

**ALASKA STATE LEGISLATURE
JOINT MEETING
HOUSE TRANSPORTATION STANDING COMMITTEE
HOUSE JUDICIARY STANDING COMMITTEE**

September 1, 2009
10:37 a.m.

MEMBERS PRESENT

HOUSE TRANSPORTATION

Representative Peggy P. Wilson, Chair
Representative Craig Johnson, Vice Chair
Representative Kyle Johansen
Representative Cathy Engstrom Munoz
Representative Mike Doogan
Representative Max Gruenberg

HOUSE JUDICIARY

Representative Jay Ramras, Chair
Representative Nancy Dahlstrom, Vice Chair
Representative Max Gruenberg
Representative Lindsey Holmes
Representative Bob Lynn

MEMBERS ABSENT

HOUSE TRANSPORTATION

Representative John Harris

HOUSE JUDICIARY

Representative Carl Gatto
Representative John Coghill

COMMITTEE CALENDAR

OVERVIEW(S)

Alaska Highway Safety Corridors
Testimony from the Department of Public Safety,
and the Department of Transportation & Public Facilities

HEARD

PREVIOUS COMMITTEE ACTION

No Previous Action to record

WITNESS REGISTER

GORDON KEITH, Regional Director

Central Region

Department of Transportation & Public Facilities (DOT&PF)

Anchorage, Alaska

POSITION STATEMENT: Testified during the overview of the Alaska Highway Safety Corridors.

RON MARTINDALE, Highway Safety Improvement Coordinator

Central Region

Department of Transportation & Public Facilities (DOT&PF)

Anchorage, Alaska

POSITION STATEMENT: Presented a PowerPoint overview on the statistics and evaluation of traffic safety corridors and answered questions.

FRANK RICHARDS, Deputy Commissioner

Office of the Commissioner

Department of Transportation & Public Facilities (DOT&PF)

Juneau, Alaska

POSITION STATEMENT: Answered questions during the DOT&PF presentation on Highway Safety Corridors.

JOE MASTERS, Commissioner

Department of Public Safety (DPS)

Anchorage, Alaska

POSITION STATEMENT: Answered questions during the overview on Highway Safety Corridors.

MR. HANS BRINKE, Captain; Commander

Bureau of Highway Patrol

Alaska State Troopers (AST)

Department of Public Safety (DPS)

Anchorage, Alaska

POSITION STATEMENT: Presented and answered questions during the DPS overview on highway safety.

BARRY WILSON, Lieutenant

Search and Rescue; Public Information Office

Alaska State Troopers (AST)

Department of Public Safety (DPS)

Anchorage, Alaska

POSITION STATEMENT: Presented a PowerPoint overview on the Highway Safety Corridors and answered questions.

MARY SIROKY, Legislative Liaison

Office of the Commissioner

Department of Transportation & Public Facilities (DOT&PF)

Juneau, Alaska

POSITION STATEMENT: Testified and answered questions during the discussion of the Highway Safety Corridors.

ACTION NARRATIVE

[10:37:51 AM](#)

CHAIR JAY RAMRAS called the joint meeting of the House Transportation Standing Committee and the House Judiciary Standing Committee to order at 10:37 a.m. Representatives Crawford, Dahlstrom, Doogan, Gruenberg, Holmes, Johansen, Millett, Munoz, Olson, Wilson, and Ramras were present at the call to order. Representatives Johnson and Lynn arrived as the meeting was in progress. Representatives Crawford, Guttenberg (via teleconference) Hawker, Millett, and Olson were also in attendance.

[10:38:19 AM](#)

Overview: Alaska Highway Safety Corridors; Testimony by the Department of Transportation & Public Facilities

[10:39:24 AM](#)

CHAIR RAMRAS announced that the first order of business would be an overview on the Alaska Highway Safety Corridors and testimony by the Department of Transportation & Public Facilities (DOT&PF).

CHAIR WILSON remarked that she is anxious to hear the facts from the departments.

[10:41:13 AM](#)

GORDON KEITH, Regional Director, Central Region, Department of Transportation & Public Facilities (DOT&PF), said that despite the best efforts of the DOT&PF and the Alaska Highway Safety office, people still suffer serious injuries and fatalities. The number of fatalities to date this year appear to be the lowest in recent years at 40 deaths. Using the total number of deaths in 2009 and extrapolating the projected total would be 60

highway fatalities. He compared the 2009 total fatalities with other years: 63 in 2008, 98 in 2003, and 101 in 2004. Even so, too many Alaskans are dying on our highways, he said.

MR. KEITH explained that statistically, 67 percent of the people live in the Central region, including Anchorage, the Matanuska-Susitna Borough, and the Kenai area. By definition, traffic safety zones are rural two-lane highways with an average daily traffic of at least 2,000, and a serious injury or fatality rate that is higher than the national or state traffic standards. The four designated Traffic Safety Corridors in Alaska have one common characteristic: congestion. The volume of traffic in these corridors is greater than the capacity of the road. A general rule of thumb for capacity is that a two-lane highway can carry about 12,000 cars per day. The Parks Highway from Wasilla to Big Lake routinely carries 19,000 to 20,000 cars per day; the traffic volume for the Seward Highway is similar, and both highways are over capacity by 67 percent. Given those levels of traffic, some people drive aggressively. They will tailgate or take chances on passing and enter oncoming lanes of traffic, which creates an unforgiving situation. If a driver gets even slightly distracted, an accident can happen; whereas when a driver travels on a lower-volume roadway and gets distracted he/she is less likely to hit another vehicle. For these reasons: the rate of accidents and congestion; the DOT&PF Central region created four Traffic Safety Corridors or zones. In 2006, the legislature passed Senate Bill 261, to allow for safety corridors, patterned after Oregon and New Mexico, who successfully use safety zones. The four traffic corridors are: Seward Highway - Potter to Girdwood, Parks Highway - Big Lake to Wasilla, Knik/Goose Bay Road, and the Sterling Highway - Sterling to Soldotna.

CHAIR RAMRAS surmised that the driving under the influence (DUI) laws show the public's tolerance for traffic fatalities has decreased faster than public safety measures taken to protect its citizens. Public safety is a core charge in the constitution for transportation and public safety, he stated.

[10:48:11 AM](#)

RON MARTINDALE, Highway Safety Improvement Coordinator, Central Region, Department of Transportation & Public Facilities (DOT&PF), began his PowerPoint presentation by reviewing the 1977 - 2009 statewide fatal crash statistics [slide 1]. He pointed out the green line on the graph indicates traffic increases, the blue line the number of crashes, and the red line

the number of fatalities. The number of major injuries and fatalities are reducing but it is never enough, he related.

MR. MARTINDALE referred to the next three slides with maps that contain squares to identify the concentration of crashes in the Seward Highway from Anchorage to the Seward "Y," the Sterling Highway from the "Y" to Soldotna, and the Glenn & Parks Highway intersection in the Matanuska-Susitna Borough. He pointed out the patchwork of dots that identifies the concentration of accidents. The red dots refer to fatal crashes and the blue dots to crashes with major injuries. He described the DOT&PF's goal to reduce major accidents and fatalities to zero. He pointed out the reduction of Central region train/vehicle crashes, which ranged from a high of 28 in 1983 to none or one in the years 2004 - 2007 [slide 5]. So, with the right focus it is possible to achieve this goal, he said.

MR. MARTINDALE restated that in 2006, Senate Bill 261 established authority for DOT&PF to create Traffic Safety Corridors and also instituted a double fine in the designated corridors [slide 6]. He highlighted the process the DOT&PF uses to coordinate between the Department of Public Safety (DPS) and the DOT&PF Alaska Highway Safety Office [slide 7]. Before a Highway Safety Corridor can be created, all agencies must sign off on the project. The agencies recognize they must work collectively, because the success will be limited if DOT&PF only places signage on roads, and education and enforcement do not happen concurrently.

MR. MARTINDALE related approximately 70 percent of the fatal and major injury accidents in the state occur in the DOT&PF's Central Region. Thus, in 2006 the leading candidates for traffic safety corridors were located in the Central Region. He reviewed the criteria for consideration as a Traffic Safety Corridor: the fatal and major injury (F+MI) rate must be above average for three years, the road must be a rural road with over 2,000 vehicles per day, and a coordinated plan must be developed for education and enforcement, with overall DOT&PF and DPS approval for the zone [slide 8].

[10:52:14 AM](#)

MR. MARTINDALE indicated the Traffic Safety Corridor Designations established by the DOT&PF [slide 9]. He pointed out that the Highway Safety Corridor in the Seward Highway was designated in May 2006, on the Parks Highway in October 2006, on the Sterling Highway in July 2009, and on the Knik/Goose Bay

Road in July 2009. The Palmer/Wasilla Highway initially was the fifth designation. The Palmer/Wasilla Highway is different from the other corridors due to its urban setting and distinctly different crash pattern - predominately rear-end rather than head-on crashes. Thus, for those reasons the Palmer/Wasilla Highway did not lend itself to Traffic Safety Corridor status, he said. Over the past few years, eight new traffic lights have been installed along that zone to create gaps in the traffic patterns and diminish the number of crashes, he stated.

10:53:02 AM

REPRESENTATIVE GRUENBERG asked whether any local governments have also adopted similar programs.

MR. MARTINDALE explained that the Highway Safety Corridors are mostly intended for rural highways and that local highways would not necessarily qualify for the designation. However, as the Highway Safety Coordinator, he reviews all crashes statewide, including state and local routes. In further response to Representative Gruenberg, Mr. Martindale clarified that local roads would not be part today's presentation.

MR. MARTINDALE, in response to Chair Wilson, stated that most of the fatal accidents on the Palmer/Wasilla Highway do not happen during the winter. Instead, most of the accidents occur when drivers are stopped at a minor side street approach waiting to turn and are hit from behind; frequently the vehicle is pushed into the oncoming lane. Often these accidents happen on streets which do not have a turn lane, just a through-lane, he stated.

10:56:35 AM

MR. MARTINDALE referred to the next four slides which depict 1977 - 2007 Traffic Safety Corridors' fatal and major injury crashes for each of the previously mentioned corridors [slides 10 - 13]. The blue boxes indicate accidents involving alcohol, drugs, or both. The slide for the Parks Highway is coded red to indicate fatal accidents, green for major injuries, and white for fatal accidents prior to the road realignment. Similar data is also listed for the Sterling Highway.

MR. MARTINDALE, in response to Representative Doogan, related that except for the Seward Highway because of its significantly higher summer volumes, the accidents happen year round. In further response to Representative Doogan, he clarified that the volumes along the Parks Highway are fairly constant year round

so the accidents tend to correspond to the volumes. The traffic along the Seward Highway peaks in the summer months so accidents tend to be higher in the summer.

MR. MARTINDALE offered to provide the committee with month-by-month statistics.

CHAIR RAMRAS related that besides traffic volumes, road conditions and driver behavior are two other factors. He asked how weather conditions factor into major crashes.

MR. MARTINDALE answered that weather conditions contribute because drivers do not modify their driving behavior to accommodate bad weather. Highway signage is set for the prevailing conditions, but not the worst conditions. The Knik/Goose Bay Road has the most fatal crashes, which may be due to a bar located down at the end of the road, he added.

MR. MARTINDALE explained the DOT&PF's approach to reduce major accidents is through education, enforcement, and engineering [slide 14]. With respect to engineering, the low-cost and high-benefit safety items include improved signing, shoulder and centerline stripes, and rumble strips. The Alaska Highway Safety Office (AHSO) is responsible for funding for advertising, as well as to provide funds for road safety campaigns. The DOT&PF helps contribute time and funding to the Bureau of Highway Patrol (BHP) for safety items because it recognizes that enforcement is worthwhile to the overall safety plan.

MR. MARTINDALE, in response to Chair Ramras, responded that the largest percentage of fatalities on Knik/Goose Bay Road seems to be from male drivers between the age of 25 - 35, driving trucks, and frequently not wearing seatbelts. In further response to Chair Ramras, Mr. Martindale explained that 37 percent of fatal accidents involve impairment. With respect to the level of accidents involving drug or alcohol use within the Highway Safety Corridors, the Seward, Glenn, & Parks Highways are average, the Sterling Highway is below average, and Knik/Goose Bay is above average, he stated.

MARTINDALE, in response to Representative Munoz, explained that in order to issue citations for cell phone use, an officer generally must witness the activity because drivers are unlikely to admit to using a cell phone or texting while driving. Thus, the incidence of that kind of activity is likely higher, but the department does not have a good way to track texting or cell phone use.

11:04:33 AM

MR. MARTINDALE said many people believe most accidents are caused by passing, but that has not been the case. One accident this summer was due to passing, but most accidents are caused when drivers become distracted - falling asleep, cell phone use, talking to passengers, reaching around to discipline children - and their vehicles cross the centerline. When there is a passing maneuver, drivers seem to be acutely aware of the activity. Whereas a drifting crash tends to happen without giving the other driver time to react and avoid the accident.

CHAIR RAMRAS recalled that the rural roadways are designed for 2,000 vehicles per day, but upwards of 19,000 vehicles travel on the Parks Highway and Seward Highway daily, especially during the summer. He inquired as to whether four-lane highways would reduce fatality rates.

MR. MARTINDALE answered yes, that head-on crashes would be reduced by four-lane highways. In further response to Chair Ramras, Mr. Martindale offered historical information: the Seward Highway was widened and straightened in the early 1980s, with the section to Girdwood completed in the mid-90s, which reduced accidents by about one-third; the Parks Highway was built in 1970, the section between Wasilla and Big Lake realigned in the 1990s, and recent improvements were made to the Knik/Goose Bay Road; the Sterling Highway was extensively realigned in early 1990s, and right-of-way was purchased to plan for an eventual three-lane highway to address passing opportunities.

CHAIR RAMRAS remarked that Alaska has grown but the highways have not.

MR. MARTINDALE agreed.

11:09:19 AM

MR. MARTINDALE reviewed initial results from 2006 to the current time, and the DOT&PF's efforts to track reductions for fatal crashes accurately [slide 15]. He pointed out that severe crashes are down by one-third to one-half. The DOT&PF's full data covers the period up to 2007. During that time, the Parks Highway shows significant improvement. This year the Seward Highway has had four fatal accidents to date, which he characterized as an anomaly. The DOT&PF has observed some

improvements overall. Many factors cause accidents and the DOT&PF agrees with the public sentiment, thus, the DOT&PF's goal is to reduce major accidents and fatalities.

11:10:50 AM

MR. MARTINDALE listed the DOT&PF's targeted efforts [slide 16]. Currently, the department is undergoing a study on Knik/Goose Bay Road to consider expansion to four lanes and the Parks Highway is scheduled for project expansion to four lanes in 2011 or 2012. The DOT&PF is identifying more turnout opportunities, has bid the Central Region rumble strips. That project will include 300 miles of shoulder rumble strips and 108 miles of centerline rumble strips. In response to a question, Mr. Martindale explained the bid for rumble strips is \$500 to \$600 per mile for a total of \$1.3 million. He was not certain of the cost for improvements on the Sterling Highway, but ventured the cost will be \$100 to 150 million, although he has not yet completed the estimate.

CHAIR RAMRAS remarked that the legislature will consider a \$40 million increment in highway funds based on \$.08 motor fuel tax.

11:13:05 AM

CHAIR WILSON remarked that other states have not been able to keep pace with population by simply building new roads and many are considering mass transit options. She asked about traffic volume predictions in Alaska.

MR. MARTINDALE responded that in the past few years the growth has not been as dramatic, but it is hard to forecast traffic volumes since variables such as a proposed natural gas pipeline could dramatically affect traffic. Thus, DOT&PF can only offer predictions. He suggested that four-lane highways would likely accommodate traffic for a number of years.

11:14:34 AM

MR. MARTINDALE, in response to Representative Doogan said he would obtain information for commercial, recreational, and passenger statistics for the committee. In response to Representative Gruenberg, he answered that the department does not track residency of the crash victims. The crash itself is less likely to involve a tourist, he stated.

REPRESENTATIVE GRUENBERG remarked that those who are familiar with a road tend to drive more recklessly.

11:16:51 AM

MR. MARTINDALE provided some historical data for the Traffic Safety Corridors on fatal and major injury crash charts in each of the corridors [slides 17 - 21]. He explained that the red lines indicate the number of fatalities, the blue lines the number of major injuries, the vertical blue lines depict data after the safety corridors were designated, and yellow lines indicate the traffic volumes. He reviewed the Seward Highway Corridor data, noting that in 1977 the average traffic volume was about 3,000, in 2008 traffic volume increased to 9,000, which represents a 300 percent increase during the 30-year period. The 2009 data definitely shows an increase since three fatalities have already occurred this year. The fatalities on the Parks Highway Safety Corridor spiked to five in 2005, dropped to zero in 2008, then increased to one fatality in 2009.

MR. MARTINDALE stated that the Sterling Highway Safety Corridor has just been established, so it is too early to determine any changes. The current trend shows increased traffic volumes while crash severity is down. In 1990, a peak of eight major crashes and six fatalities occurred. However, recent trends indicate a downward trend to one to two fatalities per year on the Sterling Highway. Traffic volumes have increased on the Knik/Goose Bay Road Safety Corridor, but major injury crashes have dropped considerably since 2007, with zero fatalities in 2008 and 2009. The fatal crashes on the Palmer/Wasilla Highway Safety Corridor have been somewhat constant, yet major injuries have dropped as traffic volumes have increased.

11:19:05 AM

MR. MARTINDALE reviewed ways to mitigate or reduce crashes such as lowering the speed limits, placing concrete barriers on the centerline, and increasing the no-passing zones.

CHAIR RAMRAS asked for detail on cost and applicability to implement any of the public's suggestions.

MR. MARTINDALE answered that creating additional no-passing zones may only create more frustration for drivers. The DOT&PF plans to add rumble strips, additional traffic stripes, and traffic signals. He agreed that adding fences may help to reduce moose encounters, since the Parks Highway and Sterling

Highway Safety Corridors have high percentages of vehicles hitting moose. He pointed out that driveways and intersections are common so gaps will exist, which will make the fencing less efficient.

CHAIR RAMRAS related from his own experience that people are not as likely to pass in no-passing zones, which is also one of the most inexpensive options to implement. He suggested the legislature could direct the department to revisit the issue since it is such an inexpensive fix and many people may obey the no-passing zones as he certainly does.

[11:22:26 AM](#)

CHAIR WILSON concurred.

REPRESENTATIVE JOHANSEN asked for the penalty when drivers pass in a no-passing zone.

MR. MARTINDALE discussed speed limits. He explained that the basic premise of setting specific speed limits is to achieve a limit which is self-enforced and one most people believe is reasonable. He related a scenario in which several years ago the speed limit was changed to 65 miles per hour (mph) on some roads. Prior to the change, nearly everyone was exceeding the speed limit. He pointed out people commonly think when the speed limit is increased that people will compensate and increase their speed by the 10 mph increase. However, the DOT&PF did not find that to be the case; instead, the vehicle speeds increased only a couple of mph. He recalled one instance in which the speed limit near Homer was decreased to 45 mph, but public opposition overwhelmingly supported the speed limit be increased again. Thus, the lower speed limit only lasted two weeks before the DOT&PF realized the majority of drivers supported the higher speed limit. Other problems the DOT&PF encountered include low compliance for the 45 mph in Willow, and that drivers largely ignore the 35 mph speed limit Cooper Landing.

[11:25:35 AM](#)

MR. MARTINDALE, in response to Representative Doogan, explained that the goal of a speed limit is for all drivers to travel at nearly the same speed. When the speed limit reflects the pace it seems to lessen the likelihood of aggressive or reckless driving. In response to Representative Gruenberg, he noted that the department has been reviewing the stretch of Minnesota Drive

south of Tudor - Old Seward Highway, as the prevailing speed has been close to the mid-60s for years. Despite law enforcement efforts, the public continues to drive at speeds higher than the posted speeds. In further response to Representative Gruenberg, Mr. Martindale agreed that many people express frustration when slow drivers hamper traffic on Seward Highway. The DOT&PF is also looking for low-cost spots to place additional pull-out passing lanes, he said.

REPRESENTATIVE GRUENBERG asked whether the DOT&PF has considered changing the law that requires drivers who delay five or more vehicles to a lower number, such as four. When drivers block traffic and five vehicles are behind them, they are required to pull over and let the traffic pass.

MR. MARTINDALE stated that most states use five vehicles as the number of vehicles delayed for this type of regulation, but he would consider using four vehicles instead.

11:29:20 AM

REPRESENTATIVE DOOGAN asked whether any consideration has been given to establish minimum-speed limits in addition to maximum-speed limits.

MR. MARTINDALE answered that he was unaware of any specific authority to facilitate or establish minimum speed limits.

REPRESENTATIVE DOOGAN recalled Hawaii created minimum speed limits to minimize conflicts on its roadways. He asked if that could be considered in Alaska.

MR. MARTINDALE agreed it could be considered.

MR. MARTINDALE, in response to Representative Gruenberg answered that he was unaware of any legal impediment to create minimum speed limits. He offered to research it and provide the committee with the information.

MR. MARTINDALE discussed the pros and cons for concrete barriers [slide 24]. He explained that concrete barriers are useful to prevent head on collisions. However, there are about a dozen downsides for their use, including shoulder reduction. The DOT&PF must design "shy distances" from the barriers, which means the lanes must move away from the centerline to compensate for the barrier width so the shoulder sizes is typically reduced from eight to four-foot widths. He highlighted the significance

of this in illustrated in photographs which depict examples of people using the shoulders such as bicyclists and photographers [slide 25]. Additionally, no one can pass on a two-lane highway with barriers in the center lane; the barriers pose risk of collisions, and also limit emergency vehicle responders from crossing to the oncoming lane to assist with an emergency or accident. He pointed out that barriers prevent people from making left lanes and also block the people behind them from passing.

11:33:40 AM

MR. MARTINDALE outlined measures the DOT&PF is taking to increase highway safety [slides 26, 27]. The DOT&PF works with agencies such as the Bureau of Highway Patrol (BPH) and the Alaska Highway Safety Office (AHSO) to provide education and enforcement activities. He noted the rumble strip project scheduled for next spring.

MR. MARTINDALE pointed out sites for Central Region proposed rumble strips and centerline strips on maps [slide 29]. He stated the red lines designate the proposed centerline rumble strips sites along the four Highway Safety Corridors, as well as other sites for high head-on collisions. One of the highest incidences of crashes on rural highways happens on curves so the DOT&PF will work to improve signage and develop the delineation plans so that people are alerted to upcoming highway curves.

REPRESENTATIVE HOLMES asked whether alternate roadways have been considered as an alternative to widening the roadway.

MR. MARTINDALE responded that due to the geographic limitations, an alternate roadway along the Seward Highway would not work. However, the Matanuska-Susitna Borough is working on an alternate roadway, the Bogart Road Extension, which will parallel the Palmer/Wasilla Highway and should provide some relief to the congestion. Obstacles for alternate routes along the Sterling Highway are difficult due to refuge or private ownership. They are not necessarily insurmountable problems, but any solution will not immediately relieve the problem, he said.

11:36:55 AM

MR. MARTINDALE, in response to Representative Doogan, answered that 70 percent of the fatalities happen in the Central Region due to the population. Fairbanks has been fortunate to get

their highway system built for excess capacity. The Bureau of Highway Patrol defines high crash areas and the highest crash area in the Northern Region is ranked at 40 on the BHP list, he recalled. He related that Fairbanks does have some problem areas, recalling a recent motorcycle fatality, but agreed that Fairbanks does not have the capacity constrained roads as compared to the Southcentral area. In response to Chair Wilson, Mr. Martindale responded that in Fairbanks the flatter terrain is not as much of an accident deterrent, but accidents happen less frequently due to lower traffic volumes.

MR. MARTINDALE, in response to Representative Johnson, responded that the DOT&PF designs roadways for certain criteria such as for peak hours, and newer roads often are designed with a peak volume in mind. However, some of the current roadways were built using other criteria, such as lower traffic volumes. In further response, he added that crashes are practically the same year-round on since in the winter people often are driving too fast for conditions and in the summer there are additional volumes.

[11:41:26 AM](#)

FRANK RICHARDS, Deputy Commissioner, Office of the Commissioner, Department of Transportation & Public Facilities (DOT/PF), in response to Representative Johansen, explained that Commissioner von Scheben is currently absent due to a planned vacation. In response to Chair Ramras, Mr. Richards answered that after the hearing he will work with the assistant attorney general to address the issue of adding no-passing zones.

REPRESENTATIVE DOOGAN asked whether the DOT&PF's programs are improving traffic throughout the state.

MR. RICHARDS answered that the purpose of DOT&PF programs is to improve traffic flow, such as the expansion to a four lane highway at the Parks Highway Safety Corridor from Wasilla to the Big Lake intersection. The DOT&PF is working to match project funding needs with available funding.

REPRESENTATIVE DOOGAN clarified his impression has been that numerous people are killed in traffic accidents on the Seward Highway south of Anchorage. He asked what steps have been taken to reduce fatalities, especially those fatalities in which the driver is obeying traffic laws.

MR. RICHARDS responded that the DOT&PF takes the fatalities very seriously. The DOT&PF's mission is to provide for the safe movement of people and goods. The next presentation will cover the near-term and mid-term options to provide safer routes. Mr. Martindale outlined the three E's, enforcement, engineering and, education, which were undertaken to provide safe roads for Alaskans and their visitors. He listed projects that should help reduce accidents, including installing rumble strips next summer. Also, the legislature funded Windy Corner on the Seward Highway, and other projects are planned. The biggest challenge will be acquiring the funding for those projects to build larger projects. The department has taken advantage of Federal Highway Administration (FHWA) funds, including highway safety funds to address those needs. He related that he identified the statewide Highway Safety Corridor needs to the Senate Transportation Committee last week, as well as the capacity needs within the urban areas. The federal highway bill sunsets at the end of September and 2010 FHWA funds are unknown, as yet. However, FHWA funds provide funding for major safety improvements. The authorization for the next six year federal highway program passed out of the House Transportation and Infrastructure Committee recently, but the bill does not benefit Alaska. In fact, Alaska would not be able to use 20 percent of the funding because its focus is on congestion relief in urban areas with population greater than 500,000. Thus, Alaska has huge needs and funding challenges to meet our highway safety program. However, the DOT&PF is working with the legislature to find ideas to address the program needs.

[11:47:58 AM](#)

CHAIR WILSON asked whether speed cameras would help address accidents, and the cost of such devices.

MR. RICHARDS, in response to Chair Wilson, responded that he DOT&PF, the Department of Public Safety, and the administration have been reviewing issues along the Seward Highway to plan initial, mid-term, and long-term options to improve safety. Technological advancements, such as photo radar is being explored, he stated.

MR. RICHARDS, in response to Representative Ramras, answered that the Governor has already expressed the administration's position on the \$.08 highway tax. He reiterated that the DOT&PF has been relying on the FHWA funds to advance its program and that it receives specific highway safety improvement funding, which has been used to address major problems. The state

general fund appropriations are typically for specific project appropriations. In response to a comment, Mr. Richards replied that nationally, Americans are less tolerant of fatalities than some other nations. Some 42,000 people die on U.S. highways each year and the goal of the FHWA and the state DOT&PF is to reduce these fatalities.

11:51:44 AM

MR. RICHARDS, in response to Representative Johnson, recalled approximately \$1 billion is estimated for infrastructure for the proposed natural gas pipeline. In further response to Representative Johnson, Mr. Richards answered that the statewide estimate for highway infrastructure from Prudhoe Bay to the Canadian border is \$2 billion, including the Dalton, the Richardson, the Alaska Highway, and the Haines Highway, but not the Parks Highway, with respect to hauling pipe. The DOT&PF is considering plans to improve the Parks Highway embankment and surfacing to eliminate seasonal weight restrictions, which is particularly important to the Interior during the summer, although the major producers have indicated that most of the major pipe transportation would be by rail, he said. The estimated cost to expand the Seward Highway to a full four-lane divided highway, and the previously mentioned Highway Safety Corridors, is \$1 billion statewide for a total estimate of \$3 billion. He reiterated that head-on collisions are prevented by four-lane roads, but noted those are expensive options. The passing zones, the use of chevrons, and lowering speed limits are all suggestions need to be collectively reviewed by the DOT&PF and DPS, he said.

MR. MARTINDALE, in response to Representative Johnson, clarified that ten percent or less of the fatal crashes involved a passing maneuver at the time of crash, with a substantial number of crashes caused by a vehicle drifting over the centerline. Thus, the total number of head-on collisions is greater than ten percent. In further response to Representative Johnson, Mr. Martindale suggested that over 90 percent of the head-on fatalities involved drifting over the centerline.

REPRESENTATIVE JOHANSEN asked DOT&PF to identify state and federal funding sources for the department's educational programs broken out for signs, stripes, rumble strips, and advertising programs.

MR. RICHARDS offered to do so.

REPRESENTATIVE GRUENBERG asked to place on the record his appreciation for the DOT&PF presentations today.

12:00:39 PM

CHAIR RAMRAS welcomed the commissioner of the Department of Public Safety to present the DPS portion of the overview on Highway Safety Corridors.

JOE MASTERS, Commissioner, Department of Public Safety (DPS), explained the DPS's role is focused on addressing driver behavior, which is the most significant reason for accidents. Holding dangerous drivers' accountable is the most effective way to curb accidents and the most effective deterrent is enforcement visibility and issuing citations given that it hits drivers pocketbooks. The DPS takes driver safety seriously, and while the number of accidents and driving while under the influence (DUI) crashes are declining, DUI crashes account for 21 percent of the state fatalities.

COMMISSIONER MASTERS, in response to comments by Representative Ramras, offered that the DPS believes the more immediate the correction, the greater the likelihood that the correction will affect driving behavior. Thus, the most effective deterrent to bad driving behaviors is citations and the associated fines, as well as the points against the person's driving license.

CHAIR WILSON recalled caps were placed on fines and asked if the caps for driving offenses should be removed.

COMMISSIONER MASTERS agreed the discussion is important. He recalled the cap is around \$300. The DPS is reviewing ways to improve driving behaviors, including more enforcement presence. In response to Representative Johansen, Commissioner Masters answered anecdotally Alaska is in the lower half of the range with regard to level of traffic fines.

REPRESENTATIVE JOHNSON offered his understanding that the maximum fine is \$300, except for double fines in the Traffic Safety Corridors.

CHAIR RAMRAS suggested more public safety education campaigns.

COMMISSIONER MASTERS identified the "3 E" education program components, such that DOT&PF covers the engineering, DPS covers the enforcement aspect, and both departments administer the education component. The safety programs are heavily funded by

the FHWA and the departments offer a wide variety of public service announcements (PSAs) ranging from seatbelts to headlight usage. He emphasized that the cornerstone of the traffic safety program is the creation of the Bureau of Highway Patrol.

REPRESENTATIVE DAHLSTROM commented that the simulated accidents at the high schools are extremely effective.

COMMISSIONER MASTERS identified the program as the "Every-15-Minutes Campaign."

12:16:54 PM

MR. HANS BRINKE, Captain; Commander, Bureau of Highway Patrol, Alaska State Troopers (AST), Department of Public Safety (DPS), introduced himself.

BARRY WILSON, Lieutenant, Search and Rescue; Public Information Office, Alaska State Troopers (AST), Department of Public Safety (DPS), explained that in the past few years the department has attempted to fill several positions in the Search and Rescue and Public Information Offices. The public's request for services has resulted in a lack of presence out on the highway, although 35 positions are currently in training in the field and at the Public Safety Academy in Sitka. Additionally, the DPS has been working to improve the processing time for the statistical data compiled by troopers, which has often been delayed two to three years due to the recordkeeping systems. The DPS is currently in the process of implementing a universal statewide electronic citation for use by local law enforcement and the AST. Implementing improvements in the system will allow electronic reporting of AST reports thus increasing the speed to compile data, which should result in more meaningful statistics.

LIEUTENANT WILSON, in response to Representative Dahlstrom, answered that the electronic citations refers to the system to immediately electronically issue a citation, printout a copy for the violator, and coordinate with the Alaska Court System and the AST database. This is separate from a digital radar system using cameras to capture violators.

MR. BRINKE, in response to Representative Johnson, replied that he is not certain if the 35 trainees will bring the AST to full capacity. He speculated that the DPS will also recruit from an upcoming spring academy class. He deferred to the DPS commissioner.

REPRESENTATIVE JOHNSON stated the legislature has provided the funding for the AST to be fully staffed.

COMMISSIONER MASTERS answered that the legislature did fully fund the AST positions statewide. He related that 100 percent of the positions will be filled once the spring academy is completed. Additionally, 15 positions were added from federal grant funds available October 1, 2009. Of those positions, 10 will be Alaska State Trooper positions to augment the Bureau of Highway Patrol (BHP).

REPRESENTATIVE JOHNSON clarified that the legislature provided funding to fully staff the AST and upcoming AST training academies will help the AST fill the positions.

COMMISSIONER MASTERS pointed out that the DPS is using federal funds passed through the Alaska Highway Safety Office to staff the Bureau of Highway Patrol and some DOT&PF grant funds are also used. At the end of the five years, the DPS will evaluate the BHP. If the BHP results are favorable, the DPS will likely need to request general fund monies to cover the BHP costs as federal funds are anticipated to diminish.

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LIEUTENANT WILSON began the DPS portion of the PowerPoint presentation. He reviewed the 2009 statewide statistics, and highlighted the 40 statewide fatalities and 38 crashes thus far [slide 1, "Statewide"]. He presented an overview of the 2007 - 2009 statewide statistics for fatalities, crashes, and impaired driving statistics [slide 2]. In 2009, the AST handled 23 fatalities, 22 crashes, and 6 impaired driving related fatalities [slide 3 - 6]. He pointed out that there might only be one crash, but several fatalities can result. Thus far, the percentage of impaired driving related fatalities for 2009 is 27.3 percent, including drugs or alcohol [slide 7], while the percentage of fatal motor vehicle accidents for 2009 is at 28.6 percent [slide 8].

LIEUTENANT WILSON highlighted the 1977 - 1991 AST Girdwood post statistics [slide 9]. Initially the AST post had one trooper assigned to handle all accidents, which included 4 fatalities and 18 major injury crashes for a total of 22 accidents that year.

LIEUTENANT WILSON explained that in 1992, the AST troopers increased from 2 in 1992, to 3 in 1996, and to 4 in 1997 as the population and traffic increased [slide 10].

LIEUTENANT WILSON reviewed the 2009 collisions that occurred on the Seward Highway, including three fatalities within the Traffic Safety Corridors [slide 11]. He reviewed the 2007 Alaska Strategic Highway Safety Plan developed by the DOT&PF and DPS [slide 12 - 13]. This plan helped define how communication and collaboration could be shared and improved data collection and analysis.

[12:27:49 PM](#)

CHAIR RAMRAS referred to slide 11, and remarked that these accidents illustrate the hot spots the agencies and legislature is attempting to address.

LIEUTENANT WILSON, in response to a question, elaborated on traffic congestion on the Seward Highway, which funnels traffic from Anchorage to the Kenai Peninsula via the Seward Highway. He related the highway is heavily used during the summer by many recreational users. The traffic volume causes a build-up of vehicles and impatient drivers. Everyone wants to get to their destination quickly, and that is not possible on over-capacity roadways. Driver behavior when vehicles build up is one major cause of traffic accidents.

LIEUTENANT WILSON, in response to Representative Doogan, answered that about half of the fatalities occur on state roads.

LIEUTENANT WILSON, in response to Representative Johnson, replied that the Anchorage Police Department (APD) compiles the statistics for state roads. In further response to Representative Johnson, Lieutenant Wilson concurred that the statistics do not include the accidents under APD jurisdiction.

[12:35:07 PM](#)

REPRESENTATIVE JOHNSON remarked that the Seward Highway runs through the Municipality of Anchorage. He asked whether the MOA takes responsibility for any of the Seward Highway, and also the delineation of John's Road in his district.

LIEUTENANT WILSON answered that the AST has jurisdiction to patrol the Seward Highway down to Portage Glacier, similar to how, in years past, the AST provided enforcement responsibility

for the Hillside area in Anchorage. The AST is required to provide services for Alaska's citizens absent other law enforcement service provisions. In both cases the citizens are not paying for the MOA services. Thus, the AST provides the services, he said. In response to a question, Lieutenant Wilson clarified that when citizens opt not to have the MOA services, the AST is required to provide them.

REPRESENTATIVE JOHANSEN asked if Ketchikan opted out of police services, whether the AST would also provide services.

LIEUTENANT WILSON said he was unsure and deferred to the DPS commissioner.

REPRESENTATIVE GRUENBERG offered his understanding that Hillside has started paying for the MOA services.

LIEUTENANT WILSON, in response to Representative Gruenberg explained the fluctuations in accidents are due to recreational users. In further response to Representative Gruenberg he offered his belief that the establishment of the Bureau of Highway Patrol has resulted in the decrease in fatalities. He detailed patrols on the Seward Highway.

REPRESENTATIVE GRUENBERG pointed out that the accident reductions happened in June and July. He asked why the accident reductions are not reflected year round.

LIEUTENANT WILSON offered that the AST has patrolled since December and as the BHP expands it hopes to have a statewide effect. He said he was unsure of how to answer the question, but in June and July the BHP has put forth enforcement efforts, including significant training.

[12:41:58 PM](#)

LIEUTENANT WILSON, in response to Representative Doogan agreed anecdotally, that more often than not the person who dies is not the at-fault driver.

LIEUTENANT WILSON, in response to Representative Johnson, offered to provide DOT&PF data to the committee with respect to traffic volumes. In further response to Representative Johnson, he reiterated that a lot of the data is being provided to the DPS by the DOT&PF. He agreed that vehicle volume results in more traffic accidents.

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REPRESENTATIVE GRUENBERG pointed out that slide 2 contains six graphs. These graphs demonstrate the dramatic drop in accidents in all the months except June and July each year, which dramatically increase, he said. He then asked DPS to provide its analysis at some point.

LIEUTENANT WILSON continued [slide 12]. He remarked that participation in the Alaska Strategic Highway Safety Plan helped formulate the need for the Highway Safety Corridors. He noted he worked with some of the engineers, and the DOT&PF previously highlighted the "3 E's" or engineering, enforcement, and education aspects [slide 13]. He mentioned that since December 1, 2008, the DPS has been working to develop the BHP to increase its enforcement efforts. He clarified the BHP goal to safeguard the wellbeing of everyone through proactive leadership, sustained high visibility and dedicated traffic law enforcement, education, and technology [slide 15].

12:50:18 PM

LIEUTENANT WILSON reviewed the flowchart for the BHP current positions [slide 16]. He detailed his enforcement teams, led by himself, with a lieutenant overseeing sergeants in Palmer, Fairbanks, and Soldotna. Local law enforcement positions in Palmer, Wasilla, and Kenai form part of the team, and are federally funded positions with statewide responsibilities. A criminal justice clerk will assist with felony driving while under the influence (DUI) incidents and a visual information specialist forms the education component. The BHP is funded by federal highway funds through the Alaska Highway Safety Office. In 2009 - 2010, six additional positions will be added [slide 17]. His position will become fulltime; two troopers will be added in Palmer, one in Wasilla, two in Girdwood, as well as a letter of agreement to bring in the Fairbanks police department. In 2010 - 2011, additional positions will be added to the team [slide 18]. Two troopers will be added to Palmer, one trooper will be added to Fairbanks, and one trooper will be added to Soldotna. Additionally, another clerk will be assigned to Palmer.

CHAIR RAMRAS asked if the BHP team is specifically highway-oriented troopers or will the troopers also have other duties.

LIEUTENANT WILSON replied that the troopers are funded by federal funds and duties will primarily be traffic law

enforcement. These troopers will respond to emergency situations, but their primary focus will be highway enforcement.

LIEUTENANT WILSON, in response to Chair Ramras, answered that these specific positions are not being taken from a particular detachment. Initially, some DUI teams were established and the DPS has taken those positions and added additional ones previously dedicated to traffic to the group. The rest of the BHP positions are new federally-funded positions. This team is an augmentation of the detachments to give the detachment troopers an opportunity to focus on calls and service instead of responding to motor vehicle collisions or monitoring traffic. The BHP will also provide backup for other troopers, he said.

[12:58:44 PM](#)

REPRESENTATIVE JOHNSON expressed concern that a new department is being created. He asked if the felony vehicle position is also one that the AST currently holds.

LIEUTENANT WILSON answered this position was assigned to the AST, assigned to DUI forfeitures, and will be reassigned to the BHP since most of the DUI's will be handled by the BHP. In further response to Representative Johnson, Lieutenant Wilson clarified that there will not be a duplicate position in the AST for felony vehicle forfeitures.

[1:00:32 PM](#)

LIEUTENANT WILSON, in response to another question, further explained that one person would handle the BHP and the AST DUI felony vehicle issues.

REPRESENTATIVE JOHNSON asked him to consider reducing that type of staff so as not to grow the bureaucracy.

REPRESENTATIVE JOHNSON noted that and asked why they aren't partnering with the APD.

LIEUTENANT WILSON further clarified that the administrative positions in the BHP are new positions assigned to the BHP, but will augment the administration staff.

REPRESENTATIVE JOHANSEN related that the BHP has agreements with Palmer, Wasilla, Fairbanks, and Kenai police departments. He asked whether the BHP should also partner with the Anchorage Police Department (APD).

LIEUTENANT WILSON responded that BHP has held discussions with the APD. The APD has substantial traffic unit and opted out of the BHP agreements. It is something that the BHP will continue to work to build.

LIEUTENANT WILSON, in response to Chair Wilson, said the BHP can provide annual costs. He stated that the DPS will be evaluating the program in five years to determine its efficacy.

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LIEUTENANT WILSON, in further response to Chair Wilson, said the funds are provided through the Alaska Highway Safety Office and the Highway Safety Improvement Program. Both entities supported the dedicated traffic team. He said did not think the funds are part of the American Recovery and Reinvestment Act of 2009 (ARRA).

1:05:53 PM

MARY SIROKY, Legislative Liaison, Office of the Commissioner, Department of Transportation & Public Facilities (DOT&PF), explained that the BHP funding is not funded from ARRA funds.

LIEUTENANT WILSON, in response to Representative Doogan, reiterated that enforcement from Potter Marsh to McHugh Creek is performed by the AST. In further response to Representative Doogan, he stated that current AST are assigned to the Girdwood post. Other positions will be assigned, for example, from the Palmer post are regularly being reassigned to the BHP.

REPRESENTATIVE DOOGAN understood that permanent BHP will be assigned to the Seward Highway.

LIEUTENANT WILSON answered yes.

LIEUTENANT WILSON, in response to Representative Doogan answered that the Girdwood BHP will report to the Soldotna post. In response to Representative Doogan, Lieutenant explained that the "E" detachment runs from the Girdwood area to the Kenai Peninsula. As the BHP expands, each region will get "more bang for the buck." It is similar to how the drug units operate, such that the Soldotna troopers assist the Kenai troopers. He offered that the Girdwood AST office also has administrative support.

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REPRESENTATIVE GRUENBERG asked whether BHP provides general police protection services in Girdwood.

LIEUTENANT WILSON replied that the DPS covers the Girdwood area but municipal police officers are not assigned to the area. In response to a question, he agreed the positions are federally funded. In further response to Representative Gruenberg, Lieutenant Wilson said he is unsure of how long the federal funding will last. Each year, the DPS will receive funding from the federal government via the Alaska Highway Safety Office.

REPRESENTATIVE GRUENBERG asked what will happen if the federal government does not fund the BHP.

LIEUTENANT WILSON answered that the department will then have to decide what approach to take.

1:11:21 PM

REPRESENTATIVE MUNOZ asked whether federal funds cover all costs for the mobile units in the BHP.

LIEUTENANT WILSON answered yes. He continued, explaining that 2011 - 2012, five additional trooper positions would be added to the BHP: one in Palmer, two in Fairbanks, and two in Soldotna [slide 19]. In response to Representative Johnson, Lieutenant Wilson answered that the federal funding covers the personal services for each position. He related that the strategic plan indicated several areas needed to be addressed. The 1997 - 2006 statewide statistics showed about 24.9 percent of collisions were alcohol and drug related [slide 20]. The statistics showed that 43.5 percent of the 1997 - 2006 fatal and major injury accidents were caused by aggressive driving [slide 21]. In response to Chair Ramras, he offered that passing in a no-passing zone or speeding and passing due to oncoming traffic are examples of aggressive maneuvers. One of the leading causes of deaths of teens is motor vehicle collisions [slide 22]. During 2001 - 2007, 24 to 33 percent of fatalities or major injuries happened to those between the ages of 16 - 20 [slide 23]. Seatbelts save lives [slide 24]. In 2009, 5 of 40 fatalities involved drivers or passengers not wearing seatbelts, although seatbelt usage has increased from 78.9 percent in 2005 and to 84.9 percent in 2009.

LIEUTENANT WILSON reviewed citation statistics from December 2008 to the present with a total of 19,377 citations issued; the BHP issued just under 6,000 citations [slide 25]. Of those, 1,874 were issued to drivers on the Seward Highway. Additionally, the AST wrote 1,256 citations within the Seward Highway Safety Corridor and the BHP wrote an additional 526 citations. The statewide traffic team spent 1,242 hours specifically assigned to the Seward Highway from December 2008 to the present, and issued 798 citations.

LIEUTENANT WILSON explained that the BHP activity is identified in the next several slides [slides 26 - 28].

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LIEUTENANT WILSON BHP related education measures, including that the DPS has been working with the Alaska Military Youth Academy (AMYA) to educate youth on traffic safety and identifying impairments to promote good judgment [slide 29]. Private companies have also asked the BHP to provide information, including items such as safe driving in winter conditions. Part of the education program is media. The BHP created 15 impaired driving, occupant protection, or road-wise Alaska advertisements using federal funds, covering promotions such as the "Click It or Ticket" campaigns.

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REPRESENTATIVE HOLMES asked whether the BHP is performing public safety in the high schools.

LIEUTENANT WILSON answered not specifically, but he anticipates more involvement. In response to Representative Johnson, he offered to provide statistics on the enhanced drivers' licenses.

1:20:21 PM

REPRESENTATIVE GRUENBERG asked for clarification on briefings for the military and private employers. He inquired as to whether spouses are also invited to attend the training.

LIEUTENANT WILSON answered not yet. In further response to Representative Gruenberg, he offered a willingness to do so.

REPRESENTATIVE DAHLSTROM clarified that the group must be invited to the base in order to provide the program.

REPRESENTATIVE GRUENBERG concurred.

LIEUTENANT WILSON, in response to Chair Wilson, agreed that about 27 percent of teenagers are involved in accidents. In further response to Chair Wilson, Lieutenant Wilson agreed that early involvement is important and clarified that these statistics refer to fatal and major injury collisions.

LIEUTENANT WILSON, in further response to Chair Wilson, agreed that better educational efforts in the schools would be beneficial. He surmised that as the unit expands, educational components can be given in the school, perhaps as early as next year.

[1:26:02 PM](#)

REPRESENTATIVE GRUENBERG remarked that the BHP would double in size over the next few years. He related that the BHP current has 16 staff, but would add another 15 trooper positions, totally dependent upon federal funding. He expressed his hope that the department has an alternative funding source in mind.

COMMISSIONER MASTERS agreed that with with federal funding the DPS must balance and the department requests commitments from its funding sources to the greatest extent possible. He indicated that in this case, the funding stream has been available for many years. Additionally, the DOT&PF has committed to work together to reduce the fatalities. He related that the DPS would consider making a general fund request, but would review its current vacancies, as well.

[1:28:24 PM](#)

CHAIR RAMRAS asked to move to the short term and long term goals [slides 40 - 41].

COMMISSIONER MASTERS answered that the DPS is dedicating enforcement efforts, developing enforcement programs, and coordinating enforcement with DOT&PF data to reduce crash rates. The cooperative working relationship it has developed with DOT&PF is an important short-term strategy. He reviewed the short term plans, including that current team members are being deployed, two BHP have been assigned to Girdwood, and the DPS is reviewing legislation, including the delay of vehicle and mandatory headlight legislation laws. Much of its long term plan is the commitment to continue the BHP efforts through continued federal funding, general fund appropriations, or a

combination of both. Further, the DPS has a process to evaluate the effectiveness of the program.

COMMISSIONER MASTERS related that the DPS does not generally perform aerial traffic enforcement due to a lack of officers on the ground to stop violators and issue citations. He related that the DPS has aircraft in its current inventory that could be dedicated aircraft. The department will continue to study the viability of aerial traffic enforcement. Photo radar is a tool used by jurisdictions to combat speeding or red light violators. However, some controversy exists. The DPS is investigating whether photo radar is an appropriate tool for use in Alaska. As the department performs research, it has become apparent that any program must be carefully designed. Nationwide, several studies show photo radar is effective in reducing crashes. About 24 to 25 percent of fatal crashes are caused by speeding. If the DPS implemented photo radar, the goal would be to target reduction of fatalities. However, enforcement of speeders also can have an effect on other driving behaviors, as well.

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COMMISSIONER MASTERS remarked that costs to implement photo radar vary, that about 23 states currently offer photo radar, and the programs vary, as well. Some photo radar enforcement programs are run by contract companies and institute a per ticket fee. In other photo radar programs, the state purchases the equipment and runs the program.

COMMISSIONER MASTERS, in response to Representative Holmes, offered his belief that the most cost-effective tool for highway safety is to have more AST troopers on the road actually writing tickets with fines attached and having personal contact with the violator.

REPRESENTATIVE JOHANSEN related that aggressive behavior results in many accidents. He suggested modification tools be considered, as well as removing the caps on fines.

CHAIR WILSON suggested that photo radar might not work along the Seward Highway but it might work in other areas.

REPRESENTATIVE GRUENBERG opined that punishment is most effective if it is swift and immediate. He asked if the DPS has considered allowing fines to be paid by credit card, clarifying that this method could be used in no contest instances.

COMMISSIONER MASTERS answered that many suggestions will be considered internally and discussed with the Department of Law, the DOT&PF, and formally with the legislature and informally with members.

LIEUTENANT WILSON resumed his presentation, commenting that the corridors have previously been discussed [slides 30 - 34]. He offered his belief that the delay of five vehicles law is important [slide 35]. He explained that the statute, AS 28.35.140, identifies unlawful obstruction or blocking of traffic as an instance in which five or more motor vehicles block traffic, but no speed limit is attached to it. He offered that the administrative code under 13 AAC 02.050 addresses a vehicle operating at less than the maximum authorized speed. He pointed out that the operator must also have access to a turnout to allow him/her to pull off the roadway. On the Seward Highway, it appears that some areas would allow a truck pulling a boat or motor home to pull over, but sometimes this effort results in a bottleneck when the vehicle has insufficient room to pull entirely off the roadway. Education is the key; people need to leave earlier in order to reach their destinations safely. While the delay of five vehicles laws are good laws, the public needs easier ways to comply with them. In response to Representative Holmes, Lieutenant Wilson related that the penalty for delaying traffic is a \$100 4-point citation outside the Traffic Safety Corridors, but inside the corridors the fines double and the same citation would be a \$200 fine.

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LIEUTENANT WILSON highlighted the statewide citations issued for drivers delaying vehicles between July 1997 and August 2009: 134 total tickets have been issued, 35 issued on the Seward Highway, and 12 issued within the Highway Safety Corridors. He stated that it is a difficult ticket to write since slow traffic might indicate the driver took advantage of a pullout to let traffic by, instead of blocking traffic. He related that public feedback is helpful from vehicles that are blocked by such drivers, as long as the public is willing to testify.

[1:43:31 PM](#)

LIEUTENANT WILSON highlighted the increased enforcement efforts over the Labor Day holiday [slide 38]. He explained planned enforcement patrols, including statewide impaired driving enforcement on Labor Day. One program, Saturday Night Blues, is designed for impaired driving enforcement, and is planned for

every Saturday of every week since the DPS has identified weekends as higher impaired driving times. During the Alaska State Fair, troopers also continue enforcement on the Seward Highway as per the Alaska Strategic Traffic Enforcement Partnership (ASTEP). He characterized the ASTEP as a combined effort between the AST, the Anchorage and Fairbanks police departments, and the DOT&PF. The Traffic Safety Corridors are also enforced using the ASTEP. In response to Representative Doogan, Lieutenant Wilson agreed to provide a list of organized boroughs in which the AST performs law enforcement.

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LIEUTENANT WILSON, in response to Representative Gruenberg, answered that the DPS has held discussions on mandatory headlight laws. He explained that the use of headlights is mandatory when posted since it helps drivers to see other vehicles. He opined he would lean toward going in the direction of removing mandatory headlights.

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MARK RYAN, a retired police officer from Colorado, stated that he regularly uses the Seward Highway to pull a fifth wheel trailer. Several years ago the speed limit was raised from 55 to 65 mph along portions of the Seward Highway. He said his fuel consumption increased by 10 percent when he increased his speed to comply with the new posting. Some parts of the Seward Highway are not conducive to driving at higher speeds due to road roughness. He expressed concern with the delay of vehicle law. He stated that he generally drives at 55 mph, which would result in citations for delaying vehicles since traffic travels at higher speeds. While he routinely pulls off whenever possible, it is not always possible to do so and it also makes it difficult for him to re-enter the highway. He offered his belief that the law is unenforceable. He then raised several questions, including several scenarios, such as when seven vehicles are traveling in a row, whether the first driver is considered the violator or if other drivers are also at risk for receiving citations. He asked how AST can determine the difference between a single line of 12 vehicles in a row and 2 lines of 6 vehicles each, or the distance that a vehicle needs to be from his vehicle before he is considered as "delaying" the vehicle. These are realistic questions not addressed by the statute. And while the intent of the statute and regulation is good, these laws must be an "enforcement nightmare," he said.

He remarked that he has observed long lines of traffic on the Seward Highway with up to 100 vehicles in a row.

MR. RYAN agreed that no-passing zones are good enforcement tools although he has routinely seen people cross double yellow lines to pass his vehicle. On the issue of raising the speed limit to 65 mph on Minnesota Drive, he predicted that people will drive over the speed limit between 67 - 70 mph. He offered his belief that severity of punishment is not a deterrent, but swiftness and certainty of punishment will reduce crime. He suggested implementing photo radar would be a good idea, especially for urban intersections to reduce red light violations, so long as the reason for photo radar is to enhance safety and not to generate revenue. He also suggested that photo radar should not be used after school hours, that the DPS should implement photo radar on the Seward Highway Safety Corridor, and should reduce the speed limit to 55 mph during the summer months due to recreational vehicle usage.

CHAIR RAMRAS related that DOT&PF will consider the suggestions.

MR. RYAN opined that something needs to be done. He supported increased law enforcement coverage on the Seward Highway.

[1:52:56 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Transportation Standing Committee and the House Judiciary Standing Committee meeting was adjourned at 1:52 p.m.