

SENATE CS FOR CS FOR HOUSE BILL NO. 184(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 5/11/07

Referred: Finance

Sponsor(s): REPRESENTATIVES ROSES, Lynn, Dahlstrom, Gara, Johnson, Seaton, Olson, Fairclough

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to a commemorative troops license plate and to license plates available**
2 **to disabled veterans; relating to mandatory motor vehicle insurance, license suspensions,**
3 **and notices relating to motor vehicles and driver's licenses; relating to registration of**
4 **vehicles for disabled persons; relating to the anatomical gift awareness fund; and**
5 **providing for an effective date."**

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

7 *** Section 1.** AS 13.50.160(d) is amended to read:

8 (d) Money appropriated to or for use by the fund may be spent for the
9 purposes of the fund without further appropriation. **The annual estimated balance in**
10 **the account may be appropriated by the legislature to Life Alaska, Inc.**

11 *** Sec. 2.** AS 28.05.071 is amended by adding a new subsection to read:

12 (b) A person convicted of a violation of (a) of this section is guilty of an
13 infraction punishable by a fine not to exceed \$300.

1 * **Sec. 3.** AS 28.10.181(d) is amended to read:

2 (d) Vehicles owned by veterans with disabilities, including persons disabled in
 3 the line of duty while serving in the Alaska Territorial Guard, or other persons with
 4 disabilities. Upon the request of a person with a disability that limits or impairs the
 5 ability to walk, as defined in 23 C.F.R. 1235.2, the department shall (1) register one
 6 motor vehicle in the name of the person without charge; and (2) issue a specially
 7 designed registration plate that displays (A) recognition of the disabled veteran if the
 8 applicant's disability originated from the applicant's service with the Alaska Territorial
 9 Guard or the armed forces of the United States; (B) the international symbol of
 10 accessibility (the wheelchair logo); and (C) if the applicant is a veteran, the Alaska and
 11 United States flags and red, white, and blue colors. A person who is not otherwise
 12 qualified under this subsection, but who meets the qualifications of a disabled veteran
 13 under AS 29.45.030(i), may register one motor vehicle without charge, and the
 14 department shall issue a specially designed registration plate that displays recognition
 15 of the disabled veteran that does not display the international symbol of accessibility
 16 and does not carry with it special parking privileges. **A disabled veteran who**
 17 **otherwise qualifies for a registration plate under this subsection may elect to**
 18 **receive a plate under (p) or (q) of this section for which the person is otherwise**
 19 **qualified that does not display the international symbol of accessibility and does**
 20 **not carry with it special parking privileges. A disabled person who otherwise**
 21 **qualifies for a registration plate under (2)(B) of this subsection may elect to**
 22 **receive a plate under another provision of this section for which the person is**
 23 **otherwise qualified that does not display the international symbol of accessibility**
 24 **and does not carry with it special parking privileges.** For purposes of this
 25 subsection, proof of disability may be provided by a person licensed as a physician or
 26 physician assistant under AS 08.64 or as an advanced nurse practitioner under
 27 AS 08.68.

28 * **Sec. 4.** AS 28.10.181 is amended by adding a new subsection to read:

29 (x) Special request plates commemorating and supporting troops. Upon
 30 application by the owner of a motor vehicle, the department may issue registration
 31 plates commemorating and supporting troops. The commissioner, in consultation with

1 Support Our Troops, Inc. shall determine the design and color of the plates. The
2 department may disapprove the issuance of registration plates under this subsection
3 when the requested plates are a duplication of an existing registration. "Support Our
4 Troops" shall appear at the bottom of the plate and may be alternated with "Support
5 Our Heroes" if Support Our Troops, Inc., approves the use of terms and agrees to be
6 responsible for any costs incurred from lack of sale of plates.

7 * **Sec. 5.** AS 28.10.411(f) is amended to read:

8 (f) A resident 65 years of age or older on January 1 of the year the vehicle is
9 registered or a resident with a disability that limits or impairs the ability to walk
10 and who provides proof of that disability as provided in 23 C.F.R. 1235.2 is
11 entitled to an exemption from the registration fee required under this section for one
12 vehicle subject to registration under AS 28.10.421(b)(1), (2), (5), or (6). An exemption
13 may not be granted except upon written application for the exemption on a form
14 prescribed by the department.

15 * **Sec. 6.** AS 28.10.421(d) is amended by adding a new paragraph to read:

16 (17) special request plates commemorating and supporting troops
17 \$40
18 plus the fee required for that vehicle under (b), (c), (h), or (i) of this section; the \$40
19 fee required by this paragraph shall be collected on issuance and biennial renewal in
20 the same manner as the fee required under (b), (c), (h), or (i) of this section; the
21 commissioner of administration shall separately account for the fees received under
22 this paragraph that the department deposits in the general fund; notwithstanding (g) of
23 this section, the annual estimated balance in the account that is in excess of the cost of
24 issuing special request plates may be appropriated by the legislature to the
25 organization for which the specialty license plate was purchased for the benefit of
26 Alaska troops and their families.

27 * **Sec. 7.** AS 28.15.291 is amended by adding a new subsection to read:

28 (d) It is an affirmative defense to a prosecution under (a) of this section that
29 the person's license was suspended under AS 28.22.041 and the person provides proof
30 of liability insurance meeting the requirements of AS 28.22 and proof that the
31 insurance was in effect at the time of the accident that led to the suspension.

1 * **Sec. 8.** AS 28.22.019 is amended by adding a new subsection to read:

2 (d) A person convicted under this section is guilty of a class B misdemeanor
3 and may be punished as provided in AS 12.55, except that a fine of at least \$500 must
4 be imposed.

5 * **Sec. 9.** AS 28.22.041(f) is amended to read:

6 (f) The department shall notify the licensee that the suspension becomes
7 effective 30 days from the date of the notice and that the licensee has the right, within
8 the 30-day period, to make an oral or written answer controverting any point or issue,
9 or to present evidence and arguments for the consideration of the department.

10 **Notwithstanding AS 28.05.121, the department shall provide this notice to the**
11 **address that appears to be the most recently provided from among the following:**

12 **(1) the address the department has for the person;**

13 **(2) the address shown on the report of the accident.**

14 * **Sec. 10.** Sections 3 - 6 of this Act take effect July 1, 2007.