

Offered: 4/22/86
Referred: Finance

Original sponsors: Pourchot and Boucher

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE
2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 456 (Judiciary)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL

6 For an Act entitled: "An Act relating to registration of commercial and
7 noncommercial motor vehicles and providing a penalty
8 for failure to obtain title or registration; and
9 providing for an effective date."

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

11 * Section 1. AS 28.10.121(a) is amended to read:

12 (a) A nonresident owner of a noncommercial vehicle registered
13 outside the state is exempt from the registration provisions of this
14 chapter for 60 [90] days after entry into the state if the vehicle at
15 all times when driven in this state is registered in and has displayed
16 upon it a currently valid registration plate issued for it by another
17 jurisdiction. However, if the person becomes gainfully employed in
18 the state or takes action that [WHICH] indicates an intention to
19 acquire residence in the state, the person shall comply with the
20 licensing and registration provisions of this chapter within 10 [15]
21 days of commencement of employment or of taking action that [WHICH]
22 indicates the person's intention to acquire residence. If the vehicle
23 is a commercial vehicle, the vehicle must be registered when its
24 commercial use begins except as provided in AS 28.10.011 and 28.10.-
25 131(c) [IN ACCORDANCE WITH AS 28.10.141 AND OTHER APPLICABLE PRO-
26 VISIONS OF THIS CHAPTER].

27 * Sec. 2. AS 28.10.121 is amended by adding a new subsection to read:

28 (d) It is the responsibility of the person claiming exemption
29 under this section to provide proof of qualification for the ex-

1 emption.

2 * Sec. 3. AS 28.10.131(a) is amended to read:

3 (a) If a vehicle to be registered under this chapter is pre-
4 viously registered outside the state, the jurisdiction of registry
5 shall be stated in the application, and the owner shall surrender to
6 the department all evidence of out-of-state registration in the
7 owner's [HIS] possession or control except as provided in this section
8 or AS 28.10.141, and the department may require verification of the
9 vehicle identification number.

10 * Sec. 4. AS 28.10.131 is amended by adding a new subsection to read:

11 (c) If the owner of a commercial vehicle desires to maintain
12 title in another jurisdiction, the department, when satisfied that the
13 applicant is temporarily operating in-state and is the lawfully regis-
14 tered owner of the commercial vehicle, may register the commercial
15 vehicle without issuing a title and shall type or stamp on the face of
16 the State of Alaska certificate of registration "No Title Issued."

17 * Sec. 5. AS 28.10.141 is amended to read:

18 Sec. 28.10.141. INTERSTATE USE OF VEHICLES. When, in the course
19 of regular interstate operation in this state [OF] a commercial
20 vehicle licensed by the Interstate Commerce Commission under 49 U.S.C.
21 1-1240 (Interstate Commerce Act) or regulated by the Federal Maritime
22 Commission under 46 U.S.C. 804 (Interstate Commerce Act) is registered
23 in another jurisdiction, and it is desirable to retain the
24 registration and title of the vehicle in the other jurisdiction, the
25 owner or an agent of the owner shall register the vehicle and pay all
26 required fees and taxes and submit for inspection the certificate of
27 registration issued by that jurisdiction. The department, when
28 satisfied that the applicant is entitled to the exemption from the
29 title requirements of this chapter, shall register the vehicle but may

1 not issue a certificate of title. [NOTICE OF THE FACT THAT THE
2 VEHICLE IS REGISTERED IN ANOTHER JURISDICTION SHALL APPEAR ON THE
3 CERTIFICATE OF REGISTRATION ISSUED BY THIS STATE AND IN THE RECORDS OF
4 THE DEPARTMENT MAINTAINED UNDER AS 28.10.071.]

5 * Sec. 6. AS 28.10.151 is amended to read:

6 Sec. 28.10.151. VEHICLES TRANSPORTED UNDER SPECIAL PERMITS.
7 When moved or driven under a special permit to be designed and issued
8 by the department, the registration required by this chapter is not
9 required of

10 (1) a vehicle under construction and which is not com-
11 pleted;

12 (2) a vehicle while being moved from one place to another
13 for the purpose of inspection, weighing, or meeting other requirements
14 of the department; or

15 (3) a vehicle while being moved or driven from one location
16 to another for the purpose of rebuilding, dismantling, or permanently
17 removing the vehicle from the highways and vehicular ways and areas of
18 the state;

19 (4) an unladen commercial vehicle making a single continu-
20 ous trip by a noncircular route for a period of time not exceeding 10
21 days.

22 * Sec. 7. AS 28.10.151 is amended by adding a new subsection to read:

23 (b) A special permit issued under this section shall be promi-
24 nently displayed.

25 * Sec. 8. AS 28.10.201(d) is amended to read:

26 (d) Except for vehicles registered under AS 28.10.131(b) or (c)
27 and 28.10.141, the department may not register a vehicle unless the
28 applicant for registration at the same time applies for and obtains a
29 certificate of title under this chapter, or presents satisfactory

1 evidence that a certificate of title was previously issued to the
2 applicant. The department may not accept the application for the
3 original certificate of registration or title to a vehicle unless the
4 vehicle is in the state at the time of application. However, the
5 department may accept an application for registration and certificate
6 of title for a vehicle is not in the state when the application is
7 made by a registered and bonded dealer or by a resident of the state
8 when the application is accompanied by a manufacturer's statement of
9 origin, or in the case of a used vehicle, when the application is
10 accompanied by a certificate of title issued in another jurisdiction
11 and a certificate of inspection by a peace officer of that jurisdic-
12 tion stating that the vehicle has been determined to be the vehicle
13 described in the certificate of title and that the vehicle has not
14 been reported stolen.

15 * Sec. 9. AS 28.10.451 is amended by adding a new subsection to read:

16 (b) Except as otherwise provided in this chapter, a person who
17 violates this section shall be fined \$50. In addition to the fine of
18 \$50, a person who continues to violate this section after being cited,
19 shall be fined an additional \$10 for each day the person fails to
20 properly title or register the vehicle, not to exceed \$250. The
21 additional fine of \$10 a day under this subsection may not be imposed
22 if the person who violates this section obtains proper title or
23 registration within five days after being charged. A person who
24 violates this section two or more times, within seven years of the
25 prior violation, is guilty of a class B misdemeanor.

26 * Sec. 10. This Act takes effect immediately in accordance with AS 01.-
27 10.070(c).