

LEGAL SERVICES

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MEMORANDUM

September 23, 2015

SUBJECT: Special request registration plates commemorating the arts
(Work Order No. 29-LS0999\H)

TO: Representative Jonathan Kreiss-Tomkins
Attn: Reid Magdanz

FROM: Megan A. Wallace
Legislative Counsel

Enclosed please find the draft bill you requested.

You also asked how the phrase "upon application by the owner of a motor vehicle" is interpreted in AS 28.10.181(u). Under current law, a vehicle owner may apply for registration plates commemorating the arts. This means that a registration plate commemorating the arts cannot be issued unless a vehicle owner applies for it. A vehicle owner is not required to apply for registration plates commemorating the arts. The statute also states that "the department may issue registration plates commemorating the arts." This means that the department has the discretion whether or not to issue registration plates commemorating the arts upon application. The draft bill provides that "[t]he commissioner shall choose a new design . . . every four years." This means that the commissioner does not have discretion as to whether to make a selection and must choose a new design every four years in anticipation of an application. If this is not how you intended the draft bill to operate, please advise.

MAW:dla
15-461.dla

Enclosure