

Introduced: 3/29/71
Referred: Commerce and
Judiciary

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE
BY REQUEST

2 HOUSE BILL NO. 373

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to motor freight carriers."

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

8 * Section 1. AS 42.10.130 is amended by adding new subsections to read:

9 (d) Notwithstanding the provisions of (a) - (c) of this section,
10 a common carrier or contract carrier constituting a business entity
11 which is a corporation, and domiciled in Alaska, or a sole proprietor-
12 ship and the sole proprietor is a resident of Alaska, or a partnership
13 and each partner is a resident of Alaska, and has continuously operated
14 as a common carrier or contract carrier in the state since January 3,
15 1959, possessing Alaska interstate operating authority under a grant
16 of grandfather rights in Alaska by the Interstate Commerce Commission,
17 shall, by action of the Alaska Transportation Commission under this sub-
18 section, be granted Alaska intrastate operating authority coextensive
19 with the carrier's Alaska interstate operating authority. A carrier
20 eligible under this subsection shall, within 30 days of the effective
21 date of this Act, file an application with the Alaska Transportation
22 Commission requesting reconciliation of its Alaska intrastate operating
23 authority with its Alaska interstate operating authority. A carrier's
24 failure to file an application within the 30-day period constitutes an
25 absolute bar to the granting of operating authority under this subsec-
26 tion, and no application filed after the expiration of this period may
27 be accepted by the Alaska Transportation Commission.

28 (e) The Alaska Transportation Commission shall determine which
29 carriers are eligible under (d) of this section and issue to them,

1 within 60 calendar days from the effective date of this Act, revised
2 certificates of public convenience and necessity. The Alaska intra-
3 state operating authority granted under (d) and (e) of this section
4 shall be equivalent in all respects to the Alaska interstate grand-
5 father authority granted by the Interstate Commerce Commission. No
6 common carrier or contract carrier which possesses a greater scope of
7 Alaska intrastate operating authority than Alaska interstate operating
8 authority may have the intrastate operating authority reduced in any
9 way by the operation of (d) and (e) of this section.

10 (f) Nothing in (d) and (e) of this section affects carriers
11 which have obtained interstate operating authority by means other than
12 under grandfather rights granted by the Interstate Commerce Commission.

13 * Sec. 2. AS 42.10.130(c) is amended to read:

14 (c) Except as provided in (a), (b), (d), and (e) [AND (B)] of this
15 section a permit shall be issued to any qualified applicant, authorizing
16 the whole or a part of the operations covered by the application, if
17 the proposed service is or will be required by the present or future
18 public convenience or necessity; otherwise the application shall be
19 denied.
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