

**ALASKA STATE LEGISLATURE**  
**HOUSE TRANSPORTATION STANDING COMMITTEE**

April 20, 2023

1:19 p.m.

**MEMBERS PRESENT**

Representative Kevin McCabe, Chair  
Representative Sarah Vance, Vice Chair  
Representative Tom McKay  
Representative Craig Johnson  
Representative Genevieve Mina

**MEMBERS ABSENT**

Representative Jesse Sumner  
Representative Louise Stutes

**COMMITTEE CALENDAR**

HOUSE BILL NO. 128

"An Act relating to the definition of 'oil terminal facility.'"

- HEARD & HELD

HOUSE BILL NO. 124

"An Act relating to commercial motor vehicle drivers' license requirements; and providing for an effective date."

- MOVED HB 124 OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: HB 128

SHORT TITLE: OIL TERMINAL FACILITY

SPONSOR(s): TRANSPORTATION

03/22/23	(H)	READ THE FIRST TIME - REFERRALS
03/22/23	(H)	TRA
03/30/23	(H)	TRA AT 1:00 PM BARNES 124
03/30/23	(H)	Heard & Held
03/30/23	(H)	MINUTE (TRA)
04/18/23	(H)	TRA AT 1:00 PM BARNES 124
04/18/23	(H)	Heard & Held
04/18/23	(H)	MINUTE (TRA)
04/20/23	(H)	TRA AT 1:00 PM BARNES 124

BILL: HB 124

SHORT TITLE: LICENSE REQUIREMENTS: COMM. DRIVERS

SPONSOR(S): COULOMBE

03/17/23	(H)	READ THE FIRST TIME - REFERRALS
03/17/23	(H)	TRA, L&C
04/12/23	(H)	BILL REPRINTED
04/18/23	(H)	TRA AT 1:00 PM BARNES 124
04/18/23	(H)	Heard & Held
04/18/23	(H)	MINUTE(TRA)
04/20/23	(H)	TRA AT 1:00 PM BARNES 124

**WITNESS REGISTER**

BUDDY WHITT, Staff  
Representative Kevin McCabe  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Explained the changes in a proposed committee substitute for HB 128 on behalf of the sponsor, the House Transportation Standing Committee, on which Representative McCabe serves as chair.

REPRESENTATIVE JULIE COLOUMBE  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** As prime sponsor, presented HB 124.

DANIEL ROBBINS, Staff  
Representative Julie Coloumbe  
Alaska State Legislature

**POSITION STATEMENT:** Answered questions during the hearing on HB 124 on behalf of Representative Coloumbe, prime sponsor.

KATI CAPOZZI, President  
Alaska Chamber  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 124.

TETYANA ROBBINS, CEO  
Ukraine Relief Program  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 124.

**ACTION NARRATIVE**

[1:19:34 PM](#)

**CHAIR KEVIN MCCABE** called the House Transportation Standing Committee meeting to order at 1:19 p.m. Representatives C. Johnson, McKay, Vance, Mina, and McCabe were present at the call to order.

**HB 128-OIL TERMINAL FACILITY**

1:20:09 PM

CHAIR MCCABE announced that the first order of business would be HOUSE BILL NO. 128, "An Act relating to the definition of 'oil terminal facility.'"

1:20:59 PM

REPRESENTATIVE VANCE moved to adopt the proposed committee substitute (CS) for HB 128, Version 33-LS0634\U, Gunther/Radford, 4/20/23, as a working document.

REPRESENTATIVE MCCABE objected for the purpose of discussion. He asked Buddy Whitt to address the changes proposed in the CS.

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BUDDY WHITT, Staff, Representative Kevin McCabe, Alaska State Legislature, explained the changes in the proposed CS for HB 128, Version U, on behalf of the sponsor, the House Transportation Standing Committee, on which Representative McCabe serves as chair. He reviewed that the original bill contained a definition of "oil terminal facility" that included two instances where a vessel would be considered an oil tank facility, and this caused concerns among fuel handlers in the state. He stated that Version U was drafted based on feedback from stakeholders, but said he is currently awaiting feedback from the Department of Environmental Conservation (DEC).

MR. WHITT paraphrased the sectional analysis for Version U [included in the committee packet], which read as follows [original punctuation provided]:

Section 1 - Page 1, lines 4 through 11 - adds language that an approved contingency plan for a tank vessel or oil barge satisfies the requirement in (a) of this section for contingency plans for oil terminal facilities.

Section 2 - Page 1, line 12 through Page 2, line 6 - adds language that proof of financial ability for a tank or oil barge that is approved under this subsection satisfies the requirements of (a) of the section for proof of financial ability for oil terminal facilities.

Section 3 - Page 2, lines 12 through 26 - changes the definition of oil terminal facility to confirm to the additions of sections one and two; specifying that when a tank vessel or oil barge are operating with approved contingency plans and proof of financial ability, they are not considered "oil terminal facilities".

Section 4 - Page 2, line 27 - Added an immediate effective date to the bill.

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CHAIR MCCABE removed his objection to the motion to adopt the proposed CS for HB 128, Version U. There being no further objection, Version U was before the committee.

CHAIR MCCABE announced that HB 128 was held over.

[1:27:03 PM](#)

The committee took a brief at-ease at 1:27 p.m.

**HB 124-LICENSE REQUIREMENTS: COMM. DRIVERS**

[1:27:35 PM](#)

CHAIR MCCABE announced that the final order of business would be HOUSE BILL NO. 124, "An Act relating to commercial motor vehicle drivers' license requirements; and providing for an effective date."

[1:28:17 PM](#)

REPRESENTATIVE JULIE COLOUMBE, Alaska State Legislature, as prime sponsor, stated that HB 124 would repeal the requirement that a person hold a driver's license for one year before applying for a commercial driver's license (CDL). She said she considers HB 124 a "workforce bill," in that the bill helps people start their CDL training faster.

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REPRESENTATIVE VANCE pointed out that the section that contains the one-year requirement also states: "or meets experience qualifications established by the department". She asked Representative Coloumbe if she has insight on that provision in statute.

REPRESENTATIVE COLOUMBE deferred to her staff, Daniel Robbins.

DANIEL ROBBINS, Staff, Representative Julie Coloumbe, on behalf of Representative Coloumbe, prime sponsor of HB 128, answered that there have been no other qualifications developed regarding experience.

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REPRESENTATIVE MCKAY raised concern with language barriers, specifically whether individuals coming from other countries understand English well enough to get an Alaska driver's license.

REPRESENTATIVE COLOUMBE answered that language barriers are not addressed under HB 124. She shared that there are some language barriers, but people with such barriers use phone apps as translators. She said it would be up to the people giving the training as to whether the person could communicate clearly, and that if there is too much of a language barrier, the person would not be able to undergo the training.

[1:31:52 PM](#)

MR. ROBBINS shared that since the start of the Russia-Ukraine conflict, he has had family members come to Alaska, and they are doing fine despite English not being their first language. He stated that the language barrier shouldn't be an issue.

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CHAIR MCCABE referenced comment from the previous hearing of HB 124, in that the person must undergo four checkpoints, the first of which is attaining the driver's license, and that one of the first requirements of the license is that the person must be able to speak and understand enough English to read signs and follow police officer instructions. He said that HB 124 could

aid in "filling the gaps" that are coming in the CDL and operator areas.

CHAIR MCCABE opened public testimony on HB 124.

[1:33:34 PM](#)

KATI CAPOZZI, President, Alaska Chamber, said that the Alaska Chamber ("the Chamber") is in support of House Bill 124. She said the Chamber was founded in 1953 and is Alaska's largest statewide business advocacy organization. She stated that the Chamber's mission is to promote a healthy business environment in Alaska. She reported that the Chamber has more than 700 members and represents businesses of all sizes and industries from across the state, representing 58,000 Alaska workers and \$4.6 billion in wages. She shared that the Chamber has a formal policy position to support workforce development to increase the number of qualified employees needed to fill positions in resource industries, and that HB 124 would eliminate one of the many barriers to entry for individuals seeking a career in trucking and transportation.

MS. CAPOZZI said the Federal Motor Carrier Safety Administration (FMCSA) recently implemented its entry level driver training (ELDT) program, which establishes "minimum training requirements for entry-level commercial motor vehicle operators." She stated that this program was a result of years of engagement with safety organizations, industry, and other stakeholders. She explained that ELDT provides a checklist of over 100 different skills, inspection, and knowledge requirements an applicant must prove to be proficient in before they are allowed to test for a CDL. In considering these new requirements, she stated, the requirement of holding of a regular driver's license for a calendar year is a redundant barrier to entry into the transportation industry. She relayed that the Chamber members know firsthand how vital trained and licensed CDL drivers are to the Alaska economy, not only in the resource industry, but across all industry sectors that rely on transportation of goods and services. She reiterated that the Chamber supports HB 124, in that it is straightforward and good for business, and she urged passage of the bill.

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TETYANA ROBBINS, CEO, Ukraine Relief Program, said that since May 2022, the Ukraine Relief Program has provided transportation and support to over 1,000 Ukrainians that have fled the war.

She stated that Ukrainian refugees are coming to Alaska because "they are trying to stay alive." She said that an important phase of the operation is employment, and that, in reviewing the professional skills of the refugees coming to Alaska, the program discovered that many of the refugees have experience driving busses and heavy equipment. She said there was excitement in seeing 500 open positions available for CDL licensed drivers; however, Alaska's statute is out of sync with federal law, forcing the Ukrainians to wait a year before being able to apply for a CDL. She said she'd hate to see such professionals leave the state or switch industries. She stated that passage of HB 124 would help fill the vacancies in the transportation industry and help new arrivals to Alaska work in their chosen field.

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CHAIR MCCABE, after ascertaining there was no one else who wished to testify, closed public testimony on HB 124.

[1:39:00 PM](#)

REPRESENTATIVE VANCE moved to report HB 124 out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HB 124 was reported out of the House Transportation Standing Committee.

[1:39:30 PM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House Transportation Standing Committee meeting was adjourned at 1:39 p.m.