

A M E N D M E N T

OFFERED IN THE HOUSE
TO: HB 322

BY REPRESENTATIVE PARISH

- 1 Page 1, line 2:
 - 2 Delete "**discharge prevention and contingency**"
 - 3 Insert "**spill response**"
 - 4
- 5 Page 9, line 4, through page 12, line 16:
 - 6 Delete all material and insert:
 - 7 **"* Sec. 13.** AS 46.04 is amended by adding a new section to read:

Sec. 46.04.057. Oil spill response plans for commercial motor vehicles. (a) If a person is required to submit an oil spill response plan under federal law, the person may not operate a commercial motor vehicle transporting crude oil on a highway or road maintained by the state unless the person has submitted to the department, and the department has received, the oil spill response plan required under federal law.

(b) Failure of a holder of a response plan submitted to the department under this section to comply with the plan or to have access to the quality or quantity of resources identified in the plan or to respond with those resources within the shortest possible time in the event of a spill is a violation of this chapter for purposes of AS 46.03.760(a), 46.03.765, 46.03.790, and any other applicable law. If the holder of a response plan submitted to the department under this section fails to respond to and conduct cleanup operations of an unpermitted discharge of crude oil with the quality and quantity of resources identified in the plan and in a manner required under the plan, the holder is strictly liable, jointly and severally, for the civil penalty assessed under AS 46.03.758, 46.03.759, or 46.03.760 against any other person for that

1 discharge.

2 (c) In this section, "commercial motor vehicle" has the meaning given in
3 AS 19.10.399."

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5 Page 12, line 23:

6 Delete "Section 20"

7 Insert "Section 15"

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9 Page 12, line 24:

10 Delete "sec. 21"

11 Insert "sec. 16"