

Original sponsor: Huber and Kerttula

Offered: 5/24/76

Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 HOUSE CS FOR 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.

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

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

14 WHEREAS the announcement of the vehicle inspection program has produced  
15 widespread concern throughout the state that the objectives, procedures, and  
16 minimum requirements of the program had not been adequately studied or  
17 evaluated; and

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

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

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

8       BE IT RESOLVED by the Alaska State Legislature that administrative  
9 regulations 13 AAC 06.040(d), 13 AAC 06.060 - 13 AAC 06.080 and 13 AAC 06.-  
10 090(c) - (e) are annulled; and be it

11       FURTHER RESOLVED that the Alaska State Legislature endorses the Gover-  
12 nor's action in suspending 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.  
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