

Offered: 4/7/86
Referred: Resources

Original sponsors: Koponen, Hurley,
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1 IN THE HOUSE

BY THE COMMUNITY AND
REGIONAL AFFAIRS COMMITTEE

2

CS FOR HOUSE BILL NO. 673 (C&RA)

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 transportation of hazardous
7 materials in municipalities."

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

9 * Section 1. AS 29.35 is amended by adding a new section to read:

10 Sec. 29.35.143. TRANSPORTATION OF HAZARDOUS MATERIALS. (a)

11 Consistent with federal law, a municipality may by ordinance

12 (1) provide for the establishment of a system to monitor
13 the transportation of hazardous materials in the municipality;

14 (2) provide for routing the transportation of selected
15 hazardous materials in the municipality in accordance with U.S. De-
16 partment of Transportation policies regarding the use of

17 (A) comparative safety analyses; and

18 (B) a process involving substantive consultation with
19 other jurisdictions affected by the routing;

20 (3) provide for the description, marking, labeling, and
21 placarding of bulk containers or vehicles used to transport hazardous
22 materials in the municipality, as provided in 49 C.F.R. 172.200 -
23 172.558; and

24 (4) require persons intending to transport a hazardous
25 material in the municipality to notify the municipality if the quant-
26 ity to be transported

27 (A) is 500 pounds or more; or

28 (B) if less than 500 pounds, is equal to or greater
29 than the reportable quantity of the material specified in the

1 Hazardous Materials Table in 49 C.F.R. 172.101.

2 (b) Notwithstanding AS 29.35.200, 29.35.210, and 29.35.220, a
3 borough may exercise powers under this section on an areawide or
4 nonareawide basis.

5 (c) In this section

6 (1) "hazardous material" means a substance regulated as a
7 hazardous material under 49 C.F.R. 100 - 199;

8 (2) "person" has the meaning given in AS 01.10.060 and also
9 includes a political subdivision, government agency, municipality, or
10 other public or private entity.