

Offered: 3/18/87
Referred: Judiciary and Finance

5-0340X

Original sponsors: Donley and Collins

1 IN THE HOUSE BY THE LABOR AND
COMMERCE COMMITTEE
2 CS FOR HOUSE BILL NO. 44 (L&C)
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 motor vehicle registration; and providing for an
8 effective date."
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 28.10.021(a) is amended to read:
11 (a) The owner of a vehicle subject to registration shall apply
12 for registration under this chapter by properly completing the form
13 prescribed by the commissioner under AS 28.05.041. Before the issu-
14 ance of a certificate of registration by the department, the owner
15 shall
16 (1) pay all registration fees and taxes required under this
17 chapter and federal heavy vehicle use taxes required under 26 U.S.C.
18 4481 (Internal Revenue Code of 1954);
19 (2) unless the owner qualifies as a self-insurer under
20 AS 28.20.400, or is exempted from obtaining liability insurance under
21 AS 28.22.200, certify to the department the existence of a motor
22 vehicle liability policy that complies with AS 28.22.200 for the
23 vehicle being registered and certify that the liability policy will
24 remain in effect for the term the vehicle is registered or until the
25 vehicle is sold; and
26 (3) [SHALL] comply with [ANY] other applicable statutes and
27 regulations.
28 * Sec. 2. AS 28.10.041(a) is amended to read:
29 (a) The department may refuse to register a vehicle if

- 1 (1) the application contains a false or fraudulent state-
2 ment;
- 3 (2) the applicant fails to furnish information required by
4 the department;
- 5 (3) the applicant is not entitled to the issuance of a
6 certificate of title or registration under this chapter;
- 7 (4) the vehicle is determined to be mechanically unsafe to
8 be driven or moved on a highway, vehicular way or area, or other
9 public property in the [THIS] state;
- 10 (5) the department has reasonable grounds to believe that
11 the vehicle was stolen or fraudulently acquired or that the granting
12 of registration would be a fraud against the rightful owner or other
13 person having a valid lien upon the vehicle;
- 14 (6) the registration of the vehicle has been suspended or
15 revoked for any reason under the laws of the [THIS] state;
- 16 (7) the required fees or taxes have not been paid;
- 17 (8) the vehicle or applicant fails to comply with this
18 chapter or regulations authorized by this section;
- 19 (9) the vehicle is without a certificate of inspection
20 required under AS 28.32.010;
- 21 (10) the vehicle is subject to a state-approved local
22 emission inspection program adopted by municipal ordinance under
23 AS 46.03.210, and the vehicle does not meet the standards of that
24 program, unless the vehicle uses a fuel source that does not primarily
25 emit carbon monoxide;
- 26 (11) the applicant fails to certify to the department the
27 existence of a motor vehicle liability policy that complies with
28 AS 28.22.010 for the vehicle being registered, unless the owner of the
29 vehicle qualifies as a self-insurer under AS 28.20.400, or is exempted

1 from obtaining liability insurance under 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 certification from the owner that the vehi-
13 cle is insured by a motor vehicle liability policy that complies with
14 AS 28.22.010.

15 * Sec. 5. AS 28.10.421(b) is amended to read:

16 (b) The annual registration fees under this subsection are
17 imposed within the following classifications for:

18 (1) a passenger vehicle or motor home not used or main-
19 tained for the transportation of persons or property for hire or for
20 other commercial use \$36 [\$35];

21 (2) a pick-up truck or a van not exceeding 6,000 pounds
22 unladen weight and not used or maintained for the transportation of
23 persons or property for hire or for other commercial use
24 \$41 [\$40];

25 (3) a taxicab \$71 [\$70];

26 (4) a motor bus with a seating capacity for 20 or more
27 persons and used exclusively for commercial purposes in the transport-
28 ing of visitors or tourists \$86 [\$85];

29 (5) a motorcycle or a motor-driven cycle \$21 [\$20];

1 (6) a two- or four-wheeled trailer not used or maintained
2 for the transportation of persons or property for hire or for other
3 commercial use, including, but not limited to, a boat trailer, baggage
4 trailer, box trailer, utility trailer or house trailer . . . \$6 [\$5].

5 * Sec. 6. AS 28.10.421(c) is amended to read:

6 (c) The annual registration fees under this subsection are
7 imposed and are based upon the actual unladen weight as established by
8 the manufacturer's advertised weight or upon the actual weight which
9 the owner shall furnish, subject to the approval of the commissioner
10 or the commissioner's representative, for a vehicle, including a motor
11 vehicle pulling a trailer or semi-trailer, used or maintained for the
12 transportation of passengers for hire, excepting taxicabs and buses
13 under (b) of this section, or for the transportation of property for
14 hire or for other commercial use, including a commercial vehicle such
15 as a trailer, semi-trailer, truck, wrecker, tow car, hearse, ambu-
16 lance, and tractor, as follows:

- 17 (1) up to and including 5,000 pounds \$51 [\$50];
18 (2) more than 5,000 pounds to and including 12,000 pounds .
19 \$86 [\$85];
20 (3) more than 12,000 pounds to and including 18,000 pounds
21 \$156 [\$155];
22 (4) more than 18,000 pounds \$221 [\$220].

23 * Sec. 7. AS 28.15.255(c) is amended to read:

24 (c) In this section, the term "proof of financial responsibility
25 for the future" has the meaning given in AS 28.20.630 [AS 28.20.-
26 230(b)] and may be established as provided in AS 28.20.

27 * Sec. 8. AS 28.20.630 is amended to read:

28 Sec. 28.20.630. DEFINITIONS [DEFINITION]. In this chapter,
29 unless the context otherwise requires,

1 (1) "judgment" ["JUDGMENT"] means a judgment that [WHICH]
2 is final by expiration without appeal of the time within which an
3 appeal may be taken, or final by affirmation on appeal, given by a
4 court of a [ANY] state or of the United States, upon a cause of action
5 arising out of the ownership, maintenance, or use of a vehicle of a
6 type subject to registration under the laws of this state, for dam-
7 ages, including damages for care and loss of services, because of
8 bodily injury to or death of a person, or for damages because of
9 injury to or destruction of property, including the loss of use of
10 property, or upon a cause of action on an agreement of settlement for
11 such damages;

12 (2) "proof of financial responsibility for the future"
13 means an owner's motor vehicle liability policy that covers all vehi-
14 cles owned by the person that are subject to registration in this
15 state, or if the person does not own a vehicle, proof required under
16 AS 28.20.390.

17 * Sec. 9. AS 28.22.010 is amended by adding a new subsection to read:

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

22 * Sec. 10. AS 28.22 is amended by adding a new section to read:

23 Sec. 28.22.610. SHORT TITLE. This chapter may be cited as the
24 Alaska Mandatory Automobile Insurance Act.

25 * Sec. 11. Section 9 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. 12. AS 28.20.230(b) and secs. 17, 18, 19, 20, and 23 of ch. 70,
29 SLA 1984 are repealed.

1 * Sec. 13. This Act takes effect January 1, 1988.

Faint, illegible text covering the majority of the page, likely representing the body of the legislative act.