

Retirement System of Alaska. The amount required for contributions by the state court system for the purposes of secs. 10 - 70 of this chapter shall be included in its annual appropriations, together with an amount necessary for its pro-rata share of the administrative expense of the retirement system.

Sec. 22.25.070. **Transfer of Contributions.** Upon the effective date of secs. 10 - 70 of this chapter, the commissioner of administration shall transfer to the justices' and judges' retirement account provided by sec. 50 of this chapter all amounts then credited to the employee contribution account and the employer asset share account of the Public Employees' Retirement System of Alaska which were credited to those accounts by reason of membership of justices or judges in the Public Employees' Retirement System before the effective date of sec. 10 - 70 of this chapter. Any amount held for the account of a justice or judge in an employee savings account, together with interest that may have accrued, shall be distributed to the justice or judge as soon as possible following the effective date of secs. 10 - 70 of this chapter.

Sec. 2. AS 39.35.370(c) is amended to read:

(c) The monthly amount of the normal retirement pension is the sum of

(1) one-half of one per cent of the employee's average monthly compensation multiplied by his years of credited service, including fractional years; and
(2) three-fourths of one per cent of the employee's average monthly compensation in excess of one-twelfth of the average annual taxable wage under the federal social security program during the period of credited service, after the effective date, multiplied by the number of years of credited service, including fractional years.

Sec. 3. AS 39.35.680(5) is amended to read:

(5) "employee" means a person who receives remuneration for full-time personal services regularly rendered to an employer or who would receive remuneration except for an authorized leave of absence, excluding (A) persons compensated on a contractual or fee basis, (B) casual or part-time workers in a position having duties which will not permit at least six months of service during a calendar year, (C) persons covered by the Alaska teachers' retirement system, (D) employees of the division of marine transportation engaged in operating the state ferry system who are covered by a union or group retirement system to which the state makes contributions, and (E) justices and judges of the supreme and superior courts of Alaska;

Became law without signature
May 4, 1963

CHAPTER 103

AN ACT

Relating to the Alaska Motor Freight Carrier Act; and providing for an effective date.

(C.S.H.B. 200)

Be it enacted by the Legislature of the State of Alaska:

Section 1. AS 42.10.020 is amended to read:

Sec. 42.10.020. **Exempt Vehicles.** This chapter shall apply to all vehicles unless specifically exempted by this section. This chapter, except when specifically otherwise provided, does not apply to

(1) motor vehicles operated exclusively in the transportation of United States mail or in the transportation of newspapers or periodicals alone or in conjunction with an express service delivering packages not to exceed 100 pounds to any one receiver;

(2) motor vehicles owned and operated by the United States, the state, or a borough, city, town, or municipality

in the state, or by a department of any of them, except when the vehicles are used to transport property of the general public for compensation in competition with other common carriers subject to this chapter, and to the extent regulation of vehicles operated by the United States is permitted by the laws of the United States;

(3) motor vehicles not exceeding a total gross weight of 12,000 pounds, owned and operated by a rancher, farmer, or dairyman in the transportation of his own ranch, farm, or dairy products from the point of production to market or to the point of transportation to market, or of supplies, commodities, or equipment used on his own ranch, farm, or dairy. Motor vehicles operating under this classification shall be identified as farm vehicles in accordance with regulations prescribed by the commissioner of revenue.

Sec. 2. AS 42.10.070 is amended to read:

Sec. 42.10.070. **Regulatory Power of Commission over Common Carriers.** The commission

(1) shall supervise and regulate every common carrier in the state;

(2) shall make, fix, alter, and amend just, fair, and reasonable classifications, rules, regulations, and minimum and maximum rates and charges for all common carriers;

(3) shall regulate the accounts, service, and safety of operations of every common carrier;

(4) may require every common carrier to file reports and other data;

(5) may supervise and regulate every common carrier in all other matters affecting its relationship with competing carriers, shipping, and the general public.

Sec. 3. AS 42.10 is amended by adding a new section to read:

Sec. 42.10.113. **Identification of Vehicles.** The commission shall prescribe rules and regulations requiring that each contract carrier, common carrier, and private carrier place sufficient and proper identification on each motor vehicle operated by the carrier. The required identification shall be sufficient to allow immediate determination of the carrier's

name, address, operating authority, and permit number.

Sec. 4. AS 42.10.120(a) is amended to read:

(a) The commission shall administer and enforce all provisions of this chapter and may inspect the vehicles, books, and documents of motor carriers, and the books, documents, and records of persons using the service of the carrier, for the purpose of discovering discrimination, rebates, and other information pertaining to this chapter. The commission shall prosecute violations of this chapter.

Sec. 5. AS 42.10.240 is repealed and re-enacted to read:

Sec. 42.10.240. **Weight Fees.** (a) In addition to all other fees to be paid by him, every common carrier, contract carrier, and private carrier, including those operating vehicles not otherwise registered or licensed by the state, shall pay each year for each motor truck or truck tractor owned or operated by him on the public highways of the state, based upon the actual maximum gross unladen weight as set by the carrier in his application for his regular license plates, or, in the case of vehicles not otherwise licensed, as established by the manufacturer's advertised weight, the following fees:

less than 12,000 pounds	\$25
12,000 pounds and over, but less than 18,000 pounds	40
over 18,000 pounds	50

(b) Weight fees on vehicles regularly licensed and registered in the state shall be paid to the commissioner of revenue at the same time that the regular annual license fee is paid. Weight fees on vehicles not otherwise licensed in the state shall be paid to the commission.

(c) The commission shall publish regulations providing for the exemption of all vehicles under 5,000 pounds maximum gross unladen weight which are not used in the transportation of goods as a common, contract, or private carrier.

Sec. 6. AS 42.10.280 is amended to read:

Sec. 42.10.280. **Tariff Schedule to Be Filed.** (a) A contract carrier authorized to transport commodities in bulk in dump-type equipment shall file with

the commission, and print and keep open to public inspection, schedules showing the minimum or maximum rates, charges, and classifications for the transportation of property within the state.

(b) A common carrier shall file with the commission, and print and keep open to public inspection, schedules showing the rates, charges, and classifications for the transportation of property within the state between each point upon its route, and between each point upon its route and each point upon every route leased, operated, or controlled by it, and between each point upon its route or upon any route leased, operated, or controlled by it and each point upon the route of a common carrier, whenever a through route and joint rate has been established or ordered between two such points. If no joint rate over a through route has been established, the carriers in a through route shall file, print, and keep open to public inspection the separately established rates, charges, and classifications applied to the through transportation. The schedules of contract and common carriers shall plainly state the places between which property will be carried, and the schedules of common carriers shall also contain classifications of property in force, and state separately all terminal, storage, icing, and other charges which the commission requires to be stated, all privileges or facilities allowed, and rules and regulations which affect or determine any part or the aggregate of the rates and charges, or the value of the service given to the shipper or consignee. The schedules shall be plainly printed in large type. The carrier shall keep a copy of each schedule readily accessible for inspection by the public in every station or office where property is received for transportation when the station or office is in charge of an agent, and in every station or office of the carrier where bills of lading or receipts for property are issued. The carrier shall produce a schedule for inspection upon the demand of any person. The carrier shall keep posted in two public and conspicuous places in each station in which a schedule is kept a notice, printed in bold type, which states that the schedules are on file with the agent and open to inspection by any person, and that the agent will assist the person to determine rates or rules and regulations. The

commission shall prescribe the form of schedules. The form shall conform as nearly as practicable to the form of schedules required by the Interstate Commerce Commission.

Sec. 7. AS 42.10.410 is amended to read:

Sec. 42.10.410. **Penalties.** A person who knowingly and wilfully violates any provision of this chapter, or a rule, regulation, requirement, or order adopted under this chapter, or a term or condition of a permit is guilty of a misdemeanor, and, upon conviction, is punishable by a fine of not more than \$250.

Sec. 8. AS 42.10.420(2)(B) is amended to read:

(B) a person who leases, rents, or provides a motor vehicle for the use of another in transporting property, and who provides, procures, or arranges for, directly or indirectly, or by course of dealing, a driver or operator for the motor vehicle or the necessary authority for the use of it on a public highway, except when the motor vehicle is leased to an authorized common carrier or contract carrier under rules and regulations to be prescribed by the commission;

Sec. 9. AS 42.10.420(7) is amended to read:

(7) "private carrier" is a person who, in his own vehicle, transports only property owned or being bought or sold by him in good faith when the transportation is an incidental adjunct to some other established primary private business, other than transportation, owned or operated by him in good faith, and also includes all persons who rent, lease, or otherwise provide a motor vehicle for use of others in transporting property, and who, in connection therewith, do not provide, procure, or arrange for, directly, indirectly, or by course of dealing, a driver or operator for the motor vehicle;

Sec. 10. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval, except that the commission shall continue to collect the applicable weight fees during calendar year 1963. After December 31, 1963, weight fees shall be paid and collected in the manner prescribed in this Act.

Approved May 7, 1963