

**HOUSE BILL NO. 343**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE DAVIS

Introduced: 1/23/98

Referred: Transportation

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act excluding certain motor vehicles from the definition of commercial motor  
2 vehicle."

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

4 \* **Section 1.** AS 28.40.100(a)(2) is amended to read:

5 (2) "commercial motor vehicle" means a motor vehicle or a  
6 combination of a motor vehicle and one or more other vehicles

7 (A) used to transport passengers or property;

8 (B) used upon a land highway or vehicular way; and

9 (C) that

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

12 (ii) is designed to transport more than 15 passengers,  
13 including the driver; or

14 (iii) is used in the transportation of materials found by

1 the United States Secretary of Transportation to be hazardous for  
2 purposes of 49 U.S.C. 1801 - 1813 (Hazardous Materials Transportation  
3 Act);

4 (D) except that the following vehicles meeting the criteria in  
5 (A) - (C) of this paragraph are not commercial vehicles:

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

8 (ii) farm vehicles that are controlled and operated by a  
9 farmer; used to transport agricultural products, farm machinery, or farm  
10 supplies to or from that farmer's farm; not used in the operations of a  
11 common or contract motor carrier; and used within 150 miles of the  
12 farmer's farm; [AND]

13 (iii) recreational vehicles used exclusively for purposes  
14 other than commercial purposes; **or**

15 **(iv) construction vehicles not intended to be used to**  
16 **transport passengers or property on a highway or vehicular way**  
17 **that are being driven on a highway or vehicular way in order to**  
18 **relocate the vehicle to a job site, and the job site is within 150 miles**  
19 **of the vehicle owner's principal place of business;**