

**CS FOR HOUSE BILL NO. 231(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 2/6/98

Referred: Finance

Sponsor(s): REPRESENTATIVE MASEK

**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 28 is amended by adding a new chapter to read:

4 **Chapter 39. Snowmobiles.**

5 **Sec. 28.39.010. Snowmobile registration.** Except as provided in this section,  
6 a person may not operate a snowmobile within the state unless the snowmobile has  
7 been registered and numbered as required by this chapter. Registration under this  
8 section is not required for a snowmobile owned by the United States.

9 **Sec. 28.39.020. Authority of department; registration agents; registration**  
10 **applications.** (a) The department is authorized to assign identification numbers and  
11 register snowmobiles.

12 (b) The department shall authorize agents, including snowmobile dealers, to  
13 register snowmobiles. The department may authorize a snowmobile dealer authorized  
14 as an agent for snowmobile registration to issue temporary and permanent registrations,  
15 and to renew registrations.

1 (c) A snowmobile dealer shall require a purchaser of a new or used  
2 snowmobile sold at retail to complete a registration application and pay the registration  
3 fee before the snowmobile leaves the dealer's premises unless the snowmobile is  
4 exempt from registration or a registration fee under this chapter.

5 (d) In a manner set out in this chapter and as may be prescribed by the  
6 department, an authorized agent shall accept a registration application and registration  
7 fee, issue a registration, and forward the application and registration fee to the  
8 department.

9 (e) The original and each renewal registration fee for a snowmobile is as  
10 provided under AS 28.10.421.

11 **Sec. 28.39.030. Proof of ownership for registration purposes.** The  
12 department shall require proof of ownership of the snowmobile before registering a  
13 snowmobile under this chapter.

14 **Sec. 28.39.040. Issuance of a certificate of registration and decals;  
15 inspection of registration; expiration of registration.** (a) Upon receipt of a  
16 completed application for registration of a snowmobile, the department shall record the  
17 registration of the snowmobile under a number assigned to the snowmobile by the  
18 department. A number assigned to a snowmobile at the time of the original  
19 registration must remain with the snowmobile until the snowmobile is destroyed,  
20 abandoned, or permanently removed from the state or until the registration number is  
21 changed or terminated by the department.

22 (b) The department shall issue a registration without the payment of a fee if  
23 the snowmobile is owned by a state agency, a political subdivision of the state, or  
24 another state. The department may, upon request, issue a registration without the  
25 payment of a fee if the snowmobile is owned by the United States.

26 (c) The department shall, upon assignment of a registration number, issue and  
27 deliver to the owner a certificate of registration in a form prescribed by the  
28 department. A certificate of registration is not valid unless it is signed by the person  
29 who signed the application for registration.

30 (d) At the issuance of the original certificate of registration and upon biennial  
31 renewal, the department shall issue to the registrant a validation decal indicating the

1 validity of the current registration and the expiration date. A validation decal must be  
 2 affixed to the snowmobile in the manner prescribed by the department. A snowmobile  
 3 is not validly registered under this chapter unless a validation decal and current  
 4 registration have been issued as required by this section.

5 (e) The department may refuse to register a snowmobile if the snowmobile  
 6 does not comply with the equipment requirements under AS 28.39.070.

7 (f) A snowmobile shall display the registration number assigned to it at all  
 8 times in the manner prescribed by the department.

9 (g) While operating a snowmobile that is required to be registered under this  
 10 chapter, a person shall have in possession or carry in the snowmobile a valid  
 11 registration. Upon demand by a peace officer authorized to enforce this chapter, a  
 12 person operating a snowmobile shall produce for inspection the certificate of  
 13 registration for the snowmobile and furnish to the peace officer any information  
 14 necessary for the identification of the snowmobile and its owner.

15 (h) A snowmobile owner holding a certificate of registration shall notify the  
 16 department in writing of a change of residence within 15 days after the change occurs.

17 (i) 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 department.

20 (j) The department may issue a replacement certificate of registration if the  
 21 owner demonstrates to the department that the original certificate has been lost,  
 22 mutilated, or destroyed.

23 **Sec. 28.39.050. Termination of ownership; used snowmobiles held for**  
 24 **resale; termination of use.** (a) If there is a change of ownership of a snowmobile,  
 25 the seller and buyer shall fill out the transfer of ownership section of the registration,  
 26 and the seller shall sign over the registration to the new owner. The seller shall  
 27 promptly submit the transfer of ownership section to the department, and the  
 28 department shall issue a new certificate of registration to the new owner.

29 (b) This chapter does not require a snowmobile dealer to renew the registration  
 30 of a used snowmobile held solely for purposes of resale until the snowmobile is resold.

31 (c) An owner of a snowmobile registered under this chapter shall notify the

1 department in writing of the termination of use, destruction, or permanent removal of  
2 the snowmobile from the state within 15 days after the termination of use, destruction,  
3 or removal.

4 **Sec. 28.39.060. Regulations authorized.** The commissioner shall adopt  
5 regulations governing the registration of snowmobiles and display of registration  
6 numbers on snowmobiles as may be necessary to carry out this chapter.

7 **Sec. 28.39.070. Equipment required.** (a) A snowmobile must contain the  
8 following equipment:

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

11 (2) at least one automatically illuminating head lamp that is aimed and  
12 is of sufficient intensity to reveal persons and objects at a distance of at least 100 feet  
13 ahead during hours of darkness under normal atmospheric conditions and one  
14 automatically illuminated tail light;

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

17 (4) an exhaust muffler that emits a noise level not higher than the  
18 maximum decibel level prescribed by the manufacturer for the snowmobile.

19 (b) The provisions of (a)(4) of this section do not apply to a snowmobile while  
20 the snowmobile is operated in a racing event permitted under AS 05.90.001.

21 **Sec. 28.39.080. Reporting of accidents.** The operator of a snowmobile  
22 involved in an accident resulting in injury to or death of a person, or property damage  
23 other than to the operator's snowmobile, the estimated amount of which is \$500 or  
24 more, shall immediately, by the quickest means of communication, give notice of the  
25 accident to the nearest state trooper or municipal police officer.

26 **Sec. 28.39.250. Definitions.** In this chapter,

27 (1) "commissioner" means the commissioner of administration;

28 (2) "dealer" means a person engaged in the business of selling  
29 snowmobiles predominantly for purposes other than resale;

30 (3) "department" means the Department of Administration;

31 (4) "operate" means to ride in or on and control the operation of a

1 snowmobile;

2 (5) "operator" means a person who operates or is in actual physical  
3 control of a snowmobile;

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

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

9 (8) "retail" means the sale of a snowmobile for any purpose other than  
10 resale;

11 (9) "season" means one calendar year beginning October 1 and ending  
12 September 30;

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

17 \* **Sec. 2.** AS 05.30 is repealed.