

Original sponsors: Ray, Colletta
and Kerttula

Offered: 5/25/80
Referred: Rules

1 IN THE SENATE

BY THE RULES COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 377(Rules) am H

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to transportation safety; relating to
7 civil liability for voluntary aircraft safety inspec-
8 tions; and providing for an effective date."

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

10 * Section 1. AS 09.65 is amended by adding a new section to read:

11 Sec. 09.65.092. CIVIL LIABILITY FOR VOLUNTARY AIRCRAFT SAFETY
12 INSPECTION. An aircraft or power plant technician or mechanic certified
13 by the Federal Aviation Administration who participates without compensa-
14 tion in a voluntary aircraft safety inspection program is not liable for
15 civil damages that result from an act or omission in performing an
16 aircraft safety inspection in that program unless the act or omission
17 constitutes gross negligence or reckless or intentional misconduct.

18 * Sec. 2. AS 44.19.025 is amended to read:

19 Sec. 44.19.025. ADMINISTRATION OF HIGHWAY SAFETY PROGRAM. The
20 governor may contract and do all other things necessary on behalf of
21 this state under the Federal Highway Safety Act of 1966, and may co-
22 operate with interested persons and agencies [FEDERAL AND STATE AGENCIES
23 PRIVATE AND CORPORATE AGENCIES, INTERESTED CORPORATIONS, AND INDIVI-
24 DUALS,] to effectuate the purposes of that Act. The governor may desig-
25 nate a person to serve as his highway safety representative; however, the
26 governor is the official in this state having the ultimate responsibility
27 for dealing with the federal government with respect to programs and
28 activities under the Federal Highway Safety Act of 1966. He shall
29 coordinate the activities relating to highway safety of state depart-

1 ments, agencies and subdivisions and of the Transportation Safety Commis-
2 sion established in AS 44.19.801.

3 * Sec. 3. AS 44.41 is amended by adding new sections to read:

4 ARTICLE 2. TRANSPORTATION SAFETY COMMISSION.

5 Sec. 44.41.030. TRANSPORTATION SAFETY COMMISSION. (a) There is
6 established in the Department of Public Safety the Transportation Safety
7 Commission.

8 (b) The Transportation Safety Commission consists of 15 members,
9 as follows:

10 (1) the attorney general and the commissioners of public
11 safety, transportation and public facilities, and health and social
12 services;

13 (2) one superior court or district court judge who is ex-
14 perenced in the adjudication of traffic cases selected by the chief
15 justice of the supreme court;

16 (3) six members from the legislature, at least one from each
17 house designated by joint agreement of the presiding officers;

18 (4) four residents of the state selected by the governor
19 based on geographic representation and population distribution.

20 (c) Members of the Transportation Safety Commission other than
21 legislators, serve at the pleasure of the governor. Members of the
22 commission serve without compensation, but are entitled to receive the
23 same per diem and travel expenses authorized by law for boards and
24 commissions.

25 Sec. 44.41.040. POWERS AND DUTIES. (a) The Transportation Safety
26 Commission is the state planning agency and shall assist the governor in
27 the exercise of his powers and duties relating to the Federal Highway
28 Safety Act under AS 44.19.025. The commission may apply for, receive,
29 and use grants, gifts and other assistance from the federal government

1 and from other public and private sources for the execution of its
2 programs.

3 (b) The Transportation Safety Commission may investigate state and
4 local transportation safety needs and seek financing for the development
5 of programs and techniques to

6 (1) alleviate and prevent all types of transportation acci-
7 dents;

8 (2) aid the court system in the adjudication of highway, road
9 and street traffic cases;

10 (3) aid peace officers in the enforcement of all transporta-
11 tion laws; and

12 (4) rehabilitate traffic offenders and prevent recidivism of
13 traffic offenders.

14 (c) The Transportation Safety Commission shall provide assistance,
15 planning, and coordination to state agencies with responsibilities
16 related to transportation safety to encourage the efficient allocation,
17 use, and coordination of transportation safety and related personnel at
18 the state and local level and to determine reasonable qualifications for
19 the employment of that personnel.

20 (d) The court system and the state departments and agencies with
21 responsibilities related to transportation safety shall assist the
22 Transportation Safety Commission in the performance of its duties.

23 (e) In order to facilitate communication and cooperation, the
24 Transportation Safety Commission shall conduct conferences to discuss
25 and plan

26 (1) transportation safety;

27 (2) traffic enforcement and adjudication; and

28 (3) offender rehabilitation programs and personnel for the
29 court system and the state departments and agencies.

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Sec. 44.41.050. STAFF. (a) The governor, or the person designated under AS 44.19.025, with the approval of the governor, may select a director to administer the governor's programs under AS 44.19.025 and the programs of the Transportation Safety Commission under AS 44.41.-030 - 44.41.040.

(b) The director may employ personnel as necessary to carry out the functions assigned under AS 44.19.025 and 44.41.030 - 44.41.040. Personnel employed under this subsection are in the classified service under AS 39.25.100.

* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-070(c).