

1 IN THE SENATE

BY CHANCE AND SACKETT

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 49

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act requiring certification of motor vehicle
7 mechanics; and providing for an effective date."

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

9 * Section 1. AS 08 is amended by adding a new chapter to read:

10 CHAPTER 67. MOTOR VEHICLE MECHANICS.

11 ARTICLE 1. MOTOR VEHICLE MECHANICS CERTIFICATION BOARD.

12 Sec. 08.67.010. CREATION AND MEMBERSHIP OF BOARD. (a) There is
13 established the Motor Vehicle Mechanics Certification Board, consisting
14 of seven members appointed by the governor and approved by the legisla-
15 ture.

16 (b) The membership consists of a vocational mechanics instructor,
17 an operator of a motor vehicle mechanics shop, a diesel mechanic, an
18 aviation mechanic, an automobile mechanic, and two representatives of
19 the general public.

20 Sec. 08.67.020. TERM OF OFFICE. Each member serves a term of
21 three years and until his successor is appointed. The first board shall
22 be appointed with two members serving three-year terms, two members
23 serving four-year terms, and one member serving a five-year term. A
24 board member may not serve more than two full consecutive terms. If
25 a vacancy occurs on the board due to resignation, death or other cause,
26 the governor shall appoint a qualified person to serve the unexpired
27 term.

28 Sec. 08.67.030. BOARD MEETINGS. The board shall meet as often as
29 necessary to conduct its business.

1 Sec. 08.67.040. POWERS AND DUTIES OF THE BOARD. The board shall

2 (1) establish standards for certification of motor vehicle
3 mechanics and for specialty categories of motor vehicle mechanics;

4 (2) establish specialty categories of motor vehicle repair
5 which the board finds require special expertise;

6 (3) administer or provide for administration of written and
7 practical examinations for applicants for certification;

8 (4) establish standards for motor vehicle mechanic appren-
9 tices;

10 (5) evaluate work experience and determine what qualifies as
11 approved work experience for apprentices;

12 (6) review applications and issue certificates and renewals;

13 (7) review vocational education programs including those in
14 public schools for mechanics and determine those which qualify as
15 approved training programs;

16 (8) adopt and amend regulations which are necessary for the
17 effective functioning of the board; and

18 (9) establish reasonable fees for certification.

19 Sec. 08.67.050. ADMINISTRATIVE DUTIES OF THE DEPARTMENT. The
20 department shall furnish the board with administrative services, in-
21 cluding collection of fees, issuing receipts, record keeping, printing
22 and distribution of applications, and keeping a current register of
23 certificate holders.

24 ARTICLE 2. CERTIFICATION.

25 Sec. 08.67.060. CERTIFICATE REQUIRED. No person may engage in or
26 be employed as a motor vehicle mechanic without a certificate issued by
27 the board, except for an apprentice meeting the standards set by the
28 board under sec. 40(4) of this chapter. Violation of this section is a
29 misdemeanor punishable by a \$500 fine.

1 Sec. 08.67.070. QUALIFICATIONS, EXPIRATION AND RENEWAL. (a) In
2 order to qualify for a motor vehicle mechanic's certificate, a person
3 shall meet the standards established by the board under sec. 40(1) of
4 this chapter, pass the written and practical examinations administered
5 by the board, and either

6 (1) have been employed at least one year as an apprentice in
7 an approved work experience under sec. 40(5) of this chapter or in an
8 approved training program under sec. 40(7) of this chapter; or

9 (2) have a license or certificate in motor vehicle mechanics
10 from a state or territory of the United States or a foreign country, if
11 the requirements for the license or certificate are considered by the
12 board to be equivalent to those in this chapter.

13 (b) Certificates expire five years from the date of certification.

14 (c) A motor vehicle mechanic may renew his certificate by applying
15 to the board for renewal.

16 Sec. 08.67.080. DENIAL, SUSPENSION AND REVOCATION OF CERTIFICATE.

17 (a) The board may deny, suspend, revoke or refuse to renew a motor
18 vehicle mechanic's certificate upon a finding that

19 (1) the application is fraudulent or misleading; or

20 (2) the mechanic is incompetent or is engaged in fraudulent
21 practices.

22 (b) Notice of a proposed denial, suspension or revocation of a
23 certificate shall be given in writing, stating the reasons for the
24 denial, suspension or revocation.

25 ARTICLE 3. GENERAL PROVISIONS.

26 Sec. 08.67.090. DEFINITIONS. In this chapter

27 (1) "board" means the Motor Vehicle Mechanics Certification
28 Board;

29 (2) "department" means the Department of Commerce;

1 (3) "motor vehicle mechanic" means a person engaged in or
2 purporting to be engaged in the maintenance, repair, installation or
3 building of motor vehicles or parts of motor vehicles, but excluding
4 repairing tires, installing light bulbs, windshield wiper blades and
5 other minor accessories, and other minor services which the board
6 determines by regulation to be customarily performed by gasoline service
7 stations.

8 Sec. 08.67.100. APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE ACT.
9 The board shall comply with the Administrative Procedure Act (AS 44.62).

10 * Sec. 2. AS 08.67.010 - 08.67.050 and AS 08.67.070 - 08.67.100 in
11 sec. 1 of this Act take effect immediately in accordance with AS 01.10.070(c).

12 * Sec. 3. AS 08.67.060 in sec. 1 of this Act takes effect January 1, 1979.
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