

ALASKA LEGISLATURE COMMITTEE FILES 2007-2008 SSTA 12758

major factors affecting design of the cemetery—including climate, soil, hydrology, site constraints, views, and activity level. The plan should analyze alternative designs and address the ultimate "build-out" of the site and planned phases of development.

5. The design process then proceeds to "design development" or partial plans, sometimes called 40 percent or 50 percent drawings. Again VA must review these submissions and approve them.
6. The final design submission comprises the construction drawings and specifications. VA is required to approve these documents before the state advertises for bids. Cemetery plans must be complete, comprehensive and professional.
7. Based on construction bids, the state submits a new form 424 and 424C that reflects the actual construction amount rather than the estimated amount provided in the preapplication. Along with the forms, the state must submit a tabulation of bids and designate the contractor to whom the contract will be awarded. VA reviews these materials and then awards the grant. Once the state receives the Notification of Grant Award, they may request reimbursement for costs they have already incurred such as design costs.

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Reviewed/Updated Date: September 13, 2006



64.203 State Cemetery Grants

FEDERAL AGENCY:

NATIONAL CEMETERY ADMINISTRATION, DEPARTMENT OF VETERANS AFFAIRS

AUTHORIZATION:

Veterans Housing Benefits Act of 1978, Section 202, Public Laws 95-476, 98-223, 100-687, 103-446, and 105-368; 38 U.S.C. 2408.

OBJECTIVES:

To assist States in the establishment, expansion, and improvement of veterans' cemeteries.

TYPES OF ASSISTANCE:

Project Grants.

USES AND USE RESTRICTIONS:

Monetary assistance is provided under this program to construct, expand, and improve State veterans' cemeteries. Cemeteries must be State-owned and operated solely for the interment of eligible veterans and their dependents and/or spouses. Construction cost means the amount found necessary to convert a tract of land to an operational cemetery.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility:

Any State may apply.

Beneficiary Eligibility:

The cemetery must be used solely for the interment of veterans, their wives, husbands, surviving spouses, minor children, and unmarried adult children who were physically or mentally disabled and incapable of self support: section 1.620 of 38 CFR.

Credentials/Documentation:

Costs will be determined in accordance with revised OMB Circular No. A-87 for State Governments, dated May 4, 1995, and further amended August 29, 1997.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination:

Consultation or assistance is available from VA Central Office personnel (State Cemetery Grants Service) to aid in the preparation of an application. The standard application forms as furnished by VA and required by OMB Circular No. A-102 must be used for this program (Standard Form 424, "Application for Federal Assistance," with attachments). An environmental assessment is required. This program is eligible for coverage under E.O. 12372, "Intergovernmental Review of Federal Programs." An applicant should consult the office or official designated as the single point of contact in his or her State for more information on the process the State requires to be followed in applying for assistance, if

the State has selected the program for review.

Application Procedure:

Submit Standard Form 424, "Application for Federal Assistance for Construction Programs," with attachments, to the Director, State Cemetery Grants Service (401C), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420. This program is excluded from coverage under OMB Circular No. A-110.

Award Procedure:

Formal notification of the award to the State is made by the Under Secretary for Memorial Affairs, National Cemetery Administration.

Deadlines:

A deadline of July 1 is established for the filing of applications in the year prior to the fiscal year in which funding is requested.

Range of Approval/Disapproval Time:

From 30 to 60 days.

Appeals:

No application shall be disapproved until the applicant has been afforded an opportunity for a hearing.

Renewals:

Not applicable.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements:

The amount of the Federal contribution to a State is up to 100 percent of the cost of establishing, improving or expanding State Veterans Cemeteries. In the case of establishment grants, the cost of operating equipment may also be included. Land value is not included as an allowable cost for reimbursement under the grant.

Length and Time Phasing of Assistance:

Funds are provided by electronic transfer of funds and must be used within 3 years.

POST ASSISTANCE REQUIREMENTS:

Reports:

Outlay Report and Request for Reimbursement for Construction Programs, and Performance Reports are accomplished in accord with 38 CFR Part 43.

Audits:

In accordance with the provisions of OMB Circular No. A- 133 (Revised, June 24, 1997), "Audits of States, Local Governments, and Nonprofit Organizations," nonfederal entities that expend financial assistance of \$300,000 or more in Federal awards will have a single or a program-specific audit conducted for that year. Nonfederal entities that expend less than \$300,000 a year in Federal awards are exempt from Federal audit requirements for that year, except as noted in Circular No. A-133.

Records:

Financial records, supporting documents, statistical records and all other records pertinent to a grant shall be retained for a period of 3 years. If any claim or audit is started before the expiration of the 3 year period, the records shall be retained until all litigation, claims or audit findings involving the records



What Is A VA Burial Allowance ?

A VA burial allowance is a partial reimbursement of an eligible veteran's burial and funeral costs. When the cause of death is not service-related, the reimbursement is generally described as two payments: (1) a burial and funeral expense allowance, and (2) a plot interment allowance.

Who Is Eligible ?

You may be eligible for a VA burial allowance if:

- ❖ you paid for a veteran's burial or funeral **AND**
- ❖ you have not been reimbursed by another government agency or some other source, such as the deceased veteran's employer **AND**
- ❖ the veteran was discharged under conditions other than dishonorable.

In addition, at least one of the following conditions must be met:

- ❖ the veteran died because of a service-related disability **OR**
- ❖ the veteran was receiving VA pension or compensation at the time of death **OR**
- ❖ the veteran was entitled to receive VA pension or compensation but decided not to reduce his/her military retirement or disability pay **OR**
- ❖ the veteran died in a VA hospital or while in a nursing home under VA contract, or while in an approved state nursing home.

How Much Does VA Pay ?

Service-Related Death. VA will pay up to \$1,500 toward burial expenses for deaths prior to September 10, 2001. For deaths on or after September 11, 2001, VA will pay \$2,000. If the veteran is buried in a VA national cemetery, some or all of the cost of moving the deceased may be reimbursed.

Nonservice-Related Death. VA will pay up to \$300 toward burial and funeral expenses, and a \$150 plot interment allowance for deaths prior to December 1, 2001. The plot-interment allowance is \$300 for deaths on or after December 1, 2001. If the death happened while the veteran was in a VA hospital or under contracted nursing home care, some or all of the costs for transporting the deceased's remains may be reimbursed.

How Can You Apply ?

You can apply by filling out VA Form 21-530, Application for Burial Allowance. You should attach proof of the veteran's military service (DD 214), a death certificate, and copies of funeral and burial bills you have paid.

Related Benefits

Burial in VA National Cemeteries
Presidential Memorial Certificates

Headstones and Markers
Burial Flags

**For More Information Call Toll-Free 1-800-827-1000
Or Visit Our Web Site At <http://www.cem.va.gov>**

STATE OF ALASKA

DEPARTMENT OF ADMINISTRATION

DIVISION OF MOTOR VEHICLES

SARAH PALIN, GOVERNOR

Annette Kreitzer, Commissioner

1300 W BENSON BLVD
ANCHORAGE, AK 9950
PHONE: (907) 269-5559
www.state.ak.us/dmv/

February 5, 2007

The Honorable David Guttenberg
House of Representatives
State Capitol, Room 418
Juneau, AK 99801-1182

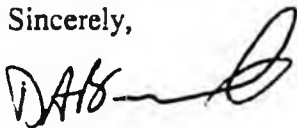
Dear Representative Guttenberg:

I received your request for information concerning the revenues associated with the Veteran License Plate programs. The following schedule shows revenues collected for FY03 through FY06, and for the first half of FY07.

	Standard Veteran License Plates	Commemorative Veteran License Plates - Original	Commemorative Veteran License Plates - Renewal
FY03	\$ 18,330	\$ 0	\$ 0
FY04	18,390	200	0
FY05	22,510	1,800	70
FY06	21,160	1,700	0
FY07 (Jul-Dec)	10,755	970	0

I hope you find this information useful. If I may be of further assistance on this, or any other DMV matter, please don't hesitate to contact me directly.

Sincerely,



Duane Bannock
Director

CC: Annette Kreitzer, Commissioner, Department of Administration



April 17, 2007

The Honorable Mike Chenault, Co-Chair
House Finance Committee
Alaska State Capitol, Room 505
Juneau, AK 99801-1182

The Honorable Kevin Meyer, Co-Chair
House Finance Committee
Alaska State Capitol, Room 515
Juneau, AK 99801-1182

RE: HB 45 (Guttenberg & Doll)—Support

Dear Co-Chairs Chenault and Meyer:

On behalf of the members of AARP in Alaska, we urge you and your colleagues on the House Finance Committee to support HB 45, authored by Representatives David Guttenberg and Andrea Doll and co-sponsored by your Committee colleague Representative Harry Crawford as well as Representatives Lynn, Kerttula, Roscs, Johnson, Gruenberg and Olson.

HB 45 would establish a fund for the maintenance of and development of future veterans' cemeteries in Alaska. As you know, the only veterans' cemeteries are in Anchorage and Sitka yet the Fairbanks area alone has over 11,000 veterans, many of whom are AARP members. Certainly veterans and their families would like to have a cemetery closer to where they live.

Burial in a veterans' cemetery is one of the last honors we can offer our fellow citizens who have served in the Armed Forces. We think it is a well-deserved tribute to these men and women who served our country. It is a proper thank-you to the veterans and their families.

Undoubtedly there may be some costs associated with a new cemetery. Our veterans didn't weigh the costs when they joined the armed services. Surely we can bear the costs of this. Thank-you to them.

AARP recommends an "AYE" vote on HB 45.

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

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 Bill Stoltze
Representative Richard Foster
Representative Mike Hawker
Representative Bill Thomas
Representative Harry Crawford
Representative Les Gara
Representative Reggie Joule
Representative Mike Kelly
Representative Mary Nelson
Representative Andrea Doll
Representative David Guttenberg



Fairbanks North Star Borough

Office of the Mayor

809 Pioneer Road • PO Box 71267 • Fairbanks, Alaska 99707-1267 •

Phone 907/459-1300 Fax 907/459-1102 Email mayor@co.fairbanks.ak.us

12 February, 2007

Dear Committee Members,

This is a letter of **support** for **HB 45: State Veterans Cemetary** and a thank you to Representative David Guttenberg for his sponsorship of this valuable piece of legislation.

This legislation serves to better meet the need of our Alaskan Veterans and their families through the U.S. Department of Veterans Affairs, State Cemetery Grants Program.

As the home of the Stryker Brigade Combat Team (formerly the 172nd SBCT / now the 1-25 SBCT), and having recently emerged successfully from our efforts to challenge the BRAC recommendations to scale back the military presence in Alaska, we have no choice but to continue to provide adequate reason for the military to stay here. This bill does that.

I **fully support this legislation** which honors Alaskans who have served their country with dignity as well as their family members in our community.

Sincerely,

Jim Whitaker, Mayor - Fairbanks North Star Borough

Disabled American Veterans
Department of Alaska
Resolution #2007-01

SUPPORT FOR A POLICY FOR A STATE VETERANS CEMETARY

WHEREAS, Alaskan veterans deserve a cemetery that is located in the Interior that honors their service; and

WHEREAS, according to the Department of Veterans Affairs National Cemetery Administration, Alaska has more residents in the military on a per-capita basis than any other state. The Fairbanks North Star Borough has approximately 11,164 veterans; Forty percent of families in the Fairbanks area have at least one veteran in their household and sixteen percent have at least one woman in the household who is a veteran; and

WHEREAS, A State Veterans' Cemetery in the Interior would better serve needs of the veterans and their families and provide a place that is centrally located, honorable and well maintained; and

WHEREAS, The nearest officially designated military cemetery is located 350 miles North of Anchorage at Ft. Richardson; and

WHEREAS, The Department of Veterans Affairs National Cemetery Administrations' goal is to provide eligible veterans reasonable access to Department of Veterans Affairs (VA) burial options; and

WHEREAS, The VA provides a burial and funeral expense allowance of \$300 and a plot-interment allowance of \$300; and

WHEREAS, The Department of Veterans Affairs National Cemetery Administration follows a six-step process to build a new state veteran cemetery; site selection; environmental statement; land acquisition; master planning and design development; construction document preparation; and construction award and completion; and

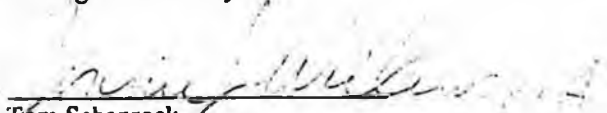
WHEREAS, The Alaska Department of Military and Veterans' Affairs can be awarded up to 100% of the development costs from the Department of Veterans Affairs National Cemetery Administration for an approved project; and

WHEREAS, To date, the Veterans Administration has awarded 137 grants totaling more than \$200 million to establish, expand or improve sixty-two veterans cemeteries in thirty-two states, plus Guam, Fifty-six cemeteries in twenty-one states and Guam are now operational; and

WHEREAS, According to the Division of Motor Vehicles from FY03 to FY05, \$45,040, has been generated from both the Federal and Commemorative Veterans license plate programs. The monies collected from the state license plate program currently goes into the general fund; and

WHEREAS, The construction of a state veterans cemetery in the Interior would be a great benefit to the friends and families of veterans in our community and would provide a place in the Interior for soldiers to be laid with full military funeral honors, pallbearers, rifle team, flag folding and flag presentation; therefore, be it

RESOLVED, By the Disabled American Veterans, Department of Alaska, That support be given in the creation of a veterans state cemetery, as proposed in HB45, open to all veterans in the state and recognizes the veterans sacrifices while serving our cemetery.


Tom Schanrock,
Department Commander



AMERICAN LEGION

C. RUSSELL HUBER POST #57

"The Friendly Post" -- Home of Happy Bears
1634 Cushman Street • Fairbanks, Alaska 99701
Phone: (907) 452-5757 • Fax: (907) 452-8954

January 30, 2007

Representative David Guttenberg
State Capital
Room 418
Juneau, AK. 99801

Reference: Veterans Cemetery in Fairbanks

Dear Representative Guttenberg:

As the 2007 Legislative session begins, Veterans organizations are again requesting Legislative support for the establishment of a Veterans Cemetery in Fairbanks. You will recall that the American Legion, Department of Alaska, at their 2005 State Convention in Kodiak voted unanimously in support of that cemetery. Most noteworthy is that the resolution calling for a new veteran's cemetery came from our Anchorage American Legion comrades who recognized the only existing veteran's cemetery in Alaska is located at Fort Richardson.

We have met with Federal Veterans Affairs officials, State Veterans Affairs personnel, American Legion Posts, Veterans of Foreign Wars, Alaska Native Veterans, members of the Order of The Purple Heart and other veterans organizations who all strongly support your bill to establish a second veterans cemetery to serve the desperate need for a final resting ground for those many who have served our country in times of war and peace.

The need for a new veteran's cemetery is urgent as the few veterans' sites available will soon be filled with no provision existing for veteran's grave anywhere in the interior.

Please share this letter with other members of the Legislature.

For God and Country,

Darrell Peterson, Commander

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By: Luke Hopkins
Hank Bartos
Introduced: 03/24/05
Adopted: 03/24/05

FAIRBANKS NORTH STAR BOROUGH
RESOLUTION NO. 2005 - 15

A RESOLUTION SUPPORTING THE CREATION OF A STATE VETERANS' CEMETERY IN THE INTERIOR THROUGH LEGISLATION THAT ESTABLISHES AN ALASKAN VETERANS CEMETERY WITH FUNDS FROM THE U.S. DEPARTMENT OF VETERANS AFFAIRS (VA) STATE CEMETERY GRANTS PROGRAM.

WHEREAS, Alaskan veterans deserve a cemetery that is located in the Interior that honors their service; and

WHEREAS, according to the Department of Veterans Affairs National Cemetery Administration, Alaska has more residents in the military on a per-capita basis than any other state. There are approximately 11,164 veterans living in the Fairbanks North Star Borough; and

WHEREAS, the nearest officially designated military cemetery is located in Anchorage at Fort Richardson Army base; and

WHEREAS, the VA National Cemetery Administration follows a 6-step process to build a new state veterans cemetery: site selection; environmental assessment; land acquisition; master planning and design development; construction documents preparation; and construction award and completion; and

WHEREAS, the Alaska Department of Military and Veterans' Affairs can be awarded up to 100 percent of the development costs from the VA State Cemetery Grants Program for an approved project and the VA has awarded 137 grants to establish and improve veterans cemeteries around the country; and

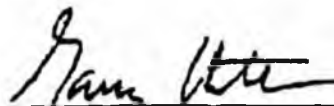
WHEREAS, a State Veterans' Cemetery in the Interior would better serve needs of the veterans and their families, and provide a place that is centrally located, honorable, and would provide a place in the Interior for soldiers to be laid with full military funeral honors, pallbearers, rifle team, flag folding, and flag presentation; and

NOW THEREFORE BE IT RESOLVED, that the Fairbanks North Star Borough Assembly supports the creation of a State Veterans' Cemetery in the Interior and recognizes veterans' sacrifices while serving our country.

46 BE IT FURTHER RESOLVED, that copies of this resolution shall be
47 forwarded to The Honorable Governor Frank Murkowski, the Alaska Interior Delegation,
48 members of the House Military and Veterans Affairs Committee, Major General Craig E.
49 Campbell Adjutant General/Commissioner, Military and Veterans Affairs, The Honorable
50 Senator Ted Stevens, the Honorable Senator Lisa Murkowski, the Honorable
51 Congressman Don Young.

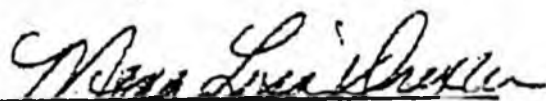
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PASSED AND APPROVED THIS 24th DAY OF MARCH 2005.



Garry Hutchison
Presiding Officer

ATTEST:



Mona Lisa Drexler, GMC
Municipal Borough Clerk

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Ayes: Romans, Bartos, Sattley, Rex, Williams, Hopkins, Aldridge, Frank, Hutchison
Noes: None

HB

75

Alaska State Legislature

Session:

State Capitol, Room 118
Juneau, Alaska 99801-1182
Ph: (907) 465-3004
Fax: (907) 465-2070
Toll Free: (877) 465-3004

**Interim:**

1292 Sadler Way, Suite 324
Fairbanks, Alaska 99701
Ph: (907) 452-1088
Fax: (907) 452-1146
Toll Free: (877) 465-3004

Representative Jay Ramras House District 10

Chair, House Judiciary Committee • Member, House Labor & Commerce Committee • Member, House Oil & Gas Committee • Member, House Military & Veteran Affairs Committee

Sponsor Statement

HB 75

Driver's License: Alcohol Awareness

04/17/07

House Bill 75 continues my efforts to improve alcohol management and awareness in Alaska.

It stipulates that a drivers' license issued to a person under 21 years of age will expire 90 days after the person turns 21.

It further requires that a person applying for a new license after expiration upon turning 21 must pass a test relating to alcohol and drug awareness and safety, before the new license may be issued. The test will be designed by the Division of Motor Vehicles, and it is my intent that MADD participate in the process

The license for a person 21 and older will look totally different from the one for a person under 21. This very visible difference will make it easier for retail clerks and on-premise licenses/servers to detect minors from adults, hopefully significantly reducing under-age drinking in Alaska.

Please join me in supporting this important piece of legislation.

E-Mail Representative Jay_Ramras@legis.state.ak.us

At the request of Duane Bannock (DMV), this CS adds an effective date of January 1, 2008

WORK DRAFT

WORK DRAFT

25-LS0348\O
Luckhaupt
4/18/07

CS FOR HOUSE BILL NO. 75()

**IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION**

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES RAMRAS, Crawford, Foster

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to driver's licenses and to alcohol and drug awareness and safety
2 testing; and providing for an effective date."

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

4 * **Section 1.** AS 28.15 is amended by adding a new section to read:

5 **Sec. 28.15.085. Alcohol and drug awareness and safety examination of**
6 **applicants.** Notwithstanding another provision of this chapter and in addition to other
7 requirements, a person applying for a new license after expiration of the person's
8 license on reaching 21 years of age under AS 28.15.099 must pass a test developed
9 and administered by the department regarding alcohol and drug awareness and safety
10 and the laws relating to alcohol, drugs, and driving before the license may be issued or
11 renewed.

12 * **Sec. 2.** AS 28.15 is amended by adding a new section to read:

13 **Sec. 28.15.099. Expiration and renewal of license issued to person under**
14 **21 years of age.** Notwithstanding another provision of this chapter, a driver's license

1 issued to a person under 21 years of age expires 90 days after the person reaches 21
2 years of age.

3 * Sec. 3. This Act takes effect January 1, 2008.

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 75(STA)
 (H) Publish Date: 2/12/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title "An Act relating to driver's licenses and alcohol awareness testing" RDU Division of Motor Vehicles
 Component Motor Vehicles
 Sponsor Rep. Ramras
 Requester (H) STA Component No. 2348

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	5.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	5.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
1156 Receipt Supported Services	5.0	0.0	0.0	0.0	0.0	0.0
TOTAL	5.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

This legislation will require that an applicant for an original Alaska Driver's License, over age 21, take and pass a separate knowledge (written) test specific to alcohol awareness. The 1-time cost is to contract with our software provider for programming this new test into our existing testing machines.

Prepared by: Duane Bannock, director
 Division: Motor Vehicles
 Approved by: Kevin Brooks, Deputy Commissioner
 Agency: Department of Administration

Phone 465-2200
 Date/Time 2/2/07 12:00 PM
 Date 2/5/2007

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSHB 75(STA)
 (H) Publish Date: 2/26/07
 Dept. Affected: Health & Social Services
 RDU Behavioral Health
 Component Alcohol Safety Action Program

Revision Date/Time (Note if correction):

Title DRIVERS LICENSE: ALCOHOL AWARENESS/MINOR

Sponsor RAMRAS

Requester HOUSE (FIN)

Component No. 305

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (0)						
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FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY2007) cost: _____

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

HB75 describes an act relating to driver's licensing and alcohol awareness testing for those licensed drivers in Alaska who are turning 21 years old, and returning their "under 21" driver's license in order to receive the full privileged adult license.

There will be no fiscal impact to the division.

Prepared by: Stacy Toner, Acting Division Director
 Division Behavioral Health
 Approved by: Karleen Jackson, Commissioner
 Agency Department of Health and Social Services

Phone 465-2817
 Date/Time 02/20/2007
 Date 02/22/2007

House Bill 75, Driver's License Minor/Adult

<u>Cost of a first-time DUI</u>	\$22,000
Additional cost for a private attorney (with no guarantee of winning)	<u>8,000</u>
TOTAL	\$30,000

Cost of an education

University of Alaska 30-credit Certificate, e.g. Welding/Materials Technology Computer Applications Finance General Business Human Resources International Business Marketing Public Management Tourism (Includes materials)	\$ 9,000
Univ. of Alaska 60-credit Associates Degree, e.g. Applied Business Culinary Arts (Includes materials)	\$18,000
University of Alaska 4-year Bachelor's Degree (Tuition, books, fees, misc.)	\$24,000
U.S. average public University Bachelor's degree '06-07 cost \$16,357/yr X 4	\$65,428

Ability to Purchase a Home

With \$20,000 down and a yearly income of \$50,000,
a buyer could qualify for a 15-year loan on a \$200,000 home.

Ability to get a job

Companies have strict guidelines for jobs that require driving "in order to perform essential duties." Municipality of Anchorage, e.g:

	0-3 years	4-5 years	6-10years	11 years +
1 st DUI	no hire	OK	OK	OK
2 nd DUI	no hire	no hire	no hire	OK
3 or more	no hire	no hire	no hire	no hire

Number of vendors caught in A.B.C. "stings"

	Compliance Checks	Failures	Leakage Rates
FY 04	580	35	6%
FY 05	397	68	15%
FY 06	1013	266	26%

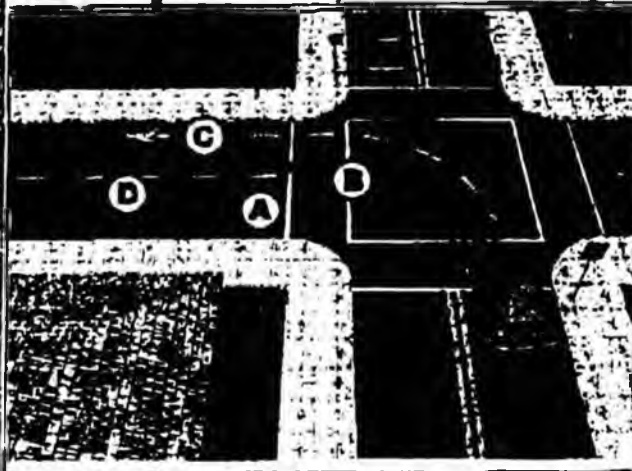
Not just about "educating minors regarding alcohol"

The license authorized in this bill gives purveyors of alcohol the ability to instantly detect whether a customer is a minor or not.

At age 21, you're either an adult or a minor. With automatic license expiration within 90 days after turning 21, it should be easier for retail clerks and on-premise licenses/servers to detect minors from adults.

**Sample Test Questions
from D.M.V.**

When turning from a two way street onto a one way street which path should you follow?



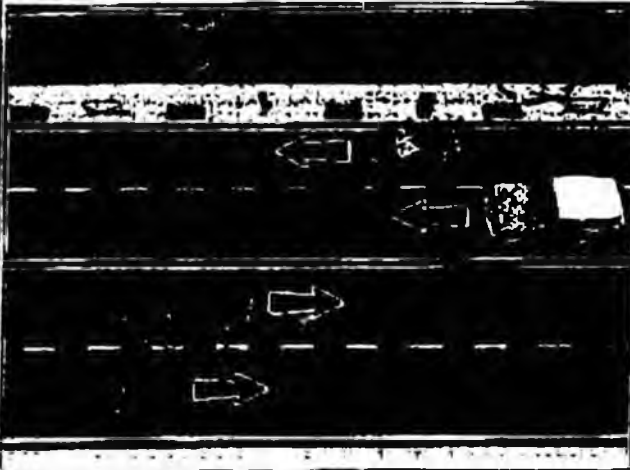
Path A

Path B

Path C

Path D

A dashed white line on a multi-lane roadway means:



Passing is permitted into any lane.

Passing is prohibited.

Passing is permitted into adjoining lane across dashed white line.

None of these

Statistics show that alcohol is

involved in more than half of all traffic deaths.

rarely involved in any traffic crashes.

the cause of all traffic crashes.

involved only in traffic crashes when death doesn't occur.

You are stopped at a railroad crossing and the train has just passed. You can:

Look to see if another train is coming and then cross the tracks if clear.

Pull aside to have a better view and then cross the tracks.

Start to cross the tracks.

Wait 20 seconds to cross the tracks.

Slower moving vehicles on a multi-lane highway should:

Use either lane

Use right hand lane

Use left hand lane

Use lane with least traffic

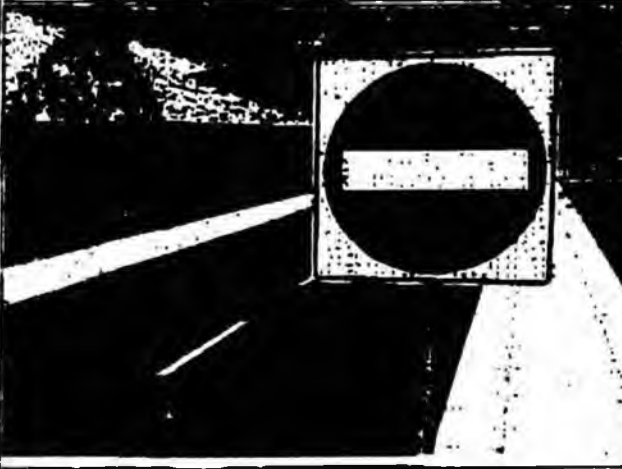
HB 75

1

A siren is in operation on an emergency vehicle. You must:

- A Slow down and drive with caution
- B Stop where you are
- C Drive to the nearest intersection and stop
- D Pull over to the side and stop clear of intersection

When you see the sign below, you are allowed to:



- A Enter the street if you're only going less than one block.
- B Enter the street if the weather conditions are ideal
- C Drive in reverse into the street if you're only going less than a block.
- D None of these

A conviction of reckless driving will result in:

- A A warning for the first occurrence, and a \$50 fine in the second.
- B A \$50 fine and 4 points on your record.
- C Suspension of the privilege to drive.
- D Revocation of the license to drive.

You are driving on a highway with separated roadways with two or more lanes in each direction. A school bus has stopped in the opposite direction.

- A You must stop until the red lights stop flashing.
- B You must slow down.
- C You can proceed at 15 miles per hour.
- D You need not stop.

You must indicate your intention to turn at least _____ before turning.

- A 100 feet
- B 50 feet
- C 200 feet
- D 300 feet

Driving While Intoxicated (DWI) is a crime which carries mandatory jail sentence. What is the minimum jail time you will get in a first conviction for DWI?

- A 96 consecutive hours
- B 20 consecutive days
- C 10 consecutive days
- D 72 consecutive hours

At an intersection with a traffic light showing a left green arrow, you should:

- A Stop, then make the left turn
- B Wait until the light turns green
- C Turn left when intersection is clear
- D Always speed up and quickly turn left.

4

Alaska Department of Motor Vehicles
Driver's License Test

I AM A SAMPLE		123-45-7894
General Knowledge		02-06-2007
Juneau Office	English(EN)	25 Minutes
20 Questions	18 Questions	

The school zone speed limit is:

- A Only enforced when kids are arriving or leaving the school premises.
- B Only enforced when weather conditions are less than ideal.
- C 20 miles per hour
- D 25 miles per hour

When backing up your vehicle you should:

- A Use only your mirror to look out for things to the rear.
- B Honk your horn so pedestrians and other vehicles know what you are doing
- C Turn your body and head to the right to look out the rear window.
- D None of these

Driving under less than ideal conditions requires you to adjust your speed to:

- A Other traffic
- B Weather conditions
- C Existing road conditions
- D All of these

The first thing affected after drinking alcohol is a person's:

- A Speech
- B Judgment
- C Balance
- D Vision

Upon the approach of a vehicle displaying a flashing blue or red light the law requires that you must:

- A Stop where you are
- B Drive to the nearest intersection & stop
- C Pull over to the side & stop clear of any intersection
- D Slow down & drive with caution

Mandatory insurance laws require that proof of insurance be provided when involved in a crash. The penalty for driving without motor vehicle liability insurance is license suspension for a minimum of:

- A 60 days
- B 90 days
- C 2 years
- D 30 days

One of the penalties for Driving Under the Influence (DUI) or refusal to submit to a chemical test is loss of license for not less than:

- A Six months.
- B 90 days
- C 60 days
- D 30 days

Test #3

10

What does the solid red arrow mean?



- A Stop and do not turn until the arrow turns to green.
- B Left turns are not permitted.
- C Stop and then proceed only when it is safe to do so.
- D None of these

After drinking, doing the following can help you sober up:

- A Drink black coffee. The caffeine accelerates detoxification.
- B Take a cold shower.
- C Wait a period of time. Only time will eliminate the effects of alcohol.
- D None of these

A dashed yellow line on a roadway means:



- A No passing zone
- B Passing permitted when safe
- C Residential district
- D A speed zone

When entering a controlled access highway-freeway it is important:

- A Get up to speed just as quickly as possible.
- B Move directly into the right hand traffic lane.
- C Make your vehicle noticed so that the drivers already on the roadway will yield and let you in.
- D Use the acceleration lane before merging into the traffic stream.

If you are involved in a traffic crash, you must notify the police as soon as possible, and must submit proof of insurance to DMV within 15 days.

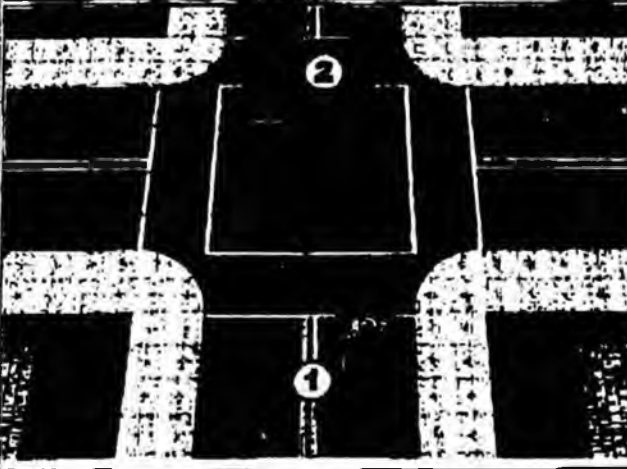
- A Only if there is property damage of \$2000.00 or more
- B If there is death or personal injury or property damage of \$501.00 or more
- C Only if there is property damage of \$1000.00 or more
- D Only if there is death or personal injury

15

If you are about to miss your exit from a controlled access highway-freeway you should:

- A Pull over to the right and carefully back up to the exit ramp.
- B Continue on to the next exit.
- C Cross over the median strip to exit going the opposite way.
- D Signal your intentions, break, and move sharply to the right.

You are in the red car (1) turning left and the blue car (2) has started into the intersection. You must:



- A Yield to the blue car (2).
- B Turn quickly to the left.
- C Stop where you are.
- D Speed up so you can safely make your turn.

The sign below means:



- A Sharp curve ahead
- B No left turn
- C No U turn
- D None of these

Slower moving vehicles on a multi-lane highway should:

- A Use left hand lane
- B Use lane with least traffic
- C Use either lane
- D Use right hand lane

You are presumed driving under the influence if the alcohol concentration of your breath is ___ or more:

- A .08%
- B .05%
- C .10%
- D .40%

17



A WEEKLY NEWSPAPER
SERVING EAGLE RIVER,
CHUGIAK AND EKLUTNA

editorial

POWER SEARCH

Alaska Star
Web

Story Last modified at 9:07 a.m. on Thursday, January 11, 2007

Birchwood Weather

Last updated: Mon, 22-Jan-2007 10:32
Temperature: 14° F
Rel. Humidity: 85%
Wind: Calm
Pressure: 29.61 in. Hg
Visibility: 10 miles
Conditions: Clear

POWER LINKS

- > Home
- > Editorial
- > Classifieds
- > Letters to the Editor
- > Contact Editor
- > Local News
- > Local Sports
- > Public Safety
- > Short Takes
- > To The Point
- > AK Military Weekly
- > Your Business
- > Corrections
- > Wellness
- > Being Human

Educated bill has prevention potential

Kudos to Rep. Jay Ramras, R-Fairbanks, of House District 10 for pre-filing a bill that goes beyond enforcement and stresses the importance of educating drivers on the dangers of alcohol and responsible drinking practices.

According to a Jan. 4 press release, legislation passed through the pre-filed bill would require those 21 years of age or older applying for a new license or renewing a license for the first time to pass a test regarding alcohol awareness, safety and the laws relating to alcohol and driving before a license is issued or renewed.

The release said Ramras plans to invite Mothers Against Drunk Driving officials to work with the Division of Motor Vehicles in creating the alcohol awareness and safety test to reinforce the importance of responsible driving practices for those who are legally able to drink alcohol.

The new law would also seek to reduce minor alcohol consumption, since the license of a driver who passes the test would differ in appearance from one issued to a minor, allowing those who are under 21 to be easily recognized by businesses that serve and sell alcohol.

We all know youth who want to drink can be very creative in how they obtain alcohol, but Ramras' proposed legislation is one more step toward creating responsible drivers by further reinforcing the importance of responsible drinking behavior.

No one can discount the steps taken for youth as

Choose Your City

CALENDAR

- > Calendar
- > Obituaries
- > People We Know
- > Question of the Week
- > Schools
- > Spotlight
- > Time Was
- > Weather

Calendar

January						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

INTERACTIVE

- > E-mail Newsletter
- > Upload ADs
- > About Us
- > Advertise
- > Classifieds
- > Contact Us
- > Subscription & Circulation
- > Archives
- > Plug-ins Page

far as education goes. Anchorage Police Department school resource officers work regularly within the Anchorage School District to educate youth about the dangers of drugs and alcohol through the Drug Abuse Resistance Education program.

The message of not driving while intoxicated is further reinforced for young drivers prior to obtaining a license through the DMV's standard testing, but how many of them remain aware of what the laws and repercussions are beyond the one or two questions they might have to answer to obtain or qualify for a license?

The best form of prevention is education, and Ramras' proposed legislation takes a valuable step toward reinforcing that instruction shouldn't end for young drivers who are no longer in school. Providing additional reinforcement of the importance of drinking responsibly will go a long way toward reinforcing laws and saving lives before irresponsible habits can be formed by drivers who have left the classroom behind.

It's all too easy for young drivers to embrace the right to drink when they turn 21 and forget everything that was stressed years before or for educators to say they've done their part in telling them the rules. In the end, it's each driver's responsibility to make the right decision, and no driver can plead ignorance of the laws that govern alcohol consumption and driving, but there is no harm in giving drivers a reminder and reinforcing laws, particularly when they are reaching an age of change, such as those who are becoming legally able to drink.

Driving while intoxicated is not a victimless crime. Those who drive under the influence of alcohol transform their vehicle into a weapon and threaten the life of everyone sharing the streets with them. I have no pity for drivers who make the conscious choice to climb behind the wheel while intoxicated only to end up in the back seat of a police car. However, it makes sense to give them a gentle reminder of the laws governing drinking and driving before they or someone else pays with their life.

Other legislators should take a cue from Ramras and push through what is a simple way to help keep our roadways and citizens safer. While I know there is no cure for the human tendency to forego common sense in the wake of a night of drinking, perhaps additional education will reinforce for young drivers the importance of planning before partying and the very real consequences of their actions before they end up with a MADD mother of their own.

- Mary M. Rall

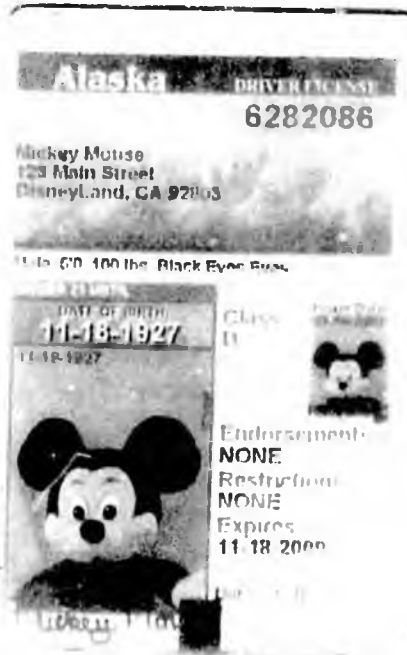
This article published in The Alaska Star on Thursday, January 11, 2007.

E-MAIL STORY TO FRIEND

PRINTER FRIENDLY FORMAT

© 2004 The Alaska Star and Morris Communications Corp.

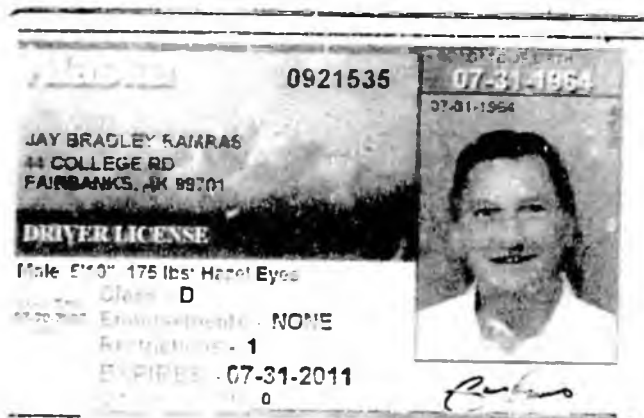
MINOR'S LICENSE



← requires automatic expiration of minor driver's license

90 days after turning 21
This will reduce the "leakage" amongst retail clerks and on-premise locations who get confused by over 21 adult who still have "minor" driver licenses. HB7 will eliminate this confusion.

ADULT'S LICENSE



HB7 will eliminate this confusion.

HB

88

SENATE COMMITTEE REPORT

DATE: 5/12/07

FURTHER: Judiciary

DATE TURNED
IN TO OFFICE: _____

State Affairs Committee considered CS FOR HOUSE BILL NO. 88(FIN)

HB 88 TVS AND MONITORS IN MOTOR VEHICLES

"An Act relating to televisions, monitors, portable computers, and similar devices in motor vehicles; relating to the definition of physical injury for the Alaska Uniform Vehicle Code; and providing for an effective date."

and recommends:

- be replaced with SCS or CS _____ (_____)
- adopt previous SCS or CS _____ (_____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:

- Same Title
- New Title

HOUSE BILL:

- Same Title
- Technical Title Change
- New Title w/ SCR # _____


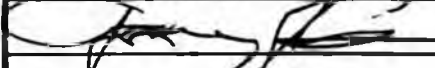
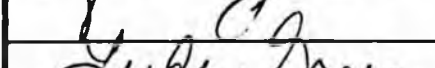
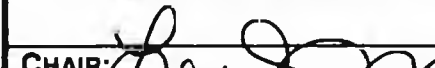
NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
LAW	3/6/08			✓	

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
 	 			 	

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	NO REC	AMEND
	French				x
	Stebbins			x	
	Green			✓	
CHAIR: 	measure			✓	

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: HB088CS(FIN)-LAW-CRIM-03-06-08
 Bill Version: CSHB088(FIN)
 () Publish Date: _____

Identifier (file name): _____ Dept. Affected: LAW
 Title: An Act relating to TV's and monitors in motor vehicles. RDU: Criminal
 Component: Criminal Justice Litigation
 Sponsor: REPRESENTATIVE(s) GATTO
 Requester: SENATE STATE AFFAIRS Component Number: _____

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

The bill prohibits a person from driving a motor vehicle with a TV type monitor installed that is visible to the driver, if the monitor is operating while the vehicle is being driven. It also prohibits installing such a monitor or altering a monitor that so that a monitor is visible to the driver while operating the vehicle. There are several exceptions, such as GPS or other equipment or safety displays. The penalty for the new crime of operating a vehicle while a monitor visible and playing depends on the harm caused. If no injury results from the offense, it is a class A misdemeanor. If, for example, a person sustains serious physical injury, the offense is a class B felony. The penalty for installation or alteration is a class A misdemeanor. The department does not anticipate any significant fiscal impact.

Prepared by: Robert Meiners, Administrative Services Manager
 Division: Administrative Services Division
 Approved by: Talis Colberg, Attorney General
Department of Law

Phone 907-465-5427
 Date/Time 3/6/08 9:45 AM
 Date 3/6/2008

SENATE COMMITTEE REPORT

DATE: 2/27/03

FURTHER:

DATE TURNED
IN TO OFFICE: 03/04/08

State Affairs Committee considered HOUSE BILL NO. 259(efd add)

HB 259 ESTABLISHING ALASKA HISTORY WEEK

"An Act establishing the first week of every March as Alaska History Week; and providing for an effective date."

and recommends:

- be replaced with SCS or CS _____ (_____)
- adopt previous SCS or CS _____ (_____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:
 Same Title
 New Title

HOUSE BILL:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____


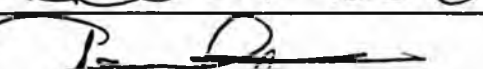

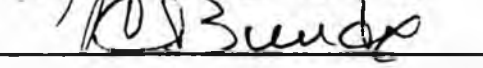

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	NO REC	AMEND
	French	x			
	Street	x			
	Green	✓			
	Bundo	✓			
CHAIR: 	McGuire	✓			

Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK 99801-1182

Representative Carl Gatto

Representative Max Gruenberg

Sponsor Statement and Sectional Analysis

CSHB 88 (FIN) Version "V" (25-LS0312V) – Televisions and Monitors in Motor Vehicles

Sponsor Statement

The purpose of the bill is to prevent operators of motor vehicles from watching television, video, and any other programming by making it a crime. Furthermore the bill makes it a crime to install a device capable of being viewed while the vehicle is in operation. This bill is similar, in most respects, to the version of HB 12 that passed the House last year.

Sectional Analysis

Section 1 amends AS 28.35 by adding a new section as follows:

Paragraph (a) sets forth the general rule that a person shall not drive a motor vehicle while watching a television, video monitor, or other type of video display. The elements of "driving with a screen operating" are 1) a person is driving a motor vehicle, 2) the video display is in full view by the driver while seated in a normal driving position, and 3) the video display is operating.

The crime covers any equipment creating a visual display, whether it is installed or hand held. The video display must be in the full view of the driver who is in a normal driving position to be in violation of the law. A front seat passenger watching a video display is not a violation of the statute since the display is not in the full view of the driver in a normal driving position while the vehicle is in motion.

Paragraph (b) prohibits installing or altering a video display in a motor vehicle that allows the images to be viewed by the driver while the vehicle is moving. This paragraph does not prohibit installing or altering a video display that operates only when the vehicle is not in gear.

Paragraph (c) provides specific exemptions for cell phones and personal data assistants that are used for verbal communication, aides to navigation, visual displays for

operational safety, for dispatch information, like those found in taxi cabs, for state and local highway construction and road repair equipment from the general rule prohibiting visual displays in full view of the driver while the vehicle is operating.

Paragraph (d) makes it clear that the bill is not intended to cover equipment installed in an emergency vehicles.

Paragraph (e) establishes an affirmative defense if the visual display becomes inoperable when the vehicle is moving.

Paragraph (f) states that a person who drives a vehicle who violates the law is guilty of a class A misdemeanor, except in cases where injury results;

- 1) it is a class C felony if, as a result of that violation, another person suffers a physical injury;
- 2) it is a class B felony if, as a result of that violation, another person suffers a serious physical injury;
- 3) it is a class A felony if, as a result of that violation, another person dies.

Paragraph (g) makes it a class A misdemeanor for a person to install equipment in violation of the law.

Section 2 of the bill defines "physical injury".

Section 3 of the bill sets forth an effective date of September 1, 2007.

HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: January 16, 2007

FURTHER REFERRALS: Judiciary
Finance

Date of Committee Action: February 20, 2007

The STATE AFFAIRS Committee considered:

HB 88

HOUSE BILL NO. 88

TVS AND MONITORS IN MOTOR VEHICLES

"An Act relating to televisions, monitors, portable computers, and similar devices in motor vehicles; and providing for an effective date."

Recommends it be replaced with HCS or CS for HB 88 (STA)
For Senate Bills with new title: Technical Title New Title: HCR _____ | Same Title New Title

- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

List of
Abbrev
for
Depts:
ADM
CED
COR
CRT
EDD
DEC
DPC
GOV
HSS
LEG
LAW
LWF
MVA
DNR
DPS
REV
DOT
UA

NEW FISCAL NOTES				
<small>*Assigned by Chief Clerk's Office</small>				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero
Law				X

PREVIOUS FISCAL NOTES				
List by Dept(s):	FN#	Fiscal	Indet.	Zero

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	JOHNSON	X			
	JOHNSSEN	X			
	Reese,	X			
	Egan	-			
	Coghill			✓	
	Doll	X			
Chair:	LYNN	X			
Chair:					

Sec. ~~11.81.900~~ Definitions.

(b) In this title, unless otherwise specified or unless the context requires otherwise,

(46) "physical injury" means a physical pain or an impairment of physical condition;

(56) "serious physical injury" means

(A) physical injury caused by an act performed under circumstances that create a substantial risk of death; or

(B) physical injury that causes serious and protracted disfigurement, protracted impairment of health, protracted loss or impairment of the function of a body member or organ, or that unlawfully terminates a pregnancy;

Sec. 28.90.990. Definitions for title.

(a) Unless otherwise specifically defined or unless the context otherwise requires, in this title and in regulations adopted under this title

(22) "serious physical injury" has the meaning given in AS ~~11.81.900~~(b);

◆ **13 AAC 04.260. Television receivers and headsets**

◆ (a) A motor vehicle driven in this state may not be equipped with television-type receiving equipment located where the viewer or screen is visible from the driver's seat.

(b) A driver of a motor vehicle may not wear a headset, headphones, or other headgear designed for receiving sound and transmitting sound to the driver, or wear ear plugs or a similar device which reduces the driver's hearing ability while driving a vehicle.

(c) This section does not prohibit the use of television-type or headgear-receiving equipment used exclusively for safety or law enforcement purposes, used for and designed to improve a driver's hearing ability, or navigational devices such as Global Positioning System (GPS) or Loran.

◆ **History: Eff. 12/31/69, Register 31; am 6/28/79, Register 70; am 2/8/98, Register 145**

◆ **Authority: AS 28.05.011**

LESSMEIER & WINTERS

LAWYERS - LLC

VINTAGE BUSINESS PARK
3000 VINTAGE BOULEVARD
SUITE 100
JUNEAU, ALASKA 99801

MICHAEL L. LESSMEIER
GREGORY W. LESSMEIER
SHELDON E. WINTERS

TELEPHONE: (907) 796-4999
FACSIMILE: (907) 796-4999
E-MAIL: lw@gcl.net

VIA HAND DELIVERY

February 2, 2007

The Honorable Carl Gatto
Alaska House of Representatives
State Capitol, Room 108
Juneau, Alaska 99801-1182

The Honorable Max Gruenberg
Alaska House of Representatives
State Capitol, Room 110
Juneau, Alaska 99801-1182

Re: House Bill 88

Dear Representative Gatto and Representative Gruenberg:

State Farm Insurance supports House Bill 88. If there is any information or assistance we can provide in getting this legislation passed, please let me know. Thank you for sponsoring this bill.

Sincerely,



Sheldon E. Winters
Lobbyist for State Farm Insurance Companies



February 23, 2007

Representative Max Gruenberg
House of Representatives
Alaska Legislature
State Capitol, Room 110
Juneau, AK 99801-1182

Re: SUPPORT: CS HB 88 (STA)

Dear Representative Gruenberg:

The recent explosion in popularity of television and LCD screens for both entertainment purposes as well as tracking automobile performance and navigation has created the need to reexamine the use of these devices in motor vehicles from a safety versus convenience perspective. RVIA believes that H.B. 88 provides a good balance between safety and convenience for the people of Alaska.

H.B. 88 takes into account the fact that RVs are used differently than other motor vehicles. Because RVs serve a dual purpose, they are designed to be both a motor vehicle and a temporary living facility. Occasionally, RV interiors are laid out with a television at the front of the coach. These televisions are used exclusively when the RV is parked and is serving as a temporary vacation home. Thus, RVIA supports the provisions of H.B. 88 that allow for televisions forward of the driver's seat so long as that TV is equipped with a device that renders the TV inoperable while the vehicle is under way. Again, H.B. 88 achieves the balance of safety while driving with convenience while parked on an RV vacation.

As I am sure you are aware, adventurous Americans who take RV vacations represent a large and important type of tourism in Alaska. RVers spent an estimated \$3.8 billion in local American communities from May through August of 2004 camping, visiting state and national parks, attending sporting events, visiting relatives and taking other forms of vacation while staying in their RVs. H.B. 88 allows for the boost to local economies that RV tourism brings.

RV enthusiasts were also pioneers in the global positioning satellite (GPS) phenomenon. RV manufacturers and dealers have been installing GPS in RVs for nearly 10 years and according to National Highway Traffic Safety Administration (NHTSA) Fatal Accident Reports (FARs) statistics, RVers have continued to be the safest drivers on the road during this time. GPS devices allow all drivers to reach their destination with more accuracy, efficiency and safety. H.B. 88 exempts GPS devices as well as screens that only report vehicle information such as miles per gallon being consumed and temperature in the cabin from prohibitions against video screens in the view of the driver.

The language contained in H.B. 88 has the enthusiastic support of RVIA and the entire RV industry. We urge swift passage of this good public policy which will make Alaska's roads safer and also make Alaskan RV vacations both safer and more convenient for the 30 million American RV owners and renters.

Sincerely,

Matt Wald
Director of Government Affairs

RECREATION VEHICLE INDUSTRY ASSOCIATION

Norman Cohen

From: Matt Wald [mwald@rvia.org]
Sent: Wednesday, February 28, 2007 10:17 AM
To: Norman Cohen
Subject: RE: RVIA support of HB 88

RVIA has reviewed and strongly supports CS HB 88 () Version K.



February 23, 2007

Representative Carl Gatto
House of Representatives
Alaska Legislature
State Capitol, Room 108
Juneau, AK 99801-1182

Chairman
J. MORTON, Jr.
Nissan

President
M. STANTON

Representative Max Gruenberg
House of Representatives
Alaska Legislature
State Capitol, Room 110
Juneau, AK 99801-1182

VEHICLE
MANUFACTURERS

- Aston Martin
- Ferrari/Maserati
- Honda
- Hyundai
- Isuzu
- Kia
- Mitsubishi
- Nissan
- Peugeot
- Renault
- Subaru
- Suzuki
- Toyota

AFFILIATES

- ADVCS
- Bosch
- Delphi
- Denso
- Hitachi
- JAMA
- Yazaki

Dear Representatives Gatto and Gruenberg:

Re: **SUPPORT: CS HB 88 (STA)**

I am writing on behalf of the Association of International Automobile Manufacturers, Inc. (AIAM) which is a trade association representing 14 motor vehicle manufacturers accounting for over 40 percent of all light duty vehicles produced annually in the United States.

AIAM members have invested over \$36 billion in U.S.-based production facilities, have a combined domestic production capacity of 3.7 million vehicles, directly employ over 95,000 Americans, and generate additional U.S. jobs in dealerships and supplier industries nationwide. AIAM members include Aston Martin, Ferrari, Honda, Hyundai, Isuzu, Kia, Maserati, Mitsubishi, Nissan, Peugeot, Renault, Subaru, Suzuki and Toyota. AIAM also represents original equipment suppliers and other automotive-related trade associations.

I am pleased to inform you that AIAM supports CS HB 88(STA) as approved by the House State Affairs Committee. This "screen device" bill will help prevent distracted driving while at the same time allowing drivers to use important technology like navigation systems, vehicle information displays and exterior view monitors which can assist drivers.

Please contact Michael Cammisa of my staff if you have further questions or need additional information about AIAM's position on CS HB 88(STA). Thank you for your consideration of AIAM's views.

Sincerely,

Michael J. Stanton
President & CEO

Norman Cohen

From: Michael X. Cammisa [MCammisa@AIAM.ORG]
Sent: Tuesday, February 27, 2007 1:19 PM
To: Norman Cohen
Subject: AIAM Supports CS HB 88 version K

Norman –

I reviewed version K of CS HB 88 that I received today via fax. AIAM does not object to the changes that have been made in comparison to CS HB 88 (STA) as approved by the House State Affairs Committee. Therefore AIAM supports version K of CS HB 88 for the same reasons as indicated in our letter of February 23, 2007 supporting CS HB 88 (STA).

If you need additional information or a more formal letter, please let me know.

Best regards,
Mike

*Michael Cammisa
Director, Safety
Association of International Automobile Manufacturers, Inc.
2111 Wilson Boulevard, Suite 1150
Arlington, Virginia 22201
703/247-2105 (direct)
703/525-7788 (main)*



The Metro Star of The Sacramento Bee

This story is taken from [Sacbee / News](#).

Laptop use while driving blamed for fatal crash

Bee Metro Staff -

Published 12:00 am PST Tuesday, February 27, 2007

A 28-year-old Chico man was killed Monday after he lost control of his car while working on his laptop computer while driving, according to the California Highway Patrol.

"We have reason to believe he was operating his laptop because it was still on and plugged into the cigarette lighter," said CHP Cmdr. Scott Silsbee.

Shortly after 8:35 a.m., the CHP received a report of a head-on crash on Highway 99 south of Yuba City between O'Banion Road and Highway 113.

The crash closed lanes in both directions for nearly two hours and traffic was diverted to alternate routes while a helicopter transported an injured couple to Rideout Hospital and work crews cleared the debris.

The name of the Chico man, who was driving a Toyota Corolla, was not released pending the notification of his relatives.

According to officers, Michael Layson and his wife, Christine, both 39, were southbound at the speed limit in their Hummer.

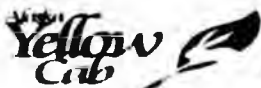
A driver of a southbound Honda told officers the northbound Toyota veered into his path and that he had to slow and swerve to avoid it. The Hummer, which was directly behind the Honda, slammed into the Toyota.

The Laysons, who live in Yuba City, were treated and released from the hospital with bumps and bruises, Silsbee said.

Go to: [Sacbee / Back to story](#)

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Yellow Cab
1000 W. 14th Ave. Anchorage, Alaska 99518
Phone: 907-562-1111 Fax: 907-562-1118
Business Hours: 9:00 AM - 5:00 PM

"Going Your Way 24 Hours a Day"

Dear: Representative Gruenberg

We are in the taxicab dispatch business in Anchorage Alaska and are afraid this proposed bill will put our company out of business. We are the largest taxicab dispatch company in Alaska and cannot do it without our computerized digital dispatch system. Since installation of our system the crimes committed against taxicab drivers in Anchorage has significantly declined. The car accident rates have also declined. Overall it has made cabs in Anchorage safer and more efficient.

I drafted a possible way to amend HB12 so it will not restrict commercial vehicles utilizing computerized digital dispatch systems for package and passenger service. I think the intent of this bill is to prevent the viewing of DVDs the internet or video technology from distracting the driver of vehicles in motion. I feel this is a worthwhile bill as long as it does not prevent established commercial businesses to use custom designed digital dispatch equipment.

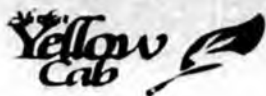
Wireless technology is advancing at a very rapid rate. I feel that customers who have this equipment and are willing to use it only in the backseat of a taxicab should be acceptable as long as it is out of view of the driver of the vehicle while the vehicle is in motion. There are a consider amount of riders who do use laptop computers and portable DVD players in taxicabs at this time. I feel it is wise to put a provision in this bill which allows this technology to be used by passengers located "out of the drivers view" in the behind the driver seating of the vehicle.

Below I have authored a draft of a possible amendment to this bill which will give make this bill reasonable for commercial business such as ours:

Computerized equipment used in commercial motor vehicles with the principal design, configuration and function for use in mobile vehicle digital dispatching exclusively for passenger transportation or package delivery service is allowed. Vehicles must be in compliance with all local and state regulated licensing requirements. If computerized equipment contained in commercial vehicles has the capability of two way internet web based video communication and/or has the ability to display copywrited motion video, then this equipment must be configured to blank out the screen from the view of the driver at all times when the vehicle is in motion. All internet based computers and video players intended for passenger use must be used only in seating located behind the driver of the vehicle and the screen must at all times when the vehicle is in motion be kept from the view of the driver.

You may also want to include a requirement for all commercial passenger carrying vehicles to display a sign inside with reads as follows:

WARNING: Use of portable computers or video equipment in the view of the driver while vehicle is in motion is prohibited and fineable by law.



Alaska Yellow Cab 21110 Anchorage Alaska 99521 1110
Toll-free 1-800-451-1110
Business Office 907-562-0000 Fax 907-562-0000

"Going Your Way 24 Hours a Day"

Your consideration in the needed changes to this bill will be greatly appreciated.

Sincerely, Dean Paul (Co- Owner of Alaska Yellow Cab)



CELL PHONES AND HIGHWAY SAFETY



NATIONAL
CONFERENCE
of
STATE
LEGISLATURES

2006 State Legislative Update

By Matt Sundeen

March 2007

In 2006, cell phones in motor vehicles continued to be a significant traffic safety concern for state legislatures. However, although phones in cars grabbed the most headlines, many state lawmakers now have broadened the topic to include a wider variety of driver distractions and potential regulations. This report provides information about cell phones and driving and the larger driver distraction debate. It examines the latest statistics and studies, details relevant laws and legislative activity, and analyzes the most critical issues.

Driver Distraction and Cell Phones

Most experts agree that distracted driving is a substantial problem. According to the National Highway Traffic Safety Administration (NHTSA), in 2005, 43,443 people died and approximately 2.7 million people were injured in an estimated 6.16 million police-reported motor vehicle traffic crashes.¹ NHTSA estimates that each year, motor vehicle crashes cost Americans approximately \$230 billion in economic damages.² Driver inattention is a leading factor in these crashes. A 2006 study published by NHTSA and the Virginia Tech Transportation Institute (VTTI) estimated that nearly 80 percent of crashes and 65 percent of near crashes involve some form of driver inattention.³ As a percentage of national statistics, the NHTSA and VTTI estimate would mean that driver inattention causes as many as 4.9 million crashes, 34,000 fatalities and 2.1 million injuries each year and as much as \$184 billion in economic damage.

Although many agree that driver awareness—or lack thereof—is a significant concern, there is little agreement over which distractions pose the most significant threat or what should be done about them. Driver distraction has been a potential problem since cars were invented. A virtually limitless number of events, activities and objects, both inside and outside the motor vehicle, can divert a driver from his or her primary task—the safe operation of the vehicle. A January 2007 survey by Nationwide Mutual Insurance found that 31 percent of respondents admitted they daydream while driving; 19 percent acknowledge that they fix their hair, text or instant message; 14 percent comfort or discipline children; and 8 percent drive with a pet in their lap. Surveyed drivers also confessed to changing seats with passengers, reading books, watching movies, writing grocery lists, nursing babies, putting in contact lenses, painting toenails, urinating out the car window, changing shoes and shaving while driving.

Recent interest in driver focus seems to stem almost exclusively from the introduction of cell phones into the driving environment. Two decades ago, cell phones were a novelty item in cars and a non-factor in traffic safety. Less than 900,000 people in the United States subscribed to wireless services, few people lugged around the pricey, shoebox-sized devices, and few traffic safety experts mentioned driver distraction as a safety concern.

Much has changed in 20 years. According to the wireless industry association, CTIA, the number of wireless subscribers in the United States has grown to more than 230 million.⁴ Recent studies confirm something most of us already know—many people are using their phones in the driving environment, and their popularity in the car continues to grow. A December 2005 NHTSA observational survey estimated that, at any given daylight moment, approximately 10 percent of U.S. drivers are using some type of phone, whether hand-



Cell phone use by younger drivers also continues to be a popular target for state legislators. Lawmakers in 13 states—Colorado, Connecticut, Delaware, Illinois, Maine, Maryland, Minnesota, New Jersey, North Carolina, Rhode Island, Tennessee, Texas and West Virginia—and the District of Columbia currently prohibit or restrict novice driver cell phone use. All current novice driver laws prohibit young drivers—those under age 18 or 21—who only hold a learner's or instructional driving permit from using any type of wireless device while operating a motor vehicle, except in emergency situations. In 2006, legislators in 28 states considered similar proposals, with new laws passing in Minnesota, North Carolina, Rhode Island and West Virginia. Although most of the 2006 bills linked novice driver restrictions to a learner's permit or intermediate license, several bills would have prohibited all teen drivers, regardless of license status, from using wireless devices.

Eleven states—Arizona, Arkansas, California, Connecticut, Delaware, Illinois, Massachusetts, New Jersey, Rhode Island, Tennessee and Texas—and the District of Columbia prohibit school bus drivers from using phones while operating a school bus. Legislators in five states proposed school bus driver phone restrictions in 2004, while legislatures in seven states considered such measures in 2005.

State legislatures also are taking an active role in improving the collection of data and information about the involvement of cell phones and other wireless devices in crashes. At least 27 states and the District of Columbia now require some or all law enforcement officers to collect information about cell phone involvement in crashes, up from just two states in 1998 (see table 1). In many states, such data collection is required by statute. In addition, legislatures or individual legislators in at least nine states—California, Delaware, Louisiana, Minnesota, New Jersey, New York, Pennsylvania, Virginia and Wisconsin—approved or asked for studies about the effects of wireless phones on traffic safety in their jurisdictions. The Pennsylvania General Assembly's Joint State Government Commission published a report on driver distraction and public safety in December 2001,²¹ and a special legislative task force in Delaware published a report on driver distractions in 2003.²² Washington passed a bill in 2005 that requires state police to track in accident report forms information about the involvement of wireless communication devices in motor vehicle crashes. The measure also requires the state police to include this information in its annual report of traffic safety statistics.

States also are moving to assert authority over the distracted driving issue. Legislatures in 10 states have moved to restrict local cell phone laws. Florida, Kentucky, Louisiana, Mississippi, Nevada, New Jersey, New York, Oklahoma, Oregon and Utah preempt local jurisdictions from restricting cell phone use while driving. This move was significant in Florida, where several local communities, including Miami-Dade County, had prohibited the use of hand-held phones while driving. Utah's law, enacted in 2006, pre-empted a prohibition on hand-held phones in Sandy, Utah.

Four other states—California, Florida, Illinois and Massachusetts—have enacted measures related to cell phone use while driving. California requires that rental cars with embedded cell phone equipment provide written instructions on the safe use of the cell phone. Florida and Illinois require that drivers who use headsets with their phones can use only a headset that blocks sound to one ear. Massachusetts generally allows cell phone use, provided the driver keeps at least one hand on the steering wheel at all times. Other states have considered legislation to increase driver negligence for being involved in a crash while using a cell phone; however, no state has passed such a proposal.

An emerging trend in legislation is to address multiple behaviors—not only cell phone use—on the road. Washington, D.C., prohibits several potential distracted driver behaviors, including reading, writing, personal grooming, interacting with pets or unsecured cargo, using personal communications technologies, or engaging in other activities that cause distractions. Connecticut's cell phone law, enacted in June 2005, includes a broad distraction provision that prohibits drivers from engaging in any activity not related to the actual operation of a motor vehicle in a manner that interferes with the safe operation of such vehicle on any highway. Seven other states considered broad distraction bills in 2006.

Other state legislatures have examined driver use of televisions and DVD players (see appendix B). At least 38 states restrict or prohibit televisions in motor vehicles. California and Louisiana restrict the placement of DVD players and similar entertainment devices to locations out of the vision of the driver. Illinois prohibits any visual media technology, other than a navigational system, to be located at points forward of the driver's seat. Tennessee and Virginia forbid the display of

pornographic videos in cars. In addition, Virginia prohibits the display of a video or motion picture in front of the driver's seat or within view of the driver. Legislatures in 14 states in 2006 considered legislation related to the use of televisions, DVD players or videos in cars.

Federal Action

As of February, 2007 the federal government had not acted on the distracted driving issue. Legislation considered by Congress in 2003 and 2001 failed to make it out of committee. Several federal agencies have studied the effects of wireless phones on traffic safety. In June 2003, the National Transportation Safety Board (NTSB) issued a report about a 2002 crash in Maryland that involved a young driver who was using a cell phone. According to the NTSB analysis, the crash involved multiple risk factors, and the NTSB could not determine the exact extent of the role of distraction due to wireless phone use. However, NTSB concluded that, "... current State laws are inadequate to protect young, novice drivers from distractions that can lead to accidents."²³ The NTSB recommended that the states that do not have restrictions for young drivers enact legislation to prohibit holders of learner's permits and intermediate licenses from using interactive wireless communication devices while driving.

In the same report, NTSB recommended improvements in driver education. The NTSB concluded that the public may not be aware of the risks associated with using the wireless phone while driving. NTSB urged that, "... all drivers should be educated about the risks of distracted driving, including the cognitive demands associated with use of interactive communication devices."²⁴ NTSB also urged states to improve data collection by including codes for interactive wireless communications devices on their traffic accident investigation forms.

NHTSA has long studied driver distraction and traffic safety but has not issued any regulations to address the topic. In 1997, NHTSA published a report—*An Investigation of the Safety Implications of Wireless Communications in Vehicles*—that summarized driver distraction research. In 2000, NHTSA conducted a driver distraction online forum and accepted public comments on driver distraction issues. NHTSA also has published several observational surveys in an attempt to document driver cell phone use.

A policy statement regarding cellular phone use while driving, posted on NHTSA's website, warned drivers of potential cell phone risks. According to the statement, "... the primary responsibility of the driver is to operate a motor vehicle safely. The task of driving requires full attention and focus. Cell phone use can distract drivers from this task, risking harm to themselves and others. Therefore, the safest course of action is to refrain from using a cell phone while driving."²⁵

Several federal agencies, national organizations, and state and local government agencies also have worked to improve data collection. In June 2003, the national Governors' Highway Safety Association released a revised edition of the Model Minimum Uniform Crash Criteria (MMUCC), which included changes intended to help gauge the effects of driver distractions. The criteria, which were developed in collaboration with NHTSA—the Federal Highway Administration, the Federal Motor Carrier Safety Administration, and numerous state and local agencies, describe what kinds of information states need to collect at crash scenes. The changes to the MMUCC are intended to help policymakers paint a more accurate picture of the role of cell phones and other distractions in motor vehicle crashes.

Local Action

Many counties, cities, towns and municipalities across the United States have considered restrictions on cell phone use while driving. The largest community—Chicago, Illinois—prohibits motorists from using hand-held phones while driving. More than two dozen local jurisdictions—in Florida, Illinois, Massachusetts, Michigan, New Jersey, New Mexico, New York, Ohio, Pennsylvania and Utah—have enacted similar restrictions. Local jurisdictions that have passed ordinances include: •