

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 SENATE BILL NO. 862

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to common carriers and contract car-  
7 riers regulated by the Alaska Transportation Commis-  
8 sion."

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

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

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

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

28 (c) Except as provided in (a), (b), (d) and (e) of this section a  
29 permit shall be issued to any qualified applicant, authorizing the whole

1 or a part of the operations covered by the application, if the proposed  
2 service is or will be required by the present or future public con-  
3 venience and necessity; otherwise the application shall be denied. How-  
4 ever, permits for carriers awarded contracts as minority owned businesses  
5 through the Small Business Administration, permits for carriers of com-  
6 modities in bulk in open dump-type equipment and permits for other des-  
7 ignated carriers classified under AS 42.10.250 may be issued without a  
8 showing of public convenience and necessity.

9 \* Sec. 3. AS 42.10.280(a) and 42.10.310(b) are repealed.  
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