



LAWS OF ALASKA

1990

Source

CSSB 137(Fin)

Chapter No.

53

AN ACT

Relating to drivers' license fees, to commercial motor vehicles, and to transportation of persons for compensation; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 11

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: May 15, 1990
Actual Effective Date: January 1, 1991

AN ACT

Relating to drivers' license fees, to commercial motor vehicles, and to transportation of persons for compensation; and providing for an effective date.

* Section 1. AS 28.15.271(a) is amended to read:

(a) The fees for drivers' licenses and permits, including but not limited to renewals, and all related driver skills tests are as follows:

- (1) all noncommercial vehicles and motor-driven cycles each license fee [CLASSES OF DRIVERS' LICENSES] \$10;
each driver skills test \$ 15;
- (2) all commercial motor vehicles each license fee .. \$100;
each driver skills test \$ 25
[MOTOR-DRIVEN CYCLES\$10];
- (3) instruction permit \$ 3;
- (4) duplicate of driver's license or instruction permit \$ 3;
- (5) temporary license and renewal of permit \$ 3;
- (6) school bus driver's endorsement renewal [PERMIT] . \$ 3.

* Sec. 2. AS 28.15.271 is amended by adding new subsections to read:

(c) The fee for a driver skills test must be paid at the time an appointment for the skills test is made or before the skills test is given, whichever is earlier. The department may not refund a driver

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1 skills test fee if the applicant cancels the appointment, fails to
2 appear at the appointed day and time, or fails to pass the skills
3 test.

4 (d) The fees collected by the department under this section
5 shall be deposited in the general fund. The Department of Adminis-
6 tration shall separately account for the fees collected under this
7 section and deposited in the general fund. The annual estimated
8 balance in the account may be used by the legislature to make appro-
9 priations for the administration of this chapter.

10 * Sec. 3. AS 28.33 is amended by adding new sections to read:

11 ARTICLE 2. COMMERCIAL VEHICLE OPERATORS.

12 Sec. 28.33.100. LICENSE TO OPERATE COMMERCIAL MOTOR VEHICLE.

13 (a) A person may not operate a commercial motor vehicle until the
14 person applies for and is issued a license for that purpose under
15 AS 28.15.041. The department may not issue a license to operate a
16 commercial motor vehicle unless the applicant

17 (1) is at least 19 years of age;

18 (2) has held a valid driver's license at least one year
19 before the date of application;

20 (3) has successfully completed all required driving tests
21 and written and physical examinations;

22 (4) either does not have a driver's license issued by
23 another jurisdiction or surrenders all driver's licenses issued by
24 other jurisdictions.

25 (b) In addition to the information required under AS 28.15.111
26 a commercial driver's license shall include information determined by
27 the United States Secretary of Transportation to be appropriate to
28 identify the licensee, including the licensee's social security num-
29 ber.

1 (c) A person who has been a state resident for 30 days or longer
2 may not drive a commercial motor vehicle under the authority of a
3 commercial driver's license issued by another jurisdiction.

4 (d) The licensing requirements of this section are in addition
5 to the requirements imposed on a school bus driver under AS 28.15.046.

6 Sec. 28.33.110. NOTIFICATION REQUIREMENTS FOR DRIVERS OF COMMER-
7 CIAL MOTOR VEHICLES. (a) A driver of a commercial motor vehicle
8 holding a commercial driver's license issued by the state who is
9 convicted of violating a federal or state law or local ordinance
0 relating to motor vehicle traffic control in this or another state, or
1 a federal, provincial, territorial, or municipal law relating to motor
2 vehicle traffic control in Canada, other than parking violations,
3 shall notify the driver's employer, in writing, of the conviction
4 within 30 days after the date of conviction.

5 (b) A driver whose operating privilege is suspended, revoked, or
6 canceled by a state, who loses the privilege to operate a commercial
7 motor vehicle in a state for any period, or who is disqualified from
8 operating a commercial motor vehicle for any period, shall notify the
9 driver's employer of that fact before the end of the business day
0 following the day the driver received notice of the suspension, revo-
1 cation, cancellation, loss, or disqualification.

2 (c) A person who applies for employment as a commercial motor
3 vehicle driver shall

4 (1) provide the person's prospective employer, at the time
5 of application for employment, with the following information for the
6 10 years preceding the date of application:

7 (A) a list of the names and addresses of employers for
8 which the applicant was a driver of a commercial motor vehicle; ..

9 (B) the dates between which the applicant drove for

1 each employer;

2 (C) the reason for leaving each employer;

3 (2) certify that the information provided under this sub-
4 section is true and complete; and

5 (3) provide additional information required by the employ-
6 er.

7 Sec. 28.33.120. RESPONSIBILITIES OF EMPLOYERS OF COMMERCIAL
8 MOTOR VEHICLE DRIVER. An employer of a commercial motor vehicle
9 driver

10 (1) shall require an applicant for employment to provide
11 the information required under AS 28.33.110(c);

12 (2) may not knowingly allow, require, permit, or authorize
13 a driver to operate a commercial motor vehicle during a period in
14 which

15 (A) the driver's license is suspended, revoked, or
16 canceled by a state;

17 (B) the driver has lost the privilege to operate a
18 commercial motor vehicle in a state;

19 (C) the driver has been disqualified from operating a
20 commercial motor vehicle; or

21 (D) the driver has more than one driver's license.

22 Sec. 28.33.300. DEFINITIONS. In this chapter,

23 (1) "disqualification" means a withdrawal of the privilege
24 to drive a commercial motor vehicle;

25 (2) "disqualified" means that a person's privilege to drive
26 a commercial motor vehicle has been withdrawn.

27 * Sec. 4. AS 28.40.100(a) is amended by adding new paragraphs to read:

28 (19) "commercial motor vehicle" means a motor vehicle or a
29 combination of a motor vehicle and one or more other vehicles

1 (A) used to transport passengers or property;
2 (B) used upon a land highway or vehicular way connect-
3 ed to

4 (i) the land connected state highway system; or
5 (ii) a land highway or vehicular way with an
6 average daily traffic volume greater than 499; and

7 (C) that

8 (i) has a gross vehicle weight rating or gross
9 combination weight rating greater than 26,000 pounds;

10 (ii) is designed to transport more than 15 passen-
11 gers, including the driver; or

12 (iii) is used in the transportation of materials
13 found by the United States Secretary of Transportation to be
14 hazardous for purposes of 49 U.S.C. 1801 - 1813 (Hazardous
15 Materials Transportation Act);

16 (D) except that the following vehicles meeting the
17 criteria in (A) - (C) of this paragraph are not commercial vehi-
18 cles:

19 (i) emergency or fire equipment that is necessary
20 to the preservation of life or property;

21 (ii) farm vehicles that are controlled and operat-
22 ed by a farmer; used to transport agricultural products,
23 farm machinery, or farm supplies to or from that farmer's
24 farm; not used in the operations of a common or contract
25 motor carrier; and used within 150 miles of the farmer's
26 farm; and

27 (iii) recreational vehicles used exclusively for
28 purposes other than commercial purposes;

29 (20) "commercial purposes" means activities for which a

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1 person receives direct monetary compensation or activities for which a
2 person receives no direct monetary compensation but that are inci-
3 dental to and done in furtherance of the person's primary business;

4 (21) "gross combination weight rating" means the value
5 specified by the manufacturer as the loaded weight of a combination
6 vehicle, except that if a value has not been specified by the manufac-
7 turer, the gross combination weight rating is determined by adding the
8 gross vehicle weight rating of the power unit and the total weight of
9 the towed unit and the load on the towed unit;

10 (22) "gross vehicle weight rating" means the value specified
11 by the manufacturer as the loaded weight of a single vehicle.

12 * Sec. 5. AS 28.15.041(b) and 28.15.041(c) are repealed.

13 * Sec. 6. This Act takes effect January 1, 1991.