

**ALASKA STATE LEGISLATURE**  
**SENATE TRANSPORTATION STANDING COMMITTEE**

February 17, 2009

1:03 p.m.

**MEMBERS PRESENT**

Senator Albert Kookesh, Chair  
Senator Linda Menard, Vice Chair  
Senator Bettye Davis  
Senator Kevin Meyer

**MEMBERS ABSENT**

Senator Joe Paskvan

**COMMITTEE CALENDAR**

SENATE BILL NO. 59

"An Act relating to the operation of low-speed vehicles."

HEARD AND HELD

**PREVIOUS COMMITTEE ACTION**

BILL: SB 59

SHORT TITLE: LOW- SPEED MOTOR VEHICLES

SPONSOR(S): SENATOR(S) STEDMAN

01/21/09	(S)	PREFILE RELEASED 1/16/09
01/21/09	(S)	READ THE FIRST TIME - REFERRALS
01/21/09	(S)	TRA, JUD

**WITNESS REGISTER**

Weston Eiler, Staff  
to Senator Bert Stedman  
Alaska State Legislature  
Juneau, AK

**POSITION STATEMENT:** Introduced SB 59 on behalf of the sponsor.

DARWIN PETERSON, Staff  
to Senator Bert Stedman  
Alaska State Legislature  
Juneau, AK

**POSITION STATEMENT:** Responded to questions related to SB 59.

ROGER HEALY, Chief Engineer

Division of Design & Engineering Services  
Department of Transportation and Public Facilities  
Juneau, AK

**POSITION STATEMENT:** Expressed concerns about SB 59 on behalf of DOTPF.

GERALD HERBRANDSON, Proprietor  
Solar Wind of Alaska  
Petersburg, AK

**POSITION STATEMENT:** Supported SB 59.

JIM SCHRAMEK  
Petersburg, AK

**POSITION STATEMENT:** Supported SB 59.

#### **ACTION NARRATIVE**

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**CHAIR ALBERT KOOKESH** called the Senate Transportation Standing Committee meeting to order at 1:03 p.m. Present at the call to order were Senators Davis, Meyer and Kookesh. Senator Menard arrived shortly.

#### **SB 59-LOW-SPEED MOTOR VEHICLES**

SENATOR KOOKESH announced the consideration of SB 59.

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WESTON EILER, Staff to Senator Bert Stedman, said SB 59 would allow low-speed vehicles - which travel at 25 mph or less - access to roads that have a posted speed limit of 45 mph. The current limit is 35 mph. The bill is designed to allow use of low-speed electric vehicles on state roads in small communities. He emphasized that the program is optional. DOTPF may express concern about having low-speed vehicles in large urban areas and the sponsor understands those concerns. For that reason the local option in subsection (c) is unchanged. Any community that has any concerns about low-speed vehicle use is empowered to opt out.

At present there are more than 12 cost-effective low-speed vehicles operating in Southeast communities. DOTPF estimates that this bill will open an additional 30 miles of road in Southeast Alaska communities to these low-speed vehicles. For example, Wrangell residents would be able to access their airport. The bill promotes sustainable transportation in small

communities while allowing flexibility in how low-speed vehicles are regulated.

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DARWIN PETERSON, Staff to Senator Stedman, said he is available for questions.

SENATOR MEYER asked if low-speed vehicles can attain a 45 mph speed.

MR. EILER replied, by definition, low-speed vehicles top out at 25 mph.

SENATOR MEYER raised the issue of confusion if Palmer, for example, were to opt out and Wasilla did not.

MR. EILER reiterated that low-speed vehicles are confined to slower roadways within a community. Major roads with 55 mph speed limits wouldn't be affected.

SENATOR MEYER observed that it wouldn't be a problem in Anchorage.

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SENATOR MENARD restated the potential for confusion in more urban areas.

MR. PETERSON said it would be a local option and the sponsor anticipates that larger communities would opt out because of potential traffic issues. Smaller communities in Senator Stedman's district, for example, would likely allow the program because very few road miles in those communities have speed limits in excess of 35 mph.

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SENATOR KOOKESH said he doesn't understand the need to increase the limit to 45 mph if low-speed vehicles only go 25 mph.

MR. PETERSON explained that in Sitka, for example, residents can use their electric cars on all but 7 miles of road. Current statute says low-speed vehicles can only travel on roadways that have a maximum posted speed of 35 mph. The sponsor believes that increasing the limit to 45 mph would increase accessibility, particularly in small communities.

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SENATOR MENARD asked if the sponsor had considered waiting until there are more than just 12 low-speed vehicles on the road.

MR. EILER said the number is just a rough estimate to demonstrate that people are interested in cost-effective sustainable transportation and want to access areas such as the Wrangell airport. "We're certainly hearing from constituents that this is something they'd like to see so that they can use them throughout their small communities."

SENATOR MENARD asked if he has researched other small communities in Western Alaska, for example, to know if they have any of these electric cars.

MR. EILER replied he doesn't have specific information, but he'd be happy to do more research.

SENATOR KOOKESH asked if there's a reason that "electric" isn't in the title when it's used throughout the body of the bill.

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MR. PETERSON replied most low-speed vehicles are electric but some are hybrid.

MR. EILER noted that in the packet are examples of low-speed vehicles that are gas/electric hybrids.

SENATOR KOOKESH mentioned a small caravan type vehicle he saw in Whale Pass that operates on a gas engine. The driver said she only gets 20 miles per gallon, which didn't impress him.

SENATOR MEYER questioned why anyone would buy a car like that if it didn't get good mileage. He asked if there are safety concerns.

MR. EILER explained that low-speed vehicles aren't required to have the same safety features as a standard car, which is one reason the speed is capped at 25 mph.

MR. PETERSON added that low-speed vehicles they are aware of in Southeast Alaska have roll bars and electric turn signals, but in crash tests they don't rate as well as passenger vehicles.

SENATOR MEYER raised the issue of safety if they travel on the same roadway as larger cars.

MR. PETERSON said if communities allow low-speed vehicles, they would be sharing the roadway with regular sized vehicles when the posted speed is up to 45 mph.

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SENATOR MENARD asked if four-wheelers can go faster than 25 mph and would those drivers think they would be included under this.

MR. PETERSON explained that four wheelers are a separate class of vehicle that is regulated differently. His can go 55 mph, but it's not allowed on roads.

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ROGER HEALY, Chief Engineer, Division of Design & Engineering Services, Department of Transportation and Public Facilities (DOTPF), said the department is in charge of planning, design, construction, operation and maintenance of state highways. As such, it has concerns related to safety and capacity of the roadway. Roads are safest when vehicles travel at about the same speed and this bill would increase the mean speed difference by up to 20 miles an hour. DOTPF also has concerns related to congestion, but does recognize that the sponsor is focusing on rural communities and minor highways.

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MR. HEALY informed members that crashes increase as roadway speed varies, and vehicles that are traveling 20 miles per hour below the mean speed are five to eight times more likely to be in an accident. Because the bill isn't intended for major urban centers, the issues of congestion aren't at the forefront. However, standard vehicles that are backed up behind a low-speed vehicle won't be utilizing the fuel-efficiency for which they were designed and capacity of the roadway is decreased. DOTPF recognizes the intent of SB 59 and is ready to assist the sponsor to move forward. As written, there are safety and congestion issues.

SENATOR DAVIS asked if the department has suggestions to make the bill more palatable.

MR. HEALY replied the concerns are highway specific, but one factor is whether or not the road has wide shoulders so that low-speed vehicles can move over to allow other vehicles to pass unimpeded. Driver characteristics also must be considered. DOTPF research indicates only Kentucky allows low-speed vehicles to travel on roadways with a posted speed of 45 mph.

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SENATOR MENARD said she appreciates the concerns about safety and congestion. The potential for others to get poor gas mileage also gives her pause.

SENATOR KOOKESH asked if he would say that DOTPF opposes the bill.

MR. HEALY replied "I would say that right now the department would oppose this bill on issues of safety. ... If the communities had to undergo an active incorporation of this rather than by default, then we may reconsider."

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GERALD HERBRANDSON, proprietor of Solar Wind of Alaska in Petersburg, said he has been promoting the use of alternative energy for 10 years. He would like to encourage the state to enact legislation to support people who are attempting to be environmentally conscience. This bill is about vehicles that basically use a renewable energy resource rather than fossil fuel. They are ideal for many Alaska communities and would fill a transportation niche where internal combustion engines perform poorly. He agrees that this is not appropriate everywhere but in smaller communities where most trips are short these electric vehicles are quite ideal.

SENATOR KOOKESH noted that Carl Springer and Stacy Oates from Division of Motor Vehicles (DMV) are online and available to answer questions.

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JIM SCHRAMEK, representing himself, said he owns and operates an electric car in Petersburg. This bill would help in communities like his where destinations aren't far but have sections of road that have a posted speed of 40 mph. This would not increase hazard in and around Petersburg because you can pull over if you're travelling too slowly. We need to look ways to transition to new technologies, he said.

SENATOR KOOKESH asked Mr. Eiler to get together with the administration to talk about limiting the bill to communities that aren't connected to a major highway or have a population of less than so many people. He suggested that adding that kind of language may be the only way to get some kind of agreement. We don't want to congest major highways or get into issues of safety. "This may be a way of the future but we have to find out some way in Alaska to make this work."

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SENATOR MENARD said she wants to hear about how this has worked in Kentucky.

SENATOR KOOKESH stated that he wants SB 59 to move forward but he would hold it for further work.

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SENATOR KOOKESH adjourned the Senate Transportation Standing Committee meeting at 1:37 pm.