

Introduced: 2/15/77
Referred: Commerce

1 IN THE HOUSE

BY URION

2 HOUSE BILL NO. 217

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST 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 AS 28.20.050 is repealed and re-enacted to read: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 responsibi-
16 lity subject to the exceptions in sec. 320 [SECS. 310 - 320, and 370] of
17 this 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 1977 [SEPTEMBER 1, 1959].

13 * Sec. 13. AS 28.10.050(a) is amended by adding a new paragraph to read:

14 (6) proof of financial responsibility.

15 * Sec. 14. AS 28.20.440(f)(1) is repealed and re-enacted to read:

16 (1) coverage provided by a motor vehicle liability policy may
17 not be cancelled after the beginning of the policy period.

18 * Sec. 15. AS 28.20.440(f) is amended by adding a new paragraph to read:

19 (5) payment for coverage provided by a motor vehicle liability
20 policy must be paid in full by the owner or operator before the beginning
21 of the policy period.

22 * Sec. 16. AS 21.39.155(a) is amended to read:

23 (a) The director may require carriers, as a condition of writing a
24 line of insurance dealing with workmen's compensation or coverage pro-
25 vided by motor vehicle liability policies under AS 28.20.440, to parti-
26 cipate in an assigned risk pool if the director finds that mandatory
27 carrier participation is in the public interest.

28 * Sec. 17. AS 28.20.060 - 28.20.260, 28.20.300, 28.20.310, 28.20.340,
29 28.20.370, 28.20.380, 28.20.540(a)(1), and 28.20.550 are repealed.

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* Sec. 18. This Act takes effect June 1, 1977.

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