

Introduced: 1/13/86
Referred: Transportation,
Judiciary and Finance

1 IN THE HOUSE

BY HURLEY

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HOUSE BILL NO. 460

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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FOURTEENTH LEGISLATURE - SECOND SESSION

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A BILL

6 For an Act entitled: "An Act relating to off-road vehicles."

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

8 * Section 1. AS 05 is amended by adding a new chapter to read:

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CHAPTER 40. OFF-ROAD VEHICLES.

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Sec. 05.40.010. UNLAWFUL TO OPERATE UNREGISTERED VEHICLE.

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Except for operation on the owner's private property, a person may not operate an off-road vehicle unless the vehicle has been registered with the Department of Public Safety as provided in this chapter.

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Sec. 05.40.020. REGISTERED AND REGISTRATION FEE. (a) The owner of an off-road vehicle subject to registration shall apply for registration under this chapter by properly completing a form provided by the department. The fee for registration of a vehicle is \$15, and is valid for three years. Fees collected under this section shall be deposited by the Department of Revenue into the general fund.

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(b) Off-road vehicles owned by the federal or state government or a political subdivision of the federal or state government shall be registered but are not required to pay a registration fee.

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Sec. 05.40.030. REGISTRATION CERTIFICATE AND DECAL. Upon registration of an off-road vehicle, the registrant shall be issued a registration certificate and a numbered decal containing the registration number of the vehicle. Once a vehicle has been issued a number, it shall retain that number until the vehicle is destroyed, abandoned, or permanently removed from the state. The numbered registration decal shall be prominently displayed at a location prescribed

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1 by the department.

2 Sec. 05.40.040. TRANSFER OF OWNERSHIP. The department shall
3 adopt regulations covering transfer of ownership of off-road vehicles.

4 Sec. 05.40.050. EDUCATION AND TRAINING PROGRAM. (a) The de-
5 partment shall establish a comprehensive off-road vehicle safety
6 education and training program. The program shall include training
7 and dissemination of information and safety advice to the public
8 concerning vehicle maintenance, environmental protection, alcohol and
9 controlled substances laws, and emergency first aid procedures.

10 (b) A person who completes the training program shall receive an
11 off-road vehicle safety certificate.

12 Sec. 05.40.060. OFF-ROAD VEHICLE SAFETY FUND. There is created
13 a special account in the general fund known as the off-road vehicle
14 safety fund. The purpose of the fund shall be to support the
15 education and training program of this chapter. It is the intent of
16 the legislature that the fund consist of fees received under
17 AS 05.40.020, and that an amount equal to the fees received be
18 appropriated for off-road vehicle safety education and training under
19 AS 05.40.050.

20 Sec. 05.40.070. OPERATION BY CERTAIN MINORS. (a) A person
21 under the age of 17 years may not operate an off-road vehicle on
22 public land unless the person

23 (1) has in possession a valid off-road vehicle safety
24 certificate issued by the department; and

25 (2) wears a helmet that meets the requirements set out in
26 AS 28.05.081(c), and eye, foot, and hand protection prescribed by the
27 department by regulation.

28 Sec. 05.40.080. SAFETY EQUIPMENT. An off-road vehicle is
29 required to contain the following equipment:

1 (1) brakes adequate to control the movement of and to stop
2 and to hold the vehicle under normal conditions of operation;

3 (2) at least one head lamp so aimed and of sufficient
4 intensity to reveal persons and objects at a distance of at least 100
5 feet ahead during hours of darkness under normal atmospheric condi-
6 tions;

7 (3) at least one tail light of sufficient intensity to be
8 visible at a distance of 50 feet behind the vehicle during hours of
9 darkness under normal atmospheric conditions;

10 (4) a throttle that, when released by hand, will return the
11 engine speed to idle; and

12 (5) an exhaust muffler in good working order.

13 Sec. 05.40.090. RETAIL SALES. All off-road vehicles made after
14 July 1, 1986, and sold in the state must

15 (1) have a manufacturer's permanent identification number
16 stamped in letters and numbers on the vehicle in the form and at a
17 location prescribed by the department;

18 (2) be designed and made to provide an area to affix the
19 registration number; the area shall be at a location and of dimensions
20 prescribed by the department by regulation;

21 (3) include as a part of the retail sale a helmet that
22 meets the requirements of AS 28.05.081(c).

23 Sec. 05.40.100. HIGHWAY USE. An off-road vehicle may not be
24 driven on a street or highway, except for the purpose of crossing the
25 street or highway.

26 Sec. 05.40.110. PENALTY. A person who violates a provision of
27 this chapter or a regulation adopted under this chapter is guilty of a
28 misdemeanor and, upon conviction, is punishable by a fine of not more
29 than \$500 for each offense.

1 Sec. 05.40.120. DEFINITIONS. In this chapter and in regula-
2 tions adopted under this chapter, unless the context otherwise re-
3 quires,

4 (1) "department" means the Department of Public Safety;

5 (2) "off-road vehicle" means a motorized vehicle with three
6 or four tires that has an engine displacement of less than 600 cubic
7 centimeters and total dry weight of less than 600 pounds.