

**SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 242**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVES GARA, Drummond**

**Introduced: 1/19/18**

**Referred: Transportation, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act establishing landing fees for the Deadhorse Airport; establishing an oil and gas**  
2 **company contribution toll for use of the James Dalton Highway by certain vehicles; and**  
3 **providing for an effective date."**

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

5 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
6 to read:

7 SHORT TITLE. This Act may be known as the Oil and Gas Company Contribution  
8 for James Dalton Highway and Deadhorse Airport Maintenance and Operations Cost Act.

9 \* **Sec. 2.** AS 02.15.090 is amended by adding a new subsection to read:

10 (j) The department shall establish landing fees for aviation-related users of the  
11 Deadhorse Airport to fund the operation and maintenance of the airport.

12 \* **Sec. 3.** AS 19.40 is amended by adding a new section to read:

13 **Sec. 19.40.215. James Dalton Highway oil and gas company toll.** (a) The  
14 portion of the James Dalton Highway between milepost 413 and milepost 415 near

1 Deadhorse, Alaska, is designated as a toll road.

2 (b) Except as provided under (c) of this section, the department shall collect a  
3 toll for passage on the toll road designated by (a) of this section by a vehicle that is  
4 transporting personnel or goods for use by an oil or gas developer, explorer, or  
5 producer. The department shall annually establish tolls so that the total amount of tolls  
6 collected approximately equals the portion of actual maintenance costs for the  
7 highway caused by use of the highway by an oil or gas developer, explorer, or  
8 producer.

9 (c) The department may not charge a toll for a vehicle that

10 (1) is engaged in transporting personnel or goods for use by the  
11 Alyeska Pipeline Service Company; or

12 (2) is not transporting personnel or goods for use by an oil or gas  
13 developer, explorer, or producer.

14 (d) An operator of a vehicle who pays a toll under this section while  
15 transporting personnel or goods for use by an oil or gas developer, explorer, or  
16 producer may request reimbursement of the toll from the developer, explorer, or  
17 producer. The oil or gas developer, explorer, or producer shall reimburse the operator  
18 within 30 days after the operator submits a request for reimbursement.

19 (e) An operator of a vehicle who pays a toll under this section may institute an  
20 action in the superior court if an oil or gas developer, explorer, or producer fails to  
21 reimburse the operator as provided under (d) of this section. If an operator bringing an  
22 action prevails, the operator is entitled to full reasonable attorney fees and court costs,  
23 as allowed by the rules of court.

24 (f) In this section,

25 (1) "explorer" has the meaning given in AS 43.55.900;

26 (2) "producer" has the meaning given in AS 43.55.900.

27 \* **Sec. 4.** This Act takes effect January 1, 2019.