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Sponsor Statement

SB 177- An Act related to driving without a license.

Senate Bill 177 seeks to resolve an inconsistency by eliminating a loophole in State law that allows two drivers who have committed nearly identical crimes to receive vastly different penalties.

During the push in the first session of the 31st Legislature to improve Alaska's criminal justice laws, HB 49 included efforts to increase the consequences of driving with a suspended or revoked driver's license. However, it became clear that often individuals without current licenses had a relatively high probability of committing other crimes that were more difficult to discover due to the reduction in consequences resulting from SB 91.

Although HB 49 successfully returned the consequences of driving with a revoked or suspended license to a potential Class A misdemeanor, driving without a license (when a license has never been issued) was missed in the bill. What should be a crime with equivalent punishment as that of nearly identical crimes, remains a simple violation.

Under current law (AS 28.15.011) the severity of penalty for driving without a license is dependent upon whether the individual driving formerly possessed a license. If an individual operates a motor vehicle with a license that is canceled, suspended, revoked, or in violation of a limitation is potentially guilty of a Class A misdemeanor (AS 28.15.291(b)(1)). However, an individual who operates a vehicle without having any prior licensure is only guilty of a traffic infraction. This discrepancy impedes the efforts of law enforcement, is unjust, and requires immediate reconciliation.

We respectfully request your support of this important legislation.