

1 IN THE HOUSE

BY REPRESENTATIVE KAY

2 HOUSE BILL NO. 56

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act to provide for a system of  
7 periodic inspection of motor vehicles and  
8 making an appropriation therefor."

9 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

10 Section 1. PERIODIC INSPECTION OF MOTOR VEHICLES

11 (1) Every motor vehicle registered in Alaska shall be  
12 regularly inspected in accordance with the provisions of this  
13 Act.

14 (2) The Superintendent of Territorial Police (hereinafter  
15 referred to as Superintendent) shall also require the inspection  
16 of any motor vehicle duly registered under the laws of another  
17 state, a province of Canada, a territory or a federal district  
18 to the extent to which such state, province, territory or  
19 federal district requires the inspection of motor vehicles duly  
20 registered under the laws of Alaska.

21 (3) Such inspection shall be made with respect to the  
22 brakes, steering, wheel alignment, horn, tires, lights, glass,  
23 windshield wiper, and such other mechanisms and equipment as  
24 shall be determined by the Superintendent to be necessary for  
25 proper and safe operation.

26 Sec. 2. POWERS AND DUTIES OF THE SUPERINTENDENT

27 (1) It shall be the duty of the Superintendent to  
28 administer the provisions of this Act.

29 (2) The Superintendent may authorize the acceptance of

1 a certificate of inspection issued in any state or territory  
2 having inspection requirements substantially similar to those of  
3 Alaska. He may also extend the time within which a certificate  
4 shall be obtained by the owner of a motor vehicle which was not  
5 in Alaska during the time an inspection was required.

6 (3) The Superintendent may permit any person, associa-  
7 tion, corporation or municipality having registered in his or  
8 its name in Alaska more than twenty-five motor vehicles, on such  
9 motor vehicles and qualified dealers, on motor vehicles held by  
10 them for sale or demonstration, who maintain approved inspection  
11 facilities, to conduct the inspection required by this Act under  
12 regulations prescribed by the Superintendent.

13 (4) The Superintendent may appoint and at pleasure  
14 remove inspectors, consultants and such other assistants and  
15 employees as he may deem necessary, within the amount available  
16 therefor by appropriation, to carry out the provisions of this  
17 Act.

18 (5) The Superintendent is empowered to make necessary  
19 rules and regulations for the administration and enforcement of  
20 this Act.

### 21 Sec. 3. OFFICIAL INSPECTION STATIONS

22 (1) The Superintendent is authorized to license official  
23 inspection stations for the purpose of making the inspection  
24 prescribed by this Act and for the purpose of issuing certifi-  
25 cates of inspection. A license to operate an official inspection  
26 station shall be issued only upon written application which  
27 shall set forth such facts and evidence as may be required to  
28 ascertain the identity, qualifications and character of the  
29 applicant. Applications for a license for an official inspection

1 station shall be accompanied by a fee of twenty-five dollars;  
2 provided, however, that the Superintendent shall refund fifteen  
3 dollars of such fee to the applicant if he fails to qualify for  
4 a license under this section. The Superintendent shall issue a  
5 license, after appropriate inquiry and investigation, only when  
6 he is satisfied that the station is properly equipped and has  
7 competent personnel to make such inspection and will be properly  
8 conducted and that the applicant complies with the provisions  
9 of this Act and the rules and regulations promulgated thereunder.  
10 The Superintendent may issue a temporary/permit to any  
11 applicant for a license under the provisions of this Act pending  
12 final action on an application made for a license. Any such  
13 permit shall be valid for a period not in excess of sixty days.  
14 Licenses and renewals thereof shall be valid until the thirty-  
15 first day of August of the year following the year of issue.

16 (2) Each official inspection station shall keep a  
17 record of inspections, re-inspections, and the results thereof,  
18 and a record of certificates of inspection issued.

19 (3) The Superintendent shall supervise and cause  
20 inspections to be made of such official inspection stations. It  
21 shall be the duty of the police forces of all municipalities of  
22 Alaska and the various United States Marshals and their deputies  
23 to assist the Superintendent in assuring compliance by all  
24 official inspection stations with the provisions of this Act  
25 and with all rules and regulations promulgated thereunder. An  
26 official inspection station and the records thereof shall be  
27 open for inspection at reasonable times by any police officer or  
28 any person designated by the Superintendent to inspect such  
29 official stations.

1 (4) A license to operate an official inspection station  
2 may be suspended or revoked by the Superintendent for one or  
3 more of the following causes:

- 4 (a) Failure to conduct inspections in conformance with the  
5 provisions of this Act and the rules and regulations  
6 promulgated thereunder or improper issuance of certifi-  
7 cates of inspections.
- 8 (b) Conviction of a crime involving moral turpitude or other  
9 cause which would permit disqualification from re-  
10 ceiving a license upon the original application.
- 11 (c) Fraud, deceit or misrepresentation in securing the  
12 license or in the conduct of the licensed activity.
- 13 (d) Excessive charges for conducting inspections and for  
14 making adjustments, corrections or repairs required by  
15 such inspections.
- 16 (e) Violation of any provision of this Act or any rule or  
17 regulation promulgated thereunder.

18 No license shall be revoked or suspended except upon notice  
19 to the licensee and after an opportunity to be heard. A license,  
20 however, may be temporarily suspended without notice pending  
21 any prosecution, investigation, or hearing. Whenever any  
22 license to operate an official inspection station is revoked, no  
23 license shall be reissued to an applicant until after the  
24 expiration of a period of one year from the date of such  
25 revocation.

26 Sec. 4. INSPECTION AND CERTIFICATES OF INSPECTION

27 (1) No certificate of inspection shall be issued by an  
28 official inspection station until the mechanisms and other  
29 equipment of the motor vehicle inspected are in proper and safe

condition and comply with the rules and regulations of the Superintendent and with the laws of Alaska.

(2) If such inspection discloses the necessity for adjustments, corrections or repairs the owner shall be so notified and shall have such adjustments, corrections or repairs made within a period to be designated by the Superintendent. The Superintendent shall establish procedures for reporting the results of such inspections and for notifying the owners. The owner may have such adjustments, corrections and repairs made in any way and by whomever he shall choose.

(3) The Superintendent shall issue certificates of inspection to official inspection stations. Such certificates of inspection shall be serially numbered and shall bear the registration number of the motor vehicle and such other information as the Superintendent may require. Each certificate shall be valid for a period of six months, provided, however, that the Superintendent may extend such period for a period or periods of time not exceeding six months in the aggregate.

#### Sec. 5. FEES

(1) The fee for each certificate of inspection issued by the Superintendent to be collected from the owner of an official inspection station to whom issued shall be ten cents.

(2) The fee schedule charged by an official inspection station for making the inspection required under this Act shall be filed with the Superintendent.

#### Sec. 6. ENFORCEMENT

(1) The Superintendent shall revoke the registration of any motor vehicle which inspection discloses to be unsafe for use on the highway and for which a certificate of inspection

cannot be issued. He shall suspend the registration of any motor vehicle for which a certificate of inspection has not been obtained as required by this Act, or which is not repaired within the period designated under Sec. 4 (2).

(2) On and after September first, nineteen hundred fifty-five no motor vehicle shall be operated on the public highways of Alaska unless a certificate of inspection, as required by this Act, is displayed upon the vehicle.

(3) No motor vehicle shall be registered in Alaska for the year nineteen hundred fifty-six and each year thereafter unless a valid certificate of inspection is in force therefor.

(4) Any person who shall issue a certificate of inspection without having made an inspection, or who shall wilfully issue a certificate of inspection for a motor vehicle, the mechanisms and other equipment of which do not comply with the standards prescribed by the rules and regulations established by the Superintendent, shall be guilty of a misdemeanor.

(5) Any person who shall make, issue or knowingly use any imitation or counterfeit of an official certificate of inspection, or who shall display or cause or permit to be displayed upon any motor vehicle any certificate of inspection knowing the same to be fictitious or issued without an inspection having been made, shall be guilty of a misdemeanor.

(6) Any person who shall display or cause or permit to be displayed any sign, mark or advertisement as an official inspection station unless a license has been issued by the Superintendent and is then in effect or who shall transfer or attempt to transfer a license as an official inspection station, shall be guilty of a misdemeanor.

1           **Sec. 7. PENALTIES**

2           Any person convicted of a misdemeanor in violation of any  
3 of the provisions of this Act shall be punished by imprisonment  
4 for a term not to exceed six months in the Federal Jail or by  
5 a fine not to exceed one thousand dollars, or by both such  
6 imprisonment or fine.

7           **Sec. 8. DEFINITIONS**

8           As used in this Act, the term "motor vehicle" shall  
9 include motorcycles and all vehicles included in the definition  
10 of the term contained in Chapter 124 Session Laws of Alaska 1951,  
11 as amended, except.

12           (a) Vehicles inspected by or operating under a certifi-  
13 cate of inspection authorized by the Interstate Commerce  
14 Commission, or of a municipally owned and operated transit  
15 system, or

16           (b) Farm vehicles registered under Chapter 124 Session  
17 Laws of Alaska 1951, as amended, or

18           (c) Vehicles subject to inspection and licensing by  
19 local authorities, provided such inspection by such local  
20 authorities conforms with the standards established by the  
21 Superintendent under this Act.

22           **Sec. 9. APPROPRIATIONS**

23           The sum of ten thousand dollars (\$10,000), or so much  
24 thereof as may be necessary, is hereby appropriated out of any  
25 monies in the General Fund to carry out the provisions of this  
26 Act. Expenditures made hereunder shall be by vouchers approved  
27 and signed by the Superintendent of Police.  
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