

**ALASKA STATE LEGISLATURE
HOUSE TRANSPORTATION STANDING COMMITTEE**

March 4, 2003

1:42 p.m.

MEMBERS PRESENT

Representative Jim Holm, Co-Chair
Representative Beverly Masek, Co-Chair
Representative Hugh Fate
Representative Cheryll Heinze

MEMBERS ABSENT

Representative Vic Kohring
Representative Mary Kapsner
Representative Albert Kookesh

COMMITTEE CALENDAR

HOUSE BILL NO. 124

"An Act relating to commercial motor vehicle drivers and their employers and to railroad-highway grade crossings; and providing for an effective date."

- MOVED HB 124 OUT OF COMMITTEE

PREVIOUS ACTION

BILL: HB 124

SHORT TITLE: COMMERCIAL MOTOR VEHICLE DRIVERS/EMPLOYER

SPONSOR(S): REPRESENTATIVE(S)HOLM

Jrn-Date	Jrn-Page		Action
02/24/03	0287	(H)	READ THE FIRST TIME - REFERRALS
02/24/03	0287	(H)	TRA
03/04/03		(H)	TRA AT 1:30 PM CAPITOL 17

WITNESS REGISTER

TODD LARKIN, Staff
to Representative Jim Holm
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the sponsor statement for HB 124.

AVES D. THOMPSON, Director
Division of Measurement Standards
& Commercial Vehicle Enforcement
Department of Transportation & Public Facilities
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 124 and was available to answer questions.

RALPH REYES, Lieutenant
Division of Operations
Alaska State Troopers
Department of Public Safety
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 124.

ACTION NARRATIVE

TAPE 03-6, SIDE A

Number 0001

CO-CHAIR BEVERLY MASEK called the House Transportation Standing Committee meeting to order at 1:42 p.m. Members present at the call to order were Representatives Masek, Holm, Fate, and Heinze. Representatives Kookesh and Kohring were excused.

HB 124-COMMERCIAL MOTOR VEHICLE DRIVERS/EMPLOYER

CO-CHAIR MASEK announced that the first order of business would be HOUSE BILL NO. 124, "An Act relating to commercial motor vehicle drivers and their employers and to railroad-highway grade crossings; and providing for an effective date."

Number 0065

TODD LARKIN, Staff to Representative Jim Holm, Alaska State Legislature, presented the sponsor statement for HB 124 on behalf of Representative Holm, sponsor. He said the bill was relatively straightforward. The administration had noticed an oversight in state statute that would possibly result in the loss of federal highway funding. He explained that basically an employer of a commercial driver could be punished if there was encouragement to break this new aspect of the law. Also, if a driver was to break this new aspect of the law, that person's license could be suspended for 60 days. He said this bill addressed a simple correction that would bring the state into compliance with the federal code. He stated that with those changes, the state would match the existing federal code and

would remain qualified for federal highway funding. He said the fiscal notes received from three departments were all zero. Mr. Larkin said that stopping at railroad-highway grade crossings is already taught to drivers of certain classifications of vehicles. He said that according to federal code, it is illegal to roll through those same grade crossings, but technically it has not been illegal to do so according to Alaska statute; this bill fixes that discrepancy.

REPRESENTATIVE HEINZE agreed that this bill was seemingly straightforward.

Number 0272

CO-CHAIR HOLM, sponsor, referred to the fiscal note from the Division of Measurement Standards and Commercial Vehicle Enforcement, noting that the sanction would withhold 5 percent of the state's annual federal surface transportation funding, which is approximately \$17.5 million a year. He said that, in essence, this legislation conforms to the Federal Highway Administration's Federal Motor Carrier Safety laws.

Number 0339

AVES D. THOMPSON, Director, Division of Measurement Standards & Commercial Vehicle Enforcement, Department of Transportation & Public Facilities (DOT&PF), said he was available to answer any questions, and that DOT&PF is very supportive of this bill.

CO-CHAIR MASEK inquired as to whether there has been any trouble with people stopping at railroad crossings. She said she has noticed school buses, tour buses, and double-tanker commercial trucks stopping at crossings, and asked who else might be affected by this bill.

Number 0403

RALPH REYES, Lieutenant, Division of Operations, Alaska State Troopers, Department of Public Safety, said he has been with the troopers for 21 1/2 years, and has not personally cited anyone for this violation. He said the Department of Public Safety supports this bill 100 percent.

MR. LARKIN pointed out that driver training is such that drivers in the state have already acquired the habit of stopping at railroad-highway grade crossings. He said he doesn't think that drivers or trucking associations would be against this bill

since drivers in the state do not violate this infraction on any regular basis.

Number 0523

CO-CHAIR MASEK noted that Barbara Huff Tuckness, with Legislative and Governmental Affairs for the Teamsters [Local 959], was in the audience and seemed to be in agreement with the stated testimony. She confirmed that Ms. Huff Tuckness was attending the meeting just to listen.

CO-CHAIR MASEK, after asking if anyone else wanted to testify, closed public testimony.

The committee took a brief at-ease from 1:47 to 1:49 p.m.

Number 0585

CO-CHAIR HOLM moved to report HB 124 out of committee with individual recommendations and attached fiscal notes. There being no objection, HB 124 was reported from the House Transportation Standing Committee.

ADJOURNMENT

There being no further business before the committee, the House Transportation Standing Committee meeting was adjourned at 1:50 p.m.