

ALASKA STATE LEGISLATURE
SENATE TRANSPORTATION STANDING COMMITTEE

April 17, 2018

1:27 p.m.

MEMBERS PRESENT

Senator Bert Stedman, Chair
Senator Click Bishop
Senator David Wilson
Senator Dennis Egan

MEMBERS ABSENT

Senator Anna MacKinnon

COMMITTEE CALENDAR

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 259(JUD) AM

"An Act relating to containing or confining loads being transported on highways."

- MOVED SCS CSHB 259(TRA) OUT OF COMMITTEE

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 82(STA) AM

"An Act relating to vehicle registration; relating to off-highway restricted areas; and relating to motor vehicle liability insurance."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 259

SHORT TITLE: CONFINING VEHICLE LOADS

SPONSOR(S): REPRESENTATIVE(S) STUTES

01/08/18	(H)	PREFILE RELEASED 1/8/18
01/16/18	(H)	READ THE FIRST TIME - REFERRALS
01/16/18	(H)	TRA, JUD
01/25/18	(H)	TRA AT 1:15 PM BARNES 124
01/25/18	(H)	-- MEETING CANCELED --
01/30/18	(H)	TRA AT 1:00 PM BARNES 124
01/30/18	(H)	-- MEETING CANCELED --
02/01/18	(H)	TRA AT 1:00 PM BARNES 124

02/01/18 (H) Heard & Held
 02/01/18 (H) MINUTE(TRA)
 02/08/18 (H) TRA AT 1:00 PM BARNES 124
 02/08/18 (H) Moved CSHB 259(TRA) Out of Committee
 02/08/18 (H) MINUTE(TRA)
 02/09/18 (H) TRA RPT CS(TRA) 1DP 5AM
 02/09/18 (H) DP: STUTES
 02/09/18 (H) AM: KOPP, CLAMAN, DRUMMOND, EASTMAN,
 WOOL
 02/21/18 (H) JUD AT 1:00 PM GRUENBERG 120
 02/21/18 (H) <Bill Hearing Canceled>
 02/23/18 (H) JUD AT 1:30 PM GRUENBERG 120
 02/23/18 (H) Heard & Held
 02/23/18 (H) MINUTE(JUD)
 03/05/18 (H) JUD AT 1:00 PM GRUENBERG 120
 03/05/18 (H) Moved CSHB 259(JUD) Out of Committee
 03/05/18 (H) MINUTE(JUD)
 03/07/18 (H) JUD RPT CS(JUD) 5DP 1NR 1AM
 03/07/18 (H) DP: KOPP, KREISS-TOMKINS, STUTES,
 LEDOUX, CLAMAN
 03/07/18 (H) NR: REINBOLD
 03/07/18 (H) AM: EASTMAN
 03/15/18 (H) TRANSMITTED TO (S)
 03/15/18 (H) VERSION: CSHB 259(JUD) AM
 03/16/18 (S) READ THE FIRST TIME - REFERRALS
 03/16/18 (S) TRA, JUD
 03/29/18 (S) TRA AT 1:30 PM BUTROVICH 205
 03/29/18 (S) -- MEETING CANCELED --
 04/03/18 (S) TRA AT 1:30 PM BUTROVICH 205
 04/03/18 (S) Heard & Held
 04/03/18 (S) MINUTE(TRA)
 04/05/18 (S) TRA AT 1:30 PM BUTROVICH 205

BILL: HB 82

SHORT TITLE: OFF HWY DRIVER'S LIC.; REGISTRATION; INSUR.
 SPONSOR(s): REPRESENTATIVE(s) KREISS-TOMKINS

01/25/17 (H) READ THE FIRST TIME - REFERRALS
 01/25/17 (H) STA, TRA
 02/02/17 (H) STA AT 3:00 PM GRUENBERG 120
 02/02/17 (H) Scheduled but Not Heard
 02/23/17 (H) STA AT 3:00 PM GRUENBERG 120
 02/23/17 (H) <Bill Hearing Canceled>
 02/28/17 (H) STA AT 3:00 PM GRUENBERG 120
 02/28/17 (H) Heard & Held
 02/28/17 (H) MINUTE(STA)
 03/09/17 (H) STA AT 3:00 PM GRUENBERG 120

03/09/17 (H) Heard & Held
 03/09/17 (H) MINUTE(STA)
 03/14/17 (H) STA AT 3:00 PM GRUENBERG 120
 03/14/17 (H) Moved CSHB 82(STA) Out of Committee
 03/14/17 (H) MINUTE(STA)
 03/20/17 (H) STA RPT CS(STA) NT 3DP 2NR
 03/20/17 (H) DP: KNOPP, TUCK, KREISS-TOMKINS
 03/20/17 (H) NR: WOOL, LEDOUX
 03/28/17 (H) TRA AT 1:00 PM BARNES 124
 03/28/17 (H) Heard & Held
 03/28/17 (H) MINUTE(TRA)
 03/30/17 (H) TRA AT 1:00 PM BARNES 124
 03/30/17 (H) Moved CSHB 82(STA) Out of Committee
 03/30/17 (H) MINUTE(TRA)
 03/31/17 (H) TRA RPT CS(STA) NT 5DP 1NR
 03/31/17 (H) DP: CLAMAN, DRUMMOND, SULLIVAN-LEONARD,
 KOPP, WOOL
 03/31/17 (H) NR: NEUMAN
 04/08/17 (H) NOT TAKEN UP 4/8 - ON 4/9 CALENDAR
 04/10/17 (H) TRANSMITTED TO (S)
 04/10/17 (H) VERSION: CSHB 82(STA) AM
 04/11/17 (S) READ THE FIRST TIME - REFERRALS
 04/11/17 (S) TRA, STA
 03/01/18 (S) TRA AT 1:30 PM BUTROVICH 205
 03/01/18 (S) Heard & Held
 03/01/18 (S) MINUTE(TRA)
 04/05/18 (S) TRA AT 1:30 PM BUTROVICH 205

WITNESS REGISTER

DAVID SCOTT, Staff
 Senator Stedman
 Alaska State Legislature
 Juneau, Alaska

POSITION STATEMENT: Explained the Senate committee substitute for HB 259.

MATT GRUENING, Staff
 Representative Stutes
 Alaska State Legislature
 Juneau, Alaska

POSITION STATEMENT: Summarized HB 259.

REPRESENTATIVE JONATHAN KREISS-TOMKINS
 Alaska State Legislature
 Juneau, Alaska

POSITION STATEMENT: Sponsor of HB 82.

ACTION NARRATIVE

[1:27:47 PM](#)

CHAIR BERT STEDMAN called the Senate Transportation Standing Committee meeting to order at 1:27 p.m. Present at the call to order were Senators Egan, Wilson, Bishop, and Chair Stedman.

CHAIR STEDMAN reviewed agenda.

[1:28:36 PM](#)

At ease.

HB 259-CONFINING VEHICLE LOADS

[1:29:05 PM](#)

CHAIR STEDMAN called the committee back to order and announced the consideration of [CSHB 259(JUD)AM.] "An Act relating to containing or confining loads being transported on highways." Noting that the bill was previously heard, he asked for a motion to adopt the Senate committee substitute (SCS).

[1:29:38 PM](#)

SENATOR BISHOP moved to adopt the Senate CS for CSHB 259, version 30-LS0917\S, as the working document.

[1:29:55 PM](#)

CHAIR STEDMAN objected for discussion purposes.

[1:30:08 PM](#)

DAVID SCOTT, Staff, Senator Stedman, Alaska State Legislature, Juneau, Alaska, explained that the Senate committee substitute makes just one change. On page 2, lines 17-18, language was added to exempt commercial motor vehicles that are subject to federal motor carrier cargo securement standards implemented through state or federal law.

CHAIR STEDMAN asked if there were questions.

[1:30:40 PM](#)

SENATOR BISHOP stated support for the amendment.

CHAIR STEDMAN asked the sponsor's representative if he had any comments on the Senate CS.

[1:31:05 PM](#)

MATT GRUENING, Staff, Representative Stutes, Alaska State Legislature, Juneau, Alaska, sponsor of HB 259, thanked Chair Stedman for hearing the bill and passing it along if it was the will of the committee.

CHAIR STEDMAN quipped, "For making it better?"

MR. GRUENING replied, "Yes sir."

[1:31:14 PM](#)

CHAIR STEDMAN removed his objection. Finding no further objection, he stated the Senate CS is adopted.

CHAIR STEDMAN asked Mr. Gruening to remind the committee what version S does.

MR. GRUENING explained that the bill updates the confined load statutes to include materials other than sand, dirt, rock, and gravel. It establishes respective class A and class B misdemeanor penalties if someone, with criminal negligence, fails to secure a load that results in the serious physical injury of another person or it results in \$5,000 or more in property damage. The bill also provides sliding scale fines for other circumstances. A number of exemptions in the bill deal with municipal vehicles that are maintaining the roadway for traction, the natural accumulation of snow, dirt, ice, mud, and similar materials. The Senate CS adds an exemption for vehicles regulated under the federal commercial motor vehicle standards.

[1:33:06 PM](#)

CHAIR STEDMAN found no questions and asked the will of the committee.

[1:33:17 PM](#)

SENATOR EGAN moved to report SCS CSHB 259(TRA), version 30-LS0917\S, from committee with individual recommendations and attached fiscal note(s).

[1:33:40 PM](#)

CHAIR STEDMAN found no objection and it was so ordered.

HB 82-OFF HIGHWAY DRIVER'S LICENSE; REGISTRATION; INSURANCE

[1:33:59 PM](#)

CHAIR STEDMAN announced the consideration of [CSHB 82 (STA)AM]; "An Act relating to vehicle registration; relating to off-road system restricted noncommercial drivers' licenses; relating to

off-highway commercial drivers' licenses; relating to off-road system eligible areas; and relating to motor vehicle liability insurance." He noted the bill was previously heard and that there were possible amendments. He asked the sponsor to review the bill for the committee.

[1:34:38 PM](#)

REPRESENTATIVE JONATHAN KREISS-TOMKINS, Alaska State Legislature, Juneau, Alaska, sponsor of HB 82, stated that the bill clarifies the eligibility criteria for the long-standing off-highway driver's program. He explained that several communities that had been eligible for the program for several decades became ineligible because of a new Division of Motor Vehicles interpretation of eligibility. When he looked into the matter, he saw the opportunity to tighten and clarify the eligibility criteria.

CHAIR STEDMAN asked Senator Wilson if he had a proposed amendment.

[1:35:54 PM](#)

SENATOR WILSON moved to adopt Amendment 1, labeled 30-LS0367\J.A.2.

30-LS0367\J.A.2
Martin
3/5/18

AMENDMENT 1

OFFERED IN THE SENATE BY SENATOR WILSON
TO: CSHB 82 (STA) am

Page 5, lines 1 - 18:
Delete all material.

ReNUMBER the following bill sections accordingly.

Page 5, line 29:
Delete all material and insert:
"* **Sec. 7.** AS 28.22.011(a)(1) and 28.22.011(b) are repealed."

[1:36:18 PM](#)

CHAIR STEDMAN objected for discussion purposes and asked Senator Wilson what the amendment does.

SENATOR WILSON explained that the purpose of the amendment is to require off-road motorists to carry vehicle insurance. The intent is to make sure that assessments of property damage are levied equally and that all lives are valued equally. The amendment simply requires vehicles to be insured. He pointed out that anyone can insure a vehicle they drive, not just the registered owner. He also highlighted that coverage can be obtained remotely.

SENATOR EGAN asked how "remotely" would be applied under the amendment.

SENATOR WILSON explained that the amendment would require the 294 off-highway communities the sponsor identified to comply with the same insurance coverage requirements for motor vehicle as communities on the road system.

SENATOR EGAN asked if the idea is that someone who is in a community that does not have an insurance agent could...

SENATOR WILSON interjected, "They could call any provider of their choice, statewide, to be covered through insurance."

CHAIR STEDMAN asked the bill sponsor to comment.

[1:39:55 PM](#)

REPRESENTATIVE KREISS-TOMKINS said he opposed the proposed amendment, primarily because it goes beyond the scope of the bill. He reiterated that the bill seeks to clarify and tighten the eligibility criteria for the off-highway driver's program. Whether insurance is required to operate a motor vehicle in villages in Alaska, is a long-standing but separate question.

[1:40:34 PM](#)

CHAIR STEDMAN removed his objection. Finding no further objection, he announced that Amendment 1 was adopted. He asked the sponsor to comment.

REPRESENTATIVE KREISS-TOMKINS restated the explanation of the purpose of the bill that he provided earlier. He said the bill is a product of discussions with DMV regarding the off-highway driver's program. Amendment 1 changes it to require everyone in all villages in Alaska to carry vehicle insurance.

CHAIR STEDMAN asked if he continues to support the bill.

[1:41:56 PM](#)

REPRESENTATIVE KREISS-TOMKINS replied he supports the underlying bill but has concerns with the amendment. He opined that most legislators from rural Alaska would likely have similar concerns.

[1:42:16 PM](#)

CHAIR STEDMAN found no further questions and announced he would hold HB 82 in committee.

[1:42:19 PM](#)

There being no further business to come before the committee, Chair Stedman adjourned the Senate Transportation Standing Committee meeting at 1:42 p.m.