

Introduced: 2/11/76  
Referred: Commerce

1 IN THE HOUSE

BY GRUENING

2 HOUSE BILL NO. 720

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the motor safety responsibility  
7 Act; and providing for an effective date."

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

9 \* Section 1. AS 28.10.100 is amended by adding a new paragraph to read:

10 (5) that the applicant has failed to furnish the required  
11 proof of financial responsibility.

12 \* Sec. 2. AS 28.20.010 is amended to read:

13 Sec. 28.20.010. DECLARATION OF PURPOSE. The legislature is con-  
14 cerned over the rising toll of motor vehicle accidents and the suffering  
15 and loss inflicted by them. The legislature determines that it is a  
16 matter of grave concern that motorists be financially responsible for  
17 their negligent acts so that innocent victims of motor vehicle accidents  
18 may be recompensed for the injury and financial loss inflicted upon  
19 them. The legislature finds and declares that the public interest can  
20 best be served by the requirements that the operator of a motor vehicle  
21 [INVOLVED IN AN ACCIDENT RESPOND FOR DAMAGES AND ] show proof of finan-  
22 cial ability to respond for damages [IN FUTURE ACCIDENTS] as a pre-  
23 requisite to his exercise of the privilege of operating a motor vehicle  
24 in the state.

25 \* Sec. 3. AS 28.20.050 is repealed and re-enacted to read:

26 Sec. 28.20.050. APPLICATION OF CHAPTER. The provisions of this  
27 chapter apply to the driver and owner of every motor vehicle driven or  
28 moved upon a highway, except those vehicles exempt from registration  
29 under AS 28.10.040.

1 \* Sec. 4. AS 28.20.325 is amended to read:

2       Sec. 28.20.325. EXCEPTION FOR BUSINESS RELATIONSHIP. If the dri-  
3 ver at the time of an accident was driving, in the course and scope of  
4 his employment, a vehicle owned, operated or leased by his employer, the  
5 [SECURITY DEPOSIT,] proof of financial [FUTURE] responsibility and  
6 suspension provisions of this chapter apply to the employer and to the  
7 vehicles owned by him or registered under his name and do not apply to  
8 the driver.

9 \* Sec. 5. AS 28.20.330(a) is amended to read:

10       (a) If a person has an unsatisfied judgment against him requiring  
11 suspension under sec. 270 of this chapter, his license or nonresident's  
12 operating privilege shall remain suspended and shall not be renewed, nor  
13 shall a license or registration be issued in the name of the person, in-  
14 cluding a person not previously licensed, until the judgment is stayed  
15 or satisfied and until the person gives proof of financial responsibility  
16 subject to the exceptions in sec. 320 [SECS. 310 - 320, and 370] of this  
17 chapter.

18 \* Sec. 6. AS 28.20.410 is amended to read:

19       Sec. 28.20.410. CERTIFICATE OF INSURANCE AS PROOF. Proof of  
20 financial responsibility [FOR THE FUTURE] may be furnished by filing  
21 with the department the written certificate of an insurance carrier  
22 authorized to do business in this state certifying that there is in  
23 effect a motor vehicle liability policy for the benefit of the person  
24 required to furnish proof of financial responsibility. The certificate  
25 shall give the effective date of the motor vehicle liability policy,  
26 which shall be the same as the effective date of the certificate, and  
27 shall designate by description or appropriate reference all vehicles  
28 covered by it, unless the policy is issued to a person who is not the  
29 owner of a motor vehicle.

1 \* Sec. 7. AS 28.20.440(a) is amended to read:

2 (a) In this chapter, "motor vehicle liability policy" means an  
3 "owner policy" or an "operator's policy" containing an agreement or  
4 endorsement as provided in this section, or certified as provided in  
5 sec. 410 or sec. 420 of this chapter as proof of financial responsi-  
6 bility [FOR THE FUTURE], and issued, except as otherwise provided in  
7 sec. 420 of this chapter, by an insurance carrier authorized to transact  
8 business in this state, to or for the benefit of the person named as  
9 insured.

10 \* Sec. 8. AS 28.20.470 is amended to read:

11 Sec. 28.20.470. BOND AS PROOF. Proof of financial responsibility  
12 may be evidenced by the bond of a surety company authorized to transact  
13 business in this state. The bond shall be conditioned for payment of  
14 the amounts specified in sec. 440 [230] of this chapter. The bond shall  
15 be filed with the department and shall not be cancellable except after  
16 10 days' written notice to the department.

17 \* Sec. 9. AS 28.20.540(c) is amended to read:

18 (c) Whenever a person [,] whose proof has been cancelled or re-  
19 turned under (a)(3) of this section applies for a license [WITHIN A  
20 PERIOD OF THREE YEARS FROM THE DATE PROOF WAS ORIGINALLY REQUIRED],  
21 the application shall be refused unless the applicant reestablishes the  
22 proof [FOR THE REMAINDER OF THE THREE-YEAR PERIOD].

23 \* Sec. 10. AS 28.20.570 is amended to read:

24 Sec. 28.20.570. FORGED PROOF. A person who forges or, without  
25 authority, signs any evidence of proof of financial responsibility [FOR  
26 THE FUTURE], or who files or offers for filing evidence of proof of  
27 financial responsibility [FOR THE FUTURE], knowing or having reason to  
28 believe that it is forged or signed without authority, is punishable by  
29 a fine of not more than \$1,000, or by imprisonment for not more than one

1 year, or by both.

2 \* Sec. 11. AS 28.20 is amended by adding a new section to read:

3 Sec. 28.20.575. OPERATION OF MOTOR VEHICLE WITHOUT PROOF. A  
4 person required to have proof of financial responsibility who operates a  
5 motor vehicle in violation of this chapter is punishable by a fine of  
6 not more than \$500, or by imprisonment for not more than 30 days, or by  
7 both.

8 \* Sec. 12. AS 28.20.590 is amended to read:

9 Sec. 28.20.590. PAST APPLICATION OF CHAPTER. This chapter does  
10 not apply to any accident or judgment arising from an accident or vio-  
11 lation of the motor vehicle laws of this state occurring before June 1,  
12 1976 [SEPTEMBER 1, 1959].

13 \* Sec. 13. AS 28.20.060 - 28.20.260, 28.20.300, 28.20.310, 28.20.340,  
14 28.20.370, 28.20.380, 28.20.540(a)(1), and 28.20.550 are repealed.

15 \* Sec. 14. This Act takes effect June 1, 1976.  
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