

SENATE BILL NO. 208

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/26/24

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the registration and titling of vehicles; relating to electronic**
2 **registration and titling; relating to the powers of the commissioner of administration**
3 **with respect to motor vehicles; relating to the transfer of vehicles; relating to motor**
4 **vehicle liability insurance; relating to non-domiciled commercial driver's licenses and**
5 **non-domiciled commercial learner's permits; and providing for an effective date."**

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

7 *** Section 1.** AS 28.05.011 is amended by adding a new subsection to read:

8 (d) The commissioner of administration may adopt regulations to provide for
9 the electronic registration or titling of motor vehicles.

10 *** Sec. 2.** AS 28.05.021 is amended by adding a new subsection to read:

11 (c) The commissioner of administration may enter into an agreement with a
12 law enforcement agency, governmental agency or program, or data exchange service,
13 including the National Driver Register, the Problem Driver Pointer System, the

1 Commercial Driver's License Information System, the State-to-State Verification
2 Service, and the Driver License Data Verification Service.

3 * **Sec. 3.** AS 28.05.045 is amended to read:

4 **Sec. 28.05.045. Voter registration.** The administrative component of the
5 department that administers motor vehicle and driver's license laws shall comply with
6 AS 15.07.055 to serve as a voter registration agency to the extent required by state and
7 federal law, including 42 U.S.C. 1973gg (National Voter Registration Act of 1993)
8 and this section. A state resident, who will be 18 years of age or older within 90 days,
9 who applies **to** [IN AN OFFICE OF] the department for a driver's license,
10 identification card issued under AS 18.65.310, or vehicle registration under AS 28.10
11 shall at the time of application be advised by the division that the resident may also
12 register to vote. The application submitted by the resident shall serve as an application
13 for voter registration unless the resident fails to sign the voter registration portion of
14 the application. The department shall forward completed voter registration forms to
15 the division of elections. The department shall prominently display notice of the right
16 to apply for voter registration at each place that the public may apply for a driver's
17 license, identification card, or vehicle registration.

18 * **Sec. 4.** AS 28.10.081 is amended to read:

19 **Sec. 28.10.081. Issuance of certificate of registration; certificate to be**
20 **signed, carried, and displayed.** (a) The department shall mail or deliver the
21 certificate of registration to the owner **of a vehicle in accordance with this chapter.**
22 The certificate of registration must contain the assigned registration number, the name,
23 the residence and mailing addresses of the owner, the vehicle identification number,
24 the fees paid, and as much of the vehicle description appearing on the title as the
25 commissioner considers necessary.

26 (b) **A driver shall carry a certificate of registration in the vehicle to which**
27 **it refers, except for when the certificate of registration is** [EVERY CERTIFICATE
28 OF REGISTRATION SHALL, EXCEPT WHEN] used to apply for renewal of
29 registration or to transfer the registration [, BE CARRIED IN THE VEHICLE TO
30 WHICH IT REFERS]. [THE DRIVER OF A VEHICLE SHALL DISPLAY THE
31 ORIGINAL CERTIFICATE OF REGISTRATION OR A LEGIBLE PHOTOCOPY

1 IF THE ORIGINAL IS ON FILE AT THE ADDRESS SHOWN ON THE
2 CERTIFICATE OF REGISTRATION TO A PEACE OFFICER OR AN OFFICER
3 OR EMPLOYEE OF THE DEPARTMENT ACTING IN AN OFFICIAL CAPACITY
4 UPON THE REQUEST OF THAT OFFICER OR EMPLOYEE.]

5 * **Sec. 5.** AS 28.10.081 is amended by adding a new subsection to read:

6 (c) Upon the request of a peace officer or an officer or employee of the
7 department acting in an official capacity, the driver of a vehicle shall display the
8 certificate of registration or a legible photocopy if the original certificate of
9 registration is physically stored at the address shown on the certificate of registration.
10 A driver's display of an electronic certificate of registration on a mobile electronic
11 device under this subsection does not constitute consent for a peace officer or officer
12 or employee of the department to access other contents of the mobile electronic
13 device. A peace officer presented with a mobile electronic device under this
14 subsection is immune from liability resulting from damage to the device, except that a
15 peace officer may be liable for civil damages as a result of the peace officer's
16 intentional misconduct.

17 * **Sec. 6.** AS 28.10.091 is amended to read:

18 **Sec. 28.10.091. Lost or mutilated certificates of registration or registration**
19 **plates.** If a certificate of registration or a registration plate is lost, stolen, mutilated, or
20 becomes illegible or defective, the owner or legal representative or successor in
21 interest of the owner of the vehicle for which the certificate or plate was issued as
22 shown by the records of the department shall, immediately upon discovering the fact,
23 apply for a duplicate or substitute certificate of registration or registration plate and
24 shall, if applicable, return to the department all parts of the original certificate of
25 registration or registration plates that the applicant possesses.

26 * **Sec. 7.** AS 28.10.108(h) is amended to read:

27 (h) The department shall mail or deliver notice of registration expiration to the
28 registered owner of record at the owner's mailing address or electronic mail address as
29 shown in the records of the department. An owner of a vehicle subject to registration
30 who has received notice under this subsection may renew registration of the vehicle on
31 the department's Internet website [OR BY RETURNING THE NOTICE FORM,

1 TOGETHER WITH APPROPRIATE FEES, TO THE DEPARTMENT BY MAIL
 2 POSTMARKED NOT LATER THAN THE FIFTH DAY OF THE REGISTRATION
 3 RENEWAL PERIOD SHOWN ON THE VEHICLE'S CURRENT REGISTRATION
 4 OR NOTICE FORM]. Upon receipt of a timely registration renewal application and
 5 the appropriate fees and taxes, the department shall renew the registration and **deliver**
 6 **to the owner, or mail to the mailing address of the owner shown in department**
 7 **records**, [MAIL] the current registration [CARD AND REGISTRATION PLATE OR
 8 TABS TO THE OWNER AT THE OWNER'S MAILING ADDRESS AS SHOWN
 9 IN THE DEPARTMENT'S RECORDS].

10 * **Sec. 8.** AS 28.10.181(e) is amended to read:

11 (e) Vehicles owned by the state, municipalities, and charitable organizations
 12 of the state. Every certificate of registration and registration plate issued to the state, a
 13 municipality, or charitable organization of the state is in effect until the vehicle for
 14 which the registration certificate and plate were issued is no longer owned and
 15 operated by the state, the municipality, or the charitable organization of the state or
 16 until the department, in its discretion, declares its expiration. The state, municipality,
 17 or charitable organization of the state shall maintain a current listing of all vehicles
 18 registered to it [IN THE ORDER OF THE REGISTRATION NUMBER ASSIGNED
 19 TO EACH VEHICLE,] and shall provide a copy of the listing to the department upon
 20 request. The listing must include a description of each vehicle and other identifying
 21 information required by the department. Registration plates issued under this
 22 subsection must be of a distinctive design and numbering system. For the purposes of
 23 this subsection, "charitable organization" means a nonprofit association, corporation,
 24 society, or other entity organized, incorporated, or headquartered in the state for
 25 educational, cultural, scientific, or other charitable purposes, as prescribed in
 26 regulations of the department.

27 * **Sec. 9.** AS 28.10.201(c) is repealed and reenacted to read:

28 (c) When issuing an initial certificate of title that lists more than one owner,
 29 the department may list the owners in the conjunctive using "and" or in the disjunctive
 30 using "or." If a certificate of title lists the owners in the conjunctive, the department
 31 may not register the vehicle without the consent of all owners listed. If a certificate of

1 title lists the owners in the disjunctive, the department may register the vehicle at the
2 request of any owner listed.

3 * **Sec. 10.** AS 28.10.231(c) is amended to read:

4 (c) The department **shall** [MAY NOT] indicate [ON A CERTIFICATE OF
5 TITLE MORE THAN] the primary lienholder and **all registered owners on a**
6 **certificate of title** [THE PRIMARY REGISTERED OWNER WHEN INDICATING
7 LIENHOLDERS AND REGISTERED OWNERS].

8 * **Sec. 11.** AS 28.10.251(a) is amended to read:

9 (a) If a certificate of title is lost, stolen, mutilated, destroyed, or becomes
10 illegible **or defective**, the first lienholder or, if none, the owner or legal representative
11 of the owner named in the title as shown by the records of the department shall apply
12 for and obtain a duplicate title upon furnishing information satisfactory to the
13 department and payment of the prescribed fee. The duplicate title must indicate that it
14 is a duplicate title, and it shall be mailed or delivered to the first lienholder named in it
15 or, if none, to the registered owner.

16 * **Sec. 12.** AS 28.10.271(a) is amended to read:

17 (a) When the owner of a registered vehicle transfers or assigns the owner's
18 title or interest in the vehicle, the registration of the vehicle **does not expire and**
19 [EXPIRES; HOWEVER,] the registration plates remain on the vehicle, except as
20 otherwise provided in AS 28.10.181.

21 * **Sec. 13.** AS 28.10.381(b) is amended to read:

22 (b) Upon approval of the application, the department shall send to the person
23 holding a lien or other encumbrance a new certificate of title **that** [WHICH] displays
24 the name of the owner **or owners of the vehicle** and indicates the existence of the lien
25 or other encumbrance.

26 * **Sec. 14.** AS 28.10.441 is amended by adding a new subsection to read:

27 (b) If the commissioner adopts regulations under AS 28.05.011(d) for the
28 electronic registration or titling of motor vehicles, the commissioner shall also set in
29 regulation the fees for verification of electronic certificates of registration and
30 electronic certificates of title.

31 * **Sec. 15.** AS 28.15.031(c) is amended to read:

1 (c) The department may not issue an original or duplicate commercial driver's
 2 license to, nor renew or reinstate the commercial driver's license of, a person who is
 3 disqualified from operating commercial motor vehicles in this or any other jurisdiction
 4 [OR IS NOT DOMICILED IN THIS STATE].

5 * **Sec. 16.** AS 28.22.031 is amended by adding a new subsection to read:

6 (c) The department shall review all accident reports and request proof of
 7 insurance from a vehicle owner or operator in all cases where evidence of motor
 8 vehicle liability insurance that complies with this chapter is not present.

9 * **Sec. 17.** AS 28.33.100(a) is amended to read:

10 (a) A person may not drive a commercial motor vehicle until the person
 11 applies for and is issued a license for that purpose under AS 28.15.041. The
 12 department may not issue a license to drive a commercial motor vehicle unless the
 13 applicant

14 (1) is at least 18 years of age, to operate in intrastate commerce, or at
 15 least 21 years of age, to operate in interstate commerce, except as provided in (f) of
 16 this section;

17 (2) has successfully completed all required driving tests and written
 18 and physical examinations; **and**

19 (3) either does not have a driver's license issued by another jurisdiction
 20 or surrenders all driver's licenses issued by other jurisdictions; **an applicant for a**
 21 **non-domiciled commercial driver's license or non-domiciled commercial**
 22 **learner's permit under AS 28.33.105(a)(1)(A) may not be required under this**
 23 **paragraph to surrender a license issued by a foreign jurisdiction** [AND

24 (4) IS DOMICILED IN THIS STATE].

25 * **Sec. 18.** AS 28.33 is amended by adding a new section to read:

26 **Sec. 28.33.105. Non-domiciled commercial driver's license and non-**
 27 **domiciled commercial learner's permit.** (a) The department may issue a non-
 28 domiciled commercial driver's license or a non-domiciled commercial learner's permit
 29 to an applicant who

30 (1) is domiciled in

31 (A) a foreign jurisdiction that meets the requirements set out

1 under 49 C.F.R. 383.23(b)(1); or

2 (B) another state that meets the requirements set out under 49
3 C.F.R. 383.23(b)(2); and

4 (2) meets the applicable requirements set out under AS 28.33.100(a)
5 and 49 C.F.R. 383.71.

6 (b) Except as otherwise provided by law, a person issued a non-domiciled
7 commercial driver's license or non-domiciled commercial learner's permit under this
8 section is subject to the same privileges and requirements as a person issued a
9 commercial driver's license or commercial learner's permit who is domiciled in the
10 state.

11 (c) A non-domiciled commercial driver's license and non-domiciled
12 commercial learner's permit must be marked with the word "non-domiciled" on the
13 face of the document.

14 (d) A non-domiciled commercial driver's license and non-domiciled
15 commercial learner's permit expires

16 (1) for an applicant under (a)(1)(A) of this section, on the expiration
17 date determined by the United States Department of Homeland Security that is stated
18 on the form required for the applicant under 49 C.F.R. 383.71(f)(2)(i) or one year from
19 the date of issuance, whichever is sooner;

20 (2) for an applicant under (a)(1)(B) of this section, one year from the
21 date of issuance.

22 * **Sec. 19.** AS 28.39.040(c) is amended to read:

23 (c) The department shall, upon assignment of a registration number, issue and
24 deliver to the owner a certificate of registration in a form prescribed by the
25 department. [A CERTIFICATE OF REGISTRATION IS NOT VALID UNLESS IT
26 IS SIGNED BY THE PERSON WHO SIGNED THE APPLICATION FOR
27 REGISTRATION.]

28 * **Sec. 20.** AS 28.39.040(f) is amended to read:

29 (f) While operating a snowmobile that is required to be registered under this
30 chapter, a person shall have in possession or carry in the snowmobile a valid
31 registration. Upon demand by a peace officer authorized to enforce this chapter **or**

1 **officer or employee of the department acting in an official capacity**, a person
 2 operating a snowmobile shall produce for inspection the certificate of registration for
 3 the snowmobile and furnish to the peace officer **or officer or employee of the**
 4 **department** any information necessary for the identification of the snowmobile and
 5 its owner. **A driver's display of an electronic certificate of registration on a mobile**
 6 **electronic device under this subsection does not constitute consent for a peace**
 7 **officer or officer or employee of the department to access other contents of the**
 8 **mobile electronic device. A peace officer presented with a mobile electronic**
 9 **device under this subsection is immune from liability resulting from damage to**
 10 **the device, except that a peace officer may be liable for civil damages as a result**
 11 **of the peace officer's intentional misconduct.**

12 * **Sec. 21.** AS 28.39.050(a) is amended to read:

13 (a) If there is a change of ownership of a snowmobile, the [SELLER AND]
 14 buyer shall [FILL OUT THE TRANSFER OF OWNERSHIP SECTION OF THE
 15 REGISTRATION, AND THE SELLER SHALL SIGN OVER THE
 16 REGISTRATION TO THE NEW OWNER. THE SELLER SHALL] promptly submit
 17 **an application for registration** [THE TRANSFER OF OWNERSHIP SECTION] to
 18 the department, and, **if the application meets the requirements set out under this**
 19 **chapter and in regulation,** the department shall issue a new certificate of registration
 20 to the new owner.

21 * **Sec. 22.** AS 28.90.990(a) is amended by adding new paragraphs to read:

22 (33) "commercial driver's license" includes a non-domiciled
 23 commercial driver's license;

24 (34) "commercial learner's permit" includes a non-domiciled
 25 commercial learner's permit.

26 * **Sec. 23.** AS 28.10.271(d); and AS 28.33.190(9) are repealed.

27 * **Sec. 24.** This Act takes effect immediately under AS 01.10.070(c).