

1 IN THE HOUSE

BY MR. MEEKINS AND MRS.  
FISCHER

2 HOUSE BILL NO. 128

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act requiring Alaska dealers and the  
7 agents, brokers and salesmen of out-of-  
8 state dealers in motor vehicles to register  
9 and to file a bond; and providing for an  
10 effective date."

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

12 Section 1. REGISTRATION REQUIRED. Every dealer of or in  
13 motor vehicles, trailers or semi-trailers shall, as a condition  
14 to engaging in business in this state, register annually as such  
15 with the Department of Revenue.

16 As used in this Act "dealer" means any individual, firm,  
17 corporation or association or the agent, broker or salesman of  
18 any out of state firm, corporation or association engaging in  
19 the business of buying, selling or dealing in new or used motor  
20 vehicles, trailers or semi-trailers.

21 Sec. 2. APPLICATION: BOND AND FEE. Application for a  
22 dealer's registration shall be accompanied by an annual regis-  
23 tration fee of \$ and a bond as hereinafter provided for.

24 Sec. 3. APPLICATION: WHAT TO CONTAIN. The application  
25 shall be on blanks furnished by the Department of Revenue and  
26 must show:

- 27 (1) Name under which business is conducted.  
28 (2) Location of business.  
29 (3) Name and address of all owners or persons having

1 an interest in the business; in the case of a corporation the  
2 name and address of the two principal officers is sufficient.

3 (4) Name and make of all vehicles handled.

4 (5) Whether or not used vehicles are handled.

5 (6) A statement to the effect that the applicant is  
6 a bona fide dealer in motor vehicles, trailers or semi-trailers  
7 with an established business at the location given.

8 (7) Such other information as the Department of Revenue  
9 shall require to efficiently administer this Act.

10 Sec. 4. APPLICATION: FILING AND RENEWAL. The application  
11 shall be filed with the Department of Revenue. Upon receipt  
12 thereof the Department shall examine it and may make an individual  
13 investigation relative to statements contained therein. Upon  
14 being satisfied that the dealer is entitled to registration,  
15 that the proper fees therefor have been paid and that a bond has  
16 been filed, the Department shall assign to such dealer a dis-  
17 tinctive registration number and shall file his application and  
18 index it alphabetically under the name designated in the appli-  
19 cation and also numerically. Upon assignment of a registration  
20 number to a dealer, he shall be considered as registered. Regis-  
21 tration shall be renewed annually by each dealer or on before  
22 December 31 of each year.

23 Sec. 5. BOND: AMOUNT AND FORM. The bond mentioned in Sec. 2  
24 hereof shall have a corporate surety licensed to do business  
25 within this state. The bond shall be executed to the state of  
26 Alaska and shall be in the amount determined as follows: if the  
27 principal place of business is located in election district 10  
28 or 19 as said districts are described in Article XIV of the Con-  
29 stitution of the State of Alaska on the effective date of this

1 Act, said bond shall be in the amount of \$10,000.00; bonds for  
2 persons, firms, corporations or associations whose principal  
3 place of business is located in an area other than those hereto-  
4 fore described shall be in the amount of \$5,000.00. The bond  
5 shall be approved as to form by the Attorney General, and be con-  
6 ditioned that the applicant shall conduct his business as a dealer  
7 without fraud or fraudulent representation and without violating  
8 any of the provisions hereof.

9 Sec. 6. BOND: ACTION UPON. If any person suffers any loss  
10 or damage by reason of fraud, fraudulent representations or viola-  
11 tion of any of the provisions of this Act by a dealer, he has a  
12 right of action against such dealer and a right of action in his  
13 own name against the surety upon the bond.

14 Sec. 7. BONDS: FILING OF. All bonds given under the pro-  
15 visions of this Act shall be filed and held in the office of the  
16 Commissioner of Revenue of the Department of Revenue of the State  
17 of Alaska. The bond shall be cancelled six (6) months after re-  
18 ceipt of notice from the corporate surety that the dealer has  
19 ceased to do business in this state; thereupon sureties on the  
20 bond shall be relieved from liability accruing subsequent to such  
21 cancellations by the department.

22 Sec. 8. EFFECTIVE DATE. This Act shall take effect imme-  
23 diately upon its passage and approval or upon its becoming law  
24 without such approval.  
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