

HOUSE BILL NO. 231

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE MASEK

Introduced: 4/4/97

Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to regulation of snowmobiles."**

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

3 *** Section 1.** AS 05.30.010 is repealed and reenacted to read:

4 **Sec. 05.30.010. Snowmobile registration.** (a) Except as provided in (d) of
5 this section, a person may not operate a snowmobile within the state unless the
6 snowmobile has been registered and numbered as required by this chapter. The
7 division is authorized to assign identification numbers and register snowmobiles.

8 (b) The division shall employ snowmobile agents, including dealers and
9 licensing agents, to register snowmobiles. An agent may accept a registration
10 application, may issue a temporary registration, and shall forward the application to
11 the division. A snowmobile dealer employed as a licensing agent for snowmobile
12 registration by the division may be authorized to issue renewal registrations and may
13 retain a commission of up to \$1, as authorized by the division, for each registration
14 issued.

15 (c) For all or any part of a year beginning October 1 and ending September 30,

1 the original and each renewal registration fee for a snowmobile shall be as provided
2 under AS 28.10.421.

3 (d) A snowmobile dealer shall require a purchaser of a new or used
4 snowmobile sold at retail from the dealer's inventory to complete a registration
5 application and pay the registration fee before the snowmobile leaves the dealer's
6 premises unless the snowmobile is purchased for use exclusively outside of this state
7 or is otherwise exempt by law from this subsection.

8 (e) A registration certificate may be issued without the payment of a fee if the
9 snowmobile is owned by the state or a political subdivision of the state.

10 (f) Registration under this section is not required for a snowmobile

11 (1) owned by an agency of the United States or another state;

12 (2) used strictly on private property for private, noncommercial
13 purposes;

14 (3) used only in sanctioned snowmobile races; or

15 (4) used exclusively in communities exempt from motor vehicle
16 registration under AS 28.10.011.

17 (g) A snowmobile registration expires at the end of the second season for
18 which it is issued. An application for renewal of registration for the succeeding years
19 must be made at a time and in a form prescribed by the division.

20 * **Sec. 2.** AS 05.30 is amended by adding a new section to read:

21 **Sec. 05.30.021 Proof of ownership for registration purposes.** The division
22 shall require proof of ownership of the snowmobile before registering a snowmobile
23 under this chapter.

24 * **Sec. 3.** AS 05.30 is amended by adding a new section to read:

25 **Sec. 05.30.031. Issuance of registration.** (a) Upon receipt of a completed
26 application for registration of a snowmobile, the division shall record the registration
27 of the snowmobile under the number assigned to it. A number assigned to a
28 snowmobile at the time of the original registration must remain with the snowmobile
29 until the snowmobile is destroyed, abandoned, or permanently removed from the state
30 or until the registration number is changed or terminated by the division.

31 (b) The division shall, upon assignment of a registration number, issue and

1 deliver to the owner a registration in a form prescribed by the division. A registration
2 is not valid unless it is signed by the person who signed the application for
3 registration. In the event of the loss, mutilation, or destruction of the registration, the
4 owner of the registered snowmobile may file a statement and proof of facts that the
5 division may require for the issuance of a replacement registration.

6 (c) At the time of the original registration or a biennial renewal, the division
7 shall issue to the registrant a validation decal indicating the validity of the current
8 registration and the expiration date. A validation decal must be affixed to the
9 snowmobile in the manner prescribed by the division. Notwithstanding the fact that
10 a snowmobile has been assigned an identifying number, a snowmobile is not
11 considered to be validly registered within the meaning of this section unless a
12 validation decal and current registration have been issued as required by this section.

13 (d) If a snowmobile does not comply with the equipment provisions
14 established under AS 05.30.080, the division may refuse to register the snowmobile.
15 The registration number assigned to a snowmobile shall be displayed on the vehicle
16 at all times in the manner prescribed by the division.

17 (e) A person, while operating a snowmobile in this state that is required to be
18 registered under this chapter, shall have in the person's possession or carry in the
19 snowmobile valid registration. Upon demand of a peace officer authorized to enforce
20 this chapter, a person operating a snowmobile shall produce for inspection the
21 registration for the snowmobile and furnish to the peace officer any information
22 necessary for the identification of the snowmobile and its owner. A snowmobile
23 owner holding a registration required under this chapter shall notify the division in
24 writing of a change of residence within 15 days after the change occurs.

25 * **Sec. 4.** AS 05.30.050 is repealed and reenacted to read:

26 **Sec. 05.30.050. Transfer or other termination of ownership.** (a) When the
27 use of a snowmobile for which a registration has been issued is permanently
28 discontinued, the termination of ownership section of the registration shall be properly
29 filled out, signed, and returned to the division within 15 days after discontinuance of
30 use.

31 (b) If there is a change of ownership of a snowmobile for which a registration

1 has been issued, the seller shall properly fill out the "transfer of ownership" section of
 2 the registration, sign over the registration to the new owner, and, within 10 days
 3 following the change of ownership, notify the department of the change by delivering
 4 or mailing a form provided by the division. The new owner shall apply for a new
 5 registration from the division. If a snowmobile is purchased from a dealer, the
 6 ownership application must be accompanied by a dealer's form, as prescribed by the
 7 division, numbered, completed, and signed by the dealer or the dealer's agent and by
 8 the purchaser.

9 (c) An owner of a snowmobile registered under this chapter shall notify the
 10 division in writing of the destruction, theft, or permanent removal of the snowmobile
 11 from the state within 15 days after the destruction, theft, or removal. In the event of
 12 destruction the owner shall surrender the registration with the notice required under
 13 this subsection.

14 * **Sec. 5.** AS 05.30 is amended by adding a new section to article 2 to read:

15 **Sec. 05.30.060. Regulations authorized.** The division shall adopt

16 (1) regulations for registration of snowmobiles and display of
 17 registration numbers;

18 (2) in cooperation with appropriate federal agencies, uniform maps and
 19 signs to control, direct, or regulate the operation and use of snowmobiles;

20 (3) regulations for the use of snowmobiles, consistent with the
 21 provisions of this chapter.

22 * **Sec. 6.** AS 05.30.070 is repealed and reenacted to read:

23 **Sec. 05.30.070. Regulation by political subdivision.** A city of any class, or
 24 an organized borough in the area outside cities, may, by ordinance, regulate the use
 25 and operation of snowmobiles on public land, water, and property under its jurisdiction
 26 and on streets and highways within its boundaries if the regulation is consistent with
 27 the provisions of this chapter.

28 * **Sec. 7.** AS 05.30.080(a) is amended to read:

29 (a) A snowmobile [SNOW VEHICLE] must contain the following equipment:

30 (1) brakes adequate to control the movement of and to stop and to hold
 31 the vehicle under normal conditions of operation;

1 (2) at least one **lighted** head lamp so aimed and of sufficient intensity
 2 to reveal persons and objects at a distance of at least 100 feet ahead during hours of
 3 darkness under normal atmospheric conditions **and one lighted tail light**;

4 (3) a throttle that, when released by the hand, will return the engine
 5 speed to idle;

6 (4) an exhaust muffler **that emits a noise level not higher than the**
 7 **maximum decibel level prescribed by the manufacturer for the vehicle; this**
 8 **paragraph does not apply to a snowmobile being operated in a racing event** [IN
 9 GOOD WORKING ORDER].

10 * **Sec. 8.** AS 05.30.100 is amended to read:

11 **Sec. 05.30.100. Reporting of accidents.** The operator of a **snowmobile**
 12 [SNOW VEHICLE] involved in an accident resulting in injury to, or death of a person,
 13 or property damage other than to the operator's snow vehicle the estimated amount of
 14 which is **\$500** [\$100] or more, shall immediately, by the quickest means of
 15 communication, give notice of the accident to the nearest state trooper or city police
 16 officer.

17 * **Sec. 9.** AS 05.30.120 is repealed and reenacted to read:

18 **Sec. 05.30.120. Definitions.** In this chapter,

19 (1) "dealer" means a person engaged in the business of selling
 20 snowmobiles at wholesale or retail in this state;

21 (2) "division" means the division in the Department of Natural
 22 Resources that has authority over parks and outdoor recreation;

23 (3) "operate" means to ride in or on and control the operation of a
 24 snowmobile;

25 (4) "operator" means a person who operates or is in actual physical
 26 control of a snowmobile;

27 (5) "owner" means a person, other than a lienholder, having title to a
 28 snowmobile and who is entitled to the use or possession of the snowmobile;

29 (6) "possession" means physical custody of a snowmobile by an owner
 30 of a snowmobile or by an owner of a motor vehicle or trailer on or in which a
 31 snowmobile is placed for the purpose of transport;

1 (7) "snowmobile" means a self-propelled vehicle primarily designed or
2 altered for travel on snow or ice when supported in part by skis, belts, or cleats;
3 "snowmobile" does not include machinery used strictly for the grooming of
4 snowmobile trails or ski slopes.

5 * **Sec. 10.** AS 05.30.020, 05.30.030, 05.30.040, and 05.30.080(b) are repealed.