/12/03 - Hearing scheduled in House Transportation, Highways and Public Works Committee.

State	Citation	Summary	Last Action as of June 2003
Nevada	SB 312	Authorizes state and local governmental entities to accept consular identification card for purpose of identifying person under certain circumstances.	06/09/03 - Approved by governor.
	AB 441	Consular Report of Birth Abroad issued by the Department of State can be presented for the issuance of a state driver's license.	06/10/03 Approved by governor.
New York	AB 6022	Requires banks to accept the matricula consular as a valid identification document for banking transactions.	In Assembly Committee on Banks.
Tennessee	HB 1705	Prohibits the use of matricula consular for identification purposes at application for a driver's license.	06/13/03 - Signed by governor.
	SB 1781	Prohibits the use of the matricula consular for identification purposes.	Substituted for HB 1705, which was enacted.
Texas	HB 57	Requires acceptance of matricula consular and other identification documents issued by foreign governments as identification at application for a driver's license if the document contains the holder's full name, photograph and date of birth, and the issuing government has established reasonable means for the document's verifiability.	In House Committee on Law Enforcement at end of 2003 regular session.

Source: NCSL, 2003.

Citation	Summary	Last Action
HR 502	Prohibits federal entities from accepting from individuals identification documents unless they are issued by a state or federal authority and subject to verification by federal law enforcement, intelligence or homeland security agency.	In House Committees: Government Reform, Judiciary (Crime, Terrorism, and Homeland Security Subcommittee), and House Administration.

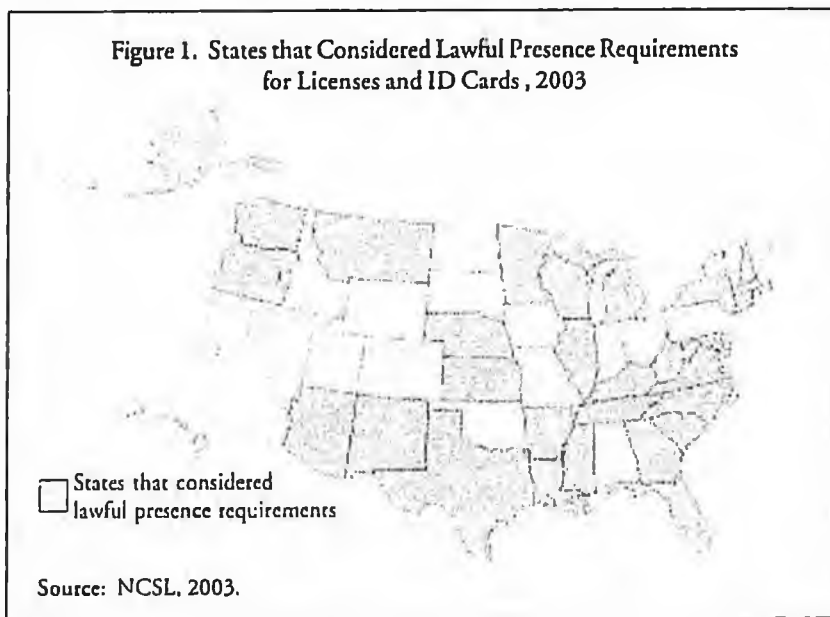
Source: NCSL, 2003.

In some states, although there is no lawful presence requirement, there is a de facto lawful presence requirement because the list of documents acceptable to prove identity exclude people who are not lawfully present. SSN requirements, for example, may serve as de facto lawful presence requirements. Furthermore, many people who are lawfully present in the United States are denied licenses under current state laws because the documents they carry to prove lawful presence are not included on the list of acceptable documents. In other cases, people who are lawfully here are denied licenses because their foreign-issued birth certificates or other identification documents are not accepted.

Since September 2001, some state legislators have taken a tougher stance on whether to allow undocumented immigrants to obtain driver's licenses. An undocumented immigrant is someone who enters or lives in the United States without official authorization, either by entering illegally or by violating the terms of his or her admission. Examples include entering without inspection by the INS, entry based on fraud, or overstaying the authorized period of admission.

Supporters of restricting the license to only those lawfully present under U.S. law argue that driving is a privilege, and granting a license to undocumented immigrants encourages the influx of illegal immigrants through U.S. borders. In addition, the September 11 terrorist attacks also called attention to the security weaknesses of driver's licenses. Thus, the issue of undocumented immigrants and licensing is also related to states' objectives of preventing terrorists from obtaining false identification.

Opponents of restricting license eligibility argue that by not issuing undocumented immigrants driver's licenses, those individuals are unable to obtain motor vehicle insurance or receive proper driver education and examination. Traffic safety concerns arise because, with or without a license, many are likely to continue driving. Opponents also question the effectiveness of resolving issues of lawful presence at the licensing office when great concern exists regarding the ability of motor vehicle agencies to identify and include the vast number of INS documents immigrants may present.



According to the National Immigration Law Center (NILC), 31 states and the District of Columbia currently require applicants for driver's licenses to be lawfully present under U.S. law.¹ These lawful presence requirements arise either through direct language in statute or administrative code or indirectly through a combination of identification document requirements at application. Issuing licenses and ID cards only to people who are lawfully present was considered by 31 states in 2003 (see figure 1). Virginia was the only state to enact into law its bill that requires lawful presence.

Louisiana passed a law that allows immigrants in the agricultural industry to obtain a temporary license, regardless of the person's immigration status. Conversely, California SB 60, signed into law in September 2003, repeals the lawful presence requirement for obtaining a driver's license or ID card in California. The California legislation permits illegal immigrants to obtain California driver's licenses. An estimated 2 million undocumented immigrants currently reside in California. Federal officials have suggested that California's

legislation may create an extra burden on customs and immigration inspectors at U.S. borders. Americans who return from countries in the Western Hemisphere do not need a passport to reenter the United States, although one is recommended. Federal officials are reviewing the current California policy because it is the most populist state in the nation and has attracted a large number of illegal immigrants.

Social Security Numbers

Federal law requires that states collect driver's license applicants' Social Security numbers (SSN) under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.² However this requirement applies only to applicants who have a SSN. A 1996 law, the Illegal Immigration Reform and Immigrant Responsibility Act, included a provision that required states to place social security numbers on state driver's licenses. This provision was repealed in 1999. The Balanced Budget Act of 1997 expanded the SSN collection requirement to include both commercial and noncommercial driver's licenses. This act requires licensing offices to collect a SSN that the applicant *may have*, but does not require individuals to have a SSN as a condition for receiving a state driver's license. It also advises state licensing offices to obtain a sworn affidavit from applicants stating that they do not have a SSN.³

Most states require applicants to provide proof of their SSN as a prerequisite for obtaining a driver's license. However, 40 states have exceptions to that rule, which range from providing a Letter L-676 from the Social Security Administration (SSA) to a sworn affidavit from the applicant stating that he or she neither has, nor is eligible for a SSN. For example, Kansas and Wisconsin allow an individual who does not have a SSN to sign a sworn statement that he or she does not have one. New York allows individuals who are not eligible for a SSN to submit a letter from the SSA setting forth that an SSN has not been issued or the applicant is ineligible for one. According to a February 2002 U.S. General Accounting Office (GAO) report, only six states—Georgia, Kansas, Maryland, Michigan, Minnesota and Oregon—do not collect SSNs of all applicants for driver's licenses. In 1998, the Michigan Legislature passed a law requiring the collection of SSNs, but at the time of the GAO report, the law had not been implemented. In Minnesota in 2003, resolutions were introduced in both the Senate and House urging Congress to repeal the federal provisions that require the collection of SSNs, citing the state's privileges under the Tenth Amendment of the U.S. Constitution. The Tenth Amendment of the U.S. Constitution provides that those powers not expressly granted to the federal government will be retained by the states.

Some states, such as New Mexico, allow applicants to submit IRS individual taxpayer identification numbers (ITIN) in lieu of a SSN. Under U.S. law, earned income is taxable whether the earner is lawfully or unlawfully present. To track earnings of immigrants who are not eligible for a SSN, the Internal Revenue Service (IRS) created the ITIN, a nine-digit number similar to the SSN, but which begins with the number 9. Since the program began in 1996, the IRS has issued about 5 million ITINs. Since the establishment of the ITIN, its use, like the use of the SSN, has expanded beyond its originally intended purpose. Today, seven states—Kansas, Kentucky, New Mexico, North Carolina, Pennsylvania, Utah and West Virginia—allow submission of the ITIN in lieu of the SSN at application for a driver's license (table 3).

Table 3. State Driver's License Social Security Number (SSN) Requirements

State/ Jurisdiction	Require SSN from Those Who Have or Are Eligible for a SSN	Still Issue License without SSN?	SSN Display on Driver's License
Alabama	Yes	Yes ¹	Optional
Alaska	Yes	Yes	No
Arizona	Yes	Yes ²	Optional
Arkansas	Yes	Yes	Optional
California	Yes	Yes ²	No
Colorado	Yes	Yes ²	Optional
Connecticut	Yes	N/A	No
Delaware	Yes	Yes	Optional
Florida	Yes	Yes ²	No
Georgia	Yes	Yes ¹	Optional
Hawaii	Yes	Yes ¹	No
Idaho	Yes	Yes ¹	No
Illinois	Yes	Yes ⁷	No
Indiana	Yes	Yes ²	Optional
Iowa	Yes ⁸	N/A	Optional
Kansas	Yes	Yes ⁹	Optional
Kentucky	Yes	Yes ^{3, 4, 7}	No
Louisiana	Yes	Yes ³	Optional
Maine	Yes	Yes	Optional
Maryland	No	N/A	No
Massachusetts	Yes	Yes ¹	Optional
Michigan	Yes	Yes	No
Minnesota	No	N/A	No
Mississippi	No	N/A	Optional
Missouri	Yes	Yes ²	Optional
Montana	Yes	Yes ³	Optional
Nebraska	Yes	Yes ⁶	No
Nevada	Yes	Yes	Yes
New Hampshire	Yes	N/A	No
New Jersey	Yes	No	No
New Mexico	Yes	Yes ⁴	Optional
New York	Yes	Yes ³	No
North Carolina	Yes	Yes ¹	Yes
North Dakota	Yes	Yes ³	Optional
Ohio	Yes	Yes	Optional
Oklahoma	Yes	Yes	Optional
Oregon	No	N/A	No
Pennsylvania	Yes	Yes ^{1, 5}	No
Rhode Island	Yes	Yes ^{2, 4}	No
South Carolina	Yes	Yes ³	No
South Dakota	Yes	No	Optional

Table 3. State Driver's License Social Security Number (SSN) Requirements (continued)

State/ Jurisdiction	Require SSN from Those Who Have or Are Eligible for a SSN	Still Issue License without SSN?	SSN Display on Driver's License
Tennessee	Yes	Yes ²	Optional
Texas	Yes	Yes ³	No
Utah	Yes	Yes ⁴	Optional
Vermont	No	N/A	No
Virginia	Yes	Yes ³	Optional
Washington	Yes	Yes ¹	No
West Virginia	Yes	Yes ⁴	No
Wisconsin	Yes	Yes ²	No
Wyoming	Yes	Yes ²	Optional
District of Columbia	Yes	No	Optional

Notes

1. Requires letter from the SSA that an SSN has not been issued or the applicant is ineligible for one and documentation of lawful presence.
2. Requires applicants to submit an affidavit stating they have not been issued an SSN or are ineligible for one.
3. Requires letter from the SSA that an SSN has not been issued or the applicant is ineligible for a SSN.
4. Allow applicants without SSNs to submit an ITIN.
5. Allows applicants without SSNs to submit an ITIN, but must still submit a denial letter from the SSA if no ITIN.
6. Requires applicants without SSNs to verify lawful presence.
7. Provides religious exception to SSN requirement.
8. SSN not required for non-immigrants.
9. Allows applicants without SSNs to submit an ITIN, but must still submit a sworn statement if no SSN or ITIN.

Sources: AAA 2003 *Digest of Motor Laws*; AAMVA Comparative Data - State and Provincial Licensing Systems, Dec. 1999; NCSL, 2003.

In 2003, 25 states—Alabama, Arizona, Arkansas, California, Georgia, Hawaii, Idaho, Illinois, Indiana, Kansas, Kentucky, Maryland, Massachusetts, Missouri, Nebraska, New Mexico, New York, North Dakota, Oklahoma, Oregon, Rhode Island, Tennessee, Virginia, West Virginia and Wyoming—reviewed legislation pertaining to driver's licensing and SSN and ITIN numbers.

Kansas enacted SB 16, which allows applicants for a driver's license to submit an ITIN if the applicant does not have an SSN. The Kansas law allows applicants to submit a sworn affidavit that they do not have either an SSN or ITIN. New Mexico also enacted legislation in 2003 related to the SSN/ITIN requirement (HB 173). The New Mexico law allows the submission of an ITIN in lieu of an SSN and requires that the ITIN be accepted from foreign nationals regardless of the applicant's immigration status.

After the federal regulation was repealed in 1999, some states repealed laws and regulations that automatically placed the SSN on the driver's license. Many states established an option under which the applicant for a driver's license could choose whether to have the SSN displayed on the license. Many applicants, because of a concern about identity theft, elected not to have the SSN displayed on the license. In 2003, legislators in at least 10 states—Alabama, Arkansas, Hawaii, North Dakota, Oklahoma, Oregon, Rhode Island, Virginia, West Virginia and Wyoming—introduced legislation that either prohibits the use of the SSN on any state-issued license or measures that remove the option to have the SSN displayed altogether (table 4). Five of these states—Arkansas, Hawaii, North Dakota, Virginia, and West Virginia (CDL)—enacted laws related to SSN display.

State	Citation	Description	Last Action as of June 2003
Alabama	HB 33	Removes requirement that SSN be displayed on commercial driver's license.	03/18/03 - Passed House, referred to Senate Committee on Economic Expansion and Trade.
Arkansas	HB 2234	Removes the ability to elect to have SSN as driver's license number.	03/27/03 - Approved by governor (Act 386).
Hawaii	HB 1235	Removes the requirement that an applicant's SSN appear on the commercial driver's license. (Identical to SB 1406.)	Identical bill, SB 1406, was enacted.
	SB 406	Removes the requirement that an applicant's SSN appear on the commercial driver's license. (Identical to HB 1235.)	04/17/03 - Signed by governor (Act 015).
North Dakota	HB 1443	Removes option of having SSN on driver's license.	03/26/03 - Signed by governor (HJ1065).
Oklahoma	SB 417	Allows people to request that their SSN be used as their driver's license number.	02/3/03 - Introduced and referred to Senate Committee on Veterans, Military Affairs and Public Affairs.
Oregon	HB 2783	Requires all state agencies issuing licenses and permits, including the driver's license, to collect the applicant's SSN. Prohibits the Department of Transportation from disclosing the SSN in motor vehicle records.	04/2/03 - House Judiciary Committee voted do pass and referred to House Ways and Means Committee.
Rhode Island	HB 5667	Prohibits the inclusion of SSNs or ITINs on the license.	04/1/03 - Scheduled hearing and consideration continued.
Virginia	HB 1593	Eliminates optional use of SSNs as driver's license numbers. (Current law allows the use of the SSN as driver's license number upon written request.)	03/16/03 - Approved by governor (Chapter 0306).
	HB 1744	Prohibits state agencies from displaying an individual's entire SSN on any agency-issued ID card or license certificate.	04/3/03 - Approved by governor (Chapter 0974).
	HB 2063	Prohibits display of SSN on any public agency student or employee ID card.	03/23/03 - Approved by governor (Chapter 0927).

State	Citation	Description	Last Action as of June 2003
West Virginia	SB 390	Removes requirement that SSN appear on commercial driver's license.	03/14/03 - Approved by governor (Chapter 70).
Wyoming	HB 55	Neither the SSN nor the ITIN should be displayed on the license, but the option to have the number displayed should be an option at application.	01/16/03 - Withdrawn by sponsor.

Source: NCSL, 2003.

Selective Service Registration

Federal law requires registering for the Selective Service System (SSS)⁴ for all male U.S. citizens and for male immigrant aliens residing in the United States if they are at least age 18 but are not yet age 26. Females are exempt from SSS registration. The federal government and states have tied SSS registration for males to the availability of services and employment opportunities. Failure to register is a crime punishable by a fine of up to \$250,000 and/or up to five years' imprisonment. Furthermore, many federal opportunities - including eligibility for student loans, job training, federal employment and citizenship for male immigrants - are denied to young men who fail to register. Not registering by age 26 results in permanent deprivation of these opportunities.

Although no federal law requires SSS registration at application for a state driver's license, many states have enacted such laws. According to the Selective Service, as of June 2003, 32 states, the District of Columbia, the Northern Mariana Islands and the Virgin Islands have enacted laws that require SSS registration to obtain a driver's license.

In 2003, legislation requiring SSS registration at application for a driver's license or identification card was introduced in at least 11 states: Arizona, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, New Mexico, Rhode Island, Texas, Virginia and Wyoming. Legislation was enacted in Arizona, Iowa, Kansas, Kentucky and New Mexico (table 5).

Fighting Technology with Technology

To increase the security of the driver's license and ID cards, states have considered ways to make state-issued identification difficult to counterfeit or duplicate. States have also reviewed measures aimed at stopping the use of false identification documents to obtain state-issued identification. Forged identification documents have led to increased strains on criminal justice systems, driving up the cost of investigations, prosecutions and incarceration. States are looking for ways that would improve the technology employed at the licensing agency, enabling the state to deter potentially fraudulent activities. Testing the validity of identification documents or training licensing personnel to spot fraudulent documents are two important issues facing state legislators. Because technologies and programs to battle counterfeiters can be costly, some states are considering increasing driver's license fees to help fund the technological improvements.

Table 5. Selective Service System Registration Legislation, 2003

State	Citation	Summary	Last Action as of June 2003
Arizona	HB 2293	Requires males under age 26 to register with the SSS to qualify for a driver's license, identification card or driver's license renewal and prescribes a mechanism to forward information to the SSS for registration purposes.	04/26/03 - Signed by governor (Chapter 90).
	SB 1106	Requires males under age 26 to register with the SSS to qualify for a driver's license, identification card or driver's license renewal and prescribes a mechanism to forward information to the SSS for registration purposes.	Died at end of regular session; similar bill (SB 2293) was enacted.
Colorado	SB 159	Exempts the driver's license from the requirement of registering with the Selective Service.	02/13/03 - Died in Senate Transportation Committee.
Iowa	HF 23	Requires registration with SSS for driver's license and non-operator's license.	03/24/03 - Withdrawn.
	HF 623 HB 23	Requires registration with SSS for driver's license and non-operator's license (formerly HF 23).	04/17/03 - Signed by governor (HJ 1201).
Kansas	HB 2073	Requires male applicants for driver's license or identification card between the ages of 18 and 26 to be in compliance with the Military Selective Service Act.	04/10/03 - Signed by governor (HJ 723).
Kentucky	HB 64	Requires males ages 18 to 26 to register with SSS at application for an operator's license, a commercial driver's license or an identification card.	03/12/03 - Signed by governor (Chapter 60).
Louisiana	HB 450	Provides that all male citizens or immigrants between the ages of 18 and 26 shall be registered with SSS when applying for a license, permit or identification card.	04/24/03 - Passed House, in Senate Committee.
Massachusetts	SB 1275	Requires that a male applicant for a commercial driver's license, instruction permit or license, or a renewal who is at least age 18 but younger than age 26 be registered in compliance with the requirements of the Military Selective Service Act. Signature on application either acknowledges that the applicant has so registered or authorizes the Registrar of Motor Vehicles to forward such information to the SSS.	01/01/03 - In Senate Committee on Public Safety.

State	Citation	Summary	Last Action as of June 2003
New Mexico	HB 89	Allows information from an initial application or renewal of a driver's license to be forwarded to the SSS.	04/08/03 - Signed by governor (Chapter 425).
	SB 316	Requires male applicants for driver's license or identification card to consent to their registration in compliance with the requirements of the Selective Service Act when applying to receive or to renew a driver's license or identification card. Provides for transmittal of information to SSS.	03/18/03 - Passed House; Passed out of Senate Committee on Transportation.
Rhode Island	SB 715	Requires the Division of Motor Vehicles to forward the applicant's SSN to SSS only if applicable.	04/23/03 - Passed Senate as amended, in House.
Texas	HB 479	Amends current law to automatically register with the system any male applicant for a driver's license or identification certificate who is between the ages of 18 and 26. Current law forwards information only upon consent of the applicant.	05/12/03 - Public Hearing Scheduled.
Virginia	SB 915	Amends law requiring applications for driver's license or commercial driver's license to register with SSS to allow for a written statement, signed by a parent or guardian if the applicant is under age 18, stating that he has a moral or religious objection to the registration with SSS.	01/16/03 - Died in Senate Committee on Transportation.
Wyoming	HB 90	Provides that qualified applicants be registered with SSS in order to receive a driver's license or an ID card; applicants not registered ineligible to receive a license or ID card.	02/11/03 - Died in Committee.

Source: NCSL, 2003.

Hardened Licenses

Creating a license that is difficult to counterfeit has been a goal of state legislatures in order to protect against both identity thieves and minors who attempt to create a license representing an age over 21. A hardened license is one that is difficult to replicate. Holograms, watermarks and high-definition photographs on laminated licenses traditionally have been used to prevent people from counterfeiting licenses that appear valid to the naked eye.

By adding further information—stored in magnetic strips and bar codes—to the license, most states are issuing driver's licenses that also are verifiable by machine-readers. The information in the magnetic strips and barcodes in most states is the standard information contained on the front of the license. Newer, two-dimensional barcodes used in about 30 states are capable

of storing more detailed information such as digital photographs, signatures or fingerprints. Although law enforcement agencies are the primary holders of machines that can scan this information from a license, scanners are becoming commercially available, allowing businesses to verify the validity of the license. For example, owners of bars and casinos, using commercially available scanners could visually check a license to verify the age of the holder and then scan the license to verify the license's integrity.

Privacy advocates argue that information stored on licenses and scanning creates an intrusion into Americans' everyday lives and creates information that can be stored in central databases. In 2003, Rhode Island considered legislation intended to address concerns about misuse of information embedded in the technological features of the state-issued licenses. HB 5667 would limit the information that may be "digitized" on the operator's license to that which is typically contained in words on the front of a license: name, age, date of birth, address, gender, physical description, signature, organ donor status, license number, expiration date, and any endorsements or restrictions. The bill expressly prohibits the licensee's SSN or ITIN from being digitally stored on the license. The legislation would limit access to the digitized information by nongovernmental entities to ascertaining the age of the licensee for transactions or privileges that are limited by law to those of a certain age, such as the purchase of alcohol or tobacco. The bill has been carried over to the next legislative session.

Biometrics

Biometric technology can verify the identity of individuals based on their unique physical characteristics. Biometrics software takes photographs or scans of physical features such as facial features, retinas or fingerprints and quantifies that information into mathematical algorithms. Facial biometrics quantify the distances between major points such as the eyes, nose or temples, and fingerprint biometrics quantifies the distances between branches and endpoints of the ridges. Once the information is stored, scans of the thumb or other physical features can be cross-checked with existing databases to verify identity.

Currently, three states—Colorado, Illinois and West Virginia—and the District of Columbia employ facial recognition technology to verify the identity of applicants who are renewing or replacing driver's licenses.

As with technology to harden the license, the use of biometrics does not come without cost to the state. States have considered measures in which the cost of using biometric technology in driver licensing can be recouped. A bill that failed to pass in Texas would have increased the cost of driver's license application and renewal to fund the reengineering of the Texas driver's license.

At least 14 states—California, Georgia, Illinois, Maryland, Missouri, New Jersey, New York, Oklahoma, Pennsylvania, Rhode Island, Texas, Virginia, Washington and Wisconsin—reviewed measures related to biometrics in 2003. Oklahoma SB 423 was signed into law in May 2003. It requires driver's license applicants to be fingerprinted for proof of identity.

Privacy concerns and costs are the most significant barriers to the extensive use of biometric technology. The collection and use of digital identifiers has come under fire by civil libertarians

who argue that it is an undue infringement on individual privacy. For licensing technology to be effective, it also must protect the privacy of the individual who submits the unique digital identifiers. In response, some states considered legislation that would protect the digital information from abuse by state officials. Many states are considering legislation that includes digital identifiers under the umbrella of protected information in their identity theft laws.

Currently, eight states—California, Colorado, Florida, Georgia, Hawaii, Oklahoma, Texas and West Virginia—require fingerprinting at application for a driver's license. However, only Georgia uses fingerprint scans to verify the applicant's identity when issuing a replacement license.

Some states are considering legislation that addresses the use of the biometric information collected at the licensing offices for other governmental purposes such as criminal and missing persons' investigations. In 2003, Maryland considered SB 285, which would allow the Motor Vehicle Administration to make digital photographs available to licensed private detective agencies. The bill, however, failed in committee. In Wisconsin, AB 288, which was signed into law in August 2003, expands to all state and federal jurisdictions the use of photographs collected at driver's license application for legitimate law enforcement or missing persons investigations, provided procedural requirements and confidential requirements under Wisconsin law are met.

The limits of biometric technology are yet unknown. Potentially, the day may come when one would not need to carry any driver's license or state ID. A thumb-stamp of approval or a look into an optical scanner may prove age and identity. Meanwhile, states continue to work to strike a balance in using technology positively without infringing on personal privacy.

Criminal Laws, Fraud and Underage Drinking

To deter counterfeit licensing and fraud, state legislatures have criminalized such conduct. As identity theft has become a serious issue, many states have considered legislation that establishes or increases penalties for using or possessing personally identifying information from a driver's license. States are also considering legislation that would heighten penalties for counterfeiting licenses or identification cards.

The two major areas of concern are: 1) individuals who create false identification documents that allow them to obtain a license from an unsuspecting licensing official; and 2) legislation that targets the licensing officials who knowingly help another to obtain a fraudulent license.

In 2003, at least 10 states—Arkansas, Hawaii, Illinois, Kentucky, Nebraska, New Jersey, New York, Rhode Island, Virginia and Washington—reviewed legislation that added criminal sanctions or penalties for fraudulent behavior involved with licensing process. Arkansas SB 219, now Act 217, makes knowingly applying for a commercial driver's license through fraudulent application or assisting the fraudulent application a Class A misdemeanor. Virginia SB 1058, now Chapter 819, makes it a Class 6 felony to obtain any document issued by the Department of Motor Vehicles through the use of counterfeit, forged or altered documents. If the violation includes obtaining or possessing the documents for the purpose of engaging in an age-limited activity, the violation is a Class 2 misdemeanor.

Religious Exceptions to State Driver's License Photo Requirements

Application for a state driver's license requires the presentation and documentation of personal information. Date of birth, name, address and weight often are questions that are asked not only at application for a driver's license, but that also are typically displayed on the front of the license itself. The photograph requirement may pose obstacles for some holding sincere religious convictions. Several states, recognizing that allowing one's face to be photographed may be antithetical to some religious practices, provide exceptions to this requirement (table 6). Meanwhile, other states favor requiring such information for all applicants. States with mandatory photo requirements may make other accommodations for those who hold sincere religious beliefs. These accommodations may include such as taking photographs after-hours or in areas secluded from other members of the public present in the office.

Citation	Summary
92 Ill. Adm. Code 1030.90	Allows for exception to photograph requirement for driver's license where applicant returns affidavit containing a detailed, written explanation of why the photograph is against the applicant's religious convictions. The affidavits are reviewed by a committee of three administrative personnel in addition to the director. Allows for a 90-day interim non-photo temporary license to be issued during review of affidavit. Also allows a non-photo license to be issued to those with facial disfigurements and allows appeals of denials of non-photo licenses.
1030.90 Minn. R. 7410.1800 (2002) (currently under review)	Provides for driver's license valid without photograph for qualified applicants having religious objections to the use of a photograph. The space where photograph normally appears will contain the words "VALID WITHOUT PHOTOGRAPH."
Proposed Rule Minn. R. 7410.1810 State Register (April 21, 2003).	Repeals Minn. Rules 7410.1800. Requires that applicants for a driver's license, permit or identification card shall have a full-face, uncovered and unobstructed photograph taken. A new photograph must be taken after one renewal cycle.
Mo. Rev. Stat. § 302.181 (2003)	Requires issuance of license valid without a photograph upon a statement that the applicant is a member of a specified religious denomination that prohibits photographs of members as being contrary to its religious tenets. Requires that license state that no photograph is required because of a religious affiliation.
67 Pa. Code § 73.3 (2003)	Allows license that is valid without a photograph upon certification that having photographs taken would violate the applicant's religious beliefs.
Source: NCSL, 2003.	

A Florida judge ruled in May 2003 that a Muslim woman could not wear a veil in her driver's license photo. The woman had obtained a license in 2001 that showed her veiled with only her eyes visible. After the September 11 attacks, however, the state required that she return to have her photo retaken with her face uncovered. When she refused, the state revoked her license.

Another religious group that opposes the photograph requirement for driver's licenses or ID cards are the Amish-Mennonites, who believe that they are not to make any images of themselves. In Kentucky, this community is anticipating that the state will allow them an exception to the

driver's license photograph requirement. A state representative plans to introduce legislation next year that, if enacted, would allow a fingerprint or Social Security number instead of a photo on the license. To guard against impostors posing as Amish-Mennonites, the state could require some form of affidavit.

The Federal Role in Driver's Licensing

States have been regulating driver's licensing for more than a century and with the exception of CDLs, the federal government plays only a small role. Federal law requires SSN collection at application for state driver's licenses. Overall, however, the federal government plays only a tangential role in issuance of non-CDLs.

In 2003, three pieces of legislation were introduced in Congress that relate to the states' issuance of the non-CDL and the use of the driver's license as an identifier (table 7). Two federal bills (HB 655 and HB 687) would prohibit federal agencies from accepting, as identification driver's licenses from states that issue licenses to applicants who are not lawfully present under federal law. HB 1121 would restrict states from issuing driver's licenses to undocumented immigrants and would require that state-issued licenses and ID cards be valid only during the period of lawful presence. These bills are awaiting consideration in committee.

Citation	Description	Status as of June 2003
HR 655	Prohibits federal entities from accepting from individuals for identification purposes state driver's licenses unless the state issues licenses to non-immigrant aliens that expire when their nonimmigrant visas expire.	In House Committees: Government Reform, and Judiciary (Immigration, Border Security, and Claims Subcommittee).
HR 687	Prohibits any employee of federal agencies from accepting from individuals for identification purposes any identification document that was issued by a foreign government, with the exception of foreign passports already authorized to be used for certain purposes according to existing federal law.	In House Committees: Government Reform, Judiciary (Crime, Terrorism, and Homeland Security Subcommittee), and House Administration.
HR 1121	Requires nonimmigrant aliens to present nonimmigrant visas at application for a state driver's license or identification card. Requires that driver's licenses and identification cards issued to nonimmigrant aliens be valid only during the period of validity of the nonimmigrant alien's visa. Requires Homeland Security to enter into discussions with state and local officials to ensure prompt and efficient compliance.	In House Judiciary Committee (Immigration, Border Security, and Claims Subcommittee).

Source: NCSL, 2003.

For CDLs, the federal government's role is more expanded. Regulation of the CDL is within the purview of both state and federal law because commercial drivers often cross state boundaries. Federal laws require states to impose such minimum requirements at licensing as age, driving record and penalty provisions. The Commerce Clause of the U.S. Constitution gives Congress power to regulate interstate commerce. The Supremacy Clause of the Constitution makes

federal law the supreme law of the land. In the event of conflict with state law, federal law will control. Therefore, when federal regulation exists with respect to commercial vehicles and CDLs, federal law will control, notwithstanding the fact that states are the primary issuer of the CDL.

Recently, the U.S. Patriot Act added the additional requirement that states perform thorough background checks of commercial drivers who seek an endorsement to transport hazardous materials. Federal penalties for state noncompliance with the federal CDL laws include withholding of Motor Carrier Safety Assistance Program funding.

Conclusion

In 2003, nearly every state considered legislation to strengthen the security of driver's licenses and ID cards. State lawmakers continue to consider who should be eligible for state ID cards and driver's licenses and whether the documentation presented at the licensing office is valid. Furthermore, identity theft has raised legislators' awareness of technology used to create fraudulent documents, state licenses and ID cards. States are considering making the driver's license more difficult to replicate by using digitally encoded information and biometrics to serve as secondary identity verification. State legislators in 2003 have taken a fresh look at this issue and the legislative options for improving the security of state-issued identification.

Notes

1. National Immigration Law Center, Overview of States' Driver's License Requirements, updated August 25, 2003. Available at <http://www.nilc.org/immspbs/DLs/index.htm>.
2. 42 U.S.C. section 651 et seq.
3. DHHS PIQ-99-05, July 14, 1999.
4. Selective Service System, Selective Service System Fast Facts: Laws Linking SSS Registration To State Driver's License Applications (May 2003). Available at <http://www.sss.gov/Fsdrivers.htm>.

Links to Additional Resources

- American Association of Motor Vehicles Administrators: ID Security—<http://www.aamva.org/IDSecurity/>
- Council of State Governments and National Conference of State Legislatures: White paper on Driver's License Integrity—http://www.csg.org/nt/csg/attachments/csg_drivers_license.pdf
- National Conference of State Legislatures: Identity Theft Project—<http://www.ncsl.org/programs/lis/privacy/idtheft.htm>

- National Conference of State Legislatures: Driver Licensing and Identification Card Security: Review of 2002 State Legislation—<http://www.ncsl.org/programs/esnr/licensetrairev02.htm>
- National Immigration Law Center: Driver's License Issues—<http://www.nilc.org/imnspbs/DLs/index.htm>
- U.S. Department of Transportation: Federal Motor Carrier Safety Administration—<http://www.fmcsa.dot.gov/>
- U.S. Social Security Administration—<http://www.ssa.gov/>
- U.S. Selective Service System—<http://www.sss.gov/>

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Acknowledgments

The authors wish to thank the following people for their contributions in the preparation of this report: Jim Reed, Melissa Savage, Ann Morse, Matt Sundeen and Leann Stelzer at the National Conference of State Legislatures; and Tyler Moran at the National Immigration Law Center.

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THE ANCHORAGE PRESS: ANCHORAGE'S MOST WIDELY READ WEEKLY NEWSPAPER

Bonfire of the fake IDs
\$1,000 fines may stay minors' hands
 by Tataboline Brant

June 24 - 30, 1999 / Vol. 8, Ed. 25

Pity poor Marcos Santoyo Cortes, whose resident alien card appears to be nothing more than a cut-out of a face laminated on a piece of pink construction paper. The bearer of this ID joined people from Virginia, New York and British Columbia, who all tried to pass wrong or fake ID; the cards now reside in two bulging manila envelopes at the Alcoholic Beverage Control board.

Yet their numbers appear to be dwindling since the Anchorage Assembly passed an ordinance about a year ago designed to deter minors from using fake IDs. The most recent instance of the ordinance in action involved the 19-year-old twin sons of pro basketball coach Phil Jackson. As the Press reported last week, the twins went bar hopping while in Anchorage and eventually lost their fake IDs to a sharp-eyed bouncer at Chilkoot Charlie's. Under the year-old ordinance, 'Koots is now able to sue each boy for \$1000 — which they say they intend to do.



"Before the ordinance was passed we received more IDs on a monthly basis than we are now," says Bill Roche, Chief Enforcement Officer for the ABC board. In 1998, ABC received 325 IDs that were picked up from bars and liquor stores in Anchorage. So far in 1999, they've received about 60. Roche said half of the IDs they get are turned in by the Brown Jug chain of liquor stores.

Tom Dunaway, warehouse manager for Brown Jug, said the decision to sue minors for the \$1,000 was up to the security supervisor, who was unavailable for comment. He did say, however, that all 14 Brown Jug stores in Anchorage post the Assembly warning signs that are a prerequisite for such a suit. Dunaway said the ordinance is a good option for the company.

"We believe it's cutting down on our minors trying to get in," said Doran Powell, night manager at 'Koots. Still, he says, the bar expected to see the numbers drop more quickly in light of the fine. 'Koots has been in touch with over 70 minors regarding the \$1,000 fine, Powell said, but he said he didn't know how much money had been recovered.

The ordinance may have even more success deterring minors in the long run, when kids get word that establishments have followed through with the lawsuits. "I hope the word has gotten out (to minors) that they are responsible for their own actions and that what they're doing is illegal," says Assembly member Fay Von Gemmingen.

There's no law that requires retailers to confiscate IDs when dealing with minors. "The individual presenting a fake ID is basically producing evidence of a criminal act," said Roche. He says this gives licensed establishments incentive to confiscate IDs for two reasons: to keep kids out and because they can use the ID as evidence to sue for the \$1,000.

Officer Eric Hamre from the Anchorage Police Department said police cited 83 minors in 1998 for trying to enter a licensed premises. (Statistics for 1999 weren't available.) The misdemeanor crime is punishable with up to a year in prison and a \$5,000 fine. Hamre says maximum sentencing is rare and that most of the time, minors are arrested, given a court date and released. There can be exceptions, such as if a minor is from out of state. If the establishment doesn't want to sue for the \$1,000 and the crime didn't happen in a police officer's presence, a bouncer, cashier or club owner may let a minor off with a warning.

That's not what happened to the Jacksons. The arresting officer, Steve Oyler, decided to take them to the Spenard substation where they were arrested, fingerprinted, given a license revocation notice (no driving for 90 days) and a July 15 court date.

"We're given a lot of autonomy and guidelines on misdemeanor crimes," Oyler says of the arrest procedure; a person's criminal history and attitude all factor in to the situation. The Jacksons were extremely patient, he said, especially considering they'd been handcuffed for hours at 'Koots before he arrived.

As for the fate of seized IDs, Anchorage police destroy the ones they receive when they're no longer needed as evidence. Roche said ABC turns their impressive collection over to the Department of Motor Vehicles after about a year, unless they're still needed for evidence. If an adult has their ID taken by mistake, they can drop by on Thursdays to retrieve the card, Roche said, adding that there's no penalty to a bar as long as the ID was taken in good faith.

For their part, the DMV says plastic can gum up their shredder, so identification cards are usually stockpiled in a public safety warehouse and burned a couple times a year in an incinerator.

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X-MS-TNEF-Correlator:

Thread-Index: AcPhB08JANMMDsf5Tv678Eb5AvrgQQ==

From: "Dan Coffey" <dcoffey@coffey-law.net>

To: <Suzanne_Cunningham@legis.state.ak.us>

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X-Scanner: exiscan for exim4 (<http://duncanthrax.net/exiscan/>)
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Suzanne: As someone who has worked with the industry for years and knows the efforts the industry has made to prevent under aged drinking, I strongly support the HB 338 and urge its passage.

On the cost front, if the person pays a fee for renewal and if the fees are set at the appropriate level to begin with, how does requiring a person who turns 21 and would have to get a new license, going to cost the state any money. Even if it does, it can't be very much and compared to the benefits of the bill, more than worth it.

What happens to the old driver's license when a person renews? If it is not surrendered, how does this solve the problem? If they could still pass off their old license to their younger sibling, could they not? Just a thought.

Thanks for doing this and taking the time to review my comments.

Regards to Kevin (my rep).

Dan Coffey

Return-path: <omadden@brownjug.alaska.net>
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Message-ID: <C430973E4B3F9C46896F0210787BDD4E0D6440@minor.brownjugalaska.net>
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X-MS-TNEF-Correlator:
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Thread-Index: AcPgiLHdaDgAzUHGS4qpf4ZiT9XcwQ=
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*1AjTk5-0005P8-9s*CvILjUSyemk*

Suzanne,

I wanted to take this opportunity to express my appreciation to Rep. Meyer for sponsoring House Bill 388, and to urge his fellow legislators to join with him and support this measure.

Currently in Alaska, unless a driver has some sort of driving record problem, they can renew their drivers license through the mail. It is a great idea, renewing through the mail makes for smaller lines at the DMV, and is convenient for the driver. One problem that has surfaced as a result of through the mail renewal, is the effect it has had on underage drinking.

Everyday customers in liquor stores and taverns are asked to produce ID to verify that they are at least 21 years of age. Many times it is a challenge to confirm whether or not the person producing the ID is actually the person to whom it was legitimately issued. It is very difficult to do this when the picture is almost 10 years old, and the picture was taken when the person was a teenager.

What we are finding is that in many cases, these ID's that have been renewed through the mail are handed down to younger siblings, who then use the ID to attempt to purchase alcohol. The older, of age sibling, then goes down to the DMV, and gets a new ID. To a bartender, or a clerk in a liquor store, the ADL with the renewal sticker for all intents and purposes is valid.

House Bill 388 will require that any person under 25 must come to the DMV to renew their license. The new licensing system at the DMV, which utilizes digital photographs, will allow the clerk issuing the license to match the customer's face with the last photo taken, reducing the opportunity for fraud. HB 388 will also reduce underage drinking by making it much harder for minors to use their older siblings ID's. Current photographs on drivers licenses will make it much easier for those of us in the beverage industry to ensure only adults are able to purchase.

Thanks again for your commitment to preventing underage drinking,

O C Madden III

Brown Jug, Inc.



C-BASS



COMMUNITY BASED ACTION FOR A SAFER SOCIETY

P.O. BOX 140131 • ANCHORAGE • ALASKA • 99514-0131

December 2, 2003

The Honorable Kevin Meyer
Alaska Legislature
716 W 4th Ave Ste 350
Anchorage, AK 99501-2133

Dear Representative Meyer:

Community Based Action For A Safer Society (C-BASS) hosted the 4th Annual Town Hall Meeting, November 12 at East High School, Commons Area. At the Town Hall meeting, citizens work together to develop new strategies to "Reduce the Negative Impacts of Alcohol on our Community."

The Town Hall Meeting is a community work session, with 98 citizens in attendance, including youth. The attendees were asked to participate in workgroups based on the following topics: ENFORCEMENT, INNOVATIVE STRATEGIES, PUBLIC POLICY and EDUCATION/PREVENTION

As a policy maker, we would like to acquaint you with the conclusions these working groups provided. These recommendations will serve as C-BASS's mission points for making Anchorage an even safer place to live, work and raise a family in 2004.

Enforcement: Increase diversion intervention on 1st and 2nd DUI offences, more awareness programs for target audiences, Decrease alcohol availability.

Public Policy: Support pending bills: graduated drivers licensing and bar closing hours, Local dedicated alcohol tax/fees, and Increase therapeutic courts.

Innovative Strategies: Resolve childcare and employment issues for treatment clients, Expand capacity and location of therapeutic courts in state, Education and awareness campaign for public and justice system

Education/Prevention: Alcohol awareness curriculum in High School/Health class, Mentoring programs for high risk youth, Support Media Literacy program in Safe and Drug Free Schools, funding and increased training.

Community problems require community solutions. C-BASS has helped create much change in Anchorage in the past 3 years. Some of the top results have been the facilitation of implementation of the .08 Law, Increased alcohol taxes, Increased penalties for the repeat DWI offenders, Vehicle impound for no proof of insurance, and penalties for providing alcohol to minors.

For further information, please call: James Gay, 334-2310, Marcia Rom, 561-4140, or Marti Greeson, 562-6890.

Thank you for your dedicated public service, and we look forward to working with you in the coming year to promote the health and safety of our community.

HB 388 mandatory photo under 25
Subject: HB 388, mandatory Photo under 25

Date: Mon, 26 Jan 2004 12:11:29 -0900

From: "Diamond, Joan W." <DiamondJW@ci.anchorage.ak.us>

To: <Representative_Kevin_Meyer@legis.state.ak.us>

Representative Meyer,

From a Public Health perspective, I support HB 388 which will require drivers under 25 years of age to renew their driver's license in a DMV office, personally, so that DMV can capture a new photo. This will help with sales/servers and law enforcement as facially these young people change drastically in a 5 year period. Many of these young drivers will give their licenses to siblings or friends and this false ID adds to underage drinking, drinking and driving and violence by young people in the community. With this change in policy, the person must turn in their old license to receive a new one.

Joan Diamond

Municipality of Anchorage

Department of Health and Human Services

Injury Prevention

343-6583



Mothers Against Drunk Driving
JUNEAU CHAPTER
211 4th St., Suite 314
Juneau, AK 99801
Phone (907)463-2562
Fax (907)463-2540
madd@alaska.net
www.madd.org/ak/juneau

January 20, 2004

Representative Kevin Meyer
State Capitol, room 513
Juneau, Alaska 99801

Re: House Bill 388/renewal of Driver's License

Dear Representative Meyer:

MADD advocates that measures be taken to discourage the usage of illegal driver's licenses and other documents used as primary sources of identification for the purchase of alcohol.

Representative Meyer's House Bill 388 would result in two methods of dealing with illegal driver's license:

Deter those who might otherwise apply for additional licenses via the mail in order to provide minors with illegal drivers' license.

Provide DMV trained clerks the opportunity to stop and sanction those who attempt to apply for a driver's license at a DMV office for the purpose of supplying illegal licenses to minors.

Sincerely,

Cindy Cashen

Executive Director

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 388
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title "An act relating to renewal of a driver's license by applicants 25 ..." RDU Division of Motor Vehicles
 Component Motor Vehicles
 Sponsor Rep. Meyer
 Requester (H) Transportation Component No. 2348

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL.	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

HB 388 adds a person 25 years of age or younger may not renew their driver's license by mail. The driver will be required to return to DMV for new photo and re-issuance of license. The cost to the customer for renewal by mail is the same cost as new license.

Prepared by: Duane Bannock
 Division: Motor Vehicles
 Approved by: Mike Miller, Commissioner
 Agency: Dept. of Administration

Phone 269 5008
 Date/Time 1/30/04 3:01 PM
 Date 1/30/2004

HB

392

THE
FOLLOWING
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COPIES



Alaska State Legislature

Please enter into the record my testimony to the House Transportation
 committee name
 committee on HB 392 - Seatbelts, dated 3-23-04
 bill/subject

Everyone is saying, they don't like The Patriot Act.
 This bill is just adding to it, and taking our rights away.
 The police already have enough power, we don't need to
 increase it.

Most officers have enough to do already, but there are
 a few who would relish the power stop anyone at any time.

There are already enough reasons to stop cars, without
 making seatbelts the primary reason.

Laws like these lead to other activities like searches,
 and other rights violations.

We don't need this.

Signed: *Cat Mc*
 Testifier
AUSTIN MAHALKEY - SELF
 Representing (Optional)
Box 455 Glennallen AK 99588
 Address
907-822-3613
 Phone No.

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

DIVISION OF PROGRAM DEVELOPMENT

FRANK H. MURKOWSKI, GOVERNOR

3132 CHANNEL DRIVE
JUNEAU, ALASKA 99801-7898

PHONE: (907) 465-4070

TTY/TDD: (907) 465-3652

FAX: (907) 465-6984

April 19, 2004

Representative Jim Holm
Chairman
Alaska House Transportation Committee
State Capitol - Room 416
Juneau, Alaska 99801

Dear Representative Holm,

It's hard to believe that in just 23 days the legislative session will be over. You'll soon be cleaning out your office and heading home to Fairbanks getting ready for the fall elections.

I am writing to ask you to please allow SB 316 to be heard in House Transportation. This is a very important piece of legislation and it will go a long way in convincing Alaskans that they should buckle up when driving on Alaska's roads. Last year 12 Alaskans died in highway fatalities in the Fairbanks area. Several of these deaths would not have occurred if the person had been belted.

Enclosed is an article from the Anchorage Daily News dated December 30, 2003. It brings into perspective the horror associated with these needless deaths.

This bill will not start a stampede of police officers pulling drivers over for not being belted. It will - thru perception - get 10% more of our citizens to "Click their Seatbelts. Just think, as many as 12 Alaskans will be alive this time next year if SB 316 becomes law.

I'm not asking you to change your vote on this bill when it is heard on the floor. I'm just pleading with you to let the bill out of your committee and allow the full Legislature to vote on SB 316.

Thank you very much.

Sincerely,



Don Smith
Administrator
Alaska Highway Safety Office

Enclosure



ERIC LESSER / Associated Press archive 1998

The Dalai Lama discusses the Buddhist concept of "right livelihood" in his new book, "The Art of Happiness at Work."

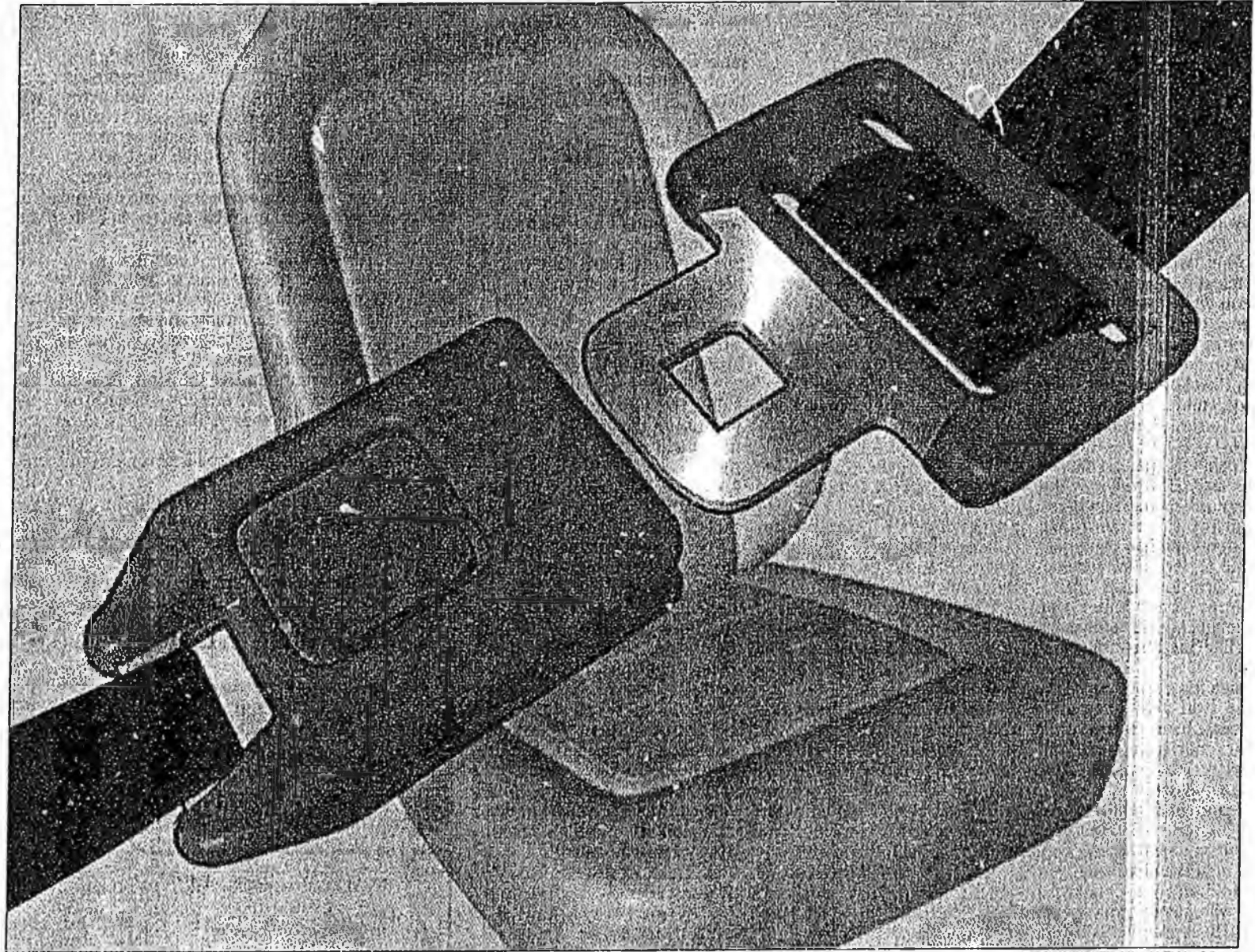
Dalai Lama, Tharp discuss creativity, happiness

■ **CHANGE:** Books can help you start the new year on a different path.

By **BOB CONDOR**
Chicago Tribune

This year marked Dr. Phil's debut as a diet book author, so it is more than fitting that the Dalai Lama advises us in a new book on being happy at work. As it turns out, the Buddhist spiritual leader offers good ideas about solving the inevitable problems that people encounter on the job.

The Dalai Lama's best advice might be to realize some



RODNEY TURNER / Knight Ridder Tribune

STRAPPED IN IT

was a terrible accident. Eighteen-year-old Dimond High School senior Nate Kampen was driving uphill on O'Malley Road during a late-afternoon rush hour in September. He was talking to 17-year-old Dimond senior Eva Marie Velarde, who was sitting in the passen-

PRIMARY VS. SECONDARY SEAT BELT LAWS

■ Belts save an estimated 14,000 or more lives each year.

Dalai Lama advises us in a new book on being happy at work. As it turns out, the Buddhist spiritual leader offers good ideas about solving the inevitable problems that people encounter on the job.

The Dalai Lama's best advice might be to realize some problems can't be solved — or at least not as quickly as we would prefer. He discusses how we can balance good work and self-care ("no matter how satisfying our work is, it is a mistake to rely on work as our only source of satisfaction"). His take on the Buddhist concept of "right livelihood" is a valuable section for anyone struggling with career direction.

"The Art of Happiness at Work" (Riverhead, \$24.95) might be just the New Year's gift for the chronic worker or lost corporate soul in your life. The book is thin (it won't be intimidating) and written in clear, concise fashion with co-author, and physician Dr. Howard C. Cutler, who adds some mainstream ballast.

The book can stand alone for any reader who has yet to pick up one of the Dalai Lama's books, including 1998's "The Art of Happiness."

Creativity is squarely the focus of an inviting new book by choreographer Twyla Tharp. In "The Creative Habit: Learn It and Use It for Life" (Simon & Schuster, \$25), the prolific Tharp makes all of the right moves. She provides some 30 exercises for working through, say, writer's block or getting a long-dreamed project actually started. One is called "Build a Bridge to the Next Day" and offers instructions on how to purge a cluttered mind overnight. The exercises help the book live up to the self-help promises of its title.

Yet the strongest part of the book is its examples from Tharp's own life and those of accomplished friends (dancers, painters, actors, moviemakers, children's book authors, chefs, you name it) and noted creators, including

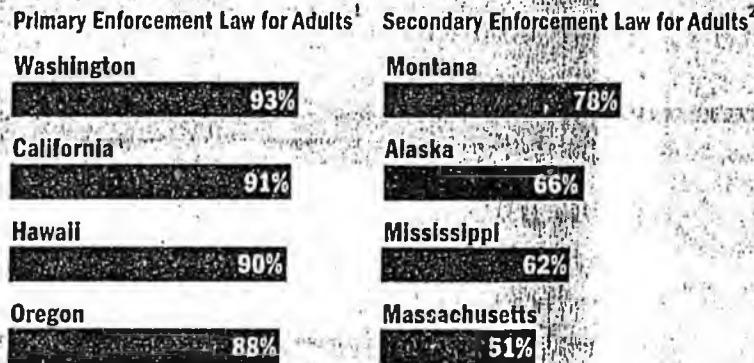
STRAPPED IN IT FOR LIFE

VEHICLE OCCUPANTS WHO DON'T WEAR SEAT BELTS ARE SIGNIFICANTLY MORE LIKELY TO DIE IN A ROLLOVER

By **GEORGE BRYSON**
Anchorage Daily News

2002 SAFETY BELT USAGE RATES

States that have primary seat belt safety laws, meaning an officer can stop the car if he spots unfastened passengers, tend to have better compliance than do states that make it a secondary law, meaning an officer can cite the violation only after stopping the car for another reason. The numbers below show the percent of vehicle occupants who use seat belts.



1. Top four states for seat belt usage.
2. A sampling of usage rates in states with secondary-enforcement laws.

Source: May 2003 report released by the National Highway Traffic Safety Administration

It was a terrible accident. Eighteen-year-old Dimond High School senior Nate Kampen was driving uphill on O'Malley Road during a late-afternoon rush hour in September. He was talking to 17-year-old Dimond senior Eva Marie Velarde, who was sitting in the passenger seat of the Kampen family's late-model Ford Explorer.

In the course of their conversation, Kampen's car veered to the right into a ditch near Elmore Road, swerved back onto the street, turned counterclockwise, flipped twice and came to a stop in the opposite lane.

The vehicle never hit a tree or pole or another car, and it landed upright. But Kampen was thrown out of the window and fatally injured as the car rolled across the street. Responding paramedics pronounced him dead at the scene. He hadn't been wearing a seat belt. Velarde had, police said.

She was emotionally distraught and physically shaken, said Sgt. Nancy Reeder, who investigated the crash for the Anchorage Police Department. But otherwise, Velarde appeared unharmed.

"I poked my head inside that vehicle and looked around, and there was absolutely no reason for that young man to die," Reeder said last week. "The interior of that vehicle

See Page D-5, STRAPPED IN

PRIMARY VS. SECONDARY SEAT BELT LAWS

- Belts save an estimated 14,000 or more lives a year, while 7,000 die because they did not wear belts.
- Primary belt law: A police officer can pull motorists and cite them for not using a seat belt.
- Secondary belt law allows an officer to issue a seat-belt citation only if the driver has been pulled over for another infraction.
- 31 states, including Alaska, have only a secondary seat belt law for adults.

Source: "Safety Belt Use in 2001 Rates in the States and Territories, 2003," released by the National Highway Traffic Safety Administration



MARC LESTER / Daily News wire

A 24-year-old Anchorage woman died in October when her fiancé lost control of their SUV on Seward Highway near Dimond Boulevard, causing it to roll toward oncoming traffic. No one was wearing a seat belt, but the woman wasn't wearing a seat belt and was partially thrown from the car. Her fiancé was wearing his seat belt and survived.

STRAPPED IN: Safety advocates urge state to make seat belt law tougher

Continued from D-1

was pristine. There was nothing in it that would have caused him any injury. It was just simply that he wasn't wearing a seat belt."

That was unusual, Carol Kampen said last week after spending a broken-hearted Christmas without her son. Wearing seat belts was something the family emphasized.

"My son might be alive today if he was wearing his seat belt," she said. "He usually always did. ... But teenagers sometimes forget."

If the September tragedy on O'Malley Road underscored how much seat belts can make a difference — saving lives when they're worn, or failing to save lives when they aren't worn — it was hardly the only example this year. In October alone:

- A 43-year-old Nileski man driving alone on a local road in the early morning hours died when his Ford van drifted into a ditch and rolled. He wasn't wearing a seat belt, and the impact threw him into the back of his van, resulting in fatal head and chest injuries.

- A 21-year-old Sulton woman driving with a 15-year-old passenger died early on a Saturday morning when her car slipped into a ditch off the Jonesville Road and hit several trees. She wasn't wearing a seat belt, and the impact threw her out of the car. Her passenger was wearing a seat belt and suffered only minor injuries.

- A 24-year-old Anchorage woman died shortly before the morning rush hour when her fiance lost control of their SUV on Seward Highway near Diamond Boulevard, crossed the median and rolled toward oncoming traffic. No

You get there and the car is a mess ... and you think, man, somebody didn't survive. And then you find that they walked away without a scratch (because they wore a seat belt).

— police Sgt. Nancy Reeder

cars hit the SUV, but the woman wasn't wearing a seat belt and was partially thrown from the car. Her fiance was wearing his seat belt and survived.

A year ago, Alaska scored below the U.S. average in a nationwide seat-belt use comparison by the National Highway Traffic Safety Administration, with only 66 percent of drivers and passengers who were observed during the survey wearing their seat belts, compared to 78 percent in Montana, 88 percent in Oregon and more than 90 percent in California, Hawaii and Washington.

Last summer, seat belt use in Alaska rose significantly — to 79 percent in the latest survey. But safety advocates here say the state could fare even better — saving lives and public expense — if Alaska would simply toughen its seat belt laws.

Nationwide, traffic accidents remain the single greatest cause of death

for children and young adults, killing in excess of 40,000 Americans a year.

But among those who annually die in traffic accidents while not wearing seat belts, about half would survive if they had just buckled up, according to research by the NHTSA. When lap and shoulder belt systems are worn, they reduce the risk of fatal injury by 45 percent for front-seat car occupants and by 60 percent for pickup occupants, the NHTSA says.

Reeder, who has been responding to accidents in Anchorage for about 20 years, says she has witnessed plenty of examples of seat belts saving lives.

"You get there and the car is a mess. I mean a complete mess, and you think, man, somebody didn't survive," she says. "And then you find that they walked away without a scratch (because they wore a seat belt). Well, that's a happy story for us."

"It's not always that way, she says. Sometimes someone wearing a seat belt doesn't survive an especially violent collision. And sometimes a person not wearing a seat belt does survive.

But don't bet on it," says Reeder, who leads the department's traffic enforcement unit. The odds are strongly against you.

"I hear people all the time saying, 'Well, I don't wear a seat belt because I had a friend who survived because they didn't have their seat belt on — and if they'd had it on, they would have died.'"

"Well, you know, that's a one in a million chance that's going to happen.

And yes, seat belts occasionally do cause some injury — they sometimes cause chest bruising — but that injury is a whole lot less than wrapping your

heart around a steering column."

Seat belt use in the United States last year saved 14,164 lives, according to the NHTSA. All told, seat belts have saved more than 165,000 lives since 1975, when buckling up was still a novelty.

The saving grace of seat belts is most evident in any crash in which a person might be ejected from a vehicle, which usually results in a fatality. People wearing seat belts rarely get ejected from their vehicles, NHTSA studies show, whereas people not wearing seat belts get ejected in 30 percent of all fatal accidents.

Twenty years ago, only 14 percent of Americans used seat belts, the agency says. Today, about 73 percent of Americans do, largely due to the passage of mandatory seat belt laws.

Studies show that the willingness of some drivers and passengers to buckle up depends on whether their state administers "primary" or "secondary" seat belt laws. Primary seat belt laws allow a police officer to pull you over and issue a citation whenever you or any of your passengers is not wearing a seat belt. Secondary laws only allow the officer to issue a seat belt citation when you're guilty of some other infraction.

States with primary seat belt laws — Washington, Oregon, California, Michigan, Texas and a dozen others — on average score 11 percent higher in seat belt use than do states with secondary seat belt laws. Alaska has a secondary seat belt law for adults, but a primary seat belt law for any passenger in a vehicle younger than 16.

In 2002, Reeder says, she pulled over the driver of an extended-cab pickup truck with 12 children inside,

none of whom was buckled.

"They were all little guys," she said. "So the driver got a citation for each individual child. ... It was unbelievable. And he contested it, and we went to court ... and I won."

Seat belt citations in Alaska vary by jurisdiction. A state citation issued by the troopers ranges from \$15 for a violation of the adult law to \$50 and 10 points against the driver's record for a violation of the law for juveniles or children.

Seat belt citations in Anchorage are more costly, ranging from \$60 for an adult to \$200 for a child. In the case of the ticket she issued to the pickup driver, Reeder says, the total potential fine was more than \$2,400, though part of that amount was ultimately suspended.

Advocates say more stringent seat belt laws save lives and a significant amount of public money that's necessary to support emergency services and medical care for accident victims who can't pay their own way.

If Alaska adopted a primary seat belt law for adults and seat belt use grew 11 percent — as it has, on average, other states that have passed primary seat belt laws — then seven lives would be saved and 170 nonfatal injuries would be eliminated each year, according to an NHTSA study that was requested by the Alaska State Troopers.

In addition, a primary seat belt law in Alaska would save an estimated \$18.3 million a year in costs to taxpayers, businesses and consumers, the NHTSA said.

■ Daily News reporters Peter Porco and Tatabolin Brant contributed to this story.

BOOKS: On Cum disease linked to heat of ...

2003 HIGHWAY FATALITIES

TOTAL 94

27	Anchorage Area
21	Mat/Su Area
19	Kenai Peninsula
12	Fairbanks Area
2	Denali Area
5	Southeastern
8	All Other Areas

Alaska Highway Safety Office



t/ 907-274-0827
f/ 907-272-0292

2207 East Tudor Rd, Suite 34
Anchorage, AK 99507-1069
www.aknurse.org
aknurse@aknurse.org

March 22, 2004

Honorable Jim Holm
Chair, House Transportation Committee
Alaska State Legislature
State Capitol (MS 3100)
Juneau, AK 99801-1182

RE: HB 392, Seatbelt Violation as a Primary Offense

Dear Representative Holm;

The Alaska Nurses Association supports the passage of House Bill 392, which allows seatbelt violations by adults to be treated as a primary offense.

This bill will allow direct enforcement of the seatbelt law, which encourages more adults to use seatbelts. Seatbelt use and enforcement is a health and safety issue for the registered nurses in the state because the statistics indicate higher survival rates and lower injury rates for those wearing seatbelts.

Thank you for your attention to this matter. Please let us know if we can supply any additional information.

Sincerely,

Camille Soleil, JD
Executive Director

Cc: Representative Cheryll Boren Heinze, Sponsor
House Transportation Committee Members

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB392-DOT-CO-3-26-04
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: DOT&PF
 Title Motor vehicle safety belt violations RDU Administration & Support
 Component Commissioner's Office
 Sponsor Heinze
 Requester House Transportation Component No. 530

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 The President's Highway Bill, SAFETEA -- now pending before Congress -- would entitle the State to an incentive grant of more than \$3.9 million, if it upgrades its belt law to primary enforcement or reaches 90% belt use. To date, no State has come close to 90% without a primary law.

Prepared by: Nona Wilson Phone 465-6973
 Division Legislative Liaison Date/Time 3/26/04 11:19 AM
 Approved by: John MacKinnon Date 3/26/2004
 Agency Deputy Commissioner

State of Alaska
 Department of Public Safety
 Seat Belt Violations
 Jan 1, 2003 - Dec 31, 2003

Seat Belt Citations		
Agency	F02 - Improper or No Child Restraint	F04 - Improper or No Safety Belt
Alaska State Troopers	84	917
Anchorage Airport Police	5	2
Anchorage Police Department	172	1019
Craig Police Department	1	0
Delta Junction Police Department	0	1
Fairbanks Airport Police	6	0
Fairbanks Police Department	12	249
Juneau Police Department	5	3
Ketchikan Police Department	15	60
North Pole Police Department	1	20
Palmer Police Department	4	39
Seward Police Department	1	0
Skagway Police Department	0	17
University of Alaska Anchorage	0	1
University of Alaska Fairbanks	5	8
Valdez Police Department	3	1
Wasilla Police Department	8	42
Weigh Stations	0	3
All Agencies Total	322	2382

*Note: Based on Citation data for January 1, 2003 - December 31, 2003 as of 3/19/2004.

According to Lt. Storey there are already at least 185 primary violations in existence.

Do POLICE ACTUALLY NEED ANOTHER "TOOL"?

OVER 185 REASONS TO TELL YOU OVER RIGHTS NOW.

DOES FAIRBANKS ~~WE~~ HAVE A PROBLEM?

AN ASSESSMENT OF
SAFETY BELT USE IN ALASKA
SUMMER 2003

prepared for

Alaska Highway Safety Office

prepared by

Virgene Hanna

Institute of Social and Economic Research
University of Alaska Anchorage
3211 Providence Drive
Anchorage, AK 99508

Summer 2003

ABSTRACT

In April 2003, the Alaska Highway Safety Office (AHSO) contracted with the University of Alaska's Institute of Social and Economic Research (ISER) to conduct an observational survey of seatbelt use in Alaska. The Alaska Highway Safety Office, along with the National Highway Traffic Safety Administration, wanted to know the degree to which Alaskans comply with seatbelt laws in Alaska. This report details the results of an observational survey of vehicles in Alaska.

During May, June, and July 2003, ISER researchers recorded and analyzed seatbelt use by drivers and front seat passengers in both passenger cars and trucks. We sampled seatbelt use in cities and towns on the road system. The sample area includes 85 percent of the state's population. In the sample area, 80 percent of drivers and 76 percent of outboard passengers were wearing seatbelts. The share of occupants wearing belts was 79 percent. This number reflects a 13 percent increase over what we observed in 2002. We excluded observations from the analysis where the observer was unsure whether the occupant was wearing a seatbelt.

We also compared rates for cars and trucks. Eighty-three percent of car drivers and 71 percent of truck drivers were using seatbelts. Seventy-nine percent of car passengers and 67 percent of truck passengers were belted. The rate for occupants of cars-82 percent-was higher than that for occupants of trucks-70 percent.

INTRODUCTION

Background

In June 1984, the Alaska State Legislature passed a law (AS28.05.095) requiring children aged six and under to be restrained while being transported in a vehicle. In addition, children under the age of four years are to be in a restraint that complies with federal safety standards. In February of 1989, the Legislature amended the provision to require the use of safety belts by children under sixteen and by adults. To be eligible for certain federal grants, states must document levels of compliance with seatbelt laws.

In April 2003, the Alaska Highway Safety Office contracted with the University of Alaska's Institute of Social and Economic Research (ISER) to conduct an observational survey of seatbelt use in Alaska. The Alaska Highway Safety Office, along with the National Highway Traffic Safety Administration, wanted to know the degree to which Alaskans comply with seatbelt laws in Alaska. This report details the results of an observational survey of vehicles in Alaska.

DATA COLLECTION

Overview of Survey Design

Our study design complies with criteria published in the *Federal Register* in March 2000, as do all of our previous studies. The sample was drawn from areas that contain 85 percent of the state's population. The survey sample consisted of 450 randomly selected observation periods at controlled intersections on both major and local roads. Trained observers recorded shoulder belt use at intersections selected in a multi-stage probability sample for forty-minute periods between 7:00 a.m. and 8:30 p.m. in May and June of 2003. Reported percents are weighted to properly reflect area-wide totals.

Training

Observers attended a training session and received a training manual designed for this project (Appendix B). Following the classroom training, observers practiced recording restraint use while under direct supervision, after which everyone returned to the classroom and any points of confusion were clarified. Some observers returned to the streets for more supervised practice. Then, observers returned to their home communities and began observing when their computer-generated schedule dictated. Two of the observers had recorded seatbelt use for this project every year since 1992. The field supervisor answered questions during the field phase and was in frequent contact with each observer.

Data Collection

Observers recorded safety restraint use for a forty-minute period at one site and then had thirty minutes to drive to the next site. They recorded their observations on a form that ISER designed and pre-tested (Appendix B). They recorded information on each non-commercial, non-emergency passenger vehicle at controlled intersections other than stoplights. At stoplights observers recorded information on the first through ninth eligible vehicle. Safety restraint use was recorded on each vehicle when there was a designated right-turn-only lane at a stoplight. There was a place on the form to note when the traffic was moving too quickly to record information on each vehicle, and observers recorded the interval that they used. Finally, observers recorded any comments they felt might be helpful when interpreting the data.

DATA ANALYSIS

Weighting

Observations were self-weighting with respect to time of day, day of week, and census tract. Census tracts were selected with probabilities proportional to the population.

To develop estimates we took into account disproportionate sampling by weighting by the inverse of the probability of selection at each sampling stage. Primary Sampling Units (PSUs) were weighted by the ratio of the proportion of the population to the proportion of observation periods within that PSU. Local and major roads were weighted by the inverse of their sampled proportion of intersections divided by their actual proportion of intersections. Because we didn't sample local roads in all census tracts, we also weighted local roads by the inverse of the population in each tract divided by the population of the PSU. We also weighted observations by the inverse of the sampled number of lanes of traffic at the intersection divided by the total lanes of traffic. We adjusted the lane weight for on- and off-ramps in Anchorage.

We weighted and analyzed the data using SPSS version 10.1. SPSS is a program for managing data and performing statistical analyses. It is particularly adept at manipulating data sets with many cases and variables.

Findings

We observed a total of 26,151 vehicle occupants (19,707 drivers and 6,444 outboard passengers). Seventy-two percent of these occupants were riding in cars, 28 percent were in trucks.

In Alaska, 80 percent of drivers and 76 percent of passengers were wearing seatbelts. The share of occupants wearing seatbelts was 79 percent. This is an increase of 13 percent above that observed in 2002. The rate for occupants of cars was higher than that for trucks. Eighty-two percent of car occupants compares with 70 percent of truck occupants.

Table 1 shows the percent of drivers, passengers, and occupants who were wearing seatbelts. Data cover 1997 to 2003.

Table 1: Seatbelt Use in Alaska, 1997-2003

		2003	2002	2001	2000	1999	1998	1997
All Vehicles	Share of Drivers Belted	0.797	0.663	0.634	0.615	0.609	0.613	0.604
	Share of Passengers Belted	0.762	0.643	0.602	0.607	0.599	0.601	0.572
	Share of Occupants Belted	0.789	0.658	0.626	0.613	0.606	0.610	0.596
Cars	Share of Drivers Belted	0.826	0.700	0.675	0.656	0.652	0.653	na
	Share of Passengers Belted	0.790	0.664	0.625	0.646	0.631	0.632	na
	Share of Occupants Belted	0.818	0.691	0.662	0.654	0.646	0.648	na
Trucks	Share of Drivers Belted	0.707	0.556	0.518	0.490	0.478	0.513	na
	Share of Passengers Belted	0.670	0.568	0.528	0.474	0.489	0.509	na
	Share of Occupants Belted	0.699	0.558	0.520	0.487	0.481	0.512	na

According to federal guidelines, the reliability of survey results should be expressed as the ratio between the standard error and the percent of the target population observed to wear seatbelts. This ratio, termed the relative standard error, should be less than or equal to five percent. Using SPSS statistical software, we calculated a standard error of .00258. The relative standard error for the percent of occupants who are belted is .0033.

There were 126 motorcycles in the sample. Sixty-six percent of drivers were wearing helmets. The number of motorcycles is too small to use in more detailed analysis and still be confident in the reliability of the results.

We noted in our survey when children were outboard passengers. Area wide, 75 percent of children were wearing seatbelts. This is an increase of 22 percent over 2002. In Anchorage, 78 percent of children were wearing seatbelts. The number of children in our samples from other areas is too small to use in more detailed analysis. Statewide, we observed 519 children riding as outboard passengers.

It is important to note that survey results reflect restraint use by the driver and outboard passenger in a probability sample of vehicles drawn from the most populated areas of Alaska. Included in this area are the Municipality of Anchorage, the Matanuska-Susitna Borough, the Juneau Borough, the Kenai Peninsula Borough, and the Fairbanks North Star Borough.

Table 2 presents the share of drivers, passengers, and occupants who were wearing seatbelts by region. The table presents data from 1997 through 2003.

It shows that seatbelt use in Alaska has risen by about 19 percent from 1997 to 2003. The biggest annual increase was from 2002 to 2003 when seatbelt use rose by 13 percent. From 2002 to 2003, Fairbanks had the biggest gain, increasing by nearly 15 percent.

We have been conducting the seatbelt survey since 1992 and find the 2002 to 2003 increase remarkable. Clearly something affected usage rates by the time we conducted our observations in the summer of 2003. Until 2003, we observed increases of about one percent per year. We were astounded by the increase from 2002 to 2003 of 13 percent. We used the same methodology in all the years that we have done the survey. We have carefully reviewed our data collection and analysis methods for inadvertent changes or errors that would account for this increase. We did not find any methodological errors or inconsistencies.

Table 2: Seatbelt Use by Region

<i>All Vehicles</i>	<i>2003</i>	<i>2002</i>	<i>2001</i>	<i>2000</i>	<i>1999</i>	<i>1998</i>	<i>1997</i>	
All Regions	Drivers Belted	0.797	0.663	0.634	0.615	0.609	0.613	0.604
	Passengers Belted	0.762	0.643	0.602	0.607	0.599	0.601	0.572
	Share of Occupants	0.789	0.658	0.626	0.613	0.606	0.610	0.596
Anchorage	Drivers Belted	0.822	0.690	0.657	0.627	0.626	0.634	0.632
	Passengers Belted	0.797	0.669	0.631	0.615	0.617	0.623	0.605
	Share of Occupants	0.817	0.685	0.651	0.624	0.624	0.631	0.625
Fairbanks	Drivers Belted	0.772	0.627	0.601	0.607	0.553	0.582	0.562
	Passengers Belted	0.737	0.594	0.592	0.605	0.559	0.539	0.543
	Share of Occupants	0.764	0.619	0.599	0.607	0.555	0.571	0.557
Juneau	Drivers Belted	0.716	0.633	0.599	0.568	0.577	0.631	0.577
	Passengers Belted	0.689	0.652	0.527	0.557	0.575	0.615	0.551
	Share of Occupants	0.709	0.638	0.581	0.565	0.577	0.628	0.570
Kenai	Drivers Belted	0.697	0.558	0.542	0.532	0.611	0.540	0.562
	Passengers Belted	0.588	0.559	0.509	0.572	0.583	0.566	0.504
	Share of Occupants	0.669	0.558	0.533	0.544	0.603	0.547	0.544
Matsu	Drivers Belted	0.670	0.556	0.555	0.557	0.536	0.561	0.565
	Passengers Belted	0.621	0.524	0.550	0.586	0.504	0.555	0.529
	Share of Occupants	0.658	0.549	0.553	0.565	0.526	0.560	0.555

Table 3 presents the actual count of vehicles in our sample in 2003.

Table 3: Unweighted Number of Vehicles Observed in 2003

	Area Wide	Anchorage	Fairbanks	Juneau	Kenai	Mat-Su
VEHICLES						
Drivers Belted	15,442	8,111	2,846	1,937	1,161	1,387
Passengers Belted	4,825	2,558	896	624	318	429
Occupants Belted	20,267	10,669	3,742	2,561	1,479	1,816
CARS						
Drivers Belted	11,451	6,265	2,000	1,523	738	925
Passengers Belted	3,662	2,032	631	498	205	296
Occupants Belted	15,113	8,297	2,631	2,021	943	1,221
TRUCKS						
Drivers Belted	3,990	1,846	846	413	423	462
Passengers Belted	1,163	526	265	126	113	133
Occupants Belted	5,153	2,372	1,111	539	536	595
Total Cars and Trucks	20,111	9,969	3,900	2,696	1,592	1,954
MOTORCYCLES						
Driver Helmeted	83	40	21	2	6	14
Passenger Helmeted	16	7	6	0	2	1
Total Motorcycles	126	65	30	5	9	17

APPENDIX A

METHODOLOGY

The survey methods were designed to adhere to the *Uniform Criteria for State Observational Surveys of Seat Belt Use* published in the *Federal Register* (March 14, 2000) for safety belt and motorcycle helmet use surveys. In large part, the sample design was based on the approach used in the 1986 study conducted in Washington State by Westat, combined with information from the 1991 Oregon study conducted by Intercept. We also believe the study complies with the 1994 NOPUS report on probability-based observational surveys.

Geographic Area Covered

Since much of the geographic extent of Alaska is off-the-road network and since private passenger vehicle traffic in remote settlements is minimal and expensive to monitor, we used 2000 census figures to identify the smallest land area on the road network that includes 85 percent of the state's population. Census areas (Census geographic units in Alaska are analogous to counties) included in the sample frame are Anchorage, Fairbanks, Southeast Fairbanks, Matanuska-Susitna, Kenai Peninsula, Valdez-Cordova, Haines, Kodiak, Juneau, Ketchikan, Sitka, and portions of the Yukon-Koyukuk Census Area (i.e. the Koyukuk mid-Yukon census sub-area which encompasses the Parks Highway connecting Anchorage and Fairbanks).

We stratified the census areas by urban-rural and by self-representing vs. sample element. Table A.1, below, displays the stratification scheme. Selected Primary Sampling Units (PSUs) appear in italics. PSUs were selected by assigning each census area measures of size in proportion to its 1990 population. A random number was selected that was equal to or less than the total number of measures of size in that census area. Given the high concentration of population in a single PSU within the sample strata, the largest PSUs were much more likely to be selected. Indeed, the largest PSU was selected in every case. Since even the large PSUs include rural areas, however, we do not believe that this results in an inadvertent sample bias.

TABLE A.1. SAMPLE FRAME

<u>Urban</u>	<u>2000 Population</u>
<u>Self-representing</u>	
<i>Anchorage Borough</i>	260,283
<i>Fairbanks N.S. Borough</i>	82,840
<u>Sample Element</u>	
<i>Juneau Borough</i>	30,711
Ketchikan	14,070
Sitka Borough	8,835
<u>Ex-urban Roaded (all sample elements)</u>	
<i>Kenai Peninsula Borough</i>	49,691
Valdez-Cordova Census Area	10,195
Kodiak Island Borough	13,913
<i>Mat-Su Borough</i>	59,322
Koyukuk mid-Yukon Census sub-area	6,551
Southeast Fairbanks Census Area	6,194
Haines Borough	2,392
Total population in sample frame	544,997
2000 Census statewide population	626,932

The selected PSUs cover the three regions encompassed by the road network. The assigned number of observation periods appears below.

		<u>Number of Observation Periods</u>
Anchorage	(Southcentral)	180
Fairbanks	(Interior)	90
Juneau	(Southeast)	60
Kenai	(Southcentral)	60
Mat-Su	(Southcentral/Interior)	60
Total Observation Periods:		450

Distribution of Sample Observations by PSU

We distributed our sample observation periods proportional to the square root of the population size of the PSUs. This is the approach adopted by Washington State to improve the efficiency of sample estimates assuming that population size is correlated with estimates of average daily miles traveled. Available project resources were sufficient to support 450 forty-minute observation periods and associated travel and field-editing tasks. The distribution of field observation periods by PSU is shown above.

Stratification of Observation Points

We followed the model used in the Washington study and stratified roads into two frames: local roads and major roads. We first categorized roads according to their average daily traffic (ADT) based on numbers published by the Alaska Department of Transportation and Public Facilities (DOT&PF). In Anchorage, major roads were those with an ADT over 20,000. These were roads classified by DOT&PF as major arterials, expressways, and freeways. In Kenai, Matanuska-Susitna, and Juneau, the major roads were those with an ADT over 5,000, while in Fairbanks the ADT was over 7,000. Except for road segments located on military reservations (where seatbelt laws are actively enforced), all remaining roads were classified as local.

We distributed the sample of observation periods at a ratio of 60 percent major roads to 40 percent local roads. According to Rick Lau in the Planning Department of the Highway Data Section at the DOT&PF, they assume that 80 percent of the traffic is on major roads and 20 percent is on local roads. Our understanding from the 1986 Washington study was that there is more variability in seatbelt use on local roads than major roads (Lago, 1986). Thus, they had over-sampled on local roads to improve the efficiency of the sample. Based on the same logic, we oversampled local roads as well.

Local Road Selection

Within each PSU we selected two or three census tracts as a second stage of sample selection for local roads. Tracts were selected with probabilities proportional to 1990 population counts. To make sure that our observations were accurate, we wanted to observe vehicles stopped or traveling slowly at controlled intersections or entering or exiting freeways. Thus, we field-listed each controlled intersection within each selected tract. A controlled intersection was one where there was a light or sign that slowed vehicles traveling in a particular direction. An intersection of two local roads involving a four-way stop sign would produce four controlled intersection listings. Because we did not have traffic counts for these local roads, we selected observation locations for local roads with equal probability.

Major Road Selection

We enumerated all controlled intersections having major roads in each selected PSU. Controlled intersections included on- and off-ramps. We associated Average Daily Traffic (ADT) estimates with each controlled intersection. Major road observation points were selected with probabilities proportional to the associated ADT.

Again, so that we could accurately collect the desired information, we needed locations where vehicles moved slowly. We listed all controlled intersections and on- and off-ramps. We linked each road segment with an ADT estimate and selected segments with a probability proportional to the ADT.

Time of Day

Although there are a high number of summer daylight hours in Alaska, we felt there was a greater risk to observers between 9:00 p.m. and 7:00 a.m. Thus, we limited observations to the period between 7:00 a.m. and 9:00 p.m. These hours were then divided into two shifts: 7:00 a.m. to 2:00 p.m. and 2:00 p.m. to 9:00 p.m. All days of the week were included in the sample. Shifts and days of the week were selected with equal probability.

We wrote a computer program to generate an observation schedule for each observer. For each observation week, the program selected five days without replacement. It then selected a shift for each day. It selected either local or major roads for an observer shift with a .4/.6 probability. If the shift consisted of local roads, the program chose a tract from which seven local road observation points were selected with replacement. There were six scheduled observation periods in a shift. The seventh selected observation point was held in reserve in case construction or other events made it impossible to safely observe traffic at the originally scheduled observation point.

Eligible Vehicles

We observed drivers and front seat outboard passengers in non-commercial, non-emergency passenger motor vehicles. The outboard passenger could have been a child in a child safety system. Additionally, observers recorded motorcycle helmet use by both the driver and the passenger.

Observation Process

The computer program that selected a location also randomly assigned the location to a specific time. The location, including the direction of traffic to be observed, was specified on the Sample Assignment Form (Appendix B). When there was more than one lane of traffic in the specified direction, the observer referred to the instructions on the Lane Selection Chart (Appendix B).

Quality Control

Computer generation of:

- Morning or afternoon shift
- Time period
- Day of week
- Strata (major or local)
- Site
- Alternate site
- Direction of travel, and
- Lane to observe

were to eliminate the possibility of observer bias in any of these steps.

In addition to extensive training and a manual that each observer received, other quality control efforts focused on the accuracy of the observations. Observers were secretly monitored to make sure they were at the correct location, at the correct time, observed traffic moving in the required direction and lane, and for the prescribed amount of time. On occasion we sent two observers to the same site and each recorded observations independently. These observations of the same site were entered into SPSS, checked for consistency and, then, the second set of data was deleted from the file. Finally, the data were entered twice to ensure accuracy.

APPENDIX B

Seatbelt Observation Form
Lane Selection Chart
Sample Assignment Form
Observer Training Manual

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

DIVISION OF PROGRAM DEVELOPMENT

FRANK H. MURKOWSKI, GOVERNOR

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March 18, 2004

Representative Jim Holm
Chairman - House Transportation
Alaska State House
Room 416 State Capitol
Juneau, Alaska 99801-1182

Dear Jim,

Attached is a folder with contains copies of newspaper articles related to deaths on Alaska's highways from August last year to the present. Many of these deaths were preventable.

As Administrator of the Alaska Highway Safety Office, I am following with great interest the two bills, (HB 392 & SB 316), which would establish primary enforcement of seat belt use in Alaska. You will be taking a vote in House Transportation on HB 392 next Tuesday.

Last year 95 Alaskans lost their lives in automobile accidents in our state. Of those, 37 were not buckled and many of them could have survived. National statistics show that states with a primary seat belt law have upwards of 90% of the drivers and passengers using their seat belts. Alaska currently has a 78.9% seat belt use rate.

A primary seat belt law will not only save lives and reduce injuries in Alaska, but it will also save Alaska's citizens substantial amounts of money in associated health care costs. Primary safety belt laws also help save the lives of children. Citizens are much more likely to buckle up and place their children in child safety seats when there is the possibility of receiving a citation for not doing so.

Please feel free to contact me if you have any questions of would like some additional information.

Sincerely,



Don Smith
Administrator
Alaska Highway Safety Office

*AD sure appreciate
anything you could do
to allow this bill to
move out of committee &
let everyone in the House
vote on it - Thanks -*

AUG 12 2003

Allen's P. C. B. Est. 1888

BIKERS: 3 fatalities

Continued from B-1

Talkeetna Bluegrass and Music Festival and were heading north to Fairbanks on Sunday, said trooper Andrew Adams in Talkeetna.

At about 2 p.m., the three encountered the pickups at Mile 159.6 of the Parks Highway, 50 miles south of Cantwell. The truck drivers were also northbound and about to make left turns into a pullout on the west side of the highway, troopers said.

Both pickups were still moving and their drivers reportedly had signaled when the motorcyclists tried to pass them on the left, troopers said. They did not identify the drivers. Adams, the Talkeetna trooper, said the bikers "had a half- to at least a quarter-mile of straightaway ahead of them" before reaching the spot where the trucks were turning into the pullout.

The bikers tried to stop, Adams said.

"We're not sure" why the bikers made their move to pass, said trooper Jack Covey in Cantwell. "A lot of it is still un-

der investigation."

Both trucks were hit, Covey said, but it was unclear whether Shelton and Potter each hit one truck or both.

Thomas did not collide with any vehicle, Wilkinson said.

No one in the trucks reported injuries, he said.

The collision closed the Parks Highway for nearly three hours, according to troopers.

In the Talkeetna crash, Butler apparently lost control of his 2003 Yamaha off-road motorcycle while riding westbound at Mile 0.7 of Beaver Road, north of the Talkeetna Airport, troopers said.

He was found unconscious with serious head injuries, and his dirt bike was found in the roadside ditch. No witness to the crash has been found, troopers said.

Butler was taken to Willow and from there flown to Providence Alaska Medical Center, where he died at about 2 a.m. Monday, troopers said.

■ Daily News reporter Peter Porco can be reached at pporco@adn.com or 257-4582.

3 bikers die in 2 crashes

■ **TALKEETNA:** Two motorcyclists were heading to Fairbanks after the weekend music festival.

By PETER PORCO
Anchorage Daily News

Two motorcyclists died over the weekend and one was injured in two crashes, Alaska State Troopers said Monday.

Duane Shelton, 44, of Fairbanks was killed when he and another rider collided with two pickups on the Parks Highway as the riders tried to pass the trucks Sunday afternoon, troopers said.

The second rider, Charlie Potter, 56, of Fairbanks was injured and taken to Providence Alaska Medical Center, troopers said.

Potter was in good condition Monday evening, according to a hospital spokeswoman.

Nicholas Butler, 19, was killed in a solo crash in Talkeetna while riding his dirt bike Sunday evening, troopers said. Butler was from Talkeetna, according to troopers.

None of the riders was wearing a helmet, said troopers spokesman Greg Wilkinson.

Shelton and Potter were riding with a third biker, Raymond Thomas, 52, also of Fairbanks, troopers said.

The three men, members of the Hells Angels, had worked over the weekend at the

See Page B-7, BIKERS

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3 die in crash on slickened highway near Turnagain Pass

ACCIDENT: Car slams into motor home; two injured.

A-43

By ZAZ HOLLANDER
Anchorage Daily News

A fiery collision Friday evening on the rain-slickened Seward Highway killed three people and injured a woman and her young daughter, Alaska State Troopers said.

Troopers did not immediately release the names of the people who

died in the crash, which occurred around 6:30 p.m. near Mile 73, at the base of a long hill north of Turnagain Pass.

As witnesses in other cars watched, a northbound blue Ford Mustang hydroplaned into the southbound slow lane, slamming into a motor home, trooper Katrina Malm said.

Both vehicles immediately burst into flames.

A female bystander pulled 41-year-old Toni Fisher of Sterling and her 6-

year-old daughter from the motor home moments before an explosion flipped it onto its roof, troopers said.

"She said that the dash was actually on fire, so they did just narrowly escape," Malm said. Malm did not know the name of the bystander. Three people in the Mustang died.

A driver behind the Mustang said it appeared the car was going over the speed limit, Malm said.

Fisher and her daughter suffered facial injuries and were in stable con-

dition Saturday at Alaska Regional Hospital, where they were taken after the accident. Both wore seat belts.

Troopers will not release the names of the victims until the state medical examiner's office confirms their identities Monday, Malm said.

The Seward Highway was closed for more than an hour after the collision.

Daily News reporter Zaz Hollander can be reached at zhollander@adn.com.

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3 A-43 Woman dies from injuries after single-vehicle crash

By TOM MORAN
Staff Writer

A Fairbanks woman was killed in a single-vehicle rollover accident on Chena Hot Springs Road Wednesday morning.

According to Alaska State Troopers, 37-year-old Leann Sims was driving a '999 black Suburban westbound around 21 Mile Chena Hot Springs Road when the vehicle rolled several times for an unknown reason, landing on its driver's side against the trees on the south side of the road.

Troopers were called to the scene at 11:18 a.m. Sims was trapped in the totaled vehicle and troopers and members of the Steese Area Volunteer Fire Department shut down the roadway.

Steese personnel were able to extricate her from the SUV after using air bags to lift it. A spokesman said Sims appeared to be suffering from internal trauma injuries, but he didn't have details.

Troopers called for a 68th Medical Company Air Ambulance helicopter from Fort Wainwright. According to Executive Officer Capt. Spencer Hasch, Sims stopped breathing after being extricated and Steese volunteers were

performing cardiopulmonary resuscitation when the helicopter arrived 10 minutes later.

Sims was transferred to the helicopter, which took off at 12:25 p.m.

Two medics and the crew chief continued CPR on the 10-minute flight to Fairbanks Memorial Hospital, before handing Sims over to hospital staff on the helipad.

She was pronounced dead at 1:03 p.m., according to trooper spokesman Greg Wilkinson.

The Steese volunteers opened the road after about 45 minutes. They closed it to accommodate the extrication and helicopter landing, officers said.

The trooper investigating the accident was still on-scene Wednesday afternoon and was unavailable for any more specifics.

Wilkinson said troopers still don't know what caused the crash.

"Investigation has not yet revealed the cause of the rollover," he said. "The road was clear and dry, so (there's) no known cause at this point for her leaving the roadway."

Reporter Tom Moran can be reached at tmoran@newsminer.com or 459-7590.

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FAIRBANKS *B) A-43*

Woman dies in single-vehicle crash after leaving road, rolling car

A 37-year-old Fairbanks woman died Wednesday in a single-vehicle accident on Chena Hot Springs Road, Alaska State Troopers said.

Troopers say Leann Sims was driving west on the road in a 1999 Suburban when she left the road near Mile 21 and rolled her vehicle. Sims, who was alone, was trapped under the Suburban, troopers said.

Troopers were notified of the wreck around 11:15 a.m. and responded to the scene along with Steese emergency officials. Sims was flown via helicopter to Fairbanks Memorial Hospital, where she was pronounced dead just after 1 p.m., troopers said.

The cause of the accident has not been established, troopers said. The investigation is continuing.

— Anchorage Daily News

A-43

ANCHORAGE

Brian Hillard Bullock, 24

Anchorage resident Brian Hillard Bullock, 24, died Aug. 15, 2003, in a motor vehicle accident at Mile 73 Seward Highway.



Bullock

A visitation and gathering will be from 6 to 9 p.m. today at Evergreen Memorial Chapel, 737 E St. A

memorial service will be at 11 a.m. Friday at Change Point, 2511 Sentry Drive. The Rev. Keith Lauwers will officiate. Mr. Bullock will be inurned in the Anchorage Memorial Park Columbarium Wall at 8S 1-1, and a portion of his cremated remains will be scattered by his friends.

Mr. Bullock's father, originally from Juneau, was in the military stationed at Fort Campbell, Ky., when Brian was born Sept. 15, 1978.

He returned to Alaska in 1987 with his family. He lived in Tok from 1987 until moving to Anchorage in 1988. He was a 1997 graduate of Dimond High School.

Mr. Bullock was employed by Fred Meyer, working at the Dimond, Muldoon and Abbott locations.

He enjoyed cars, drag racing, sports, comic books, fishing, movies and music. His friends and family were the most important to him.

His family wrote: "Brian was the best person. He made those around him want to be better people. Brian could always make you laugh. He always let you know how much he cared for and loved you. Brian loved everyone unconditionally without hesitation. Brian was kind, caring and considerate to all. Brian's love was endless; he was always there for anyone who needed to know they were cared for and loved. He is always in our hearts."

Mr. Bullock is survived by his mother and stepfather, Betty Bullock and Richard Romero of Eagle River; father and stepmother, Paul and Sharon Bullock of Eagle River; brother, Sean Bullock of Eagle River; soulmate, Kimberly Ferguson of Anchorage; step-siblings, the Romeros and the Clouds; aunt

and uncle, Elrena and Dave Farring; aunt, Betty George; cousins, Lea, Duane, Maria, Alicia, Steven, Earl, Rhonda and Douglas, all of Alaska; and much extended family.

He was preceded in death by his grandparents, Alex and Bessie Pipkin, and Francis and Nellie Bullock; and his uncle, James.

Aug 21, 2003

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ANCHORAGE A-43

Troopers identify three people killed in fiery Seward Highway car crash

Three people who died in a fiery car crash Friday on the Seward Highway have been identified.

Troopers identified the victims as Eduardo Prieto, 25, and Brian Bullock, 24, both of Eagle River, and Quianna Clay, 25, of Anchorage.

Troopers believe Prieto was driving the Ford Mustang north near Mile 63 about 6:30 p.m. in rainy conditions when it hydroplaned and slammed into a southbound motor home. Both vehicles burst into flames.

The two occupants of the motor home — 41-year-old Toni Fisher of Sterling and her 6-year-old daughter — managed to escape their vehicle just before it exploded. They suffered moderate injuries and were taken to an Anchorage hospital.

Troopers said the state medical examiner determined the three in the Mustang died immediately from the impact of the crash, not from the fire.

Troopers' initial investigation indicates the Mustang was traveling very fast and had just passed a number of vehicles.

— The Associated Press

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ANCHORAGE A-43
Eduardo Prieto, 25

Anchorage resident Eduardo Gustavo Prieto, 25, died Aug. 15, 2003, in an automobile accident on the Seward Highway.

A celebration of his life for family and friends will be from 7 to 11 p.m. Friday at the Anchorage Museum of History and Art. Parking will be provided in the museum parking lot.

A full obituary will be published later.

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ANCHORAGE A-43
Eduardo Prieto, 25

Anchorage resident Eduardo G. Prieto, 25, died Aug. 15, 2003, as a result of a vehicle accident at Mile 73 Turnagain Pass on the Seward Highway.



Prieto

A service was Aug. 22 at the Anchorage Museum of History and Art. Additional services will be in North Carolina and Florida. His ashes will be placed at Angelus Memorial Park in Anchorage.

Mr. Prieto was born March 19, 1978, in Miami and had lived in Anchorage since Feb. 1, 1980.

He attended Embry-Riddle University, the University of Nevada in Las Vegas and the University of Alaska Anchorage. He was a graduate assistant instructor in logistics at UAA.

Mr. Prieto was an entrepreneur and owned Nano Logistics. He worked part-time in research and development in logistics at UAA.

Mr. Prieto enjoyed fishing, basketball, billiards, science and technology, Ford SVT Lightning and professional drag car racing.

His family said: "Eduardo absorbed every part of God's universe with love, passion and vision. Eduardo shared his gift of wonder and curiosity with everyone who knew him. He had a drive to revolutionize technology through radio frequency identification (RFID) which will advance the area of research and development of the business industry.

"Eduardo was as magnetic as the Northern Lights. Eduardo will be with us as we gaze upon the stars, moon and Mars."

Mr. Prieto is survived by his mother, Mona Gail Eben of Eagle River; father, Eduardo Prieto Sr. of Miami; sister, Rebecca Margarita Prieto of Eagle River; stepfather, James Stuart Sizemore of South Carolina; paternal grandmother, Margarita Prieto of Miami; paternal stepgrandmother, Ola Sizemore of North Carolina; uncle, L. Raul Prieto, and aunt, Teresita Prieto, both of Miami; cousins, Raulito Prieto, Juan Pablo Prieto, Iliana Prieto Nardo, Frances Prieto Alvarez and Veronica Prieto, all of Miami; uncles, Owen Eben, Philip Eben and Michael Eben, all of Anchorage, and R. Craig Sizemore of North Carolina; aunts, Leona Eben and Charlotte Eben Phillimonof, both of Anchorage, Jeanette Eben Wardlow of Seward, Frances Eben Stevenson of Anchorage, Kathy Anderson, Carol Goolsby, Gwen Bensen and Nanette, all of North Carolina; nephew, Eduardo Prieto III of Eagle River; many cousins; best friend, Steve Brown of Anchorage; girlfriend, Supansa of Anchorage; and many close friends.

He was preceded in death by his maternal grandparents, Rebecca and Francis Eben; paternal grandfathers, Raul Lorenzo Prieto; and paternal stepgrandfather, James Moir Sizemore.

Arrangements were by Evergreen Memorial Chapel.

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SEWARD HIGHWAY A-43

More troopers patrol area where six were killed in two accidents

Alaska State Troopers have added four patrols to a section of the Seward Highway where six people died in two crashes in a little more than a week.

The section runs from Ingram Creek at Mile 75 to the Summit Lake area at Mile 45.

Beginning Friday, two troopers in marked patrol vehicles and two troopers in unmarked vehicles began working the stretch afternoons and evenings on weekends. They will focus on speed, unsafe driving practices, seat belt use and drunken drivers.

Troopers beefed up patrols after the two fatal accidents, both just north of Turnagain Pass. In the first incident on Aug. 15, three people died in a fiery crash attributed to excessive speed and wet roads. On Wednesday, three more people died in a collision when one vehicle pulled out into oncoming traffic to pass.

— Anchorage Daily News

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AUG 30 2003

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~~COOPER LANDING~~ AH3

Driver's name released in fatal Sterling Highway head-on collision

Alaska State Troopers on Friday released the name of the victim of a fatal head-on collision Thursday on the Sterling Highway at Cooper Landing.

Stephen C. Crumley, a 53-year-old Anchorage man, was killed when the 1987 Volvo station wagon he was driving apparently drifted from the northbound lane into oncoming traffic at Mile 50.5 of the highway, troopers said.

Crumley's Volvo smashed into a southbound 24-foot motor home occupied by three people from Ely, Nev., including driver Douglas Robison, 54, they said. None of the Nevadans was hurt, said troopers.

Crumley was alone. Witnesses said it appeared he might have fallen asleep, according to troopers. Alcohol did not appear to be a factor, they said.

The crash occurred on a narrow, straight section of the highway without shoulders or any room for the motor home to maneuver. Both vehicles were totaled, troopers said. It also closed the road in both directions for several hours.

— Anchorage Daily News

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SEP 3 - 2003

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ANCHORAGE ^{A-43}
Charles Ryan Jr., 48

Charles R. Ryan Jr., 48, of Anchorage died Aug. 30, 2003, of injuries suffered in a motorcycle accident in Anchorage.



Ryan

A service will be at 10 a.m. Friday at B.L. Bush & Sons, Camillus, N.Y. Visitation is from 5 to 8 p.m. Thursday at the funeral home. Burial will be in Kingdom Cemetery. An Anchorage service will be announced later.

Mr. Ryan was born Jan. 18, 1955, in Auburn, N.Y. He graduated from West Genesee High School in 1973 and served in the U.S. Air Force for eight years. His last duty station was Anchorage. Most recently, he was employed by Linvatec as a medical sales representative. He also worked as a private operating room technician for Drs. Lehman and Beal. He was an avid outdoorsman and loved hunting, fishing and snowmobiles. He also had worked in commercial fishing for two years.

He was preceded in death by his brother, Patrick, in 1989 and father, Charles, in 1993.

Mr. Ryan is survived by his son, Nicholaus of Stirling City, Calif.; companion, Joan Reyla, and her sons, John and Scott, all of Anchorage; mother, Patricia Ryan of Memphis, N.Y.; and sisters, Sherry Barnes of Camillus and Tamra Salvagni of Memphis.

Memorial contributions may be made to Life Alaska, (tissue/organ donations), P.O. Box 231809, Anchorage 99523.

Fairbanks, AK
Daily News-Miner
(Cir. D. 21,800)
(Cir. S. 25,500)

SEP - 2 2003

Allen's P.C.B. Est. 1888

ANCHORAGE ^{A-43}
Anchorage man dies in motorcycle crash

ANCHORAGE—An Anchorage man died after losing control of his motorcycle, Anchorage police said Sunday.

Charles Ryan, 48, was heading north on Minnesota Bypass near 15th Avenue about 11:40 p.m. Saturday when he lost control of his motorcycle and hit a guardrail, police said.

Ryan was thrown off the motorcycle onto the guardrail, then down an embankment. He was wearing a helmet, police said.

Ryan was taken to a local hospital, where he was pronounced dead.

Anchorage, AK
Anchorage Daily News

(Cir. D. 54,710)
(Cir. S. 67,750)

SEP 1 - 2003

Allen's P.C.B. Est. 1888

ANCHORAGE ^{A-43}
Motorcyclist killed on Minnesota Drive

An Anchorage man was killed Saturday night after he lost control of his motorcycle and crashed into a guardrail on Minnesota Drive.

Charles R. Ryan Jr., 48, was headed north on a 1997 Kawasaki motorcycle, Anchorage police said in a press release. He lost control around 11:40 p.m. as he approached 15th Avenue, police said. Witnesses told police he was driving fast.

Ryan was wearing a helmet. He apparently was thrown off his motorcycle and went over the top of the guardrail and down an embankment. He was pronounced dead at a hospital.

In the press release, police said they didn't have information Sunday about whether alcohol or drugs played a role in the death.

—Anchorage Daily

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

SEP - 4 2003

Allen's P.C.B. Est. 1888

ANCHORAGE A-4

Stephen Crumley, 53

Anchorage resident Stephen Charles Crumley, 53, died Aug. 28, 2003, in an automobile accident near Cooper Landing.

A private service is planned.

Mr. Crumley was born March 14, 1950, in St. Paul, Minn. He lived in Alaska a total of five years. He had moved

back up here a year ago after spending a number of years in Redmond, Wash.

Mr. Crumley received his undergraduate degree in biology from Cornell University and a master's degree in fish pathology from the University of Guelph in Ontario. He then worked for several state and federal projects studying the environmental effects on salmon. Mr. Crumley was an active member of various paddling clubs of the area.

His family wrote: "Steve was a wellspring of information. Whether it was designing a new addition on his sister's home in Maine or planning a fishing trip through the Alaska wilderness, he was always up to the task. When asked recently to plan a repeat trip down Alaska's Kobuk River, he declined, saying there were 81 other rivers he had yet to see. Tragically, those 81 rivers will forever remain unseen by him. During his brief 53 years, Steve touched many people's lives and will be missed by all."

He is survived by his father, Jerome Crumley, brothers, James, Michael and Daniel; sisters, Jeanne Breland, Catherine Reuter and Barbara Simon; sisters-in-law, Maureen and Betsy Crumley; brothers-in-law, Jabe Breland, James Reuter and William Simon; and many nieces and nephews. (1)

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

SEP 12 2003

Allen's P.C.B. Est. 1888

ANCHORAGE

A-43

Driver dies in Hillside crash; police say he swerved while arguing

An 18-year-old Anchorage man was killed Thursday evening in a single-vehicle rollover crash on the Hillside, Anchorage police said.

Nate Kampen, a student at Dimond High School, was ejected when he lost control of the late-model Ford Explorer he was driving and it flipped on O'Malley Road near Elmore Road, Sgt. Nancy Reeder said.

Kampen's passenger, a 17-year-old girl who is a Dimond student, "walked away without a scratch," Reeder said.

Kampen was not wearing a seat belt at the time, the sergeant said. The passenger was so distraught that it could not be learned whether she wore a seat belt, Reeder added.

"I'm guessing that from the lack of injuries to her, she was wearing one," Reeder said.

The accident occurred about 5:45 p.m. and was preceded by "some sort of argument" in the car, according to Reeder.

From evidence on the road, it appeared that Kampen, heading east, swerved suddenly.

"There were indications from statements from her that he was angry and he was jerking the steering wheel," Reeder said.

The Explorer apparently traveled into the right-side ditch, then came back quickly to the pavement while rotating counterclockwise, she said. Then it flipped at least twice, landing on its tires in the westbound lane, Reeder added.

"This was a survivable collision," she said. "What is most heartbreaking is that he was on the cusp of his life, and for the lack of a seat belt he has lost that life."

— Anchorage Daily News

Homer, AK
Homer News
(Cir. W. 4,600)

SEP 18 2003

Allen's P. C. B. Est. 1888

Woman dies of injuries from car crash

③
A-43
by Michael Armstrong
Staff Writer

An Anchor Point woman died Sept. 15 at Providence Hospital in Anchorage after being injured in a single-vehicle crash the evening of Sept. 10 in Homer. Killed was Paula Press, 47.

According to the Homer Police, Press was driving southbound about 9:55 p.m. on the Sterling Highway in a 1988 Chevrolet S-10 Blazer when she lost control as she rounded the corner near Bluff Road — the same curve where two people were killed in a head-on collision earlier this summer. The Blazer continued south for several hundred feet before hitting a driveway culvert.

Homer Emergency Medical Technicians treated Press at the accident and transported her to South Peninsula Hospital. She was flown by a LifeFlight helicopter to Providence Hospital. No other vehicles were involved and Press was the lone occupant of her vehicle.

Police said no airbags deployed and Press was not wearing a seatbelt. She had a blood-alcohol level of .315, almost four times the legal limit of .08 for driving under the influence. Press' death is the fourth automobile fatality of a lower peninsula resident this summer.

Michael Armstrong can be reached at michaela@homernews.com.

Alan Horning, 13

Wasilla resident Alan Arnold Horning, 13, died Oct. 9, 2003, at Providence Alaska Medical Center in Anchorage of head injuries he from an ATV accident. He was not wearing a helmet.

A funeral will be at 4 p.m. Wednesday at First Presbyterian Church of Wasilla, 1375 E.



Alan

Bogard Road. The Rev. Rodney Kovtynovich of Schrock Community Church will officiate.

Alan was born Feb. 1, 1990, in Aberdeen, Wash.

He became a resident of Alaska in May 2002.

He was an eighth-grade student at Palmer Junior Middle School.

Alan was a member of Schrock Community Church.

His family wrote: "Alan loved all animals but could never get enough of any horse. Alan was a free-spirited boy with lots of spunk who lived life to the fullest. He shoveled snow and mowed lawns for many local businesses, and tended to animals or took out trash for neighbors. Alan handed out many hugs and handshakes and touched the hearts of most everyone. This last year of his life in Alaska will truly hold our most favorite memories. Alan was an organ donor. Six of his organs were donated so that life could go on for six other children, including a leukemia patient, a burn victim and several heart patients."

He is survived by his parents, Richard Horning of Tacoma, Wash., and Jenni Horning of Wasilla; grandparents, Richard and Vicky Horning Sr. of Tacoma and Arnold and Carol Walker of Hoquiam, Wash.; brothers, Andrew Horning of Wasilla, David Rule of Tacoma; sisters, Amy Titus, Jennifer Horning and Jessica Horning of Tacoma; nieces, Angelina, Alyssa, Jennifer and Devon; and nephew, Dakota, all of Tacoma; four uncles, six aunts and 17 cousins, all of Washington.

Memorial donations may be sent to HC 33, Box 3007-T, Wasilla 99654.

Alan's ashes are going into many lockets for family members to be sprinkled in places he never got to see.

Arrangements are with Valley Funeral Home & Crematory in Wasilla.

*Arch Daily News
Oct 14, 2003*

Delta man killed in rollover Sunday

By TIM MOWRY
Staff Writer

A Delta Junction man was killed early Sunday when he lost control of his pickup truck on a gravel road and the vehicle rolled several times.

David L. Penland, 48, of Delta Junction died after he was ejected from his 1988 Nissan pickup truck on Barley Way, less than a mile from his home.

Speed and alcohol are believed to be factors in the crash, said Alaska State Trooper Nasruk Nay in Delta Junction.

"There's nothing suspicious to show that anybody caused the accident but himself," said Nay.

Penland had lived in Delta Junction for at least 20 years and had worked as a smokerumper and firefighter, said Nay. He had no family in Alaska.

Penland was on his way home at about 2:30 a.m., traveling at a high rate of speed, when he came around a corner and the truck fishtailed to the left, according to Nay's investigation. The rear wheels went off the road and the truck turned sideways. The truck then apparently hit something and went airborne for a distance of 36 feet. The truck rolled several times after that, covering a distance of 72 feet.

"We don't know if he was ejected in midair, when the truck was airborne or while it was rolling," said Nay.

Troopers know the vehicle went airborne because a bush about 4 feet tall remained intact just beyond the point where the truck appears to have hit something, which sent it into the air.

See ROLLOVER, Page B2

B2 LOCAL

ROLLOVER: Fatal

Continued from Page B1

"If he had continued on the road, that bush would have been demolished," said Nay.

Barley Way is a side road of Sawmill Creek Road, about 10 miles south of Delta Junction. Nay described the gravel road as "washboardy" but said that's the normal condition of the road.

"If you're going 60 mph on that road, you're going to bounce a little bit," he said. "He lived on the road so he would have been familiar with it."

Troopers don't know how fast

appeared to have played a role in the crash.

"The mechanics of the accident are similar to anybody going too fast around a curve," said Nay. "It could have happened to me if I was in a hurry."

There were some open beer cans around the truck also, Nay said. Blood tests will be conducted to determine if Penland was intoxicated.

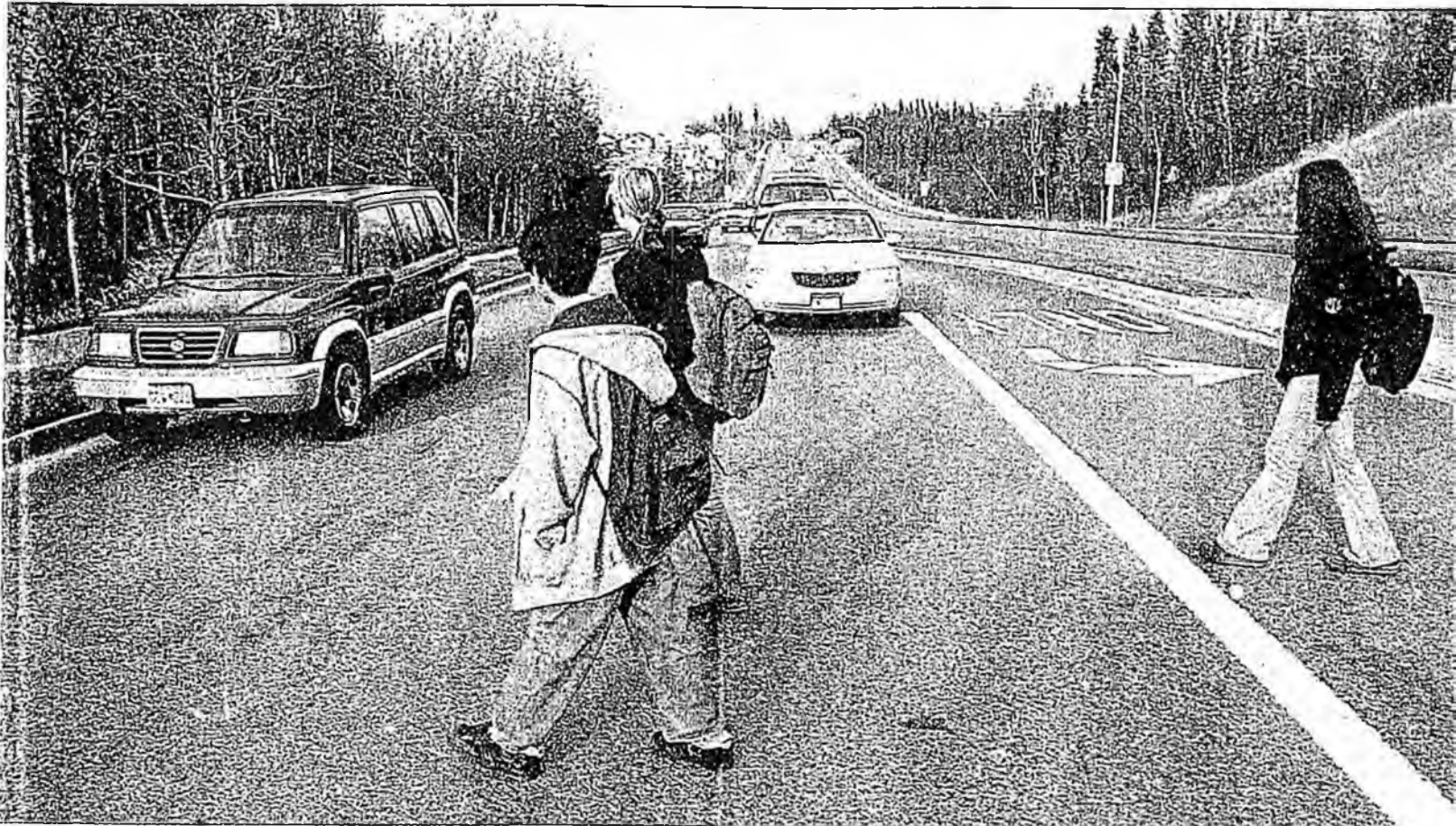
It didn't appear Penland was wearing a seat belt, but Nay couldn't say that for sure. All the truck's windows were broken out except the windshield.

Staff writer Tim Mowry can be

Oct 14, 2003

③ AH3

STUDENTS BRAVE LAKE OTIS TRAFFIC



Photos by BILL ROTH / Anchorage Daily News

Hanshew Middle School students who crossed Lake Otis Parkway near the O'Malley Road intersection walk back toward the subdivision across from the school.

District looks for safer crossing

Girl's death, complaints spur new look at old policy

by TATABOLINE BRANT
Anchorage Daily News

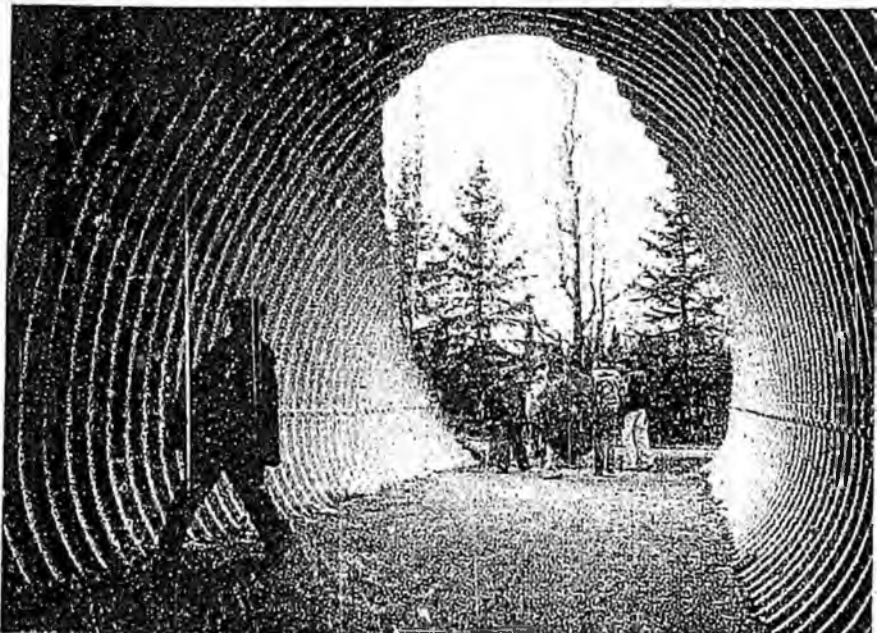
The death of a 13-year-old student who was hit by a van, and complaints about other kids darting into traffic have city and school District officials trying to find safer ways for students to get to two schools on Lake Otis Parkway.

Traffic has long been a thorny issue for Spring Hill Elementary and Hanshew Middle School, which sit side by side on Lake Otis, a busy arterial road with four lanes of traffic in two directions and a posted speed limit of 45 mph.

Last Monday, Kimberly Osborn tried to cross Lake Otis to get to Hanshew and was hit by a van whose driver didn't see her until it was too late. She died two days later.

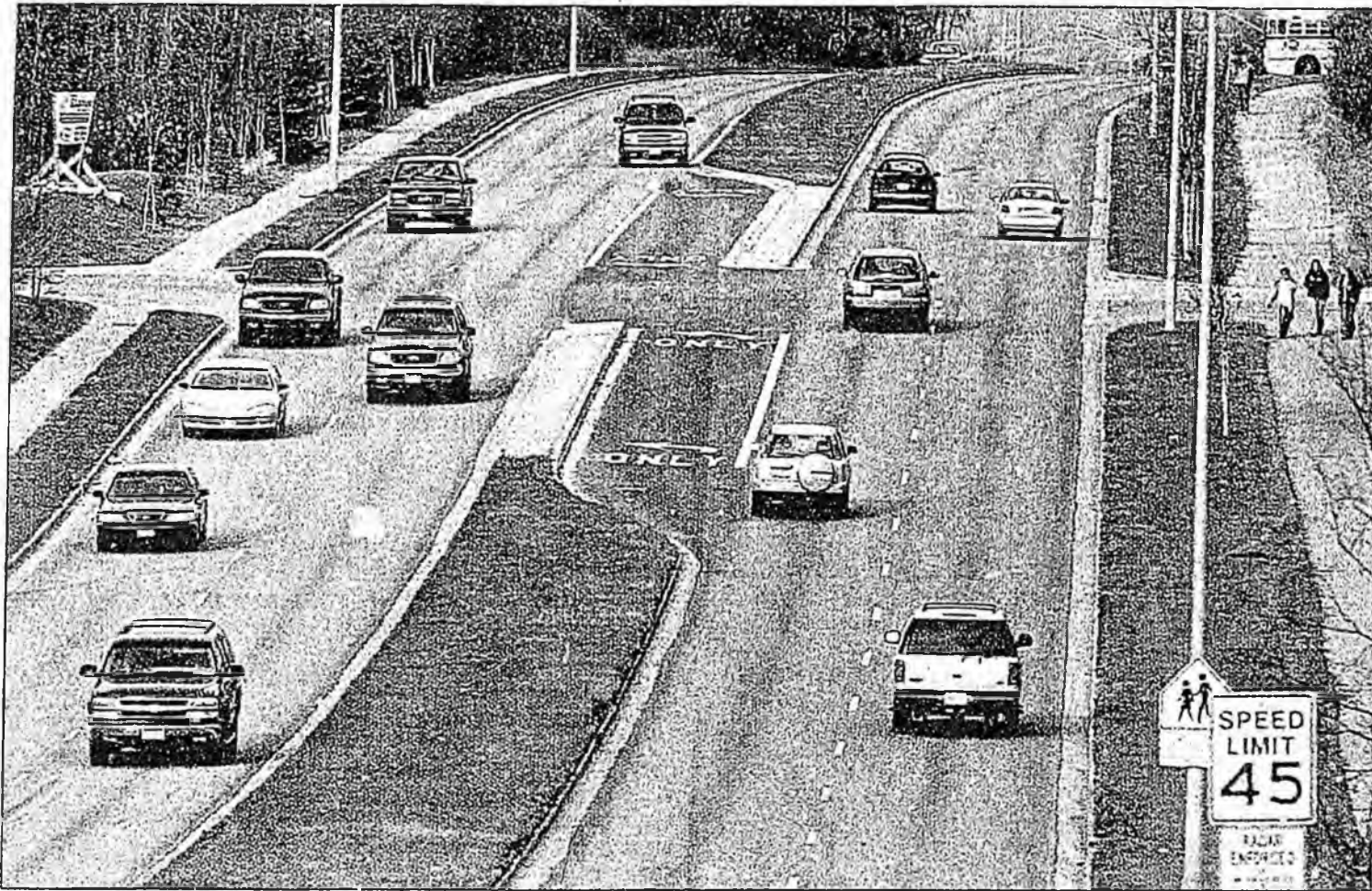
As school officials try to figure out what they can do to prevent a similar accident, some parents are questioning why the officials didn't act sooner.

"The speed limit is way too high," said Baron Davis, whose 6-year-old daughter attends Spring Hill. "Cars go faster than 50 miles per hour down that road. I've caught a school bus going 50 miles per hour."



Baron Davis, whose daughter attends Spring Hill Elementary School, thinks it's a lot to ask of kids to walk out of their way and through a dark tunnel to get to school. He suggests a crosswalk. "I'll paint it myself if they want," he said. Vandals have knocked out lights in the tunnel, and the passage can fill up with water in spring and snow in winter.

See Back Page, SCHOOL



BILL ROTH / Anchorage Daily News

Hanshaw Middle School students walk toward the O'Malley Road intersection to avoid crossing near a guard.

SCHOOL: Tunnel, buses, crosswalk among ideas

Continued from A-1

The district says it has tried numerous approaches to get kids safely from one side of Lake Otis to the other, including encouraging them to take a pedestrian tunnel and authorizing bus stops for students who live right across the street. The district has been reluctant to put in school crossing signs and crosswalks because officials don't want to encourage students to cross Lake Otis, said Steve Kalmes, the district's director of transportation services.

"It's a very sticky question," Kalmes said. "The problem with school zones is that people in this community don't pay any attention to them. It's criminal the disregard for school zones in this community. ... Our position has been let's do whatever we can to protect the students."

But new housing developments along Lake Otis have led to more kids trying to cross the road, and Superintendent Carol Comeau said Monday that the district may now have to rethink that long-held stance.

"That's the big challenge for us," Comeau said. "We do not want kids to cross Lake Otis. But on the same token, I think we need to recognize that there are two schools across the street from these subdivisions."

The area in front of Hanshaw Middle School and Spring Hill Elementary does not look like a school zone. The schools are set back from the road, and there are

O'Malley. The tunnel is closer to Abbott, and students in the new subdivisions took to darting across Lake Otis instead of making the longer walk to school via the tunnel.

The district received several complaints about this about two years ago, Kalmes said, and after observing the jaywalking, they authorized bus stops for the students.

But the bus rides sometimes last 15 to 20 minutes, said Comeau and K.P. Targe, president of the Hanshaw Parent Teacher Student Association. "A lot of the kids don't want to ride the bus," Comeau said.

Parents and drivers have voiced concerns about traffic near the schools for years.

Davis, the father of the 6-year-old Spring Hill student, said he wrote to Anchorage Assembly members about a month before Osborn was killed, suggesting that the speed limit in front of the schools be reduced. He said he got a cool response. They said, "Weil, we've got this tunnel," Davis said in a telephone interview Monday.


"It seems like everybody is pointing at the kids," he said. "It's the adults that are creating the environment."

Davis thinks it's a lot to ask of kids to walk out of their way and through a

Deadly school crossing

A fatal accident near Hanshaw Middle School has district officials trying to find safer ways to cross Lake Otis Parkway.

- WHO: Kimberly Osborn
- AGE: 13
- TIME: 7:45 a.m.
- WHAT: Hanshaw student struck while crossing the road. She later died.





BILL ROTH / Anchorage Daily News

Hanshaw Middle School students walk toward the O'Malley Road intersection to avoid crossing near a guard.

SCHOOL: Tunnel, buses, crosswalk among ideas

Continued from A-1

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The area in front of Hanshaw Middle School and Spring Hill Elementary does not look like a school zone. The schools are set back from the road, and there are few signs to let drivers know there could be children nearby. The speed limit is 45 mph, and there are no crosswalks to break up the mile-long stretch of Lake Otis between O'Malley and Abbott roads.

According to Kalmes, a pedestrian tunnel was built under Lake Otis in the early 1990s. But from the beginning it was a struggle to get kids to use the tunnel, said Comeau, who used to be principal at Spring Hill.

"It was a constant battle," she said. Vandals often knocked out lights in the tunnel, and the passage would fill up with water in spring and snow in winter, she said.

The effort to get kids to use the tunnel was compounded in recent years when new subdivisions went in on Lake Otis near

O'Malley. The tunnel is closer to Abbott, and students in the new subdivisions took to darting across Lake Otis instead of making the longer walk to school via the tunnel.

The district received several complaints about this about two years ago, Kalmes said, and after observing the jaywalking, they authorized bus stops for the students.

But the bus rides sometimes last 15 to 20 minutes, said Comeau and K.P. Targe, president of the Hanshaw Parent Teacher Student Association. "A lot of the kids don't want to ride the bus," Comeau said.

Parents and drivers have voiced concerns about traffic near the schools for years.

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"It seems like everybody is pointing at the kids," he said. "It's the adults that are creating the environment."

Davis thinks it's a lot to ask of kids to walk out of their way and through a dark tunnel to get to school. He suggested a crosswalk. "I'll paint it myself if they want," he said.

Statistics on how many accidents have occurred in front of the two schools were not immediately available Monday.

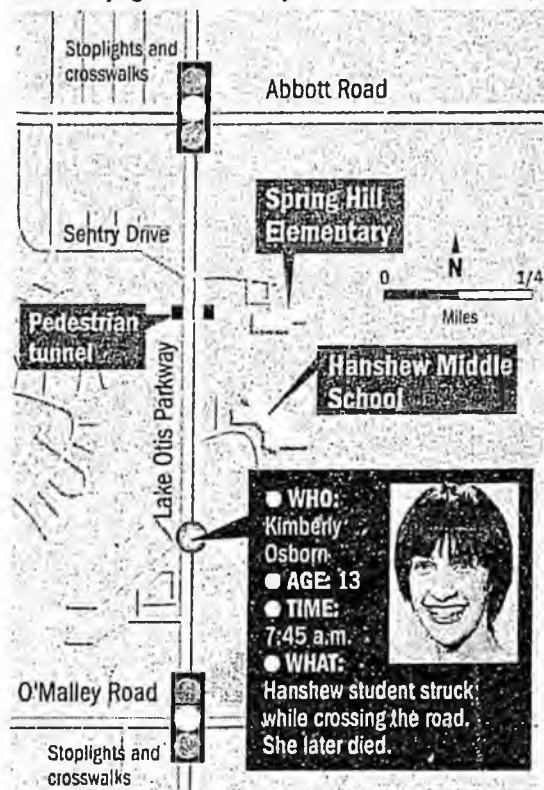
"I've heard there've been some pretty close calls," Comeau said.

Since Osborn's death, the district is rethinking its approach. Comeau said she and other district officials met with police and city traffic engineers Monday to talk about how to get kids safely across Lake Otis.

Assemblywoman Janice Shamberg has suggested an on-demand pedestrian stop light and crosswalk, similar to the one on Northern Lights Boulevard near East High.

Deadly school crossing

A fatal accident near Hanshaw Middle School has district officials trying to find safer ways to cross Lake Otis Parkway.



RON ENGSTROM / Anchorage Daily News

Kids think they're invulnerable, Shamberg said, and if they're running too late to school to take the tunnel or the bus, "they could easily decide to just cross the street."

Comeau said city officials are considering Shamberg's suggestion, and a number of others, including slowing traffic down to 20 to 25 mph with blinking lights when the school day begins and ends. Comeau said she's also looking into installing vandal-proof lights in the tunnel and trying to make bus rides shorter for kids who live nearby, among other things.

"I personally believe we need to slow the traffic down," she said.

Anchorage, AK
Anchorage Daily News

(Cir. D. 54,710)

(Cir. S. 67,750)

OCT 15 2003

Allen's P.C.B. Est. 1888

DELTA JUNCTION

A-43

**Man dies after being ejected
from pickup in rollover crash**

A Delta Junction man died in a rollover crash over the weekend after he lost control of his pickup, Alaska State Troopers said.

David L. Penland, 48, was speeding on Barley Way in Delta Junction shortly before 3:30 a.m. Sunday when he went off the road, troopers said.

Penland was ejected from the truck when the vehicle swerved back onto the road and began to roll over, troopers said.

— The Associated Press

Anchorage, AK
Anchorage Daily News

(Cir. D. 54,710)

(Cir. S. 67,750)

OCT 18 2003

Allen's P.C.B. Est. 1898

FAIRBANKS A-43

Nenana woman, dog struck and killed in Parks Highway hit and run

A Nenana woman and her dog died after being struck in a hit-and-run accident on the Parks Highway, Nenana police said.

Glenda Luke Lurvey, 51, and her cocker spaniel, Baxter, were walking at an intersection of the Parks Highway early Wednesday morning.

Lurvey had Baxter on a leash and was carrying a puppy when she stepped out onto the highway in front of a 1970 Chevrolet Chevelle driven by Danielle Hodges, Police Chief Milt Haken said.

The puppy survived and was found in nearby bushes.

Hodges and a passenger had been drinking that night and were intoxicated at the time of the accident, Haken said.

Another motorist, Loren Braat, ran over Lurvey with his truck, Haken said. Braat reportedly said he couldn't see because of the Chevelle's headlights, but eventually realized Lurvey was in the road and swerved to avoid her.

Hodges and a passenger left the scene and were later found, Haken said. Police are still investigating to determine what charges to file.

— The Associated Press

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

OCT 18 2003

Allen's P.C.B. Est. 1888

DELTA JUNCTION

A-43

Man dies of injuries sustained last month in single-vehicle accident

A Delta Junction man has died of injuries suffered last month in a single-vehicle accident on the Richardson Highway, Alaska State Troopers said Thursday.

Chad McEwen, 26, died Wednesday at Harborview Medical Center in Seattle, troopers said.

McEwen was speeding south on the highway early on the morning of Sept. 28 when his 1977 Porsche coupe veered off the roadway near Mile 262 and rolled into a ditch, according to troopers.

The car flipped back onto the roadway and rolled over several times before it ended up on in the ditch on the other side of the highway.

McEwen, the only occupant in the car, suffered head injuries, troopers said.

— The Associated Press

Hit and run leaves Nenana woman dead on highway

By BETH IPSEN
Staff Writer

A woman and her dog were struck and killed when they struck by a vehicle on the Parks Highway early Wednesday morning, Nenana police said Thursday.

Glenda Luke Lurvey, 51, and her cocker spaniel, Baxter, were killed near where 10th Avenue intersects with the Parks Highway as it runs through Nenana, said Nenana Police Chief Milt Haken.

Haken said Lurvey had Baxter on a leash and was carrying another dog, a pug-Pomeranian mix puppy that hasn't been named yet, when she stepped out onto the highway in front of a 1970 Chevrolet Chevelle driven by Danielle Hodges at about 3:45 a.m. The puppy survived the accident and was found in the bushes near the scene.

Hodges' passenger, George Jensen Jr., 21, told Haken that Lurvey walked out in front of the vehicle waving her hands. Jensen and Hodges had been

drinking at local bars that night and were intoxicated at the time of the accident, Haken said.

Haken said he's positive the car hit the dog, but it's unclear if the car slammed into Lurvey or if she was knocked clear. Regardless, she ended up lying in the other lane and in the path of a tractor towing two trailers.

Truck driver Loren Braat said at first he wasn't sure what was in the road when he saw Lurvey. Braat was driving what is called a "switch run" for Airland Transport Inc. where he takes a truck with trailers half way down to Anchorage, then switches with another driver and returns with a new rig.

Braat said he couldn't see because of the Chevelle's headlights, but eventually realized Lurvey was in the road and swerved to avoid her. He said he believed he was successful and drove through a pool of blood on the road.

See HIT AND RUN, Page B3.

HIT AND RUN: Woman found dead on Parks Highway

Continued from Page B1

However, Haken said Braat didn't miss.

"Physical evidence shows he ran over her," Haken said.

Braat pulled over and talked to both Hodges and Jensen. Braat said Jensen was very upset when the two got into the car and left.

When Haken showed up on scene and Braat described the Chevelle, Haken knew where to find the car and driver.

When Haken found Jensen, he

was highly intoxicated and said the car hit Lurvey, Haken said. But Hodges told Haken she didn't see the woman, but knew she ran over something.

Haken had the grisly task of investigating the scene of the accident and said physical evidence proves Hodges right.

"This was a hit and run. There will be charges along those lines, there's just a matter of determining to what degree the seriousness of charges," he said.

He impounded the car and has collected samples from six differ-

ent spots on the Chevelle that will be sent to the state crime lab. Lurvey's body has also been sent to the medical examiner's office for an autopsy to help with the investigation.

Haken was able to interview several people and discovered Lurvey left the home she shares with her boyfriend, Ray Fox, at 2:30 a.m. She was highly intoxicated and decided to take the couple's three dogs out for a walk.

The couple's miniature Doberman pincher, returned shortly

after, Fox said, but Lurvey had Baxter on a rope leash and carried the puppy.

Fox said his girlfriend has lived in Nenana and Fairbanks on and off over the last 10 years. Otherwise, she has spent time with family in Michigan and Texas or just "wandering around."

"She was kind of a wanderer, but in a good way," Fox said. "She didn't like to be in one spot for very long."

Reporter Beth Ipsen can be reached at bipson@newsminer.com or 459-7545.

(3)

OCT 24 2003

Allen's P.C.B. Est. 1888

Street safety gets closer look

(4) A-23
■ **LAKE OTIS:** Officials seek long-term solutions to keep kids and cars apart.

By **TATABOLINE BRANT**
Anchorage Daily News

Steps have been taken to make things safer for kids who need to get across Lake Otis Parkway to school, but city and Anchorage School District officials said Thursday they are still investigating longer-term safety measures.

Getting kids across the street safely has long been a concern at Hanshew Middle School and Spring

Hill Elementary, which sit side by side on Lake Otis, a busy four-lane road with a posted speed limit of 45 mph.

Those concerns were pushed to

“

As comforting as a school zone sounds, it's not going to give you the amount of protection you think it is. There's not going to be a magic bullet.

”

— Gary Appurson, recently retired police sergeant

the forefront of public discussion earlier this month when a 13-year-old Hanshew girl was hit by a van while trying to cross Lake Otis on her way to school. Kimberly Osborn

died from her injuries a few days after the accident.

Since Osborn's death, city officials have erected more than a dozen no-pedestrian-crossing signs along Lake Otis between O'Malley and Abbott roads, where the two schools are. The signs direct pedestrians to an under-road tunnel between the schools.

School officials have long encouraged students to take the tunnel to school or ride the bus, even if they live just across the street. But since Osborn's death, several parents have

See Page B-5, **CROSSING**

CROSSING: Changes on Lake Otis, more planned

Continued from B-1

said they don't think the tunnel is safe for kids either.

Siegfried Kirchner, whose son used to attend Hanshew, recently wrote to Mayor Mark Begich that the tunnel "is a filthy, dimly lit invitation for encounters of the worst kind. It is precisely the kind of place that women and children should avoid."

City traffic engineer Glenda Radvansky and district transportation director Steve Kalmes said Thursday that steps are being taken to make the tunnel safer. Cages have been put over the lights to protect them from vandals, Radvansky said, and the lights are now on 24 hours a day. In addition, two streetlights are going to be erected at each end of the tunnel, she said.

"It's definitely not going to be dark in there."

The city also is going to look at drainage issues in the tunnel, Radvansky said. The tunnel gets filled with water in spring and snow in winter.

The district also has temporarily stationed adults along Lake Otis before and after school hours to watch for jaywalkers and encourage kids to take the tunnel.

Several parents are clamoring for crosswalks, stoplights and a speed reduction along

Lake Otis, but a group of city, district and state transportation officials that met Thursday said they do not favor the idea.

The Hazardous Transportation Committee did not rule out the idea of crosswalks and lights but strongly favored keeping the kids off the street altogether — the district's approach thus far.

The stretch of Lake Otis in which some people want the changes is more than a mile long, officials said. Getting every driver to slow to 25 mph for that long of a stretch, on a road that's built for higher speeds, is going to be next to impossible, they said.

"As comforting as a school zone sounds, it's not going to give you the amount of protection you think it is," said Gary Apperson, a recently retired police sergeant. All it will take is one driver on a cell phone in a pickup and you could have another dead child, he said.

About 460 drivers were cited for speeding in school zones in 2002, according to the Anchorage Police Department's Annual Statistical Report. But police officials said Thursday they can't catch or deter all the speeders, even when they do stings for days at a time.

"The size of the problem is huge," said Mark Mew, the dis-

trict's security director and a former deputy police chief at APD.

The other problem with crosswalks on Lake Otis is that the road is neither straight nor flat, which could leave even the best drivers with little time to respond.

Still, the committee seemed to agree that more needs to be done to prevent kids from darting across Lake Otis — a growing problem since two new subdivisions went up on Lake Otis near O'Malley, some distance away from the under-road tunnel.

Radvansky said she was going to look into the feasibility of an overpass, the most expensive idea so far. Other ideas discussed at the meeting included erecting fences to keep kids off the street, increasing lighting on the streets, putting up speed reader boxes and hiring atten-

dants to watch students during the beginning and end of the school day.

"There's not going to be a magic bullet," Apperson said. "It's going to be a combination of things, including having parents work with their kids."

The district plans to discuss the ideas with parents at a meeting at Hanshew at 7 p.m. Tuesday, Kalmes said. That feedback will be relayed to the Hazardous Transportation Committee, which plans to meet again in November to further discuss the options.

■ Daily News reporter Tataboline Brant can be reached at tbrant@adn.com or 257-4321.

UCT 25 2003

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A 113

Two brothers die in one day

■ **NOME:** 3-year-old hit by car after 6-day-old is found not breathing.

By **PETER PORCO**
Anchorage Daily News

A Nome family suffered a double tragedy in a single day this week when their baby boy died from unknown causes and, several hours later, the baby's 3-year-old brother suffered fatal injuries when he was struck by a sport utility vehicle while running across a street.

"It's a very sad story," Ralph Taylor, Nome chief of police, said Friday in a telephone interview. "The first brother who died was a newborn infant."

Brandon Kakaruk, 6 days

old, was not breathing when his mother, who had been sleeping beside him, awoke about 8:30 a.m. Thursday, Taylor said.

The cause of the infant's death is "not known at this point," said Taylor. "We don't suspect any abuse by the parents, but we are investigating."

The baby's body was sent Thursday night to Anchorage, where the state medical examiner was expected to perform an autopsy to determine the cause of death. Results were not known Friday, Taylor said.

Later that afternoon, Jacob Kakaruk, who turned 3 last week, was playing with an 11-year-old cousin in a city park

See Page B-9, **BROTHERS**

BROTHERS: Authorities investigating deaths

Continued from B-1

across the street from where the Kakaruks live, the police chief said.

They were in a little playground, according to Catherine Kakaruk, the boys' mother.

"My son apparently just got up and ran and the person with him was chasing him and he was running so fast, I guess apparently the guy says he didn't see him," Catherine Kakaruk said, also in a telephone interview.

The boy was struck at 4:30 p.m. by a Dodge Ram SUV driven by Bernie Larsen, 50, of Nome, said Taylor.

The family called police, who tried to revive the boy until an ambulance arrived and took Jacob to Norton Sound Regional Hospital. Doctors there treated him but were unable to save him, Taylor said.

Police have not cited Larsen, he said. They are still investigating the incident.

Larsen wanted to speak to the family afterward, Catherine Kakaruk said.

"He wanted to come and talk

to us, but we don't want to see him right now," she said.

"This is a residential neighborhood with a playground at a corner of the street with a sign. From the bottom of my heart, I wanted to say, 'I hate you, how can you not see a child with a red jacket? It's a bright red jacket.'"

Catherine, who's originally from Little Diomedé, and her husband, Edward Kakaruk Jr., a worker for the Norton Sound Health Corp. who's from Teller, have lived in Nome for six years, she said.

They have another son, 10 years old.

Taylor said the family is "devastated" by Thursday's events. "I understand they were pretty broke up," he said.

"It's up and down," said Catherine. "Everybody's supporting us."

■ The Associated Press contributed to this story. Daily News reporter Peter Porco can be reached at pporco@adn.com or 257-4582.

Wasilla, AK.
Matanuska Valley
Frontiersman
(Cir. Bi-W. 8,800)

OCT 28 2003

Allen's P. C. B. Est. 1888

A-43
Crash kills Sutton woman

③ A Sutton woman died Saturday when the car she was driving veered into a ditch and hit several trees, Alaska State Troopers said.

Jessica Christine Carr, 21, was driving a black 2000 Mercury Mystique at Mile 1.1 Jonesville Road at 3:17 a.m. when the crash occurred. Medics pronounced her dead at the scene, and troopers said she was not wearing a seat belt.

Passenger Troy McGlashan, 15, of Sutton, was wearing a seat belt and received only minor injuries, troopers said.

Washila, AK.
Matanuska Valley
Frontiersman
(Cir. Bi-W. 8,800)

OCT 31 2003

Allen's P. C. B. Est. 1888

AH3

Medical examiner says woman died of crash injuries

An autopsy has revealed that a Willow woman whose body was found Monday near Mile 100 Parks Highway died of internal injuries from a car crash, Alaska State Troopers said.

Anita Faye Mays, 39, was not wearing a seat belt when the Ford Bronco she was driving overturned, apparently on Oct. 20 when several other vehicles crashed in the area, troopers

said. The State Medical Examiner said Mays was injured by the steering wheel and estimated she died within minutes or hours of the rollover.

Troopers who investigated

the scene said she probably walked from the car to a small lake 150 yards from the highway where her body was discovered. Hypothermia may have contributed to her death, troopers said.

