

Introduced: 3/23/79
Referred: Commerce

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 428

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to regulation of dump trucks."

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

8 * Section 1. AS 42.10.130(a) is amended to read:

9 (a) No person may operate in the state as a common carrier or
10 contract carrier transporting property in intrastate commerce for com-
11 ensation without a permit or temporary authority. [NO COMMON CARRIER,
12 CONTRACT CARRIER, OR TEMPORARY CARRIER MAY OPERATE FOR THE TRANSPORTA-
13 TION OF PROPERTY IN INTRASTATE COMMERCE FOR COMPENSATION IN THE STATE
14 WITHOUT A PERMIT. AN APPLICATION FOR A PERMIT AS A COMMON CARRIER OR
15 CONTRACT CARRIER OR AN EXTENSION OF THE PERMIT SHALL BE ON FILE FOR AT
16 LEAST 30 DAYS BEFORE IT IS GRANTED UNLESS THE COMMISSION FINDS THAT
17 SPECIAL CONDITIONS REQUIRE THE EARLIER GRANTING OF IT.] Except as
18 provided in this section, the commission shall not grant a permit or
19 an extension of a permit if it finds that the applicant is not finan-
20 cially able, properly and adequately equipped and capable of conducting
21 the transportation service applied for in compliance with the law and
22 [RULES AND] regulations of the commission. The commission may deny an
23 application if the applicant or any of its principal officers or
24 stockholders fails or has failed to comply with the laws of the state.

25 * Sec. 2. AS 42.10.130(c) is amended to read:

26 (c) Except as provided in (a), (b), (d) and (e) of this section,
27 a permit shall be issued to any qualified applicant, authorizing the
28 whole or a part of the operations covered by the application, if the
29 proposed service is or will be required by the present or future pub-

1 lic convenience and necessity; otherwise the application shall be
2 denied. However, permits for carriers of commodities in bulk in open
3 dump-type equipment and other designated carriers classified under AS
4 42.10.250 may be issued without a showing of public convenience and
5 necessity.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29