

ALASKA STATE LEGISLATURE
HOUSE TRANSPORTATION STANDING COMMITTEE

April 2, 2002

1:07 p.m.

MEMBERS PRESENT

Representative Vic Kohring, Chair
Representative Beverly Masek, Vice Chair
Representative Drew Scalzi
Representative Peggy Wilson
Representative Mary Kapsner

MEMBERS ABSENT

Representative Scott Ogan
Representative Albert Kookesh

COMMITTEE CALENDAR

HOUSE BILL NO. 507

"An Act naming the Trooper Roelle Memorial Weigh Station and the Officer Wollam Memorial Bike Trail; and providing for an effective date."

- MOVED CSHB 507(TRA) OUT OF COMMITTEE

OVERVIEW: PARKS HIGHWAY CORRIDOR STUDY

HOUSE BILL NO. 510

"An Act relating to the regulation of commercial motor vehicles to avoid loss or withholding of federal highway money, and to out-of-service orders concerning commercial motor vehicles; amending Rule 43.1, Alaska Rules of Administration; and providing for an effective date."

- MOVED HB 510 OUT OF COMMITTEE

PREVIOUS ACTION

BILL: HB 507

SHORT TITLE:NAMING WEIGH STATION AND BIKE TRAIL

SPONSOR(S): RLS

Jrn-Date	Jrn-Page		Action
03/19/02	2603	(H)	READ THE FIRST TIME - REFERRALS

03/19/02	2603	(H)	TRA
03/28/02		(H)	TRA AT 1:00 PM CAPITOL 17
03/28/02		(H)	-- Meeting Canceled --
04/02/02		(H)	TRA AT 1:00 PM CAPITOL 17

BILL: HB 510

SHORT TITLE: COMMERCIAL MOTOR VEHICLES: REGULATIONS

SPONSOR(S): TRANSPORTATION

Jrn-Date	Jrn-Page		Action
03/22/02	2644	(H)	READ THE FIRST TIME - REFERRALS
03/22/02	2644	(H)	TRA, JUD
03/28/02		(H)	TRA AT 1:00 PM CAPITOL 17
03/28/02		(H)	-- Meeting Canceled --
04/02/02		(H)	TRA AT 1:00 PM CAPITOL 17

WITNESS REGISTER

JUDY OHMER, Staff
to Representative Pete Kott
Alaska State Legislature
Capitol Building, Room 204
Juneau, Alaska 99801

POSITION STATEMENT: Presented the sponsor statement to HB 507 on behalf of Representative Kott, chair of the House Rules Standing Committee, sponsor of the legislation.

DENNIS POSHARD, Legislative Liaison
Office of the Commissioner
Department of Transportation & Public Facilities
3132 Channel Drive
Juneau, Alaska 99801-7898

POSITION STATEMENT: Gave the department's support to HB 507; asked that HB 510 be forwarded on behalf of the department.

FRANK DILLON
Alaska Trucking Association
3443 Minnesota Drive
Anchorage, Alaska 99503

POSITION STATEMENT: Testified in support of HB 507 and HB 510.

BRAD BROWN
Do Right Trucking
2200 Shore Drive
Anchorage, Alaska 99515

POSITION STATEMENT: Testified in support of HB 507.

JENNIFER WILSON, Regional Planning Manager
Central Region Planning
Department of Transportation & Public Facilities
P.O. Box 196900
Anchorage, Alaska 99519-6900

POSITION STATEMENT: Presented overview on the Parks Highway Corridor Study and answered questions.

JOHN TOLLEY, Chief
Planning & Administrative Services
Department of Transportation & Public Facilities
P.O. Box 196900, Mail Stop 2525
Anchorage, Alaska 99519-6900

POSITION STATEMENT: Answered question during the overview on the Parks Highway Corridor Study.

DAN SENTZ
(No address provided)
Wasilla, Alaska 99687

POSITION STATEMENT: Testified during the overview on the Parks Highway Corridor Study.

AVES THOMPSON, Director
Division of Measurement Standards & Commercial Vehicle Enforcement
Department of Transportation & Public Facilities
12050 Industry Way
Anchorage, Alaska 99515-3512

POSITION STATEMENT: Presented HB 510 and testified in support of the legislation.

BARBARA HUFF TUCKNESS, Director
Legislative and Governmental Affairs
Teamsters Local 959
520 East 34th
Anchorage, Alaska 99503

POSITION STATEMENT: Testified in favor of HB 510.

ACTION NARRATIVE

TAPE 02-10, SIDE A
Number 0001

CHAIR VIC KOHRING called the House Transportation Standing Committee meeting to order at 1:07 p.m. Members present at the call to order were Representatives Kohring, Scalzi, Masek, and

Kapsner. Representative Wilson joined the meeting as it was in progress.

HB 507-NAMING WEIGH STATION AND BIKE TRAIL

CHAIR KOHRING announced that the first matter before the committee would be HOUSE BILL NO. 507, "An Act naming the Trooper Roelle Memorial Weigh Station and the Officer Wollam Memorial Bike Trail; and providing for an effective date."

Number 0185

JUDY OHMER, Staff to Representative Pete Kott, Alaska State Legislature, presented HB 507 on behalf of Representative Kott, chair of the House Rules Standing Committee, which had sponsored the legislation. She said HB 507 is a commemorative bill that honors some of Alaska's fallen heroes who gave their lives in the service of others. The bill names the northbound weigh station at mile 10.6 of the Glenn Highway after Trooper Hans-Peter Lothar Roelle, and names the Glenn Highway Bike Trail after Officer [Justin Todd] Wollam.

MS. OHMER said Trooper Roelle is remembered for his dedication to his work and devotion to his family. Two of the letters in the bill packet are from his children, conveying memories of him. She also told of the love and support expressed by his co-workers and neighbors. Ms. Ohmer quoted from one of the letters, "Hans' commitment led him to pay the ultimate price of giving his life for the sake of others. This is truly an example of unquestionable love of mankind and heroism."

MS. OHMER told of the large number of not just patrol cars, but also 18-wheel trucks at Trooper Roelle's funeral. She called him a model of bravery and a hero in both life and death. She said his children want all the people who drive by the Glenn Highway Weigh Station to remember their father.

Number 0390

MS. OHMER informed members that Officer [Justin] Todd Wollam is remembered for his outstanding service to the community and his love of family. He'd quickly earned the admiration of his fellow officers with his enthusiasm for law enforcement and his special way with people. She said Officer Wollam was killed in the line of duty, making the ultimate sacrifice.

MS. OHMER told of a sign at a recent memorial service that read: "Not all heroes live in New York." She said HB 507 provides a fitting tribute to these great Alaskans and acknowledges the continuing appreciation of the state, and a visual remembrance. Acknowledging these officers reaffirms the values of the community and country, and is responding to what another trooper called "the better angels of our nature."

Number 0465

CHAIR KOHRING noted that [their deaths were] a great loss to the communities of Anchorage and the Mat-Su area, and that he considered both officers heroes. He said HB 507 would provide a fitting tribute.

Number 0490

DENNIS POSHARD, Legislative Liaison, Office of the Commissioner, Department of Transportation & Public Facilities, testified before the committee. He told the committee the department had no objection to the bill and said it had worked with the area police and trooper associations to erect signage in the area. He said the bike path to be renamed would be rebuilt in 2003. A plaque would be placed at an appropriate pull-off.

Number 0610

MS. OHMER asked if the committee would want to add the full name of Officer Wollam to the bill. It would be changed to "Officer [Justin] Todd Wollam".

CHAIR KOHRING said he thought it would be prudent to put both full names in the bill for the sake of consistency.

Number 0638

CHAIR KOHRING offered the foregoing as a conceptual amendment. There being no objection, [conceptual Amendment 1] was adopted.

Number 0657

REPRESENTATIVE MASEK offered [Amendment 2, 22-LS1601\A.1, Chenoweth, 4/2/02], which read:

Page 1, line 1, following "**Station**":
Delete "**and**"
Insert " , "

Page 1, line 2, following "Trail":

Insert ", and the Joseph L. Perkins Bridge"

Page 1, following line 9:

Insert new material to read:

"**Sec. 35.40.160. Joseph L. Perkins Bridge.** The bridge at mile 56.5 of the Seward Highway, popularly known as the Canyon Creek Bridge, is named the Joseph L. Perkins Bridge."

REPRESENTATIVE MASEK explained that it is a fitting amendment because Commissioner Perkins [of the Department of Transportation and Public Facilities] has done a great job statewide for the transportation system. She said Alaskans could take pride in seeing the bridge named after Commissioner Perkins.

Number 0831

CHAIR KOHRING asked whether there was any objection. There being no objection, [Amendment 2] was adopted.

Number 0841

REPRESENTATIVE MASEK moved to report HB 507, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 507(TRA) was moved out of the House Transportation Standing Committee.

CHAIR KOHRING returned the committee's attention to testimony on the bill.

Number 0882

FRANK DILLON, Alaska Trucking Association, testified via teleconference. He said the trucking industry is pleased to see recognition of Trooper Roelle and Commissioner Perkins.

Number 0918

BRAD BROWN, Do Right Trucking, testified via teleconference. He said the industry and the law-enforcement community appreciate the recognition for Officers Wollam and Roelle. [CSHB 507(TRA) was moved out of committee.]

OVERVIEW: PARKS HIGHWAY CORRIDOR STUDY

Number 0970

CHAIR KOHRING announced that the next matter before the committee would be an overview on the Parks Highway Corridor Study.

Number 1026

JENNIFER WILSON, Regional Planning Manager, Central Region Planning, Department of Transportation & Public Facilities (DOT&PF), testified via teleconference. She told the committee of the department's role in providing a corridor plan in partnership with industry. She said the department is developing a long-range vision for the Parks Highway that would include a four-lane, divided freeway with controlled access and interchanges at major connections. The department is focusing on "mid-term" improvements needed over the next 30 years. Ms. Wilson told about a 35-member "corridor advisory group" made up of various interests in the public and private sector. She also informed the committee of a draft scoping document that is a vision for the mid-term future of the Parks Highway's needs. She mentioned a few specific projects.

Number 1223

MS. WILSON told the committee that research has revealed the difficulty in using federal highway money to purchase the right-of-way in advance of a project. She noted that there are other options for advanced purchase such as state or local funding.

Number 1323

CHAIR KOHRING asked about controlled access and whether DOT&PF would accommodate communities on the road.

Number 1368

JOHN TOLLEY, Chief, Planning & Administrative Services, Department of Transportation & Public Facilities, testified via teleconference. He answered by saying there must be a balanced approach with a variety of applications in each case. He said limited access would be far in the future, but should be considered.

CHAIR KOHRING reminded Mr. Tolley that reasonable access must be provided for towns like Wasilla so that businesses are not harmed.

Number 1575

DAN SENTZ testified via teleconference. Noting that he had property on the Parks Highway, he expressed concern about "a resistance to use the areas that are good" for access to the highway. He asked if areas that have had highway upgrades could be granted highway access.

MS. WILSON answered by giving list of methods that could be used to protect transportation needs within a corridor. High-volume corridors are routinely limited in the number of access points. She told Mr. Sentz that the department is looking forward to 2030. Ms. Wilson spoke of the need for close coordination between state and local governments in order to make access less problematic.

MR. SENTZ asked a rhetorical question about plat notes and zoning. He said his property was being held hostage and mentioned outdated plat notes.

CHAIR KOHRING concluded by saying he would like to make DOT&PF aware of businesses and property owners along the highway, and to have it be reasonable in allowance of access relating to property, businesses, and the highway.

HB 510-COMMERCIAL MOTOR VEHICLES:REGULATIONS

Number 1933

CHAIR KOHRING announced the final matter before the committee, HOUSE BILL NO. 510, "An Act relating to the regulation of commercial motor vehicles to avoid loss or withholding of federal highway money, and to out-of-service orders concerning commercial motor vehicles; amending Rule 43.1, Alaska Rules of Administration; and providing for an effective date."

Number 1948

DENNIS POSHARD, Legislative Liaison, Office of the Commissioner, Department of Transportation & Public Facilities (DOT&PF), testified before the committee. He said he would yield testimony to Aves Thompson, who had brought the legislation to

the commissioner's attention. He asked that the bill be forwarded on behalf of the department.

Number 1994

AVES THOMPSON, Director, Division of Measurement Standards & Commercial Vehicle Enforcement, Department of Transportation & Public Facilities, gave a summary of what his division does. He said HB 510 completes the consolidation of "the truck size, weight, safety, and permitting regulatory program" that was started with Executive Order 98. He said the authority to promulgate regulations for driver/vehicle safety requirements and hazardous-materials transport was not transferred and currently resides in the Department of Public Safety (DPS). Therefore, HB 510 transfers that authority to DOT&PF, and also transfers the authority to conduct commercial-motor-vehicle safety inspections from DPS to DOT&PF. Furthermore, it transfers the size, weight, and permit regulations from the Department of Commerce and Economic Development to DOT&PF.

Number 2100

MR. THOMPSON said federal law requires that state motor-vehicle safety regulations be no less stringent than federal law or regulation. If they are found to be less stringent, they are preempted [by federal law]. He said Alaska has avoided that result by referencing the federal motor-carrier safety regulations. He told the committee that hazardous-materials transport regulations follow a similar pattern. Alaska has not received any formal sanctions for its outdated driver/vehicle and hazardous-materials transport regulations. The current state regulations reference federal regulations as they existed in 1995. Mr. Thompson said there are new regulations prepared and ready to go as soon as the legislation becomes effective.

Number 2161

MR. THOMPSON summarized by saying that passage of HB 510 completes the transfer of the regulatory authority over commercial motor vehicles to DOT&PF. It is in the best interest of the state and the trucking industry for the transfer to occur, because those responsible for the adoption of the regulations will also be enforcing the standards. He concluded, "With the changes in HB 510, the trucking industry can realize the objective of 'one-stop shopping' in terms of commercial vehicle operations." He urged the committee to support the bill.

Number 2195

FRANK DILLON, Alaska Trucking Association, testified via teleconference. He agreed that the bill completes the process started by Executive Order 98. He said [the trucking industry] is currently following federal hazardous-materials transport regulations, but the bill allows [DOT&PF] to bring its regulations up to date. He characterized it as an extremely good bill and urged its passage.

Number 2239

BARBARA HUFF TUCKNESS, Director, Legislative and Governmental Affairs, Teamsters Local 959, testified before the committee. She said the bill ties together some loopholes [left over from Executive Order 98]. She voiced strong support for the bill and the fact that it would put all the functions under the purview of one department.

Number 2278

CHAIR KOHRING asked Mr. Thompson what means DOT&PF has to enforce the regulations concerning personnel and so forth.

MR. THOMPSON answered by saying the department has 30 commercial-vehicle-enforcement officers throughout the state who enforce driver/vehicle safety regulations as well as hazardous-materials regulations. He reiterated that the enforcement authority was left behind in DPS by Executive Order 98. This bill would give DOT&PF the authority to promulgate the regulations that its officers enforce.

Number 2365

REPRESENTATIVE WILSON moved to report HB 510 from committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 510 was moved out of the House Transportation Standing Committee.

ADJOURNMENT

There being no further business before the committee, the House Transportation Standing Committee meeting was adjourned at 1:54 p.m.