

Original sponsors: Donley and Collins

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE
2 CS FOR HOUSE BILL NO. 44 (Judiciary)
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 vehicle registration; and providing for an effective date."
8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
10 * Section 1. AS 21.89.020 is amended by adding a new subsection to
11 read:
12 (f) An automobile liability insurance policy must provide that
13 all expenses and fees, not including counsel fees, incurred because of
14 arbitration or mediation shall be paid as a part of the arbitration
15 award.
16 * Sec. 2. AS 28.10.021(a) is amended to read:
17 (a) The owner of a vehicle subject to registration shall apply
18 for registration under this chapter by properly completing the form
19 prescribed by the commissioner under AS 28.05.041. Before the issuance
20 of a certificate of registration by the department, the owner
21 shall
22 (1) pay all registration fees and taxes required under this
23 chapter and federal heavy vehicle use taxes required under 26 U.S.C.
24 4481 (Internal Revenue Code of 1954);
25 (2) unless the owner qualifies as a self-insurer under
26 AS 28.20.400, or is exempted from obtaining liability insurance under
27 AS 28.22.200, certify to the department and provide proof of the
28 existence of a motor vehicle liability policy that complies with
29 AS 28.22.200 for the vehicle being registered and certify that the

1 liability policy will remain in effect for the term the vehicle is
2 registered and being driven on a highway, vehicular way or area, or
3 until the vehicle is sold; and

4 (3) [SHALL] comply with [ANY] other applicable statutes and
5 regulations.

6 * Sec. 3. AS 28.10.041(a) is amended to read:

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

8 (1) the application contains a false or fraudulent state-
9 ment;

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

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

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

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

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

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

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

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

28 (10) the vehicle is subject to a state-approved local
29 emission inspection program adopted by municipal ordinance under

1 AS 46.03.210, and the vehicle does not meet the standards of that
2 program, unless the vehicle uses a fuel source that does not primarily
3 emit carbon monoxide;

4 (1) the applicant fails to certify to the department and
5 provide proof of the existence of a motor vehicle liability policy
6 that complies with AS 28.22.010 for the vehicle being registered,
7 unless the owner of the vehicle qualifies as a self-insurer under
8 AS 28.20.400, or is exempted from obtaining liability insurance under
9 AS 28.22.200.

10 * Sec. 4. AS 28.10.051 is amended by adding a new subsection to read:

11 (b) Unless the owner qualifies as a self-insurer under AS 28.-
12 20.400, or is exempted from obtaining liability insurance under
13 AS 28.22.200, the department may suspend or revoke the registration of
14 a vehicle that is not insured by a motor vehicle liability policy that
15 complies with AS 28.22.010.

16 * Sec. 5. AS 28.10.111 is amended by adding a new subsection to read:

17 (c) Unless the owner of the vehicle qualifies as a self-insurer
18 under AS 28.20.400, or is exempted from obtaining liability insurance
19 under AS 28.22.200, the department may not renew the registration of a
20 vehicle without receiving certification from the owner that the vehi-
21 cle is insured by a motor vehicle liability policy that complies with
22 AS 28.22.010.

23 * Sec. 6. AS 28.10.421(b) is amended to read:

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

26 (1) a passenger vehicle or motor home not used or main-
27 tained for the transportation of persons or property for hire or for
28 other commercial use. \$40 [\$35];

29 (2) a pick-up truck or a van not exceeding 6,000 pounds

- 1 unladen weight and not used or maintained for the transportation of
 2 persons or property for hire or for other commercial use . \$45 [\$40];
 3 (3) a taxicab \$75 [\$70];
 4 (4) a motor bus with a seating capacity for 20 or more
 5 persons and used exclusively for commercial purposes in the transport-
 6 ing of visitors or tourists \$90 [\$85];
 7 (5) a motorcycle or a motor-driven cycle . . . \$25 [\$20];
 8 (6) a two- or four-wheeled trailer not used or maintained
 9 for the transportation of persons or property for hire or for other
 10 commercial use, including, but not limited to, a boat trailer, baggage
 11 trailer, box trailer, utility trailer or house trailer . . . \$10 [\$5].

12 * Sec. 7. AS 28.10.421(c) is amended to read:

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

- 24 (1) up to and including 5,000 pounds \$55 [\$50];
 25 (2) more than 5,000 pounds to and including 12,000 pounds .
 26 \$90 [\$85];
 27 (3) more than 12,000 pounds to and including 18,000 pounds
 28 \$160 [\$155];
 29 (4) more than 18,000 pounds \$225 [\$220].

1 * Sec. 8. AS 28.15.255(c) is amended to read:

2 (c) In this section, the term "proof of financial responsibility
3 [FOR THE FUTURE]" has the meaning given in AS 28.20.630 [AS 28.20.-
4 230(b)] and may be established as provided in AS 28.20.

5 * Sec. 9. AS 28.20.630 is amended to read:

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

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

19 (2) "proof of financial responsibility" means an owner's
20 motor vehicle liability policy that covers all vehicles owned by the
21 person that are subject to registration in this state, or if the
22 person does not own a vehicle, proof required under AS 28.20.390.

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

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

26 * Sec. 11. Section 1 of this Act applies to automobile liability insur-
27 ance policies entered into or renewed on or after the effective date of
28 this Act.

29 * Sec. 12. AS 28.20.230(b) and secs. 17, 18, 19, 20, and 23 of ch. 70,

1 SLA 1984 are repealed.

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