

Introduced: 1/19/87
Referred: Labor & Commerce and
Judiciary

1 IN THE HOUSE BY DONLEY AND COLLINS

2 HOUSE BILL NO. 44

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to motor vehicle liability insurance
7 and the insurance requirements for obtaining and
8 maintaining motor vehicle registration; and providing
9 for an effective date."

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

11 * Section 1. AS 28.10.021(a) is amended to read:

12 (a) The owner of a vehicle subject to registration shall apply
13 for registration under this chapter by properly completing the form
14 prescribed by the commissioner under AS 28.05.041. Before the issu-
15 ance of a certificate of registration by the department, the owner
16 shall

17 (1) pay all registration fees and taxes required under this
18 chapter and federal heavy vehicle use taxes required under 26 U.S.C.
19 4481 (Internal Revenue Code of 1954);

20 (2) unless the owner qualifies as a self-insurer under
21 AS 28.20.400, or is exempted from obtaining liability insurance under
22 AS 28.22.200, provide evidence satisfactory to the department of the
23 existence of a motor vehicle liability policy that complies with
24 AS 28.22.010 for the vehicle being registered; and

25 (3) [SHALL] comply with [ANY] other applicable statutes and
26 regulations.

27 * Sec. 2. AS 28.10.041(a) is amended to read:

28 (a) The department may refuse to register a vehicle if

29 (1) the application contains a false or fraudulent

1 statement;

2 (2) the applicant fails to furnish information required by
3 the department;

4 (3) the applicant is not entitled to the issuance of a
5 certificate of title or registration under this chapter;

6 (4) the vehicle is determined to be mechanically unsafe to
7 be driven or moved on a highway, vehicular way or area, or other
8 public property in the [THIS] state;

9 (5) the department has reasonable grounds to believe that
10 the vehicle was stolen or fraudulently acquired or that the granting
11 of registration would be a fraud against the rightful owner or other
12 person having a valid lien upon the vehicle;

13 (6) the registration of the vehicle has been suspended or
14 revoked for any reason under the laws of the [THIS] state;

15 (7) the required fees or taxes have not been paid;

16 (8) the vehicle or applicant fails to comply with this
17 chapter or regulations authorized by this section;

18 (9) the vehicle is without a certificate of inspection
19 required under AS 28.32.010;

20 (10) the vehicle is subject to a state-approved local
21 emission inspection program adopted by municipal ordinance under
22 AS 46.03.210, and the vehicle does not meet the standards of that
23 program, unless the vehicle uses a fuel source that does not primarily
24 emit carbon monoxide;

25 (11) the applicant fails to provide evidence satisfactory to
26 the department of the existence of a motor vehicle liability policy
27 that complies with AS 28.22.010 for the vehicle being registered,
28 unless the owner of the vehicle qualifies as a self-insurer under
29 AS 28.20.400, or is exempted from obtaining liability insurance under

1 AS 28.22.200.

2 * Sec. 3. AS 28.10.051 is amended by adding a new subsection to read:

3 (b) Unless the owner qualifies as a self-insurer under AS 28.-
4 20.400, or is exempted from obtaining liability insurance under
5 AS 28.22.200, the department may suspend or revoke the registration of
6 a vehicle that is not insured by a motor vehicle liability policy that
7 complies with AS 28.22.010.

8 * Sec. 4. AS 28.10.111 is amended by adding a new subsection to read:

9 (c) Unless the owner of the vehicle qualifies as a self-insurer
10 under AS 28.20.400, or is exempted from obtaining liability insurance
11 under AS 28.22.200, the department may not renew the registration of a
12 vehicle without receiving evidence satisfactory to the department that
13 the vehicle is insured by a motor vehicle liability policy that com-
14 plies with AS 28.22.010.

15 * Sec. 5. AS 28.10 is amended by adding a new section to read:

16 Sec. 28.10.115. NOTIFICATION OF CANCELLATION. An insurer shall
17 notify the department within 10 days after the cancellation of a motor
18 vehicle liability policy issued by the insurer for a vehicle that is
19 registered under this chapter.

20 * Sec. 6. AS 28.22.010 is amended by adding a new subsection to read:

21 (g) A motor vehicle liability policy must provide that all
22 expenses and fees, not including counsel fees, incurred because of
23 arbitration or mediation shall be paid as a part of the arbitration
24 award.

25 * Sec. 7. Section 6 of this Act applies to motor vehicle liability
26 insurance policies entered into or renewed after the effective date of this
27 Act.

28 * Sec. 8. Sections 17, 18, 19, 20, and 23 of ch. 70, SLA 1984 are
29 repealed.

1 * Sec. 9. This Act takes effect July 1, 1987.