

Original sponsor: Rules Committee by  
request of the Governor

Offered: 5/4/77  
Referred: Rules

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 75 am H

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 motor vehicle title transfer  
7 penalties and speed limits."

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

9 \* Section 1. AS 28.10.100 is amended to read:

10 Sec. 28.10.100. GROUNDS FOR REFUSING REGISTRATION. The department  
11 may [SHALL] refuse registration, or a transfer of registration, upon any  
12 of the following grounds:

13 (1) that the application contains a false or fraudulent  
14 statement, or that the applicant has failed to furnish required infor-  
15 mation or reasonable additional information requested by the department,  
16 or that the applicant is not entitled to the issuance of a certificate  
17 of registration of the vehicle;

18 (2) that the department has reasonable ground to believe that  
19 the vehicle is a stolen or embezzled vehicle, or that the granting of  
20 registration would constitute a fraud against the rightful owner or other  
21 person having a lien upon the vehicle;

22 (3) that the registration of the vehicle stands suspended or  
23 revoked for any reason provided by law;

24 (4) that the required license and registration taxes have  
25 not been paid.

26 \* Sec. 2. AS 28.10.310 is amended to read:

27 Sec. 28.10.310. GROUNDS FOR REFUSAL TO ISSUE CERTIFICATE OF TITLE.  
28 The department may [SHALL] refuse to issue a certificate of title upon  
29 any ground justifying refusal of registration under sec. 100 of this

1 chapter.

2 \* Sec. 3. AS 28.10.350(b) is amended to read:

3 (b) The owner shall [MAY] notify the department of the transfer  
4 or assignment of his title or interest in the vehicle within 10 days  
5 following transfer or assignment. This notification shall constitute  
6 a valid transfer under sec. 370 of this chapter. The notice form to  
7 be provided by the department shall include the following information:

- 8 (1) name and address of owner;  
9 (2) name and address of transferee;  
10 (3) date of transfer or assignment;  
11 (4) description and license number of vehicle.

12 \* Sec. 4. AS 28.10.360 is amended to read:

13 Sec. 28.10.360. NEW OWNER TO SECURE TRANSFERS. The transferee  
14 shall present the certificate of registration and certificate of title,  
15 properly endorsed, accompanied by a fee of \$5, to the department within  
16 30 days following transfer of ownership, and shall apply for a new  
17 certificate of title and obtain a new registration for the vehicle,  
18 except as permitted in sec. 390 of this chapter. [THERE IS A \$25  
19 PENALTY FOR THE VIOLATION OF THE 30-DAY PROVISION OF THIS SECTION.]

20 \* Sec. 5. AS 28.20.050(a) is amended to read:

21 (a) The provisions of this chapter requiring deposit of security  
22 and suspension for failure to deposit security apply to the driver and  
23 owner of a vehicle subject to registration under the laws of this state  
24 which is involved in any manner in an accident in this state resulting  
25 in bodily injury to or death of a person or damage to the property of  
26 any one person exceeding \$500 [\$200].

27 \* Sec. 6. AS 28.20.100(c) is amended to read:

28 (c) If the department evaluates the injuries or damage to a minor  
29 in an amount not more than \$500 [\$200], the department may accept, for

1 the purposes of this chapter only, evidence of a release from liability  
2 executed by a natural or legal guardian on behalf of the minor without  
3 court approval.

4 \* Sec. 7. AS 28.35.080(a) and (b) are amended to read:

5 (a) The driver of a vehicle involved in an accident resulting in  
6 bodily injury to or death of a person or total property damage to an  
7 apparent extent of \$500 [\$100] or more shall immediately by the quickest  
8 means of communication give notice of the accident to the local police  
9 department if the accident occurs within a municipality, otherwise to  
10 the Department of Public Safety.

11 (b) The driver of a vehicle involved in an accident resulting in  
12 bodily injury to or death of a person or total property damage to an  
13 apparent extent of \$500 [\$100] or more shall, within 10 [TWO] days after  
14 the accident, forward a written report of the accident to the Department  
15 of Public Safety and to the local police department if the accident  
16 occurs within a municipality. No report is required under this subsec-  
17 tion if the accident is investigated by a peace officer.

18 \* Sec. 8. AS 28.05 is amended by adding a new section to read:

19 Sec. 28.05.035. WHEN MUNICIPALITY MAY ALTER SPEED LIMIT. (a)  
20 A municipality may by ordinance alter a speed limit on a state highway,  
21 which is also a city street within an incorporated city or borough.  
22 The change shall become effective 30 days after adoption of the  
23 ordinance.

24 (b) Appropriate signs giving notice of the speed limit shall be  
25 erected by the Department of Transportation and Public Facilities.

26 (c) The municipality upon introduction of the ordinance shall  
27 give written notice to the Department of Transportation and Public  
28 Facilities of its intent to alter the speed limits.

29 \* Sec. 9. AS 45.45.240(2) is amended to read:

1 (2) "motor vehicle" or "vehicle" means a motor vehicle as  
2 defined in AS 28.35.260 [AS 28.10.650] which is required to be registered  
3 [WITH THE DEPARTMENT OF PUBLIC SAFETY] under AS 28.10 [.040], or with  
4 a governmental agency of another jurisdiction [STATE] performing a  
5 similar function;

6 \* Sec. 10. AS 28.35.230(e) is repealed and reenacted to read:

7 (e) Notwithstanding the maximum fine provided for infractions  
8 under (c) of this section, for the violation of regulations or special  
9 permits issued governing vehicle weight limits, overweight penalties  
10 shall be imposed at the rate of five cents for each pound of weight over  
11 the authorized weight limit for that vehicle.

12 \* Sec. 11. AS 28.35.230(d) is amended to read:

13 (d) [PUNISHMENT FOR AN] An infraction, as provided for [DEFINED]  
14 in (c) of this section, is not considered a criminal offense and may  
15 not result in [INCLUDE] imprisonment, nor is a fine imposed for the  
16 commission of an infraction considered a penal or criminal punishment;  
17 nor may the commission [AND CONVICTION] of a single infraction result  
18 in the loss of a driver's license or [THE] privilege to drive in this  
19 state except as may result from the accumulation of points under  
20 AS 28.15.282 - 28.15.288, or the registration of vehicles; nor [NEITHER]  
21 does a person cited with an infraction have a right to trial by jury or  
22 to court-appointed counsel [APPOINTED BY COURT].

23 \* Sec. 12. AS 19.10.060(2); AS 28.10.300; AS 28.15.140; and AS 28.35.025  
24 are repealed.