

Introduced: 2/4/81
Referred: Transportation and
Judiciary

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 52

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act making miscellaneous amendments pertaining to
7 the Alaska Transportation Commission."

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

9 * Section 1. AS 02.05.070(d) is repealed and reenacted to read:

10 (d) The failure of the commission to act within the time limits
11 set out in this subsection constitutes approval of the application:

12 (1) in an application proceeding which has been set for
13 oral hearing, oral hearing must begin within 150 days after receipt of
14 a completed application;

15 (2) in an application proceeding set for other than an oral
16 hearing, the record must be completed within 120 days after receipt of
17 a completed application;

18 (3) if an oral hearing is held, a proposed order must be
19 issued within 60 days after the close of the record;

20 (4) if an oral hearing is not held, a decision must be
21 rendered within 45 days after the close of the record;

22 (5) the commission's grant of an extension of time to any
23 party automatically extends the time limits set out in this subsection
24 by a corresponding number of days.

25 * Sec. 2. AS 02.05.075 is amended to read:

26 Sec. 02.05.075. APPLICATION FEES. The following fees must be
27 paid at the time of application, including transfers, amendments,
28 leases, and applications for temporary exemption:

29 (1) Applications involving aircraft weight of a maximum

1 payload capacity of 7,500 pounds or a maximum seating configuration,
2 exclusive of the pilot's seat, of 30 passengers [12,500 POUNDS GROSS
3 TAKEOFF WEIGHT] or less\$100

4 (2) Applications involving aircraft weight of a maximum pay-
5 load capacity in excess of 7,500 pounds or a maximum seating configura-
6 tion, exclusive of the pilot's seat, in excess of 30 passengers [12,501
7 POUNDS GROSS TAKEOFF WEIGHT OR OVER]\$200

8 * Sec. 3. AS 02.05.110(a) is amended to read:

9 (a) A certificate may be transferred or leased subject to the
10 approval of the commission, and under reasonable regulations [AS] the
11 commission may prescribe. Approval of a transfer or lease may be given
12 only upon a finding by the commission, after notice and opportunity for
13 a hearing as provided in AS 02.05.070(b) and (d), that the transferee
14 or lessee is fit, willing, and able to assume the responsibilities of
15 the certificate. The application for approval shall be made jointly
16 by the transferor and transferee or lessor and lessee. In determining
17 whether a transferee or lessee is fit, willing, and able, the criteria
18 set out in AS 02.05.080(f) apply, and there is a rebuttable presumption
19 that service sought to be transferred or leased is economically feas-
20 ible.

21 * Sec. 4. AS 02.05.250(6)(B) is amended to read:

22 (B) as to fixed-wing aircraft with a maximum payload
23 capacity in excess of 7,500 pounds or a maximum seating configura-
24 tion, exclusive of the pilot's seat, in excess of 30 passengers
25 [12,500 POUNDS GROSS CERTIFICATED TAKEOFF WEIGHT], a specific
26 make and basic model of aircraft, including modifications to it
27 that do not change its handling characteristics;

28 * Sec. 5. AS 42.10.420 is amended by adding a new paragraph to read:

29 (13) "GVW" means gross vehicle weight which is the maximum

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rating in pounds as established by the original manufacturer of the vehicle.