

Original sponsor: McKinnon

Offered: 4/27/77
Referred: Rules

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 378

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 towaway operations."

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

8 * Section 1. AS 42.10.100 is amended to read:

9 Sec. 42.10.100. BOND TO PROTECT SHIPPERS AND CONSIGNEES. The
10 commission may, under rules and regulations it prescribes, require a
11 common carrier or a private carrier conducting a towaway operation
12 to file a surety bond, or deposit security or a bond guaranteed by
13 individuals approved by the commission. The commission shall fix the
14 amount of the bond or the security. The bond or security shall be
15 conditioned upon the carrier paying over to shippers and consignees
16 money belonging to shippers and consignees, and coming into the posses-
17 sion of the carrier in connection with its transportation service. A
18 common carrier required by law to compensate a shipper or consignee for
19 loss, damage, or default for which a connecting common carrier is
20 legally responsible shall be subrogated to the rights of the shipper or
21 consignee under the bond or deposit of security to the extent of the sum
22 paid.

23 * Sec. 2. AS 42.10 is amended by adding new sections to read:

24 Sec. 42.10.103. INSURANCE OR DEPOSIT OF SECURITY FOR PRIVATE
25 CARRIER TOWAWAY OPERATIONS. Every private carrier conducting a towaway
26 operation shall procure and file with the commission liability and
27 property damage insurance from a company licensed to write insurance in
28 the state or deposit security with the commission for the limits of
29 liability and upon the terms and conditions the commission determines

1 necessary for the reasonable protection of the public against damage and
2 injury for which the carrier may be liable by reason of the towaway
3 operation.

4 Sec. 42.10.105. PRIVATE CARRIER TOWAWAY OPERATION RATES. Every
5 private carrier conducting a towaway operation shall post his towing
6 rates in a conspicuous place in his place of business and shall file a
7 copy of his towing rates with the commission. No private carrier con-
8 ducting a towaway operation may charge rates for towing in excess of the
9 maximum tariff rates allowed by the commission for common carriers or
10 contract carriers conducting similar operations. No private carrier
11 conducting a towaway operation may charge rates for towing other than
12 those filed with the commission and posted in his place of business.

13 * Section 3. AS 42.10.420(7) is amended by adding a new subparagraph to
14 read:

15 (C) a person who conducts a towaway operation except
16 when the operation is conducted for the purpose of impoundment and
17 repossession;

18 * Sec. 4. AS 42.10.420 is amended by adding a new paragraph to read:

19 (13) "towaway operation" means any operation in which a motor
20 vehicle, new or used, constitutes the property being transported and one
21 set or more of wheels of the motor vehicle are on the roadway during the
22 course of transportation.