

CS FOR HOUSE BILL NO. 408(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 5/3/18

Referred: Judiciary

Sponsor(s): HOUSE JUDICIARY COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to revocation of a driver's license."**

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

3 * **Sec. 1.** AS 28.35.030(o) is amended to read:

4 (o) Upon request, the department shall review a driver's license revocation
5 imposed under (n)(3) of this section and

6 (1) may restore the driver's license if

7 (A) the license has been revoked for a period of at least 10
8 years;

9 (B) the person has not been convicted of a driving-related
10 criminal offense since the license was revoked; and

11 (C) the person provides proof of financial responsibility;

12 (2) shall restore the driver's license if

13 (A) the person has been granted limited license privileges
14 under AS 28.15.201(g) and has successfully driven under that limited license
15 for three years without having the limited license privileges revoked;

1 (B) the person has successfully completed a court-ordered
 2 treatment program under AS 28.35.028 or a rehabilitative treatment program
 3 under AS 28.15.201(h);

4 (C) the person has not been convicted of a violation of
 5 AS 28.35.030 or 28.35.032 or a similar law or ordinance of this or another
 6 jurisdiction since the license was revoked;

7 (D) the person is otherwise eligible to have the person's driving
 8 privileges restored as provided in AS 28.15.211; in an application under this
 9 subsection, a person whose license was revoked for a violation of
 10 AS 28.35.030(n) or 28.35.032(p) is not required to submit compliance as
 11 required under AS 28.35.030(h) or 28.35.032(l); and

12 (E) the person provides proof of financial responsibility;

13 **(3) may restore the driver's license if**

14 **(A) the license has been revoked for a period of at least 10**
 15 **years;**

16 **(B) the person has not been convicted of a driving-related**
 17 **criminal offense**

18 **(i) in the 10 years preceding the request for**
 19 **restoration of the driver's license; and**

20 **(ii) since the license was revoked, and, as part of the**
 21 **same act or criminal episode for which the person was convicted of**
 22 **the driving-related criminal offense, the person was not convicted**
 23 **of a crime under AS 11.41.100 - 11.41.170, 11.41.200, 11.41.210,**
 24 **11.41.280, or 11.41.282 or a law or ordinance in another**
 25 **jurisdiction with similar elements;**

26 **(C) as part of the same act or criminal episode for which**
 27 **the person was convicted or previously convicted for purposes of (n) of**
 28 **this section, the person was not convicted of a crime under AS 11.41.100 -**
 29 **11.41.170, 11.41.200, 11.41.210, 11.41.280, or 11.41.282 or a law or**
 30 **ordinance in another jurisdiction with similar elements; and**

31 **(D) the person provides proof of financial responsibility.**

1 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
2 read:

3 **APPLICABILITY.** AS 28.35.030(o), as amended by sec. 1 of this Act, applies to
4 revocation of a driver's license occurring before, on, or after the effective date of sec. 1 of this
5 Act, for conduct occurring before, on, or after the effective date of sec. 1 of this Act.