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IN THE SENATE

BY HANSEN

SENATE BILL NO. 219

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to city and borough power to govern the use and operation of motor vehicles."

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

* Section 1. AS 29.10.171(a) is amended to read:

(a) The council may, by general ordinance, provide for licensing and regulating the use and operation of motor vehicles in the city, and prescribe the qualifications of persons operating or driving motor vehicles. The power granted under this subsection extends to all classes of motor vehicles and operators which the state may license and regulate under the provisions of AS 28 and vests the council with authority to implement or supplement those provisions and prescribe penalties not exceeding those prescribed for violation of municipal ordinances generally under sec. 195 of this chapter. However, ordinance provisions other than those for penalties must be compatible with those of state law relating to motor vehicles and motor vehicle operators within the city. The power of the state to enforce state law relating to motor vehicles and motor vehicle operators within the city is not affected by this subsection.

* Sec. 2. AS 29.15.290 is amended to read:

Sec. 29.15.290 APPLICATION OF LAWS GOVERNING FIRST CLASS CITIES. All laws and parts of laws empowering and

1 regulating first class cities on special assessments, public
2 utilities, airports, public service rates, franchises,
3 acquisition and disposition of property, motor vehicles and
4 motor vehicle operators, and schools apply to second class
5 cities.

6 * Sec. 3. AS 29.20 is amended by adding a new section to read:
7 Sec. 29.20.063. MOTOR VEHICLES. The board of trustees
8 of a city of the third class may govern the use and operation
9 of motor vehicles in the manner provided for the council of
10 a first class city under AS 29.10.171(a).

11 * Sec. 4. AS 29.25 is amended by adding a new section to read:
12 Sec. 29.25.275. MOTOR VEHICLES. The council may
13 govern the use and operation of motor vehicles in the manner
14 provided for the council of a first class city under AS 29.-
15 10.171(a).

16 * Sec. 5. AS 07.15 is amended by adding a new section to read:
17 Sec. 07.15.722. MOTOR VEHICLES. The assembly of a
18 second class borough may govern the use and operation of
19 motor vehicles in the area outside cities and may do so in
20 the manner provided for the council of a first class city
21 under AS 29.10.171(a). The exercise of the power granted
22 by this section is at the option of the assembly and is not
23 subject to the restrictions on acquiring additional powers
24 in the area outside cities specified in secs. 720 and
25 730 - 800 of this chapter.

26 * Sec. 6. AS 29.08 is amended by adding a new section to read:
27 Sec. 29.08.013. LIMIT ON POWER TO GOVERN USE AND OPERA-
28 TION OF MOTOR VEHICLES. AS 29.10.171(a), relating to power
29 to govern the use and operation of motor vehicles, applies

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to home rule cities.

* Sec. 7. AS 07 is amended by adding a new chapter to read:

CHAPTER 12. HOME RULE BOROUGHES.

ARTICLE 1. LIMITATIONS ON GENERAL POWERS

Sec. 07.12.050. LIMIT ON POWER TO GOVERN USE AND OPERA-
TION OF MOTOR VEHICLES. AS 29.10.171(a), relating to power
to govern the use and operation of motor vehicles, applies
to home rule boroughs.