

**ALASKA STATE LEGISLATURE**  
**HOUSE TRANSPORTATION STANDING COMMITTEE**

April 19, 2005

2:59 p.m.

**MEMBERS PRESENT**

Representative Jim Elkins, Co-Chair  
Representative Carl Gatto, Co-Chair  
Representative Bill Thomas  
Representative Woodie Salmon

**MEMBERS ABSENT**

Representative Vic Kohring  
Representative Mark Neuman  
Representative Mary Kapsner

**COMMITTEE CALENDAR**

HOUSE BILL NO. 268

"An Act relating to overtaking and passing certain stationary vehicles."

- MOVED HB 268 OUT OF COMMITTEE

HOUSE BILL NO. 259

"An Act relating to covered or enclosed loads."

- MOVED CSHB 259(TRA) OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: HB 268

SHORT TITLE: OVERTAKING/PASSING STATIONARY VEHICLES

SPONSOR(S): REPRESENTATIVE(S) RAMRAS

04/14/05	(H)	READ THE FIRST TIME - REFERRALS
04/14/05	(H)	TRA, JUD
04/19/05	(H)	TRA AT 1:30 PM CAPITOL 17

BILL: HB 259

SHORT TITLE: TRUCK LOAD REQUIREMENTS

SPONSOR(S): TRANSPORTATION

04/07/05	(H)	READ THE FIRST TIME - REFERRALS
04/07/05	(H)	TRA, FIN

04/12/05 (H) TRA AT 1:30 PM CAPITOL 17  
04/12/05 (H) Scheduled But Not Heard  
04/19/05 (H) TRA AT 1:30 PM CAPITOL 17

#### **WITNESS REGISTER**

BRANDON MAITLEN, Legislative Intern  
to Representative Jay Ramras  
Alaska State Legislature  
Juneau, Alaska

POSITION STATEMENT: Presented HB 268 on behalf of Representative Ramras, sponsor.

NONA WILSON, Legislative Liaison  
Office of the Commissioner  
Department of Transportation & Public Facilities (DOT&PF)  
Juneau, Alaska

POSITION STATEMENT: Offered information on HB 259.

#### **ACTION NARRATIVE**

**CO-CHAIR CARL GATTO** called the House Transportation Standing Committee meeting to order at [2:59:41 PM](#). Representatives Gatto, Elkins, Thomas, and Salmon were present at the call to order.

#### **HB 268 - OVERTAKING/PASSING STATIONARY VEHICLES**

CO-CHAIR GATTO announced that the first order of business would be HOUSE BILL NO. 268 "An Act relating to overtaking and passing certain stationary vehicles."

[3:00:15 PM](#)

BRANDON MAITLEN, Legislative Intern to Representative Jay Ramras, Alaska State Legislature, said on behalf of Representative Ramras that HB 268 is a tool to keep tow truck drivers and animal control workers safe.

[3:01:08 PM](#)

CO-CHAIR GATTO asked about including the community service patrol who have flashing lights and pick up inebriated patients. "They are not officially ambulances," he said.

[3:01:55 PM](#)

MR. MAITLEN said that could be a committee substitute or future legislation.

CO-CHAIR GATTO suggested that Mr. Maitlen speak to his boss about adding community service patrols to the bill. He said he assumes private ambulances would be covered.

[3:03:05 PM](#)

REPRESENTATIVE THOMAS moved to report HB 268 out of committee with individual recommendations and the zero fiscal note. There being no objection, HB 268 was reported from the House Transportation Standing Committee.

HB 259 - TRUCK LOAD REQUIREMENTS

[3:03:41 PM](#)

CO-CHAIR GATTO announced that the final order of business would be HOUSE BILL NO. 259 "An Act relating to covered or enclosed loads." [Although no formal motion was made, the committee appeared to be referring to a proposed committee substitute (CS) for HB 259 (TRA), Version 24-LS0833\Y, which was included in members' packets.]

CO-CHAIR GATTO, speaking as co-chair of the House Transportation Standing Committee, sponsor of HB 259, said much of the bill is housekeeping. He noted that there is intense building activity in Anchorage, and there are numerous uncovered gravel trucks. The loads cannot extend higher than six inches, he said, but it always does. At high speeds the gravel flies off the truck, and he said, "It is almost impossible to get through a year without a cracked windshield." Existing language requires loads to be contained or confined, but legally that may just mean confined but not covered. The bill changes the language from "contained or confined" to "covered or enclosed". He clarified that pickups that weigh 9200 pounds or less are exempted. There are exemptions for sanders, he noted, and asked if trucks filled with snow would also be exempted.

[3:07:46 PM](#)

REPRESENTATIVE THOMAS suggested the committee clarify the bill by adding the words, "excluding snow".

[3:08:04 PM](#)

CO-CHAIR GATTO suggested that such an amendment would add "excluding snow" after "rock," on page 1, line 5.

[3:08:27 PM](#)

REPRESENTATIVE THOMAS made a motion to adopt the foregoing as Amendment 1.

[3:08:50 PM](#)

NONA WILSON, Legislative Liaison, Department of Transportation & Public Facilities (DOT&PF), said DOT&PF's eight-yard dump trucks are convertible, able to haul gravel in the summer and snow in the winter. So there wouldn't be a reduction in the fiscal note by excluding snow.

[3:11:37 PM](#)

CO-CHAIR GATTO asked whether there were objections to Amendment 1. There being none, Amendment 1 was adopted.

REPRESENTATIVE THOMAS made a motion to adopt Amendment 2 as follows:

Page 1, line 13, after "highway."

Insert "The requirements of this section do not apply to communities which are not connected by continuous state or federal highways to Anchorage or communities of less than 5,000 population unless specifically adopted by local or state traffic control plans."

[3:12:29 PM](#)

CO-CHAIR GATTO, characterizing Amendment 2 as perfectly drafted totally understandable, asked whether there were any objections to Amendment 2. There being no objection, Amendment 2 was adopted.

[3:12:48 PM](#)

MS. WILSON said covered loads are usually only needed when a vehicle is overloaded. She noted that trash flies out of smaller vehicles.

[3:14:44 PM](#)

MS. WILSON said the DOT&PF owns and operates 228 eight-yard dump trucks, and a fully automatic cover is \$2,300. There would be an expenditure of \$525,000 initially, she stated.

REPRESENTATIVE THOMAS asked about the rural exclusion.

MS. WILSON said those trucks will be subtracted.

[3:15:31 PM](#)

REPRESENTATIVE THOMAS said truckers in smaller communities tend to clean the debris up.

[3:15:47 PM](#)

REPRESENTATIVE SALMON asked if there have to be covers over dump trucks.

CO-CHAIR GATTO said yes.

REPRESENTATIVE SALMON asked if a dump truck would need a cover.

CO-CHAIR GATTO described automatic covers.

MS. WILSON said there are also manual tarps that cost \$1,600.

[3:17:06 PM](#)

REPRESENTATIVE THOMAS noted that there are local ordinances to cover litter in a truck.

CO-CHAIR GATTO said dump fees are higher for uncovered trash.

[3:18:28 PM](#)

REPRESENTATIVE THOMAS moved to report [the proposed CS for HB 259, Version 24-LS0833\Y, as amended,] out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 259(TRA) 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 [3:18:55 PM](#).