

Original sponsor: Huber and Kerttula

Offered: 3/8/76
Referred: Rules

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE CONCURRENT RESOLUTION NO. 62

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 Delaying the implementation of a periodic
6 motor vehicle inspection program in the
7 state by annulling certain administrative
8 regulations adopted by the Department of
9 Public Safety and requesting stricter
10 enforcement and adjudication of vehicle
11 equipment regulations.

12 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

13 WHEREAS, under authority of AS 28.05.030(4) and AS 28.35.210, the Depart-
14 ment of Public Safety has adopted regulations establishing a periodic motor
15 vehicle safety program in response to federally mandated requirements; and

16 WHEREAS the announcement of the vehicle inspection program has produced
17 widespread concern throughout the state that the objectives, procedures, and
18 consequences of the program had not been adequately studied or explored; and

19 WHEREAS, although the presence of mechanically defective vehicles on the
20 state's roads and highways is recognized as a valid highway safety concern,
21 the periodic inspection of motor vehicles has not been proven a valid method
22 of ensuring that the state's roads and highways will be free from these
23 vehicles; and

24 WHEREAS the Governor has generously acknowledged the necessity for delay
25 in implementing the federally mandated vehicle inspection program in this
26 state so that further study and evaluation may be undertaken to seek a course
27 of action with respect to the effect of mechanically defective motor vehicles
28 on the state's highway safety program and the implementation of periodic
29 motor vehicle inspections that will best serve and protect the interests of

1 Alaskans; and

2 WHEREAS under AS 44.62.320 the Legislature, by concurrent resolution
3 adopted by a vote of a majority of the members in each of both houses, may
4 annul a regulation of an agency or department, and the annulment of these
5 administrative regulations is the only statutorily authorized procedure that
6 will enable suspension of the periodic motor vehicle inspection program
7 pending further evaluation of that program called for by the Governor and
8 endorsed by the Legislature;

9 BE IT RESOLVED by the Alaska State Legislature that administrative
10 regulations 13 AAC 06.060 - 13 AAC 06.909 are annulled; and be it

11 FURTHER RESOLVED that the Alaska State Legislature endorses the Gover-
12 nor's determination to suspend operation of the periodic motor vehicle
13 inspection program while undertaking further study and evaluation of that
14 program; and be it

15 FURTHER RESOLVED that the Governor is respectfully requested to direct
16 the Department of Public Safety to strictly enforce the vehicle safety equip-
17 ment requirements of the state Motor Vehicle Code (AS 28) and the regulations
18 promulgated under it and is urged to accomplish and monitor improved vehi-
19 cular safety under its existing enforcement procedures; and be it

20 FURTHER RESOLVED that the courts of the state are respectfully requested
21 to strictly adjudicate those violations of AS 28, and the regulations promul-
22 gated thereunder, relating to vehicle safety equipment.
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