

Introduced: 1/13/81  
Referred: Judiciary and  
Transportation

1 IN THE SENATE

BY RAY AND FERGUSON

2 SENATE BILL NO. 57

3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to transportation safety; and provid-  
7 ing for an effective date."

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

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

10 Sec. 09.65.092. CIVIL LIABILITY FOR VOLUNTARY AIRCRAFT SAFETY  
11 INSPECTION. An aircraft or power plant technician or mechanic certi-  
12 fied by the Federal Aviation Administration who participates without  
13 compensation in a voluntary aircraft safety inspection program is not  
14 liable for civil damage resulting from an act or omission arising out  
15 of an aircraft safety inspection in that program unless the act or  
16 omission constitutes gross negligence or reckless or intentional mis-  
17 conduct.

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 AGEN-  
23 CIES, PRIVATE AND CORPORATE AGENCIES, INTERESTED CORPORATIONS, AND  
24 INDIVIDUALS,] to effectuate the purposes of that Act. The governor  
25 may designate a person to serve as his highway safety representative;  
26 however, the governor is the official in this state having the ultimate  
27 responsibility for dealing with the federal government with respect to  
28 programs and activities under the Federal Highway Safety Act of 1966.  
29 He shall coordinate the activities relating to highway safety of state

1 departments, agencies and subdivisions and of the Transportation Safety  
2 Commission 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  
7 Safety Commission.

8 (b) The Transportation Safety Commission consists of 15 members  
9 who serve ex officio or are appointed by the governor 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 experienced  
14 in the adjudication of traffic cases;

15 (3) six members of the legislature, three from each house;

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

18 (c) A member of the Transportation Safety Commission appointed  
19 under (b)(2) - (3) of this section serves at the pleasure of the gover-  
20 nor and so long as he possesses the office described in (b)(2) - (3) of  
21 this section. A member of the commission appointed under (b)(4) of  
22 this section serves at the pleasure of the governor.

23 (d) A member of the Transportation Safety Commission serves  
24 without compensation but is entitled to receive the per diem and travel  
25 expenses authorized by law for state boards and commissions.

26 Sec. 44.41.040. POWERS AND DUTIES. (a) The Transportation  
27 Safety Commission is the state planning agency and shall assist the  
28 governor in the exercise of his powers and duties relating to the  
29 Federal Highway Safety Act under AS 44.99.001. The commission may

1 apply for, receive, and use grants, gifts and other assistance from the  
2 federal government and from other public and private sources for the  
3 execution of its programs.

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

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

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

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

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

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

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

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

27 (1) transportation safety;

28 (2) traffic enforcement and adjudication; and

29 (3) offender rehabilitation programs and personnel for the

1 court system and the state departments and agencies.

2 Sec. 44.41.050. STAFF. (a) The governor or the person desig-  
3 nated under AS 44.19.025, with the approval of the governor, may select  
4 a director to administer the governor's programs under AS 44.19.025 and  
5 the programs of the Transportation Safety Commission under AS 44.41.-  
6 030 - 44.41.040.

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

11 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-  
12 070(c).