



# LAWS OF ALASKA

1966

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Chapter No.:

157

## AN ACT

Relating to state, city, and borough power to govern the use and operation of motor vehicles.

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

\* Section 1. AS 29.10.171(a) is amended to read:

(a) The council may, by general ordinance, provide for licensing and regulating the use and operation of motor vehicles in the city, and prescribe the qualifications of persons operating or driving motor vehicles. The power granted under this subsection extends to all classes of motor vehicles and operators which the state may license and regulate under AS 28 and vests the council with authority to implement or supplement those provisions, adopt the prohibition authorized in AS 28.15.040(d), and prescribe penalties not exceeding those prescribed for violation of municipal ordinances generally under sec. 195 of this chapter. However, ordinance provisions other than those for penalties must be compatible with provisions of state law relating to motor vehicles and motor vehicle operators within the city. The power of the state to enforce state law relating to motor

vehicles and motor vehicle operators within the city is not affected by this subsection.

- \* Sec. 2. AS 29.15.290 is amended to read:

Sec. 29.15.290. APPLICATION OF LAWS GOVERNING FIRST CLASS CITIES. All laws and parts of laws empowering and regulating first class cities on special assessments, public utilities, airports, public service rates, franchises, acquisition and disposition of property, motor vehicles and motor vehicle operators, and schools apply to second class cities.

- \* Sec. 3. AS 29.20 is amended by adding a new section to read:

Sec. 29.20.063. MOTOR VEHICLES. The board of trustees of a city of the third class may govern the use and operation of motor vehicles in the manner provided for the council of a first class city under AS 29.10.171(a).

- \* Sec. 4. AS 29.25 is amended by adding a new section to read:

Sec. 29.25.275. MOTOR VEHICLES. The council may govern the use and operation of motor vehicles in the manner provided for the council of a first class city under AS 29.10.171(a).

- \* Sec. 5. AS 07.15 is amended by adding a new section to read:

Sec. 07.15.722. MOTOR VEHICLES. The assembly of a second class borough may govern the use and operation of motor vehicles in the area outside cities and may do so in the manner provided for the council of a first class city under AS 29.10.171(a). The exercise of the power granted by this section is at the option of the assembly and is not subject to the restrictions on acquiring additional powers in the area outside cities specified in secs. 720 and 730 - 800 of this chapter.

\* Sec. 6. AS 29.08 is amended by adding a new section to read:

Sec. 29.08.013. LIMIT ON POWER TO GOVERN USE AND OPERATION OF MOTOR VEHICLES. AS 29.10.171(a), relating to power to govern the use and operation of motor vehicles, applies to home rule cities.

\* Sec. 7. AS 07 is amended by adding a new chapter to read:

CHAPTER 12. HOME RULE BOROUGHES.

ARTICLE 1. LIMITATIONS ON GENERAL POWERS.

Sec. 07.12.010. LIMIT ON POWER TO GOVERN USE AND OPERATION OF MOTOR VEHICLES. AS 29.10.171(a), relating to power to govern the use and operation of motor vehicles, applies to home rule boroughs.

\* Sec. 8. AS 28.15.040(d) is amended to read:

(d) The department may issue a special operator's permit to a person who is at least 14 years of age with the consent of his parents or guardians for the purpose of operating a motor scooter or motor bicycle upon the highways. This permit shall be issued upon application and payment of the prescribed fee and is valid for the same period of time as an operator's license. The permit is not valid in a city or borough which by ordinance prohibits operation of a motor scooter or motor bicycle by a person under the age of 16 years. A borough may adopt the ordinance on a nonareawide basis only, unless the power to adopt it on an areawide basis is acquired under AS 07.15.350.

\* Sec. 9. This Act does not apply to licenses or permits issued before the effective date of this Act.