

1 IN THE SENATE BY THE COMMERCE COMMITTEE

2 SENATE BILL NO. 584

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to private and contract carriers."

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

8 * Section 1. AS 42.10.420(7) is repealed and re-enacted to read:

9 (7) "private carrier" is a person who transports by motor
10 vehicle, with or without compensation, property which is owned or is
11 being bought or sold by the person, or property of which the person
12 is the seller, purchaser, lessee or bailee, and the transportation is
13 in the furtherance of some primary business other than transportation;
14 transportation is in the furtherance of some other primary business
15 if the transportation is provided in connection with other business
16 and the total annual gross revenue derived from or attributable to
17 the other business exceeds the total annual gross revenue derived from
18 or attributable to all of the transportation, but if the person has
19 not been engaged both in another business and transportation for a
20 full year, then in order to determine whether the transportation is in
21 the furtherance of some other business the gross revenue figures to
22 apply are those for the period the person has been engaged in both
23 another business and transportation; "private carrier" also includes
24 all persons who rent, lease, or otherwise provide a motor vehicle for
25 the use of others in transporting property, but who does not provide,
26 procure, or arrange for, directly or indirectly or by course of dealing,
27 a driver or operator for the motor vehicle;

28 * Sec. 2. AS 42.10.420(3) is repealed and re-enacted to read:

29 (3) "contract carrier" includes all motor vehicle operators

1 not included under the terms common carrier or private carrier;

2 * Sec. 3. AS 42.10.020 is amended by adding a new paragraph to read:

3 (4) motor vehicles operated by private carriers as defined
4 in sec. 420(7) of this chapter.

5 * Sec. 4. AS 42.10.050 is amended to read:

6 Sec. 42.10.050. COMBINATION OF SERVICES. Every person except
7 those persons who operate as private carriers as defined in sec. 420(7)
8 of this chapter, who, for compensation, performs a combination of
9 services which includes transportation of property of others upon
10 public highways is subject to the jurisdiction of the commission as
11 to the transportation, and shall not engage in the transportation
12 without a common carrier or contract carrier permit to do so. Every
13 person engaging in a combination of services which includes the trans-
14 portation of property of others shall advise the commission what
15 portion of the consideration is intended to cover the transportation
16 service, and the agreement covering the combination of services shall
17 be in writing, and the rate and charge for transportation set forth
18 in the agreement. The rates or charges for transportation services
19 included in a combination of services are subject to control and regu-
20 lation by the commission.

21 * Sec. 5. AS 42.10.270(b) is amended to read:

22 (b) No private carrier may transport property for compensation
23 except as provided in this chapter.
24
25
26
27
28
29