

Original sponsor: Commerce Committee

Offered: 4/26/79
Referred: Judiciary and
Finance

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 236

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act continuing the existence of the Alaska Trans-
7 portation Commission and amending the laws relating to
8 its responsibilities; and providing for an effective
9 date."

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

11 * Section 1. AS 44.66.010(2) is amended to read:

12 (2) Alaska Transportation Commission (AS 42.07.011) --
13 June 30, 1981 [1979];

14 * Sec. 2. AS 02.05 is amended by adding a new section to read:

15 Sec. 02.05.035. EXEMPT AIR CARRIERS. This chapter applies to all
16 air carriers unless specifically exempted by this section. This chap-
17 ter, except when specifically otherwise provided, does not apply to

18 (1) the operation of rotary-wing aircraft (helicopters) by an
19 air carrier;

20 (2) the operation of unscheduled, single-engine, fixed-wing
21 aircraft with a certified gross takeoff weight of 5,500 pounds or less
22 by an air carrier.

23 * Sec. 3. AS 39.25.120 is amended by adding a new paragraph to read:

24 (12) the director, deputy director, and staff legal counsel of
25 the Alaska Transportation Commission.

26 * Sec. 4. AS 42.07.101 is repealed and re-enacted to read:

27 Sec. 42.07.101. EMPLOYMENT OF COMMISSION PERSONNEL. (a) The
28 commission may employ an executive director who shall have had at least
29 five years of experience in public transportation management or

1 regulation, law, accounting, or an allied field. The executive director
2 may be a member of the commission. The commission may employ engineers,
3 hearing officers, staff legal counsel, experts, clerks, accountants, and
4 other agents and assistants it considers necessary. The executive
5 director, if not a member of the commission, his deputy and staff legal
6 counsel to the commission are in the partially exempt service under
7 AS 39.25.120. All other employees and agents of the commission are in
8 the classified service under AS 39.25.100. The salary of an executive
9 director who is a member of the commission may not exceed that of a
10 superior court judge.

11 (b) In addition to its staff of regular employees, the commission
12 may contract for and engage the services of consultants and experts the
13 commission considers necessary.

14 * Sec. 5. AS 42.07.121 is amended to read:

15 Sec. 42.07.121. GENERAL POWERS AND DUTIES. The Alaska Transporta-
16 tion Commission shall supervise and regulate transportation in the state
17 as provided in this chapter and in AS 02.05 and AS 42.10 [, AS 42.15,
18 AS 42.25], and may do all things, whether specifically designated in
19 this chapter or in AS 02.05 or AS 42.10 [, AS 42.15, AS 42.25], or in
20 addition thereto, which are necessary or convenient in the exercise of
21 this power and jurisdiction.

22 * Sec. 6. AS 42.07 is amended by adding a new section to read:

23 Sec. 42.07.126. EXEMPT TRANSPORTATION CARRIERS. The jurisdiction
24 of the commission does not extend to the regulation of carriers by bus
25 or to the regulation of ferry transportation.

26 * Sec. 7. AS 42.07.131 is amended to read:

27 Sec. 42.07.131. AUTHORITY LIMITED BY FEDERAL LAW. The provisions
28 of this chapter and AS 02.05 and AS 42.10 [AND AS 42.15] apply to trans-
29 portation carriers engaged in foreign commerce and interstate commerce

1 to the extent permitted by the constitution and laws of the United
2 States.

3 * Sec. 8. AS 42.07 is amended by adding a new section to read:

4 Sec. 42.07.136. INSURANCE OR DEPOSIT OF SECURITY ON EXEMPT
5 CARRIERS. The commission shall require carriers exempted under
6 AS 02.05.035, AS 42.07.126, and AS 42.10.020 to procure and maintain
7 bodily injury and property damage liability insurance from a company
8 licensed to write insurance in the state or deposit security for the
9 limits of liability and upon the terms and conditions the commission
10 determines necessary for the reasonable protection of the public against
11 damage and injury for which the carrier may be liable by reason of its
12 operation. Evidence of the required insurance shall be filed with the
13 commission.

14 * Sec. 9. AS 42.10.020 is amended by adding a new paragraph to read:

15 (5) motor vehicles operated as tow trucks.

16 * Sec. 10. AS 42.10.090(2) is amended to read:

17 (2) require every private carrier and every exempt carrier
18 except as provided in AS 42.10.020(4) and (5) to file information re-
19 quired by the commission to carry out this chapter, and supervise and
20 regulate each private carrier in all other matters affecting its rela-
21 tionship with the shipping and the general public.

22 * Sec. 11. AS 42.15 and AS 42.25 are repealed.

23 * Sec. 12. AS 02.05.035(2), as added by sec. 2 of this Act, takes effect
24 July 1, 1980. The remainder of this Act takes effect July 1, 1979.