

Introduced: 1/9/84
Referred: Labor & Commerce
and Finance

1 IN THE HOUSE

BY MARTIN

2

HOUSE BILL NO. 468

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to truck inspections."

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

8 * Section 1. AS 12.25 is amended by adding a new section to read:

9 Sec. 12.25.240. CITATIONS BY TRUCK INSPECTORS. (a) A person
10 employed by the Department of Commerce and Economic Development at a
11 motor vehicle weighing station may issue a citation to a person driv-
12 ing a truck that is required to stop at motor vehicle weighing
13 stations if

14 (1) the employee has been authorized by the commissioner of
15 the Department of Commerce and Economic Development to issue citations
16 under this section;

17 (2) the employee inspects the truck and finds it to be in
18 violation of the safety regulations adopted for trucks by the
19 Department of Public Safety under AS 28.05.011(3); and

20 (3) the inspection and the citation occur at a motor
21 vehicle weighing station.

22 (b) Issuance of citations under this section is governed by the
23 provisions of AS 12.25.180 - 12.25.230. For purposes of this section,
24 "peace officer" in AS 12.25.180 - 12.25.210 includes a person autho-
25 rized under this section to issue citations. For purposes of this
26 section, the "chief administrative officer" in AS 12.25.200 and
27 12.25.210 shall be the commissioner of the Department of Public
28 Safety.

29 (c) The Department of Commerce and Economic Development may

1 establish procedures for the issuance of a notice instead of a cita-
2 tion for minor violations that have no direct or immediate relation-
3 ship to public safety, or for violations that are not serious and that
4 the driver or the driver's employer agrees to correct within a reason-
5 able time indicated in the notice. If the driver or the driver's
6 employer does not correct a violation that is not serious within the
7 time indicated in the notice, the department shall issue a citation to
8 the driver or the driver's employer, as appropriate.

9 (d) An employee of the Department of Commerce and Economic
10 Development who is authorized to issue a citation under this section
11 shall be considered a citing officer under AS 28.05.151(b) for pur-
12 poses of indicating a bail amount on the citation.

13 * Sec. 2. AS 44.33.020 is amended to read:

14 Sec. 44.33.020. DUTIES OF DEPARTMENT. The Department of Com-
15 merce and Economic Development shall

16 (1) administer the state programs relating to commerce,
17 enforce the laws relating to these programs, and adopt regulations
18 under these laws;

19 (2) register corporations;

20 (3) collect corporation franchise taxes;

21 (4) enforce state laws regulating public utilities and
22 other public service enterprises, banking and securities, insurance,
23 and other businesses and enterprises touched with a public interest;

24 (5) make veterans' loans;

25 (6) inspect weights and measures;

26 (7) promote and develop civil aviation;

27 (8) furnish the budgeting, clerical and administrative
28 services for regulatory agencies and professional and occupational
29 licensing boards not otherwise provided for;

1 [(9) Repealed

2 (10) Repealed]

3 (9) [(11)] before the commencement of each calendar quar-
4 ter, furnish lending institutions, title insurance companies, mortgage
5 companies and clerks of the respective superior courts with the 12th
6 Federal Reserve District discount rate which is to be used during that
7 calendar quarter for computing the maximum rate of interest under
8 AS 45.45.010(b);

9 (10) [(12)] conduct studies, enter into contracts and agree-
10 ments, and make surveys relating to the economic development of the
11 state and, when appropriate, assemble, analyze, and disseminate the
12 findings obtained;

13 (11) [(13)] provide factual information and technical assis-
14 tance for potential industrial and commercial investors;

15 (12) [(14)] receive gifts, grants, and other aid that facil-
16 itate the powers and duties of the department from agencies and in-
17 strumentalities of the United States or other public or private
18 sources;

19 (13) [(15)] establish and activate programs to achieve
20 balanced economic development in the state and advise the governor on
21 economic development policy matters;

22 (14) [(16)] formulate a continuing program for basic eco-
23 nomic development and for the necessary promotion, planning and re-
24 search which will advance the economic development of the state;

25 (15) [(17)] cooperate with private, governmental and other
26 public institutions and agencies in the execution of economic
27 development programs;

28 (16) [(18)] review the programs and annual reports of other
29 departments and agencies as they are related to economic development

1 and prepare an annual report on the economic growth of the state;

2 (17) [(19)] administer the economic development programs of
3 the state;

4 (18) [(20)] perform all other duties and powers necessary or
5 proper in relation to economic development and planning for the state;

6 (19) [(21)] request tourism-related businesses in the state
7 to provide data regarding occupancy levels, traffic flow and gross
8 receipts and to participate in visitor surveys conducted by the de-
9 partment; data collected under this paragraph which discloses the
10 particulars of an individual business is not a matter of public record
11 and shall be kept confidential; however, this restriction does not
12 prevent the department from using the data to formulate tourism
13 economic impact information including expenditure patterns, tax re-
14 cepts and fees, employment and income attributable to tourism, and
15 other information considered relevant to the planning, evaluation and
16 policy direction of tourism in the state; [.]

17 [(22) Repealed]

18 (20) [(23)] administer the program of state assistance for
19 the construction and development of cultural facilities in accordance
20 with AS 44.33.401 - 44.33.417;

21 (21) [(24)] provide administrative and budgetary services to
22 the Real Estate Commission (AS 08.88) as requested by the commission;

23 (22) [(25)] operate motor vehicle weighing stations, issue
24 special written permits authorizing the operation of overweight and
25 oversize vehicles, establish fees for the overweight and oversize
26 vehicle special permits, enforce the size, weight, and load limita-
27 tions adopted by the Department of Transportation and Public Facil-
28 ities under AS 19.10.060, and establish regulations relating to pilot
29 car services and the enforcement of the size, weight, and load

1 limitations adopted under AS 19.10.060;
2 (23) at motor vehicle weighing stations operated under (22)
3 of this section, conduct safety inspections of trucks required to stop
4 at those stations and may issue a citation to a person driving a truck
5 found to be in violation of a vehicle safety regulation adopted for
6 trucks by the Department of Public Safety under AS 28.05.011(3).