

authorized use, display, or publication constitutes a separate offense.

day after its passage and approval or on the day it becomes law without such approval.

Sec. 2. This Act takes effect on the

Approved March 12, 1964

CHAPTER 16

AN ACT

Providing for planning assistance to a borough by the Alaska Housing Authority; and providing for an effective date.

(S.B. 226)

Be it enacted by the Legislature of the State of Alaska:

technical services, and other planning work to a city, public utility district, borough, or platting authority. In an area under the jurisdiction for planning purposes of a city, public utility planning body, borough, or platting authority, the housing authority may not perform the planning work except at the request or with the consent of the local authority.

Section 1. AS 18.55.970 is amended to read:

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Sec. 18.55.970 **Planning Assistance by Authority to Cities, Public Utility Districts, Boroughs, or Platting Authorities.** To facilitate urban planning in cities and other political subdivisions such as public utility districts, the Alaska State Housing Authority may provide planning assistance, including but not limited to surveys, land-use studies, urban renewal plans,

Approved March 12, 1964

CHAPTER 17

AN ACT

Relating to powers to limit, suspend, and revoke a motor vehicle operator's license.

(C.S.H.B. 107)

Be it enacted by the Legislature of the State of Alaska:

and after each name a note of the reason for the action.

Section 1. AS 28.15.110(c) is amended to read:

Sec. 3. AS 28.15.170 is amended by adding a new subsection to read:

(c) Upon receiving satisfactory evidence of a violation of the restrictions of the license, the department may bring an action in the district magistrate's court to suspend or revoke the license.

(c) A person who is denied a license, or whose license is canceled by the department, may appeal in accordance with the provisions of the Administrative Procedure Act (AS 44.62).

Sec. 2. AS 28.15.150(a) (3) is amended to read:

Sec.4. AS 28.15.190 is repealed and re-enacted to read:

(3) the name of every licensee whose license is suspended or revoked

Sec. 28.15.190. **Forwarding of Surrendered License and Report of Action.**

(a) A court which revokes, suspends, or limits a license shall require the

surrender of the license, and shall forward it to the department with the report of its action.

(b) A court which convicts a person of an offense described in this chapter, or any other law of this state or a municipal ordinance regulating the operation of motor vehicles on highways, but which does not suspend, limit, or revoke a license shall send a report of the conviction to the department. Convictions of laws or ordinances governing standing or parking are not required to be reported.

(c) A forfeiture of bail or collateral deposited to secure a defendant's appearance in court which has not been vacated is equivalent to a conviction.

Sec. 5. AS 28.15.200 is amended to read:

Sec. 28.15.200 Suspending License upon Conviction in Another Jurisdiction. The department may start proceedings in the district magistrate court to suspend, limit, or revoke the license of a resident of this state or the privilege of a nonresident to drive a motor vehicle in this state upon receiving notice of the conviction of the person in another state, territory, or country of an offense which, if committed in this state, would be grounds for the suspension or revocation of the license of the operator. Upon receiving a record of the conviction in this state of a nonresident driver of a motor vehicle of an offense under the motor vehicle laws of this state, the department may forward a certified copy of the record to the motor vehicle administrator or other appropriate officer in the state where the person convicted is a resident.

Sec. 6. AS 28.15.210 is repealed and re-enacted to read:

Sec. 28.15.210. Mandatory Revocation of License. (a) The following offenses are grounds for the immediate revocation of an operator's license:

(1) manslaughter or negligent homicide resulting from the operation of a motor vehicle;

(2) a felony in the commission of which a motor vehicle is used;

(3) failure to stop and give aid as required under the laws of this state when a motor vehicle accident results in the death or personal injury of another;

(4) perjury or the making of a false affidavit or statement under oath to the department under a law relating to the ownership or operation of a motor vehicle.

(b) A court convicting a person of any of the offenses listed in (a) of this section shall revoke the license unless the court determines that

(1) the person's ability to earn a livelihood would be severely impaired; and

(2) a limitation can be placed on the license which will enable the person to earn a livelihood without excessive risk of danger to the public.

Sec. 7. AS 28.15.220 is repealed and re-enacted to read:

Sec. 28.15.220. Discretionary Suspension, Revocation, or Limitation of License. (a) A court may as a part of the sentence revoke, suspend, or impose a limitation upon a license upon conviction of

(1) driving a motor vehicle while under the influence of intoxicating liquor or a narcotic drug to a degree which makes him incapable of safely driving a motor vehicle;

(2) reckless driving.

(b) A court may as a part of the sentence for conviction of a violation of any law or ordinance regulating the operation of motor vehicles upon a highway or upon complaint of the department revoke, suspend, or limit a license, upon a showing by the department that the licensee

(1) has committed an offense for which mandatory revocation of license is required upon conviction;

(2) was responsible as a driver for causing an accident resulting in the death or personal injury of another or a serious property damage;

(3) has been convicted with such frequency of serious offenses against traffic regulations governing the movement of vehicles as to indicate a disrespect for traffic laws and a disregard for the safety of other persons on the highways;

(4) is an habitually reckless or negligent driver of a motor vehicle;

(5) is incompetent to drive a motor vehicle;

(6) permitted an unlawful or fraudulent use of his license;

(7) committed an offense in another state which, if committed in this state, would be grounds for suspension or revocation;

(8) has operated a motor vehicle in violation of a limitation placed on his license during the period of limitation.

Sec. 8. AS 28.15 is amended by adding a new section to read:

Sec. 28.15.225. **Limited License.** (a) When a court limits a license, it shall require the surrender of the license, and shall forward it to the department with a description of the limitation imposed. It shall, unless the period of limitation is to be preceded by a period of suspension, issue to the licensee a certificate, valid for not more than two weeks, authorizing him to operate a motor vehicle subject to the limitations described in the certificate.

(b) When the department receives a license with a report from a court that it has been limited, it shall immediately prepare and send to the licensee a license form with the nature and date of termination of the limitation clearly set out on it.

(c) At the end of the period of limitation, the department shall immediately return the licensee's unlimited license to him. The licensee is not bound by the limitation after the date of the termination of the limitation as shown on the limited license.

Sec. 9. AS 28.15.260(a) is repealed and re-enacted to read:

(a) The court may not limit or suspend an operator's license or privilege to drive a motor vehicle on the public highways for a longer period than one year, except that, for the offenses listed under sec. 220(a)(1) and (2) of this chapter, limitation or suspension shall be as follows:

(1) 30 days for the first conviction;

(2) one year for the second conviction;

(3) three years for a third or subsequent conviction.

Sec. 10. AS 28.15.260 is amended by adding a new subsection to read:

(c) A person whose license is canceled, suspended, or revoked upon conviction of driving while the license was canceled, suspended, or revoked shall not be issued a new license for an additional period of one year after the date the person would otherwise have been entitled to apply for a new license.

Sec. 11. AS 28.15.270 is repealed and re-enacted to read:

Sec. 28.15.270. **Surrender and Return of License.** When a court suspends or revokes a license, it shall require the surrender of the license, and forward it to the department. In cases of suspension the department shall keep the license during the period of suspension, and, subject to the requirements of the Motor Vehicle Safety Responsibility Act (AS 28.20), shall return it promptly to the licensee at the end of the period.

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

Sec. 28.15.305. **Driving in Violation of a Limitation of License.** A person who drives a motor vehicle on a public highway in this state in violation of a limitation placed on his operator's license during the period of limitation is guilty of a misdemeanor, and, upon conviction, is punishable by a fine of not less than \$100 nor more than \$1,000.

Sec. 13. AS 28.15.230 is repealed.

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