

ALASKA LEGISLATURE COMMITTEE FILES 2007-2008 SJUD 12572

Mr. Chairman; Senators:

The use of ridiculous illustrative examples needs to stop; for they have bad habit of later being used as fact. Why do you think the oil companies are using DNR, DOR numbers rather than their own like Exxon's testimony today. Because some State dummy put out an illustrative example which proves the oil companies case better than the real oil company numbers do. Not one of you seems to have to have 'guts' to ask the oil companies to site exactly where they obtained the State numbers and obtain a copy of the document. Nor make the oil companies use their own numbers.

Gaffney Cline's use of wild "Blank" examples. For example: 250,000 barrels day as the oil pipeline minimum flow and shut down point is nuts! I do not care if it is only illustrative, it is stupid. Anybody want bet that it will not show up as real before the next election? And attributed to the State's experts! So it must be fact!

250,000 barrels at \$80 /barrel is \$7.3 billion a year. What lose wing nut is going shut down the oil line with \$7.3 billion in oil flowing thru the oil line.

@40/barrel it is \$3.65 billion ; @\$20/ barrel it is \$1.8 billion and @\$10/ bl it is \$900 million; not even \$10 oil will not result in a shut down . 30 years ago van Poolen used 100,000 Bls/day not because that was the shut down point but because he needed some cut off for the computer. Oil companies did the same.

Lets use 100,000 barrels / day then @ \$80/ bl oil is \$ 8 million a day or that is \$2.9 billion year; @40 / bl is \$1.5 billion; @\$20 is \$750 million

Lets try just 50,000 barrels / day and \$80 oil that is \$1.5 billion; @\$40 oil is \$750 million/ year. @ \$20 oil it is \$375 million /year. Are you legislators so simple as to think the oil companies would shut down the oil line if thru put was only 50,000 barrels /day and oil was only \$20 /barrel? Do you really think they would abandon the billions of dollars of infrastructure on the North Slope and then have pay for its removal. You have got a lose screw! Net, IRR's and stick them where they fit you the best. Get real ! Exxon just today told House Resources that there is another 53 billion barrels to be discovered in Alaska and that does not count the 30 billion barrels of viscous oil or the 30 billion barrels of heavy oil.

You have perfect example of no abandonment out there in Cook Inlet; they are called platforms and there is not a damn one of them that makes any economic sense the way you have been calculating things. Simply put, it costs more remove the platforms than to keep them. That is why they are still there.

There is a 1978 legislative report that calls for the construction of a new small oil line, when the oil flow thru the line gets too low, to take the remaining oil off the North Slope, then the conversion of the current oil line to a gasline.

But the fact that Prudhoe Bay has already produced 6.1 billion barrels more oil than would have been produced if a gasline were constructed back in the 1980' with more addition oil to come brought to an end to that idea for there is at least 9 billion or more barrels remaining in Prudhoe Bay to be produced. And you thought BP's 50 more years was just more hype, it is, but it is also true, probably the only time they told the truth.

It is a very good time to discuss the Cook Inlet platforms for those of you who persist at demanding a gasline at the expense oil recovery. There is more once recoverable oil that is now unrecoverable oil under the platform than they recovered, a billion plus barrels worth at least \$80 billion dollars at today's prices. Why? Because they because they sold off the gas as it came up with the oil. You do not get 15 percent decline rates when the gas is recycled for oil production. You can forget that AGRIMUM CO<sub>2</sub> hocus pocus, it is not for real. If AGRIMUM's ploy was for real they would be saying thing differently. It is not that it cannot be done but not the way they are going about it.

Some of you just don't want to get it. Like Senator Huggins who wants to storm a round and do something about getting a gasline ever since van Meurs. Do you really think Huggins is that stupid or does Huggins think you legislators are that gullible? Here is what Senator Huggins told the Resource Development Council before he introduced Representative Samuels: "regardless of what else is said here today, remember the gas is not going to flow before 2020, if at all".

Swanson River oil reservoir, Chevron / ARCO, leased gas from the Kenai gas field, Union / Marathon, for \$0.10/ mcf and injected the gas into Swanson River to rebuild the gas pressure. The supplemental gas injection preformed so well, that Swanson River was one of the subjects at an SPE convention in Denver in 1977. The percent of oil recovery for Swanson was three times that of the platforms. Union / Marathon bought Swanson River reservoir to get their gas back when ARCO was sold.

Point Thomson's gas will not be available for twenty years after the litigation is settled. The highest and best use of Point Thomson's gas is to be injected into Prudhoe Bay to increase the gas pressure and therefore the oil recovery similar to Swanson River. Prudhoe Bay can take two Point Thomsons and have room for more. Since Alaska will own point Thomson, if Governor Palin does not sell Alaska out, Alaska should sue the Prudhoe Bay owners for a realignment of interests in Prudhoe with Point Thomson like the Prudhoe Bay owners sued one another several times to sort out Prudhoe Bay ownership the last time about a decade ago. The injection of Point Thomson's gas into Prudhoe Bay would make the State of Alaska the largest share holder in Prudhoe Bay.

**SCR**

**3**

## SENATE COMMITTEE REPORT First Committee of Referral

DATE: 2/19/07

FURTHER:

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: \_\_\_\_\_

Judiciary Committee considered SENATE CONCURRENT RESOLUTION NO. 3

### SCR 3 POINT THOMSON UNIT APPEAL

Urging the governor and the attorney general to expedite the resolution in the courts of the appeal from the decision by the commissioner of natural resources to deny the proposed plans for development of the Point Thomson Unit and to terminate the Point Thomson Unit.

and recommends:

- be replaced with  SCS or  CS SCR 3 (JUD)
- adopt previous  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

<b>SENATE BILL:</b>	
<input type="checkbox"/>	Same Title
<input checked="" type="checkbox"/>	New Title
<hr/>	
<b>HOUSE BILL:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
(S) JUD	3/22/07			✓	

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS	PRINTED LASTNAME	Do Pass	Do Not Pass	No Rpt	AMEND
	Theriault	✓			
	elachowski	✓			
	McGuire	✓			
CHAIR:	French	✓			

**CS FOR SENATE CONCURRENT RESOLUTION NO. 3(JUD)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-FIFTH LEGISLATURE - FIRST SESSION**

**BY THE SENATE JUDICIARY COMMITTEE**

**Offered:**

**Referred:**

**Sponsor(s): SENATORS THERRIAULT, Wagoner, Wilken, Dyson**

**A RESOLUTION**

1 **Urging the governor and the attorney general to expedite the resolution of the appeal**  
2 **from the decision by the commissioner of natural resources to deny the proposed plans**  
3 **for development of the Point Thomson Unit and to terminate the Point Thomson Unit.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **WHEREAS** the Department of Natural Resources estimates that the Thomson Sand  
6 Reservoir contains at least 8 trillion cubic feet of gas and 200 million barrels of gas  
7 condensate and oil and that the shallower Brookian reservoirs are estimated to contain  
8 hundreds of millions of barrels of oil; and

9 **WHEREAS** the Point Thomson Unit consisted of 45 state oil and gas leases  
10 encompassing approximately 106,200 acres, and the state owns the entire subsurface estate  
11 within that unit area; and

12 **WHEREAS** 25 lessees held working interest ownership in the Point Thomson Unit on  
13 October 27, 2005, when the director of the division of oil and gas in the Department of  
14 Natural Resources denied the Twenty-second Plan of Development for the Point Thomson  
15 Unit; and

1           **WHEREAS**, in 2000, the lessees asked the Department of Natural Resources to  
2 approve an expansion of the Point Thomson Unit by 12 leases and about 40,000 acres; and

3           **WHEREAS** the Department of Natural Resources and the lessees entered into an  
4 expansion agreement by which the department would approve the unit expansion on condition  
5 that the lessees would perform certain items of work and put the unit into production with at  
6 least seven development wells by 2008; and

7           **WHEREAS**, as of November 27, 2006, the lessees had failed to satisfy any of the  
8 work commitments in the expansion agreement and had relinquished two expansion leases  
9 back to the state along with a payment of \$940,000; and

10           **WHEREAS** the expansion agreement required the lessees to drill a well not later than  
11 December 2006; and

12           **WHEREAS** the lessees failed to drill the well required by the expansion agreement  
13 before the end of December 2006, and the expansion agreement requires the lessees to  
14 relinquish all 29,000 acres of the remaining expansion leases and pay the state \$20,000,000;  
15 and

16           **WHEREAS** the expansion agreement provided that the lessees could have voluntarily  
17 contracted the expansion leases out of the Point Thomson Unit with a lesser financial  
18 obligation to the state if the lessees determined that production was uneconomic, but the  
19 lessees have not exercised this option; and

20           **WHEREAS** the lessees failed to drill exploratory wells to delineate the various  
21 hydrocarbon accumulations in response to an offer by the Department of Natural Resources to  
22 extend the expansion agreement if those exploratory wells were drilled; and

23           **WHEREAS** the director of the division of oil and gas in the Department of Natural  
24 Resources disapproved the Twenty-second Plan of Development proposed by the lessees  
25 because that plan of development did not set out a plan to bring the unit into commercial  
26 production within a reasonable time; and

27           **WHEREAS** the lessees have failed to provide a new or revised acceptable plan of  
28 development for the Point Thomson Unit since the director of the division of oil and gas  
29 disapproved the Twenty-second Plan of Development; and

30           **WHEREAS** the commissioner of natural resources, on November 27, 2006, upheld  
31 the denial of the proposed plans for development of the Point Thomson Unit, terminated the

1 Point Thomson Unit, and found that lessees had breached an expansion agreement, thereby  
2 causing 29,000 acres of expansion leases to revert automatically to the state; and

3 **WHEREAS** the acting commissioner of natural resources, on December 27, 2006,  
4 denied reconsideration of the commissioner's decision dated November 27, 2006; and

5 **WHEREAS** ExxonMobil Corporation, as the operator of the Point Thomson Unit and  
6 as a lessee, along with BP Exploration, Chevron U.S.A., and ConocoPhillips Alaska, Inc.,  
7 appealed the decision of the commissioner of natural resources to the superior court in 3AN-  
8 06-13751CI and commenced a separate action in superior court in 3AN-06-13826CI; and

9 **WHEREAS** ExxonMobil Corporation, BP Exploration, Chevron U.S.A.,  
10 ConocoPhillips Alaska, Inc., and Devon Energy Production Company, L.P., are pursuing  
11 administrative appeals of the individual lease terminations in accordance with 11 AAC 02;  
12 and

13 **WHEREAS**, under art. VIII, sec. 1, Constitution of the State of Alaska, the policy of  
14 the state is to encourage the development of its resources by making them available for  
15 maximum use consistent with the public interest; and

16 **WHEREAS** it is in the best interest of the state to develop the oil and gas resources  
17 within the Point Thomson Unit for the benefit of the people of the state; and

18 **WHEREAS** an unnecessary delay in the resolution of the appeal of the  
19 commissioner's decision will contribute to further delay in the development of the oil and gas  
20 resources in the Point Thomson Unit to the detriment of the people of the state;

21 **BE IT RESOLVED** that the Alaska State Legislature respectfully asks the governor  
22 and the attorney general to allocate adequate resources and take all steps necessary to expedite  
23 the court's consideration of the appeal in 3AN-06-13751CI or facilitate a successful resolution  
24 to the unit and lease dispute so that the oil and gas resources within the Point Thomson Unit  
25 may be developed for the benefit of the people of the state without further delay.

25-LS0446K  
Bullock  
3/24/07

**CS FOR SENATE CONCURRENT RESOLUTION NO. 3( )**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-FIFTH LEGISLATURE - FIRST SESSION**

**BY**

**Offered:**

**Referred:**

**Sponsor(s): SENATORS THERRIAULT, Wagoner, Wilken, Dyson**

**A RESOLUTION**

1 **Urging the governor and the attorney general to expedite the resolution ~~in the courts of~~**  
2 **the appeal from the decision by the commissioner of natural resources to deny the**  
3 **proposed plans for development of the Point Thomson Unit and to terminate the Point**  
4 **Thomson Unit.**

5 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 **WHEREAS** the Department of Natural Resources estimates that the Thomson Sand  
7 Reservoir contains at least 8 trillion cubic feet of gas and 200 million barrels of gas  
8 condensate and oil and that the shallower Brookian reservoirs are estimated to contain  
9 hundreds of millions of barrels of oil; and

10 **WHEREAS** the Point Thomson Unit consisted of 45 state oil and gas leases  
11 encompassing approximately 106,200 acres, and the state owns the entire subsurface estate  
12 within that unit area; and

13 **WHEREAS** 25 lessees held working interest ownership in the Point Thomson Unit on  
14 October 27, 2005, when the director of the division of oil and gas in the Department of  
15 Natural Resources denied the Twenty-second Plan of Development for the Point Thomson

1 Unit; and

2 **WHEREAS**, in 2000, the lessees asked the Department of Natural Resources to  
3 approve an expansion of the Point Thomson Unit by 12 leases and about 40,000 acres; and

4 **WHEREAS** the Department of Natural Resources and the lessees entered into an  
5 expansion agreement by which the department would approve the unit expansion on condition  
6 that the lessees would perform certain items of work and put the unit into production with at  
7 least seven development wells by 2008; and

8 **WHEREAS**, as of November 27, 2006, the lessees had failed to satisfy any of the  
9 work commitments in the expansion agreement and had relinquished two expansion leases  
10 back to the state along with a payment of \$940,000; and

11 **WHEREAS** the expansion agreement required the lessees to drill a well not later than  
12 December 2006; and

13 **WHEREAS** the lessees failed to drill the well required by the expansion agreement  
14 before the end of December 2006, and the expansion agreement requires the lessees to  
15 relinquish all 29,000 acres of the remaining expansion leases and pay the state \$20,000,000;  
16 and

17 **WHEREAS** the expansion agreement provided that the lessees could have voluntarily  
18 contracted the expansion leases out of the Point Thomson Unit with a lesser financial  
19 obligation to the state if the lessees determined that production was uneconomic, but the  
20 lessees have not exercised this option; and

21 **WHEREAS** the lessees failed to drill exploratory wells to delineate the various  
22 hydrocarbon accumulations in response to an offer by the Department of Natural Resources to  
23 extend the expansion agreement; if those exploratory wells were drilled; and

24 **WHEREAS** the director of the division of oil and gas in the Department of Natural  
25 Resources disapproved the Twenty-second Plan of Development proposed by the lessees  
26 because that plan of development did not set out a plan to bring the unit into commercial  
27 production within a reasonable time; and

28 **WHEREAS** the lessees have failed to provide a new or revised acceptable plan of  
29 development for the Point Thomson Unit since the director of the division of oil and gas  
30 disapproved the Twenty-second Plan of Development; and

31 **WHEREAS** the commissioner of natural resources, on November 27, 2006, upheld

1 the denial of the proposed plans for development of the Point Thomson Unit, terminated the  
2 Point Thomson Unit, and found that lessees had breached an expansion agreement, thereby  
3 causing 29,000 acres of expansion leases to revert automatically to the state; and

4 **WHEREAS** the acting commissioner of natural resources, on December 27, 2006,  
5 denied reconsideration of the commissioner's decision dated November 27, 2006; and

6 **WHEREAS** ExxonMobil Corporation, as the operator of the Point Thomson Unit and  
7 as a lessee, along with BP Exploration, Chevron U.S.A., and ConocoPhillips Alaska, Inc.,  
8 appealed the decision of the commissioner of natural resources to the superior court in 3AN-  
9 06-13751CI and commenced a separate action in superior court in 3AN-06-13826CI; and

10 **WHEREAS** ExxonMobil Corporation, BP Exploration, Chevron U.S.A.,  
11 ConocoPhillips Alaska, Inc., and Devon Energy Production Company, L.P., are pursuing  
12 administrative appeals of the individual lease terminations in accordance with 11 AAC 02;  
13 and

14 **WHEREAS**, under art. VIII, sec. 1, Constitution of the State of Alaska, the policy of  
15 the state is to encourage the development of its resources by making them available for  
16 maximum use consistent with the public interest; and

17 **WHEREAS** it is in the best interest of the state to develop the oil and gas resources  
18 within the Point Thomson Unit for the benefit of the people of the state; and

19 **WHEREAS** an unnecessary delay in the resolution of the appeal of the  
20 commissioner's decision will contribute to further delay in the development of the oil and gas  
21 resources in the Point Thomson Unit to the detriment of the people of the state;

22 **BE IT RESOLVED** that the Alaska State Legislature respectfully asks the governor  
23 and the attorney general to allocate adequate resources and take all steps necessary to expedite  
24 the court's consideration of the appeal in 3AN-06-13751CI or facilitate a successful resolution  
25 to the unit and lease dispute so that the oil and gas resources within the Point Thomson Unit  
26 may be developed for the benefit of the people of the state without further delay.

**AMENDMENT**

OFFERED IN THE SENATE

BY SENATOR THERRIAULT

TO: SCR 3

1 Page 3, lines 8 - 9, following "3AN-06-13751CI":

2 Insert "and commenced a separate action in superior court in 3AN-06-13826CI"

3

4 Page 3, following line 9:

5 Insert a new clause to read:

6 "WHEREAS ExxonMobil Corporation, BP Exploration, Chevron U.S.A.,  
7 ConocoPhillips Alaska, Inc., and Devon Energy Production Company, L.P., are pursuing  
8 administrative appeals of the individual lease terminations in accordance with 11 AAC 02;  
9 and"

**SENATE CONCURRENT RESOLUTION NO. 3**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-FIFTH LEGISLATURE - FIRST SESSION**

**BY SENATORS THERRIAULT, Wagoner, Wilken, Dyson**

**Introduced: 2/19/07**

**Referred: Judiciary**

**A RESOLUTION**

1 **Urging the governor and the attorney general to expedite the resolution in the courts of**  
2 **the appeal from the decision by the commissioner of natural resources to deny the**  
3 **proposed plans for development of the Point Thomson Unit and to terminate the Point**  
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5 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 **WHEREAS** the Department of Natural Resources estimates that the Thomson Sand  
7 Reservoir contains at least 8 trillion cubic feet of gas and 200 million barrels of gas  
8 condensate and oil and that the shallower Brookian reservoirs are estimated to contain  
9 hundreds of millions of barrels of oil; and

10 **WHEREAS** the Point Thomson Unit consisted of 45 state oil and gas leases  
11 encompassing approximately 106,200 acres, and the state owns the entire subsurface estate  
12 within that unit area; and

13 **WHEREAS** 25 lessees held working interest ownership in the Point Thomson Unit on  
14 October 27, 2005, when the director of the division of oil and gas in the Department of  
15 Natural Resources denied the Twenty-second Plan of Development for the Point Thomson

1 Unit; and

2 **WHEREAS**, in 2000, the lessees asked the Department of Natural Resources to  
3 approve an expansion of the Point Thomson Unit by 12 leases and about 40,000 acres; and

4 **WHEREAS** the Department of Natural Resources and the lessees entered into an  
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6 that the lessees would perform certain items of work and put the unit into production with at  
7 least seven development wells by 2008; and

8 **WHEREAS**, as of November 27, 2006, the lessees had failed to satisfy any of the  
9 work commitments in the expansion agreement and had relinquished two expansion leases  
10 back to the state along with a payment of \$940,000; and

11 **WHEREAS** the expansion agreement required the lessees to drill a well not later than  
12 December 2006; and

13 **WHEREAS** the lessees failed to drill the well required by the expansion agreement  
14 before the end of December 2006, and the expansion agreement requires the lessees to  
15 relinquish all 29,000 acres of the remaining expansion leases and pay the state \$20,000,000;  
16 and

17 **WHEREAS** the expansion agreement provided that the lessees could have voluntarily  
18 contracted the expansion leases out of the Point Thomson Unit with a lesser financial  
19 obligation to the state if the lessees determined that production was uneconomic, but the  
20 lessees have not exercised this option; and

21 **WHEREAS** the lessees failed to drill exploratory wells to delineate the various  
22 hydrocarbon accumulations in response to an offer by the Department of Natural Resources to  
23 extend the expansion agreement if those exploratory wells were drilled; and

24 **WHEREAS** the director of the division of oil and gas in the Department of Natural  
25 Resources disapproved the Twenty-second Plan of Development proposed by the lessees  
26 because that plan of development did not set out a plan to bring the unit into commercial  
27 production within a reasonable time; and

28 **WHEREAS** the lessees have failed to provide a new or revised acceptable plan of  
29 development for the Point Thomson Unit since the director of the division of oil and gas  
30 disapproved the Twenty-second Plan of Development; and

31 **WHEREAS** the commissioner of natural resources, on November 27, 2006, upheld

1 the denial of the proposed plans for development of the Point Thomson Unit, terminated the  
2 Point Thomson Unit, and found that lessees had breached an expansion agreement, thereby  
3 causing 29,000 acres of expansion leases to revert automatically to the state; and

4 **WHEREAS** the acting commissioner of natural resources, on December 27, 2006,  
5 denied reconsideration of the commissioner's decision dated November 27, 2006; and

6 **WHEREAS** ExxonMobil Corporation, as the operator of the Point Thomson Unit and  
7 as a lessee, along with BP Exploration, Chevron U.S.A., and ConocoPhillips Alaska, Inc.,  
8 appealed the decision of the commissioner of natural resources to the superior court in 3AN-  
9 06-13751CI; and

*amend  
here*  
→

**WHEREAS**, under art. VIII, sec. 1, Constitution of the State of Alaska, the policy of  
11 the state is to encourage the development of its resources by making them available for  
12 maximum use consistent with the public interest; and

13 **WHEREAS** it is in the best interest of the state to develop the oil and gas resources  
14 within the Point Thomson Unit for the benefit of the people of the state; and

15 **WHEREAS** an unnecessary delay in the resolution of the appeal of the  
16 commissioner's decision will contribute to further delay in the development of the oil and gas  
17 resources in the Point Thomson Unit to the detriment of the people of the state;

18 **BE IT RESOLVED** that the Alaska State Legislature respectfully asks the governor  
19 and the attorney general to allocate adequate resources and take all steps necessary to expedite  
20 the court's consideration of the appeal in 3AN-06-13751CI, <sup>or facilitate the state's</sup> so that the oil and gas resources  
21 within the Point Thomson Unit may be developed for the benefit of the people of the state  
22 without further delay.

*successful  
reclaim  
Pt. Thomson  
unit  
& lease  
dispute.*





# Alaska State Legislature

SENATOR  
**GENE THERRIAULT**

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Fairbanks, Alaska 99701

(907) 488-0857

Fax (907) 488-4271



**Senate**

While in session

State Capitol

Juneau, Alaska

99801-1182

(907) 465-4797

Fax: (907) 465-3884

SENATE DISTRICT F

To: Senator Hollis French, Chairman  
Senate Judiciary Committee

From: Senator Gene Therriault  
Minority Leader

Date: February 27, 2007

Re: Request for Hearing SCR 3

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I respectfully request Senate Concurrent Resolution 3 be scheduled for hearing before the Senate Judiciary Committee.

SCR 3 urges the Administration to allocate adequate resources and take all steps necessary to expedite the court's consideration of the appeal filed in the Point Thomson Unit termination case.

Thank you for your consideration.



## 25<sup>th</sup> ALASKA STATE LEGISLATURE

### SENATE REPUBLICAN CAUCUS

SENATOR GENE THERRIAULT, MINORITY LEADER  
STATE CAPITOL, ROOM 427, 465-4797 (FAX 465-3884)

[www.aksenateminority.com](http://www.aksenateminority.com)

SENATOR CON BUNDE  
SENATOR FRED DYSON  
SENATOR TOM WAGONER  
SENATOR GARY WILKEN

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**Fact Sheet for: Senate Concurrent Resolution 3      Contact: Heather Brakes, 465-4797**  
**Bill Version: SCR 3**

**Sponsor: Senator Gene Therriault**

**Short Title: POINT THOMSON UNIT APPEAL**

**Summary:**

- Asks the governor and the attorney general to allocate adequate resources and take all steps necessary to expedite the court's consideration of ExxonMobil Corporation's appeal of the final decision by the Commissioner of the Department of Natural Resources to deny ExxonMobil's proposed plan to develop the Point Thomson Unit, and to terminate the Point Thomson unit.

**Benefits:**

- Expediting resolution of the appeal furthers the policy set out in art. VIII, sec. 1, of Alaska's Constitution to encourage the development of its resources by making them available for maximum use consistent with the public interest.
- Benefits the people of the state by advancing development of the oil and gas resources within the Point Thomson Unit.

**Background:**

- On October 27, 2005, the director of the State Division of Oil and Gas rejected the Twenty-second plan of development from operator ExxonMobil Production, and found the Point Thomson unit in default for lack of an approved plan of development. On November 27, 2006, the commissioner of the Department of Natural Resources terminated the unit.

ExxonMobil, as the operator of the unit and as a lessee, along with BP Exploration, Chevron U.S.A. and ConocoPhillips Alaska, Inc., are appealing the commissioner's November 27, 2006 decision and the December 27, 2006 denial of reconsideration to Superior Court.

The Point Thomson unit covers 45 state oil and gas leases on approximately 106,000 acres of state land just west of the Arctic National Wildlife Refuge. It holds an estimated 200 million to 300 million barrels of oil and natural gas condensates, and 8 trillion to 9 trillion cubic feet of natural gas.

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SKILLED

RESPONSIBLE

CONSERVATIVE



## 25<sup>th</sup> ALASKA STATE LEGISLATURE SENATE REPUBLICAN CAUCUS

SENATOR GENE THERRIAULT, MINORITY LEADER  
STATE CAPITOL, ROOM 427, 465-4797 (FAX 465-3884)

SENATOR CON BUNDE  
SENATOR FRED DYSON  
SENATOR TOM WAGONER  
SENATOR GARY WILKEN

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PRESS OFFICER  
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Press Release [www.aksenateminority.com](http://www.aksenateminority.com)

**FOR IMMEDIATE RELEASE: February 15, 2007**

No. 07-07

### **Lawmakers Urge Swift Resolution of Point Thomson Appeal** *Resolution supports administration's efforts*

**Juneau**—Members of the Senate Republican Caucus plan to introduce a resolution tomorrow that would put the Legislature on record supporting the administration's efforts to resolve a court appeal holding up development of Point Thomson oil and gas resources.

The resolution, which has not yet been assigned a number, asks the governor and the attorney general to allocate adequate resources and take all steps necessary to expedite the court's consideration of ExxonMobil Corporation's appeal of the final decision by the Commissioner of the Department of Natural Resources to deny ExxonMobil's proposed plan to develop the Point Thomson Unit, and to terminate the Point Thomson unit.

Sen. Gene Therriault, R-North Pole, introduced the resolution after consulting with the administration on possible problems with Senate Bill 26, which he and Sen. Tom Wagoner, R-Kenai, filed earlier this session. SB 26 would have transferred judicial review of a final decision by the commissioner of the Department of Natural Resources approving termination of an oil or gas lease to the Alaska Supreme Court.

"After introduction of Senate Bill 26 and meeting with the Department of Law personnel, Senator Wagoner and I have a much better understanding now of some of the legal concerns there, and we are in agreement that perhaps moving forward on that legislation would be unwise," Therriault said. "It could be, in fact, counterproductive, for what we were trying to accomplish. Instead our plan is to introduce a resolution that supports the administration's efforts on moving forward with the state asserting its sovereign rights on the Point Thomson leases."

"While we have three separate branches of government, it's beneficial from time to time for our branch to make a clear statement of support to the executive branch for actions they have undertaken," Therriault said.

###

SKILLED

RESPONSIBLE

CONSERVATIVE

**HB**

**7**

# Alaska State Legislature

**Chairman**  
State Affairs Committee

**Vice-Chairman**  
Economic Development, Trade & Tourism  
Committee

**Member**  
Judiciary Committee  
Joint Armed Services Committee

**Finance Subcommittees**  
Corrections  
Labor and Workforce Development  
Military and Veterans' Affairs  
Public Safety



*A Communication From*  
**REPRESENTATIVE BOB LYNN**  
**District 31 Anchorage**

**E-Mail:** Representative\_Bob\_Lynn@legis.state.ak.us  
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**Session:**  
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Juneau, AK 99801-1182

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March 22, 2007

**To:** Senator Hollis French, Chair  
Senate Judiciary Committee

**Fr:** Representative Bob Lynn

**Re:** CSHB-7  
"An Act relating to false caller identification."

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Please schedule CSHB-7 "Caller ID Spoofing" to be heard in Senate Judiciary Committee at your earliest convenience. CSHB-7 unanimously passed the House 29 yeas, 0 nays, 10 excused and 1 absent.

CSHB-7 will make it class A misdemeanor for any person who, with the intent to defraud, makes a call or engages in other conduct that results in the display of false information on Caller ID system.

Attached is a copy of the Bill CSHB-7 and supporting documents. Thank you.

# Alaska State Legislature

**Chairman**  
State Affairs Committee

**Vice-Chairman**  
Economic Development, Trade & Tourism  
Committee

**Member**  
Judiciary Committee  
Joint Armed Services Committee

**Finance Subcommittees**  
Corrections  
Labor and Workforce Development  
Military and Veterans' Affairs  
Public Safety



*A Communication From*  
**REPRESENTATIVE BOB LYNN**  
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## SPONSOR STATEMENT

### HB 7

#### **An Act relating to false caller identification**

**Warning: Do not trust your telephone Caller ID.** The name and number you see and trust may be false. Both private individuals and commercial spoofers can now cause false caller identification to be displayed on your caller identification screen.

False caller identification is more than pranks, or annoyance. **The power to create serious mischief and facilitate fraud with Caller ID spoofing technology is almost unlimited, and it can be potentially dangerous.**

For example, some financial institutions use Caller ID to authenticate telephone requests for personal account information. **With a few personal tidbits and your spoofed number, an impostor could access your bank or credit card account.** Scam artists who appear to be phoning from a reputable agency can defraud their victims with ease. There's also potential for hoaxing emergency calls with false Caller ID to law enforcement or the fire departments. Predators may use Caller ID spoofing to help them commit crimes against women and children.

HB-7 doesn't get into how the spoofing gets to the display on your phone caller ID. Anyone can spoof telephone caller identification systems. In fact an entire telephone spoofing industry has emerged, and is growing daily. For the price of a ten-dollar calling card one can change what someone sees on their Caller ID display and even change their voice.

**HB-7 will make it class A misdemeanor for any person, with the intent to defraud, to make a call or engage in other conduct that results in display of false caller information on a recipient's phone.**

Alaska should take whatever action possible within its jurisdiction to stem the abuse of "Caller ID Spoofing." I respectfully request your support for HB7.

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**Changes from the original version of HB7 to CSHB 7(JUD):**  
**"Caller ID spoofing"**

Released: Monday, February 19, 2007

On February 12, 2007 the House Judiciary Committee passed a committee substitute to HB7 with the following changes to HB 7 version \A to CSHB 7 version \K

*New Text Underlined [Deleted Text Bracketed]*

Page 1, Line 4-5 the following language was [deleted]:

**Sec. 45.45.940. False caller identification.** (a) A person may not [knowingly] insert false information into a caller identification system.

Page 1, Line 4-6 the new language added reads:

**Sec. 45.45.940. False caller identification.** (a) A person may not make a call and insert false information into a caller identification system with the intent to defraud.

Page 1, Line 7-8 the following language was [deleted]:

(1) law enforcement agencies of the federal government, [the] state government, or a municipality; or

Page 1, Line 8-9 the new language added reads:

(1) law enforcement agencies of the federal government, a state government, or a municipality; or

Page 1, Line 10-11 the following language was [deleted]:

(c) A person who [knowingly inserts false information into a caller identification system is guilty of a class B misdemeanor.]

**Changes from the original version of HB7 to CSHB 7(JUD):  
"Caller ID spoofing"**

Released: Monday, February 19, 2007

*New Text Underlined [Deleted Text Bracketed]*

Page 1, Line 11-15 and line 1 of page 2 the new language added reads:

(c) A person who violates (a) of this section by inserting, whether by making one call or more than one call, false information into

(1) fewer than five caller identification systems is guilty of a class B misdemeanor;

(2) five or more caller identification systems is guilty of a class A misdemeanor.

Page 1, Line 13-14 the following language was [deleted]:

[(1) "caller" means a person who places a call by a telephone or over a telephone line, even if the person begins the call on a computer;]

Page 2, Line 3-4 the new language added reads:

(1) "call" means a call made by a telephone, computer, or similar communications device or technology, whether transmitted by wire or wireless means;

Page 2, Line 5 the following language was [deleted]:

[(4) "knowingly" has the meaning given in AS 11.81.900.]

Page 2, Line 10 the new language added reads:

(4) "intent to defraud" has the meaning given in AS 11.46.990.

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## **Changes to CSHB 7(JUD) Version\K to CSHB7 (FIN) Version\L HB-7 "Caller ID spoofing"**

**Released: Monday, March 5, 2007**

On February 12, 2007 the House Judiciary Committee passed a committee substitute CSHB 7 Version\K and that version was submitted to House Finance Committee along with a new CSHB 7 Version\L.

### **New Text Underlined [Deleted Text Bracketed]**

**Version\K Page 1, Line 4-6 the following language was [deleted]:**

**Sec. 45.45.940. False caller identification.** (a) A person may not make a call [and insert false information into a caller identification system with the intent to defraud.]

**Version\L Page 1, Line 4-6 the new language added reads:**

**Sec. 45.45.940. False caller identification.** (a) A person may not, with the intent to defraud, make a call or engage in other conduct that results in the display of false caller identification information on a recipient's phone.

**Version\K Page 1, Line 7-10 the following language was [deleted]:**

**[(b) This section does not apply to**  
**(1) law enforcement agencies of the federal government, a state government, or a municipality; or**  
**(2) intelligence or security agencies of the federal government.]**

**Version\L Page 1, Line 7 the new language added reads:**

**(b) A person who violates (a) of this section**

**Version\K Page 1, Line 11-12 the following language was [deleted]:**

**[(c)] A person who violates (a) of this section [by inserting, whether by making one call or more than one call, false information into]**

**Version\L Page 1, Line 8-11 and line 1 of page 2 the new language added reads:**

**(1) is guilty of a class B misdemeanor if the call or other conduct results in false information being displayed to fewer than five recipient's phone;**

**(2) is guilty of a class A misdemeanor if the call or other conduct results in false information being displayed to five or more recipient's.**

**Version\K Page 1&2, Line 13-15 & 1 of pg 2) the following language was [deleted]:**

**(1) [fewer than five caller identification systems] is guilty of a class B misdemeanor;**

**(2) [five or more caller identification systems] is guilty of a class A misdemeanor.**

**Version\L Page 1&2, Line 12-15 & 1-2 the new language added reads:**

**(c) In this section,**

**(1) "call" means a call made by a telephone, computer, or similar communications device or technology, whether transmitted by wire or wireless means;**

**(2) "intent to defraud" has the meaning given in AS 11.46.990.**

**\* Sec. 2. AS 45.50.471(b) is amended by adding a new paragraph to read:**

**(52) violating AS 45.45.940 (false caller identification)**

**Version\K Page 2, Line 2-12 the following language was [deleted]:**

**[(d)] In this section,**

**(1) "call" means a call made by a telephone, computer, or similar communications device or technology, whether transmitted by wire or wireless means;**

**[(2) "caller identification system" means a listing of a caller's name, telephone number, or name and telephone number that is shown to a recipient of a call when the recipient answers;]**

**[(3) "insert" means insert by voice communication, by written communication, or by otherwise entering into a computer;]**

**[(4)] "intent to defraud" has the meaning given in AS 11.46.990.**

**\* Sec. 2. AS 45.50.471(b) is amended by adding a new paragraph to read:**

**(52) violating AS 45.45.940 (false caller identification).**

On February 21, 2007 the House Finance Committee reviewed CSHB 7 version \L and suggested that a version with only one misdemeanor instead of two be submitted for the next House Finance Committee meeting.

Below are the changes from CS Version\L to CS Version\O.

**Version\L Page 1, Line 7-11 the following language was [deleted]:**

(b) A person who violates (a) of this section

**[(1)] is guilty of a class [B] misdemeanor [if the call or other conduct results in false information being displayed to fewer than five recipient's phone;**

**(2) is guilty of a class A misdemeanor if the call or other conduct results in false information being displayed to five or more recipient's.]**

**Version\O Page 1, Line 7-8 the new language added reads:**

(b) A person who violates (a) of this section is guilty of a class **A** misdemeanor.



January 30, 2007

The Honorable Jay Ramras, Chair  
House Judiciary Committee  
Alaska State Capitol, Room 118  
Juneau, AK 99801-1182

RE: HB 7 (Lynn)—Support

Dear Chair Ramras:

On the behalf of the members of AARP in Alaska, we strongly encourage you and your colleagues of the House Judiciary Committee to support HB 7, authored by Representative Bob Lynn and co-sponsored by Representatives Gardner, Buch, and Doogan.

**Well over half of the number of people targeted by telemarketers each day are over the age 50 and over – and many of them are your own constituents.**

AARP's survey of older telemarketing fraud victims revealed they find it almost impossible to tell the difference between fraudulent and legitimate sales calls, underscoring the importance of allowing the consumer to stop calls in the first place.

Even though baby boomers have been called the most savvy and informed consumers of any generation of Americans, many of them, like their parents and their children, have been victims of unremitting deluge of unwanted telemarketing sales calls.

The FTC does not regulate false caller ID (spoofing). The FTC only regulates telemarketers who use phony caller ID to contact people whose numbers are listed on the National Do Not Call Registry. Therefore, state law is crucial to cover any Alaska false caller ID calls.

The FTC has no jurisdiction over common carriers (such as long-distance companies or airlines), banks, credit unions, insurance companies, or private calls. There are no limitations on the states to regulate these calls and state law is needed to address the exemption to the FTC rule.

Why should caller ID spoofing be a key issue for legislators?

The number of unsolicited telemarketing calls that residents of Alaska receive is staggering. These calls present a significant privacy concern for individuals who believed Caller IDs would protect them from multiple, daily intrusions into their privacy.

In today's information technology age, constituents value their privacy more than ever. AARP believes that, as consumers, they have the right to be free from unsolicited calls into their homes, and they shouldn't have to worry about false caller identification on their Caller IDs.

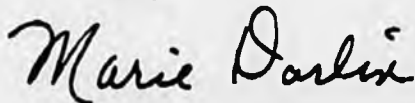
In the last few years caller ID spoofing had made it easier for telemarketers and predators to prey on Alaska's most vulnerable - children and the elderly. The elderly and children are most vulnerable because they are home during the time telemarketers like to call.

We look forward to your support of this bill in the House Judiciary Committee and we sincerely thank you in anticipation of that support.

Should you have any questions about our position, please feel free to contact me (586-3637) or Patrick Luby, AARP Advocacy Director (907-762-3314).

Thank you for your consideration.

Sincerely,



Marie Darlin, Coordinator  
AARP Capital City Task Force  
415 Willoughby Avenue, Apt. 506  
Juneau, AK 99801  
586-3637 (voice)  
463-3580 (fax)

CC: Vice-Chair Dahlstrom  
Representative Coghill  
Representative Lynn  
Representative Samuels  
Representative Gruenberg  
Representative Holmes

**HEB**

**19**

Partners for Progress  
Testimony to the Senate Judiciary Committee on HB 19 and SB 92  
4/25/07

Among the three main sentencing provisions for DUI offenders – imprisonment, fines and license revocation, license revocation is the area where there is most need to focus carefully on protecting the public. The overriding goal in any legislation dealing with license revocation and the use of ignition interlock devices (IIDs) should be to establish a system that better protects the public against repeat drunk drivers.

To maximize public protection, it is essential to examine the realities of license revocation from the offender's perspective. We all know that driving is a privilege and not a right. Today, however, driving has become a necessity for leading a productive life, for getting and keeping a job, going to school, caring for family, buying groceries and keeping appointments.

The new ignition interlock technology provides a way of protecting the public from drunk driving, while recognizing that leading a responsible and productive life in today's community requires the ability to drive. IID technology is rapidly being improved with rolling retests and built-in cameras. IIDs offer a long-needed method of separating driving from drinking.

Our recommendations for IID legislation are based on a recent survey of national information about the use of ignition interlock devices. MADD's national organization has also reviewed the experience of other states. They recommend that all DUI offenders be required to obtain an ignition interlock device before driving.

We urge you to work together to craft a single bill requiring that **all repeat** DUI offenders get an ignition interlock device permit with a limited license so they can drive **while they are on probation/parole and license revocation**. This recommendation reflects national data that shows that IIDs are an effective tool for reducing recidivism, provided offenders start out driving with the ignition interlock device under the supervision of probation/parole. Supporting this approach, the recidivism data recently released by the Alaska Judicial Council show that most recidivism occurs in the first year after release from prison.

Timing the availability of the ignition interlock driving privilege is very important. To best protect the public, the first year when offenders are supervised through probation/parole and are reestablishing themselves in the community is the time they should be on an IID. To do otherwise is to program newly released offenders to drive without a license, to live on the wrong side of the law and to reenter the revolving door of repeat addicted crime.

The Court System reports that annually there are as many Driving Without License cases as there are DUIs. This syndrome is as costly as it is dangerous.

Secondly, **we strongly urge you to take the time – perhaps by deferring action at this time and meeting during the summer interim – to develop provisions to include felony DUI offenders in the IID system**. The potential benefits of public protection through IID legislation are greatest with felony DUIs. MADD reports that 50 to 75 percent of repeat drunk driving offenders go back to drinking and driving in the first year after they are released from prison. Many are felons. Court data supports this information showing that most individuals with revoked licenses are likely to drive

anyway. When felons are returned to our communities a great many drink and drive and seriously endanger the public.

We urge you to develop legislation that reflects this reality by putting felons on ignition interlock devices as a condition of probation/parole. The legislation could require extra measures to assure sobriety, perhaps drawing from some of the measures used in the therapeutic courts.

The cost of not putting felons on ignition interlock devices as soon as possible after release from prison is huge. It is a cost that will be paid by members of the public who are harmed or killed by repeat felony offenders who drive drunk without a license. We urge you to recognize this reality, and use ignition interlock limited licenses as part of probation to separate driving from drinking for all repeat DUI offenders - felons and misdemeanants.

If Alaska does it right, IIDs can be a powerful tool in reducing the shockingly high rate of DUI crime in our state, but doing it right requires a clear focus on the realities of protection for the public.

Finally, I want to talk about an inclusion in this legislation that would benefit therapeutic courts. As you know, the data shows that graduates of therapeutic courts are far less likely to recidivate than offenders who go through the traditional corrections system. Participants in therapeutic courts are closely supervised by the judge and other therapeutic court team members, and continually monitored for sobriety. To maximize the benefits of this proven program and gain the cost-effectiveness of volume, we ask you to incorporate license provisions in this bill that would encourage more offenders to enter and complete therapeutic courts.

We recommend that you add a provision that would give the court the discretion to grant ignition interlock limited license privileges to therapeutic court participants for purposes of attending requirements of the court-ordered treatment program. This would include both misdemeanants and felons, and should be available after the participant has achieved a degree of success and stability in the program. The legislation should also include a provision allowing graduates of therapeutic courts to apply for restoration of a revoked license after three years of successful driving with an ignition interlock limited license. These provisions would provide powerful incentives to increase the number of DUI offenders who enter and complete the difficult 18-month court-ordered treatment program,

Thank you.

April 21, 2007

Dear Senator French,

I am writing in support of the creation and implementation of a greatly expanded ignition interlock program in Alaska DUI offenders.

Both bills, SB 92 and HB 19 address this issue. Both are a tremendous first step in getting this matter before our lawmakers to initiate discussion. I appreciate that one bill deals with the judicial side and the other with the administrative side of an ignition interlock program. Ignition interlocks have been shown to greatly reduce recidivism rates among offenders and afford the public greater safety on the roads. Requiring their use for high-risk drivers through a program that captures the greatest number of them is crucial to the success of the program.

I have been researching this issue for about a year as an independent citizen; I do not work nor volunteer for any organization related to drunk driving or highway safety.

I attended the International Ignition Interlock Symposium held in October '06 and am grateful to be able to voice what I've learned.

Based upon my reading and the presentations at the Symposium, I offer the following as components of an excellent IID program in Alaska:

- An ignition interlock limited license should be required for every DUI offender – past, present, future, misdemeanor and felon – for the duration of their license revocation period, OR until they can demonstrate one year of alcohol-free driving, whichever is longer. (addresses head-on the fact that most offenders with driver's licenses revoked drive anyway)
- A thirty-day hard suspension period is maintained. (this has been shown as a deterrent for first-time offenders)
- Those individuals with revocations greater than five years are eligible for five-year reviews of their record by DMV for consideration of a termination of revocation. (a "carrot" to improve compliance)
- An indigent fund is established by requiring an upfront indigent fee from all non-indigent clients. (removes a significant obstacle for compliance)
- The cost of the installation and maintenance of the device is borne by the offender and the costs are counted toward the payment of any outstanding fines for DUI. (a "carrot")
- The punishments for DWLR/S are increased to provide incentive for compliance. (a "stick")

I've included some information for your consideration of ignition interlocks and hope to be able to work with the legislature to create an excellent research-based law that will most effectively serve to protect Alaskans on the road.

Thank you,

  
Narda Butler

346-1189

## **The Top Ten Reasons Why NOW is the Right Time for an Ignition Interlock Limited License Program in Alaska**

- 1.** 50-75% of drivers whose driver's licenses have been revoked *drive anyway*. Revoking a person's driver's license, in these cases, does *not* improve public safety nor serve a punitive function.
- 2.** Over the past five years, 14% of all DUI arrests are accompanied with a Driving with License Revoked/Suspended charge as well. That number is *not* decreasing.
- 3.** Installation of Ignition Interlock devices effectively separates the act of drinking from the act of driving.

Data from a Maryland study<sup>1</sup> shows a 60% reduction in risk of committing an alcohol-related offense with an interlock installed.

An Ohio study<sup>2</sup> demonstrates a 65% decrease in the probability of a subsequent DUI for offenders *who have the interlock installed in their car*.

- 4.** Interlocks work while they are installed<sup>3</sup>, therefore they should be installed as soon as possible for *as long* as possible.
- 5.** The most current technology is alcohol-specific, tamper-resistant (the vendor gets a record of any disconnects) and becoming increasingly person-specific (some devices are equipped with cameras that photograph the person activating the device).
- 6.** Every time an individual is prevented from driving because the device detects alcohol, there is potential for saving a life. This device serves as an on-board, external conscience. Persons should not be removed from the program for attempting to start their car while under the influence of alcohol. Ignition interlocks are not a perk, nor are they, in and of themselves, rehabilitative. They are a safety device whose *primary purpose* is to protect the public.
- 7.** Ignition interlock limited licenses allow multiple DUI offenders the opportunity to become self-supporting citizens who are contributors to society, instead of takers.
- 8.** An administrative program allows the Department of Motor Vehicles to collect data to document performance and make data-driven decisions regarding reinstatement of regular driver's licenses.
- 9.** An administrative ignition interlock program is the most cost-effective means of capturing the largest population of at-risk drivers initially. *The costs of the interlock devices and monthly monitoring, are borne by the offender*. And, the cost savings realized if 35 individuals choose to install the device and *not* be arrested and charged with Driving with License Revoked or Suspended would fund one DMV administrative position.
- 10.** An administrative program can be implemented sooner rather than later and provide protection on the highways in a time-effective manner.

<sup>1</sup> Beck, K. H., Rauch, W. J., Baker, E. A., & Williams, A. F. (1999). Effects of ignition interlock license restrictions on drivers with multiple alcohol offenses: A randomized trial in Maryland. *American Journal of Public Health*, 89(11), 1696-1700.

<sup>2</sup> Elliot, D. S., & Morse, B. J. (1993). *In-vehicle BAC test devices as a deterrent to DUI*. (Final Report). Washington, DC: National Institute on Alcohol Abuse and Alcoholism.

<sup>3</sup>This figure is taken from :

Marques, P., Bjerre, B. Dussault, C., Voas, R., Beirness, D., Marples, I. and Rauch, W. (2001b) Alcohol ignition interlock devices. Position Paper {also available online: <http://www.icadts.org/reports/AlcoholInterlockReport.pdf> accessed 31 January 2007}. Washington D.C.: International Council on Drugs, Alcohol and Traffic Safety (ICDATS)

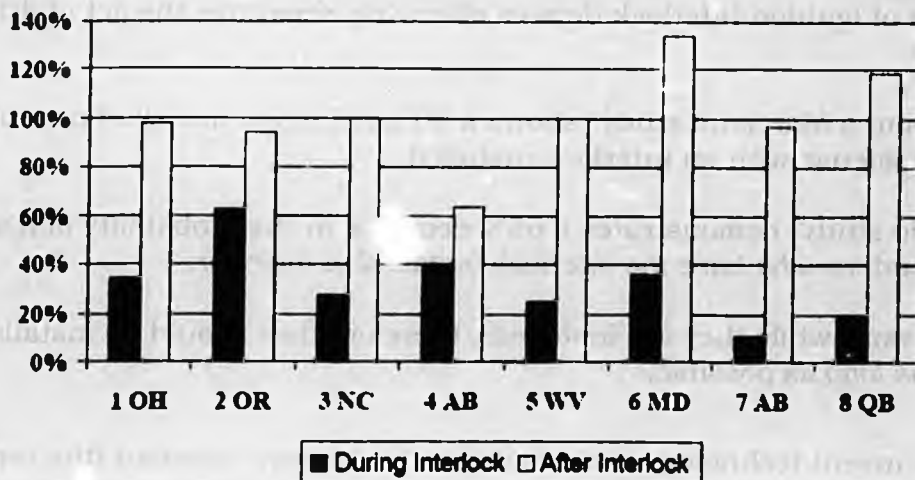


Figure 1: Eight studies that compared interlock recidivism rates (%) during the interlock (dark bars) and after the interlock (open bars) against recidivism for non-interlock contrast groups (set to 100%).

For additional information, see:

**MADD's Issue Brief on the Ignition Interlock at:**  
<http://www.madd.org/activism/0,1056,7604,00.html>

**MADD's Ignition Interlock Fact Sheet at:**  
<http://www.madd.org/news/docs/Interlock%20Fact%20Sheet%20Final.pdf>

**"Best Practices for Alcohol Interlock Programs"** from the Traffic Injury Research Foundation at: [http://www.trafficinjuryresearch.com/publications/PDF\\_publications/BestPracticesReport.pdf](http://www.trafficinjuryresearch.com/publications/PDF_publications/BestPracticesReport.pdf)

Contact information:  
Narda Butler, Citizen Advocate  
346-1189 (home)/301-1611 (cell)  
[narda@frontierk12.org](mailto:narda@frontierk12.org)

## **MADD Announces National Campaign to Eliminate Drunk Driving**

Combination of stronger enforcement, tougher laws and advanced technology make it possible to remove threat

DOT, NHTSA, IIHS, GHSA, IACP, the Century Council, DISCUS and the Alliance of Automobile Manufacturers join forces in support of Campaign

**Contacts:** MADD: Misty Moyse, 469-420-4558  
GMMB: Paul Shepard, 202-572-2875

**WASHINGTON (November 20, 2006)** – In a bold new effort designed to eradicate one of the nation's deadliest crimes, Mothers Against Drunk Driving (MADD) today launched its national *Campaign to Eliminate Drunk Driving*, which aims to literally wipe out drunk driving in the United States.

Despite a more than 40 percent decline in alcohol-related traffic fatalities since MADD was founded in 1980, the threat still remains. Every year, nearly 13,000 people are killed by drunk drivers with an illegal blood alcohol concentration (BAC) of .08 or above and countless others are injured. This represents more than 1,000 families every month that must live with the tragic consequences of drunk driving.

"The real possibility of eliminating drunk driving in this country is a powerful, even audacious, idea. Yet the tools are now at hand. Using technology, tougher enforcement, stronger laws and grassroots mobilization, the goal of eliminating a primary public health threat that has plagued the United States is within our reach," said Glynn Birch, national president of MADD, whose 21-month-old son was killed by a drunk driver in 1988.

As a nation, our efforts to prevent drunk driving fatalities have stalled. MADD's plan to eliminate this public health threat requires new strategies to complement current methods. Today, MADD is announcing a 4-point plan to lead the nation toward the goals of eliminating drunk driving:

- 1. Intensive high-visibility law enforcement, including twice-yearly crackdowns and frequent enforcement efforts that include sobriety checkpoints and saturation patrols in all 50 states;**

2. **Full implementation of current alcohol ignition interlock technologies**, including efforts to require alcohol ignition interlock devices for all convicted drunk drivers. A key part of this effort will be working with judges, prosecutors and state driver's license officials to stop the revolving door of repeat offenders;
3. **Exploration of advanced vehicle technologies through the establishment of a Blue Ribbon panel of international safety experts to assess the feasibility of a range of technologies that would prevent drunk driving.** These technologies must be moderately priced, absolutely reliable, set at the legal BAC limit and unobtrusive to the sober driver; and
4. **Mobilization of grassroots support**, led by MADD and its 400+ affiliates, to make the elimination of drunk driving a reality. MADD is uniting drunk driving victims, families, community leaders, and policy makers in the fight to eliminate drunk driving.

With emerging technology, the vision that drunk drivers will not be able to operate vehicles is no longer a dream but, with substantial research, a real possibility. But to achieve it, all four strategies must succeed. Interlock use must expand to all convicted drunk drivers. Emerging technologies must be developed into effective and practical devices that don't inhibit lawful drivers. High-visibility enforcement must continue. All three of these components must be backed up by effective communications and broad public support.

U.S. Secretary of Transportation Mary E. Peters said, "Drunk driving is a problem that is painful and persistent, but it's also preventable. Pairing the public and private sectors for the common good is a powerful combination, one that will help us achieve real results in terms of saving lives and preventing injuries."

Secretary Peters was joined at the event by NHTSA Administrator Nicole Nason, who is the Honorary Chair of the *Campaign to Eliminate Drunk Driving*.

Joining MADD at the press conference were the Department of Transportation, the National Highway Traffic Safety Administration (NHTSA), the Insurance Institute for Highway Safety (IIHS), the Governors Highway Safety Association (GHSA), the Century Council, the Distilled Spirits Council of the United States (DISCUS), the International Association of Chiefs of Police (IACP), and the Alliance of Automobile Manufacturers. Properly implemented, this public/private partnership will lead to the elimination of one of the primary public health threats to the American family for the

last 100 years. Each supporter will pursue these initiatives according to their own policies and procedures.

Lt. Colonel Jim Champagne, immediate past chairman of GHSA, endorsed the *Campaign* as a way to renew attention to the drunk driving problem. According to Champagne, "State Highway Safety Agencies were pleased to work with MADD to help develop this new *Campaign* and we think it sends a clear message to those who may be tempted to drive drunk: we will use every tool at our disposal to keep our roads safe and when we arrest you—and we will—there will be no leniency."

Highly visible law enforcement crackdowns, including checkpoints and saturation patrols, are proven to get drunk drivers off the road. Eighty-seven percent of Americans support the use of sobriety checkpoints, yet 10 states still prohibit the use of them. The *Campaign* will work to make checkpoints legal in all states.

"Impaired driving is not just another traffic offense; it is a serious crime that often causes needless deaths and injuries," said IACP President Joseph Carter, Chief of the MBTA Transit Police Department. "More than two decades of research have demonstrated that sobriety checkpoints and other law enforcement efforts make a difference. They are vitally effective techniques to get impaired drivers off of our roads."

Research shows that the overwhelming majority of people arrested for drunk driving have driven drunk more than 50 times *before their first arrest*. Two-thirds of those whose licenses are suspended for DUI drive anyway. **Interlocks are proven to be up to 90 percent effective while on the vehicle**, yet it is estimated that only one in eight convicted drunk drivers each year currently get the device, and most of those are repeat offenders. Sixty-five percent of the public support mandatory interlocks for first time offenders, and 85 percent of the public support mandatory interlocks for repeat offenders.

The Honorable Susan Molinari, chairman of The Century Council, noted, "I thank MADD for having the vision that eliminating drunk driving is possible and that to do it, it requires many different stakeholders at the table. By working together, we can eliminate drunk driving."

In addition to stronger enforcement and mandatory **interlocks for all convicted drunk drivers**, MADD supports the development of new sensor technology already underway that allows a vehicle to recognize if a driver is drunk, and to stop the driver from operating that vehicle. The public is overwhelmingly supportive: by a 4

to 1 margin (58 percent to 16 percent), Americans support advances in smart vehicle technology to prevent drunk driving.

"Enforcement is essential, but we know we'll never arrest all drunk drivers once they get on the road," said Susan Ferguson, senior vice president of research at the Insurance Institute for Highway Safety and chair of the newly-announced Blue Ribbon Panel for the Development of Advanced Alcohol Detection Technology. "If society is to eliminate the carnage caused by drunk drivers, we must do more to prevent them from drinking and driving in the first place. Fortunately, advanced technology is being developed that may allow quick, reliable detection to do just that."

MADD, NHTSA, the auto industry and the Insurance Institute for Highway Safety are forming a cooperative research initiative via the Blue Ribbon Panel for the Development of Advanced Alcohol Detection Technology to help bring this new technology to market in the next 10 years through a non-regulatory, voluntary and data driven effort.

"The Institute has long studied the most effective ways to enforce alcohol-impaired driving laws," adds Adrian Lund, president of IIHS. "Now our research will have two broad objectives: to maximize the effectiveness of laws and enforcement techniques and to study how new technology can fit seamlessly into the driving task without affecting the majority of drivers who drive sober."

At least four classes of technology warrant further investigation by the Blue Ribbon Panel: advanced breath testing, both individual testing and testing for alcohol in the vehicle; using visible light to measure BAC (spectroscopy); using non-invasive touch-based systems to measure BAC transdermally; and eye movement measurement technology, including the involuntary eye movements (or nystagmus) related to BAC, and eye closure that can indicate drowsiness.

"There is no single solution that will eliminate drunk driving. Drunk driving remains a behavioral challenge, an enforcement challenge and a challenge requiring innovative new approaches, including exploring new technologies," said Fred Webber, president & CEO, Alliance of Automobile Manufacturers. "These diverse organizations are well suited to address the long-term strategy."

MADD intends to work with law enforcement agencies, judicial organizations, auto manufacturers, insurers, distilled spirits companies, technology companies, safety

advocates, health care professionals, and emergency technicians to abolish drunk driving in the U.S. through the *Campaign to Eliminate Drunk Driving*.

*MADD's mission is to stop drunk driving, support the victims of this violent crime and prevent underage drinking. Founded in 1980, MADD has helped save more than 330,000 lives. MADD is a 501 (c)(3) charity with approximately 400 entities nationwide and 2 million members and supporters. For more information, visit our online press center , www.madd.org, www.madd.org/campaign or call 1-800-GET-MADD.*

# **Top Myths About Ignition Interlock Devices**

## **1. The Ignition Interlock unit drained the battery.**

Units draw less than 1/4 of one amp when not in operation and it draws 1/2 half of one amp when it is preparing for a test. This is minimal drain on the battery of a properly functioning vehicle electrical system. The Ignition Interlock will not drain the battery to the point where it will not start unless the vehicle is not started for approximately 10 consecutive days. This period will be shorter if the electrical system is not functioning properly such as poor alternator output or dead cells in the vehicle battery. These symptoms are common in vehicles 5 years old and older. In such a case, the vehicle would have battery problems with or without an ignition interlock device. Just as tires on a car wear out with use, so do batteries and alternators and they are considered standard maintenance items for proper vehicle upkeep.

Clients are encouraged to start their vehicles on a regular basis so they maintain a charged battery. Keep in mind, the court/DMV order states the unit should be installed in the vehicle most often used. If the car sits unused for extended periods of time, the client may be driving another vehicle that is not equipped with an ignition interlock.

## **2. Spicy foods or Mexican foods cause the Ignition Interlock to fail.**

In some cases spicy foods, when mixed with the HCL in the stomach creates a gas called methane. With the non-alcohol specific devices the methane gas will create a false positive because the sensor reacts to the hydrocarbons. Anti-acids and water will usually relieve the situation. This phenomenon doesn't occur with the alcohol specific ignition interlock utilizing alcohol specific, Fuel Cell technology.

## **3. Cigarette smoke and snuff cause the Ignition Interlock to fail.**

Clients are instructed to always take a few deep breaths before blowing into the unit if they are smokers. Cigarette smoke does not affect the alcohol specific ignition interlock however; smoke should never be blown into any unit.

## **4. Gasoline at the service station causes the Ignition Interlock to fail.**

Normal refueling at the gas station will NOT create a failure. Gasoline in high concentration will not register enough to be a fail on an alcohol specific ignition interlock.

## **5. Perfume, hairspray, after-shave colognes, cause the Ignition Interlock to fail.**

Most perfumes and colognes contain alcohol but the ignition interlock will not react to it in heavy concentrations.

## **6. Mouthwash/Mouthspray causes the Ignition Interlock to fail.**

Mouthwash and sprays usually contain up to 30% alcohol and will definitely react as alcohol in all ignition interlock devices. Non-alcohol mouthwash is available and all ignition interlock users should use this mouthwash. The alcohol concentration level can register as high as .250 but will immediately dissipate within a fifteen (15) minute timeframe due to being mouth alcohol only or quicker if the mouth is rinsed with water. Clients are always instructed to rinse their mouths out with water before each and every test.

**7. Chocolate mints, Altoids, Dentyne and other gums cause the Ignition Interlock to fail.**

Alcohol filled chocolates will register a fail; however, the alcohol in the chocolate will dissipate in 3 minutes.

**8. Cinnamon Rolls and Donuts make the Ignition Interlock fail.**

The sugar and the active yeast can combine to create a low level alcohol fail some of the time. However, as with cigarette smoke or mouthwash, a second test will indicate a drop or a completely clean test. Rinsing the mouth with water after eating and before blowing into the device will eliminate a fail. Smart Start clients should ALWAYS rinse their mouth with water before taking a test.

**9. The Ignition Interlock just aborts and I can't start my vehicle.**

The majority of all aborts are caused by improperly blowing into the device.

**10. My friend or girlfriend blew a fail and was drinking.**

The defendant is informed that they are responsible for all tests recorded on the vehicle's ignition interlock.

**11. My engine stopped due to the ignition interlock OR What if it shuts the car down in a bad part of town**

The units are designed to prevent the starting of a vehicle if a breath test is not passed. There is only one wire interrupted for the installation of the ignition interlock device and it serves no other purpose than to send the signal to the starter for the vehicle to start once the test is passed. If the individual fails a test while driving, it simply records a violation; *it does not shut the vehicle down.*

**12. What is the difference between T-Cell (non-alcohol specific) vs. the Fuel cell (alcohol specific device)?**

A fuel cell sensor is an electrochemical device in which the substance of interest, in this case alcohol, undergoes a chemical oxidation reaction at a catalytic electrode surface (platinum) to generate an electrical response. This response is then converted to an alcohol equivalent reading. By careful design and catalyst selection, the fuel cell chemistry can be geared to work only with a limited range of fuel substances. This is what gives the cell its high specificity to alcohol. T Cells, Taguchi, or Semi-conductor sensors, consist of a small bead of metal oxide, which is heated to a high temperature, and a voltage is applied to produce a small current. As a substance comes into contact with the small bead (alcohol) it changes this current. This change is then converted into an alcohol reading.

**13. I only had one beer or glass of wine or one cocktail.**

If one drink is consumed one hour or more prior to startup, the average person will pass the test. Alcohol is normally metabolized at the rate of 1 ounce of alcohol per hour. It should be noted that size, gender, and several other factors play a key role in determining the body's absorption of alcohol. There is no single formula that can be used for everybody in determining how much he or she can drink before they are affected by the alcohol.

**14. I can start my vehicle without taking a test.**

This can only be accomplished by a deliberate means of circumventing the ignition interlock. This would be considered tampering and would be recorded by the ignition interlock as a start violation.

**15. What does anti circumvention mean?**

This is a generic term for features designed to make tampering of the ignition interlock much more difficult. Some anti-circumvention features of the SSI-1000 include voice-tone, rolling-retests and the ability to detect power disconnects.

**16. The rolling retest is dangerous.**

The rolling retest is programmed to ask for a test within 5 to 15 minutes after initial start up of the vehicle and then randomly thereafter about every 45 minutes. Once the SSI-1000 requests the test, the client has six (6) minutes to respond. The test does not require eye contact with the device and the 6 minutes allows adequate time to pull over if the client feels more comfortable doing so.

**17. The device is not very accurate.**

All interlock devices must be certified to meet NHTSA specifications for accuracy and dependability and often by each State's specs as well. When properly calibrated the ignition interlocks are accurate enough to determine the presence of alcohol and its concentration. The device ignition interlock cannot be used to determine if a client is legally intoxicated because the test is unsupervised. Some of the evidentiary breath testing equipment used by the police departments actually utilizes a fuel cell sensor as an additional means of verifying test results. Interlocks with fuel cell sensors are accurate.

**18. Anyone can blow in the Ignition Interlock. I only have one car in our family.**

All family members must be trained to use the device however; the client is responsible for any positives and all readings registering on the monthly data logs. Yes, anyone can blow into the ignition interlock, but they must be able to make the voice tone and pass a test, at a level determined by State requirements, and they must also submit to the rolling retests.

**19. Defense attorneys will attack the credibility of reports/data.**

This is what defense attorneys are paid to do. We provide ignition interlock services and have employees who can provide testimony in cases where either the records are contested or detailed explanations of the reports are necessary. We prefer to have at least 3 days advance notice, but can prepare for a case in a shorter period of time if necessary. When the reports indicate repeated and significant problems we have been highly successful in having our device, systems, and reports held up in court. When there is only a single event or when events are interpreted outside of our standards the success rate is lower.

**20. The Ignition Interlock costs too much.**

A average cost of a unit is approximately \$2.50 per day. The cost is at the expense of the offender. Statistics show that the average amount of money spent on alcohol per day by the offender is \$16.00. They spend 30% of their monthly salary on alcohol.

Nothing is 100%. However, the ignition interlock works and there are independent studies that back this up. In order for it to be effective it must remain on the vehicle. One IID company has prevented over 4 million illegal starts since 1992. ***Surely they have saved several lives by preventing so many DWI attempts!***

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**1. Can someone use a balloon or other air source to mimic human breath?**

No. The devices currently available have anti-circumvention techniques, which cause the Ignition Interlock Device to abort phony breath samples.

**2. Can a person with an Ignition Interlock Device restriction have someone else take the breath test for the driver to start the vehicle?**

Not legally.

**3. Will the Ignition Interlock Device unit lose all memory if the battery is disconnected?**

No. The unit has a back up lithium battery to protect the data log's memory.

**4. If a driver gets stranded and thinks the Ignition Interlock Device unit is causing the problem, is there anything he/she can do?**

Some units can self-diagnose problems and the driver will be able to confirm if the unit is having problems by the condition of the service light. The driver can also call a service provider to help determine if the unit requires service.

**5. Can a participant leave his/her car running outside of a bar, while drinking inside, and then drive away?**

If someone tries to do this, the unit will randomly ask for breath tests while the vehicle is running. If a sample is not given when requested, the device logs a violation and with some devices, the horn starts to honk until the vehicle is shut off.

**6. What happens when the driver forgets his/her service appointment?**

The device will prompt the driver. For example, a device may flash or the light may stay on and a tone will sound if it needs service. If the IID is not serviced, all Ignition Interlock Devices will enter a lockout condition and the driver will not be able to operate the vehicle. Then, the vehicle would have to be towed to the service center or the service center technician would have to perform remote service.

**7. What if the driver is taking a medicine with an alcohol base?**

Alcohol is alcohol. If the driver's blood alcohol concentration, as measured in the breath, is over the preset level, the driver will not be allowed to start the vehicle. During the training session, drivers are particularly cautioned about common substances that contain alcohol and the use of mouthwash.

**8. What if the driver uses mouthwash in the morning and the mouthwash has an alcohol base?**

Again, alcohol is alcohol. If the driver does not allow sufficient time for the alcohol to dissipate from his/her mouth, a FAIL will be registered in the memory.

**9. What happens when a driver fails the breath test?**

The Ignition Interlock Device will enter a short lockout period of a few minutes for the first failed breath alcohol test and a longer lockout for any subsequent failed breath alcohol test. This permits an opportunity for the alcohol to dissipate from the mouth and for the driver to consider the reason for the failed breath alcohol test.

**10. Can others besides the participating driver drive the IID-equipped vehicle?**

Yes. However any intended driver must take and pass a breath test in order to start the vehicle. All other possible drivers should be trained on the operation of the device. The person with the Ignition Interlock Device restriction is responsible for all readings recorded by the device.

**11. What happens when the IID-equipped vehicle needs repair?**

The driver needs to contact the Ignition Interlock Device service provider before having repairs conducted on his/her vehicle in case the repair shop has questions about the IID. Documentation must be provided if the power to the vehicle is interrupted as the unit will record the power disconnect and the reconnect.

**12. If the Ignition Interlock Device unit malfunctions, will it shut the vehicle off?**

No. The IID unit has no means of interrupting vehicle operation once it is started.

**13. What happens if the vehicle stalls in traffic?**

The Ignition Interlock Device unit permits the driver to restart the vehicle without having to conduct another breath sample, but a breath sample will be requested shortly after restarting.

**14. What happens if the driver is out of California and experiences problems with his/her Ignition Interlock Device unit?**

Most states currently have Ignition Interlock Device programs with service centers to assist them. Drivers are instructed to contact the primary service center to be routed to the closest center for assistance.

**15. Will installation of the Ignition Interlock Device damage the vehicle?**

No. The IID unit is only connected to the wiring under the dash and under the hood. At the end of the program, this wiring is restored to pre-IID installation conditions.

**16. Will the requirements to take a "running retest" cause the driver to take his/her eyes off the road creating a hazardous situation?**

No. When the Ignition Interlock Device signals for a retest, the driver has a few minutes to provide the sample or to pull over to the side of the road in a safe area to provide the breath sample. There are no buttons to push; the driver must only breathe into the unit to complete a breath sample. This is much simpler than using a cellular telephone or tuning a state-of-the-art car stereo.

**17. How often does the device need a calibration check?**

Typically, every 60 days.

**18. Can the device be tampered with by computer?**

No. Proprietary software and a special interface connection are needed to communicate with the device.

# **Drunk Drivers Beware: System Works in Drew Co.**

Source: PINE BLUFF COMMERCIAL  
(Arkansas) - Thursday, July 9, 1998

Kara Tooke -  
MONTICELLO/WARREN  
CORRESPONDENT, MONTICELLO

If you're planning on throwing caution to the wind when it comes to consumption of alcohol and getting behind the wheel of a car, think twice before heading to Drew County.

It was one year ago this month Municipal Judge William R. "Bill" Daniels made the decision to crack down on drunk drivers by ordering all first offenders to have installed in their vehicle an Ignition Interlock system. Already Drew County is witnessing a change for the better.

The Interlock, which looks like a small portable breathalyzer and is endorsed by Mothers Against Drunk Driving (MADD), is fitted into a vehicle's dashboard. Before their car will start, the driver must blow into it. The system analyzes the sample and if even a trace of alcohol is detected, the car will not start.

A study done by the University of Maryland showed that "an interlock program reduces the risk of an alcohol traffic violation within the first year (after conviction) by about 65 percent. "

"The figures show that DWIs in our court are down about 30 percent from years past," Daniels said.

Where normally eight to twelve people charged with DWI would appear on one day in his court before, Daniels said now he sees an average of five or six. He also reports a significant decrease in the number of second and third offenses.

Law enforcement has noticed a difference as well. "We've seen a decrease in DWIs on regular patrols," Sheriff Tommy Free said. "They're holding people in contempt for not installing it and there have been some lengthy jail terms imposed," he noted.

"I had one State Trooper tell me his superiors wanted to know why he hadn't been making arrests on DWI," said Daniels. "He told them they're just not out there."

Daniels decided to adopt the policy after he lost confidence in the idea that fines were an effective deterrent to drinking and driving.

"Though they had to deal with the embarrassment of court, fines didn't seem like a big enough deal to those first offenders who just made a careless mistake," said Daniels, "and those with a real problem needed to be threatened with something more burdensome and meaningful."

Daniels attributes the success of the policy to the willingness to force those with a DWI first offense to have the Interlock, as well as the severe sanctions that have been imposed for non-compliance. "The fear factor is at work," said Daniels. "If they violate the order

by refusing to have the system put on or tampering with it they're going to be looking at as much as 180 days in jail and a \$1,000 fine."

According to Superior Interlock Services Inc., of Conway which installs and maintains the systems for Drew County, 86 people were caught drinking and driving over the last year in the county and all were prohibited from driving any vehicle without an Interlock.

Of the 86 convictions, 30 units have been installed according to a report from Superior Interlock. Of those not yet in compliance, ten people claim not to own a vehicle, two live out of Arkansas where there is no service, one is in rehabilitation, another is in jail for tampering and 42 warrants are being processed for non-compliance.

"If the punishment for not following the order is strong enough, the word travels pretty quickly," said Fred M. Bowers, president of Superior Interlock. Paul Dotley, a DWI Counselor with Delta Counseling in Monticello agrees. "It's made a major impact in Drew County, and since Judge Daniels orders the interlock for first offenders, it's a great deterrent," he said.

All DWIs issued in a five-county area are referred to Delta Counseling, and Dotley says Drew "by far has dropped more than any other county." "Several area judges have shown an interest and we're hoping they will go to the Interlock as well," he said.

According to Bowers, who is working with others to push legislation allowing offenders to have their license reinstated

upon proof that their vehicle is equipped with an Interlock, the use of an Interlock is easily validated.

"National statistics show that 80 percent of those who have their license suspended drive anyway...illegally, without insurance, and with no way of knowing if they are driving drunk or not," Bowers said.

Daniels said the Interlock is logical because if violators have been proven to drive regardless of having their license suspended, "Why not offer the public some degree of protection from drunk drivers and keep them legal?"

"It allows them to keep driving to work so they can provide for their family, while keeping them in the system so their behavior can be monitored," said Bowers.

Another perk that comes with the Interlock is that it keeps potential drunk drivers out of trouble and they know it. "A few people, after going through counseling and driving with the system on their cars for a year, have decided to keep it even though they no longer have to because they realize it's cheaper than paying fines and insurance increases" said Dotley. "It becomes a crutch for them" said Bowers, "because they know they will drink and drive again, but not with an Interlock."

"My goal in establishing the Interlock as a punishment was to keep the roads safe for my family and yours, it's even better if it helps someone realize they have a real problem," said Daniels. "I'm really pleased with its effectiveness."

**Sec. 28.22.011. Motor vehicle liability insurance required; exemptions.**

(a) The operator or owner of a motor vehicle subject to registration under AS 28.10.011 when driven on a highway, vehicular way or area, or on other public property in the state, shall be insured under a motor vehicle liability policy that complies with this chapter or a certificate of self-insurance that complies with AS 28.20.400 unless

(1) the motor vehicle is being driven or moved on a highway, vehicular way, or a public parking place in the state that is not connected by a land highway or vehicular way to

(A) the land-connected state highway system, or

(B) a highway or vehicular way with an average daily traffic volume greater than 499; and *see list attached*

(2) the operator has not been cited within the preceding five years for a traffic law violation with a demerit point value of six or more on the point schedule determined under regulations adopted by the department under AS 28.15.221.

(b) The department shall annually publish a list of areas that meet the requirements of (a)(1) of this section. This list shall be available for public inspection at each office of the department.

(c) In this section, "operator" does not include

(1) an employee who operates, during the course and within the scope of employment, a motor vehicle that is owned or leased by the operator's employer; or

(2) an emergency service volunteer who operates, during the course and within the scope of responding to an emergency, a motor vehicle not owned by the volunteer.

# Department of Administration Division of Motor Vehicles

State of Alaska > Administration > DMV > Mandatory Insurance

## Mandatory Insurance

The Mandatory Insurance Statutes require that the owner of a motor vehicle subject to registration have a liability insurance policy in effect that complies with AS 28.22.101. The minimum amounts for this policy are \$50,000/\$100,000 for bodily injury or death and \$25,000 for property damage. Failure to have the proper insurance may result in a suspension of a driver's license. Insurance is not required in areas where registration is not required. The list of these locations is shown below. **EXCEPTION:** A driver that has received a ticket for a violation of 6 points or more within the last 5 years must have liability insurance.

Proof of motor vehicle liability insurance must be in the person's possession at all times when driving a motor vehicle, and they must present the proof for inspection upon demand of a peace officer or other authorized representative of the Department of Public Safety. Your vehicle may be impounded in the Municipality of Anchorage if you do not have proof of insurance. In this case, you would need to contact the Anchorage Police Department for procedures on obtaining your vehicle.

As required by AS 28.22.011(1)(A) & (B), the following areas are exempt from registration and the Mandatory Insurance law. Compiled by the Department of Administration, Division of Motor Vehicles, from information obtained from the Department of Transportation.

Adak	Afognak	Akiak	Akiachak
Akiak	Akolmiut	Akulurak	Akutan
Alakanuk	Alatna	Allakaket	Amakdedori
Ambler	Amchitka	Aniak	Annette
Anvik	Arctic Village	Atka	Atkasuk
Attu	Baranof	Beaver	Bell Island Hot Springs
Belkofski	Belmezok	Bettles	Bettles Field
Biorka	Birch Creek	Brevig Mission	Buckland
Candle	Canyon	Cape Pole	Cape Yakataga
Chalkyitsik	Chandalar	Chaniliut	Chakaktolik
Chase	Chatham	Cheching	Chenik
Cheformak	Chernofski	Chevak	Chichagof
Chignik	Chignik Lagoon	Chignik Lake	Chisana
Christian	Chuathbaluk	Clark's Point	Cold Bay
Crooked Creek	Deering	Diomedea	Edna Bay
Eek	Egavik	Egegik	Ekuk
Ekwok	Elfin Cove	Elim	Emanguk
Emmonak	English Bay	Excursion Inlet	False Pass
Flat	Fort Yukon	Fortuna Lodge	Galena
Gambell	Golovin	Goodnews Bay	Grayling
Gustavus	Hawk Inlet	Haycock	Holy Cross
Hooper Bay	Hughes	Huslia	Iditarod
Iguigig	Igushik	Iliamna	Ivanoff Bay
Kachemak	Kaguyak	Kakhonak	Kaktovik
Kalskagg	Kaltag	Kanatak	Karluk
Kashegelok	Kasigluk	Katalla	Kiana
King Cove	King Island	Kipnuk	Kivalina
Kiwalik	Kobuk	Kokhanok	Kokrines
Koliganek	Kongiganak	Kotlik	Kotzebue
Koyuk	Koyukuk	Kvichak	Kwethluk

## Quick Links

- DMV Web Cameras
- Online Address Change
- Online Registration Renewal
- Personalized Plates Online

## Of Interest

- Forms
- General Information
- Links to Other Related Sites
- Office Locations/Hours
- Office Closures
- Regulations
- Research Materials
- Senior Citizen Information
- Statistics
- Table of Contents
- Partner Information

<b>Kwigillingok</b>	<b>Kwiguk</b>	<b>Kwinhagak</b>	<b>Lake Minchumina</b>
Larsen Bay	Latouche	Levelock	Lime Village
Little Diomedea	Long	Lower Kalskag	Monokatak
Marshall	Mary's Igloo	McGrath	Medfra
Mekoryuk	Meshik	Metlakatla	Meyoruk
Meyers Chuck	Moses Point	Mt. Village	Mumtrak
Napaimiut	Napaikak	Napakiak	Nelson Lagoon
New Stuyanok	Newhalen	Newtok	Nightmute
Nikolai	Nikolski	Noatak	Nolan
Nondalton	Noorvik	Nuiqsut	Nulato
Nunachuak	Nunapitchuk	Nushagak	Nyac
Old Harbor	Ophir	Oscarville	Ouzinkie
Owl Village	Pavlof Harbor	Pedro Bay	Pelican
Pennock Island	Perryville	Pikmiktalik	Pile Bay
Pilot Point	Pilot Station	Pitka's Point	Platinum
Point Baker	Point Hope	Point Lay	Poorman
Port Alexander	Port Alsworth	Port Ashton	Port Graham
Port Heiden	Port Lions	Port Moller	Port Wakefield
Quinhagak	Rampart	Red Devil	Ruby
Russian Mission	St. George	St. Mary's	St. Michael
St. Paul	Sanak	Sand Point	Savoonga
Scammon Bay	Selawik	Shageluk	Shaktoolik
Sheldon Point	Shemya	Shismaref	Shungnak
Shungnak Village	Skwentna	Sleetmute	Snettisham
South Naknek	Squaw Harbor	Stebbins	Stevens Village
Stony River	Stuyahok	Takotna	Taku Harbor
Tanana	Tanunak	Tatitlek	Tenakee Springs
Tetlin	Tin City	Todd	Togiak
Tokeen	Toksook Bay	Tuluksak	Tuntutuliak
Tununak	Twin Hills	Tyonek	Ugashik
Umial	Unalakleet	Unga	Venetie
Wainwright	Wales	White Mountain	Wiseman
Woody Island			<b>REV. 6/16/05</b>

[Vehicle Registration Info](#) [License Plate Info](#) [Driver's License Info](#) [General Info](#) [FAQ](#) [Email Alaska DMV](#)



# REPRESENTATIVE KEVIN MEYER

HOUSE DISTRICT 30

## MEMORANDUM

**DATE:** April 2, 2007

**TO:** Senator Hollis French, Chair  
Senate Judiciary Committee

**FROM:** Representative Kevin Meyer

**RE:** Request to Schedule House Bill 19 *Limited Driver's Licenses*

Please schedule HB 19 *Limited Driver's Licenses* for a hearing in the Senate Judiciary Committee at your earliest convenience.

HB 19 creates a limited license specifically for people convicted of driving under the influence of alcohol. The limited license requires the person to install and maintain an ignition interlock device on the vehicle or vehicles they intend to drive.

Included in this packet:

- CSHB 19 (FIN) *Limited Driver's Licenses* v. LS-0133\T
- Sponsor Statement
- Sectional Analysis
- Fiscal Notes: DOT/ADMIN
- Changes to HB 19 in CSHB19 (FIN)
- Changes to HB 19 in CSHB 19 (JUD)
- Changes to HB 19 in CSHB 19 (STA)
- HB 19 *Limited Driver's Licenses* v. LS-0133\E
- Backup materials:
  1. Department of Public Safety Letter
  2. National Highway Transportation Safety Administration: "10 Promising Sentencing Practices" excerpt: "Ignition Interlock Devices"
  3. MADD Alcohol Ignition Interlock Fact Sheet and position papers
  4. "Blow and Go: the breath-analyzed ignition interlock device as a technological response to DWI." By Judge Andrew Fulkerson
  5. The Department of Premier and Cabinet Government of Western Australia Office of Road Safety
  6. USA Today *States turn on to idea of ignition locks (1/26/07)*