

Original sponsor: Abood

1 IN THE SENATE BY THE TRANSPORTATION COMMITTEE
2 CS FOR SENATE BILL NO. 3 (Transportation)
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 registration and
7 registration plates; increasing fees for driver's
8 licenses, permits, and identification cards; and
9 providing for an effective date."
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
11 * Section 1. AS 18.65.310(a) is amended to read:
12 (a) Upon payment of a \$7 [\$5] fee, the Department of Public
13 Safety shall issue a card identical to the motor vehicle operator's
14 license provided for in AS 28.15.111, except that the card must
15 [SHALL] be of a different color and must [SHALL] state in bold type
16 letters across the face of it that it is for identification purposes
17 only.
18 * Sec. 2. AS 28.10.051 is amended to read:
19 Sec. 28.10.051. DEPARTMENT MAY SUSPEND OR REVOKE REGISTRATION.
20 The department may suspend or revoke the registration of a vehicle,
21 the certificate of registration or a registration plate [PLATES] for a
22 vehicle, or a special permit when
23 (1) the department determines that the registration or
24 certificate, plate, or permit was fraudulently procured or erroneously
25 issued;
26 (2) the department determines that a registered vehicle is
27 mechanically unsafe to be driven or moved on a highway, vehicular way
28 or area, or other public property in this state and the vehicle has
29 been seized or impounded under AS 28.05.091;

1 (3) a registered vehicle has been scrapped, dismantled or
2 destroyed beyond repair;

3 (4) the department determines that a required fee or tax
4 has not been paid and the fee or tax is not paid upon reasonable
5 notice and demand;

6 (5) a registration plate, permit, or certificate is know-
7 ingly displayed upon a vehicle other than the vehicle for which is-
8 sued;

9 (6) the department determines that the owner of a vehicle
10 has committed an offense under this chapter involving the registration
11 or the certificate, plate, or permit to be suspended or revoked;

12 (7) the vehicle has been reported to the department as
13 stolen or unlawfully converted; or

14 (8) the department is otherwise required to do so under the
15 laws of this state.

16 * Sec. 3. AS 28.10.091 is amended to read:

17 Sec. 28.10.091. LOST OR MUTILATED CERTIFICATE [CERTIFICATES] OF
18 REGISTRATION OR REGISTRATION PLATE [PLATES]. If a certificate of
19 registration or a registration plate is lost, stolen, mutilated or
20 becomes illegible, the owner or legal representative or successor in
21 interest of the owner of the vehicle for which the certificate or
22 plate was issued as shown by the records of the department shall,
23 immediately upon discovering the fact, apply for a duplicate or sub-
24 stitute certificate of registration or registration plate and shall
25 return to the department all parts of the original certificate of
26 registration or the registration plate [PLATES] that the applicant
27 possesses.

28 * Sec. 4. AS 28.10.108(g) is amended to read:

29 (g) The department shall issue to the registered owner, upon

1 receipt of the proper application and fees, a registration plate, tab
2 [PLATES, TABS] and registration form displaying the month and year in
3 which the registration expires.

4 * Sec. 5. AS 28.10.108(h) is amended to read:

5 (h) The department shall mail notice of registration expiration
6 to the registered owner of record at the owner's mailing address as
7 shown in the records of the department. An owner of a vehicle subject
8 to registration who has received notice under this subsection may
9 renew registration of the vehicle by returning the notice form, to-
10 gether with appropriate fees, to the department by mail postmarked no
11 later than the fifth day of the registration renewal period shown upon
12 the vehicle's current registration or notice form. Upon receipt of a
13 timely postmarked registration renewal and the appropriate fees and
14 taxes, the department shall renew the registration and mail the cur-
15 rent registration card and registration plate or tab [PLATES OR TABS]
16 to the owner at the owner's mailing address as shown in the depart-
17 ment's records.

18 * Sec. 6. AS 28.10.111(b) is amended to read:

19 (b) The department may receive an application for the renewal of
20 vehicle registration and issue a new certificate of registration at
21 any time before the expiration of the annual registration as pre-
22 scribed in regulations adopted by the commissioner. Nothing in this
23 section prevents the commissioner from providing for multi-year regis-
24 tration; however, a person may not display the new registration plate
25 [PLATES] on a vehicle before a date which may be set by the commis-
26 sioner.

27 * Sec. 7. AS 28.10.161(a) is amended to read:

28 (a) The [EXCEPT AS PROVIDED IN AS 28.10.181(i), THE] department,
29 upon registering a vehicle, shall issue the owner one fully

1 reflectorized registration plate for the [A TRAILER OR A MOTORCYCLE
2 AND TWO FULLY REFLECTORIZED REGISTRATION PLATES FOR EVERY OTHER]
3 vehicle. Except as specifically provided in AS 28.10.181, the plate
4 must [OR PLATES SHALL] remain with the vehicle as long as the vehicle
5 is subject to registration under this chapter.

6 * Sec. 8. AS 28.10.171(b) is amended to read:

7 (b) Every registration plate issued under this chapter shall be
8 securely fastened to the rear of the vehicle to which it is assigned,
9 with the upper edge of the plate horizontal, at a height of not less
10 than 12 inches from the ground measuring from the bottom of the plate,
11 and maintained in a location and condition so as to be clearly legi-
12 ble. However, when considered necessary to insure legibility, the
13 commissioner may provide by regulation for another method of installa-
14 tion.

15 * Sec. 9. AS 28.10.181(a) is amended to read:

16 (a) The department shall register unique and special vehicles
17 and vehicles used for special purposes and issue registration plates
18 as provided in this section. Notwithstanding other provisions of this
19 chapter, a registration plate [PLATES] issued under this section
20 remains [REMAIN] with the person or organization to whom it was [THEY
21 ARE] issued when vehicle ownership is transferred or title or interest
22 in the vehicle is assigned, except for a plate [PLATES] issued under
23 (b), (h), and (i) of this section. A registration plate [REGISTRATION
24 PLATES] issued under this section may not be used on, or transferred
25 to, a vehicle other than the vehicle for which the plate was [PLATES
26 ARE] issued without the approval of the department and payment of any
27 required fees and taxes prescribed in AS 28.10.421(d), 28.10.431 and
28 28.10.441; however, if a plate [THE PLATES] issued under (c), (f), or
29 [AND] (j) of this section is [ARE] transferred to a vehicle for which

1 the registration fee is more than the fee for the vehicle from which
2 the plate was [PLATES ARE] transferred, the owner shall pay the dif-
3 ference between the two fees. A registration plate [REGISTRATION
4 PLATES] issued under this section to which a person is no longer
5 entitled or a plate that has been transferred [THE TRANSFER OF THE
6 PLATES] to another vehicle which the department does not approve shall
7 be returned immediately to the department by the person or organiza-
8 tion to whom the plate was [PLATES WERE] originally issued.

9 * Sec. 10. AS 28.10.181(b) is amended to read:

10 (b) Historic vehicles. The owner of an historic vehicle may
11 make application for special registration under this subsection. The
12 department, when satisfied that the vehicle meets the requirements for
13 historic vehicle registration under regulations adopted by the commis-
14 sioner, shall register the vehicle and issue a [TWO] permanent regis-
15 tration plate [PLATES] of distinctive design and color bearing no
16 date. This plate must [THESE PLATES] remain with the vehicle as long
17 as it is registered under this subsection. A vehicle [VEHICLES]
18 qualifying for registration under this subsection shall be issued a
19 registration plate [PLATES] numbered in a separate numerical series
20 beginning with "Historic Vehicle No. 1."

21 * Sec. 11. AS 28.10.181(c) is amended to read:

22 (c) Special request plate [PLATES]. Upon application by the
23 owner of a passenger vehicle, noncommercial van or pick-up truck, or
24 motor home, the department may design and issue a registration plate
25 [PLATES] containing a series of not more than six letters or numbers
26 or combination of letters and numbers as requested by the owner. The
27 department may, in its discretion, disapprove the issuance of a regis-
28 tration plate [PLATES] under this subsection when the requested sym-
29 bols are a duplication of an existing registration or when the symbols

1 are considered unacceptable by the department.

2 * Sec. 12. AS 28.10.181(f) is amended to read:

3 (f) Vehicles owned by elected state officials. The department
4 shall issue a special registration plate [PLATES] to each incumbent
5 elected state official for display on a noncommercial motor vehicle
6 [VEHICLES] owned and driven by the official. The department shall
7 number or design the plate [PLATES] so that registration by an elected
8 state official is indicated upon the plate [PLATES]. The registration
9 plate [PLATES] issued under this subsection remains [REMAIN] with the
10 owner of the vehicle only during the official's term of office.

11 * Sec. 13. AS 28.10.181(g) is amended to read:

12 (g) Vehicles owned by consular officers of foreign governments.
13 A vehicle owned by a consular officer of a foreign government shall be
14 issued a registration plate [PLATES] displaying the title "consular
15 corps" or "cc." However, the commissioner may waive the registration
16 of consular vehicles and the payment of fees and taxes when consistent
17 with international treaties or agreements.

18 * Sec. 14. AS 28.10.181(h) is amended to read:

19 (h) Vehicles owned by ranchers, farmers, and dairymen. A vehi-
20 cle not exceeding an unladen total gross weight of 16,000 pounds,
21 owned by a person deriving the person's primary source of livelihood
22 from the operation of a ranch, farm, or dairy where the person resides
23 full-time, and which vehicle is used exclusively to transport the
24 person's own ranch, farm, or dairy products to and from the market or
25 to transport supplies, commodities or equipment to be used on the
26 person's ranch, farm, or dairy, may be registered under this sub-
27 section and may be issued a registration plate [PLATES] of a distinc-
28 tive design or system of numbering.

29 * Sec. 15. AS 28.10.181(i) is amended to read:

1 (i) Amateur mobile radio station vehicles. A validly licensed
2 amateur radio operator who presents satisfactory proof that the owner
3 holds an unexpired Federal Communications Commission amateur radio
4 operator's license of any renewable class, and who presents satisfac-
5 tory proof that the vehicle contains or carries an amateur radio
6 transmitter and receiving unit of a type applicable to the license
7 class applied for, and who is permitted by law to operate a fixed
8 station, may register one amateur mobile radio station vehicle for
9 each radio license issued by the federal government and may receive
10 for the vehicle a distinctive registration plate [PLATES INSTEAD OF
11 REGULAR REGISTRATION PLATES]. The number on the plate [PLATES] shall
12 be the radio call sign of the owner.

13 * Sec. 16. AS 28.10.181(j) is amended to read:

14 (j) Vehicles owned by dealers. A state-registered and bonded
15 vehicle dealer may apply for dealer registration plates. A plate
16 issued under this subsection may be used only on dealer-owned vehicles
17 during the routine and normal course of the dealer's business, exclud-
18 ing service vehicles, or for transporting an unregistered vehicle from
19 a port of entry to the dealer's facilities or from one dealer to
20 another or, in the case of a house trailer, from the retail facility
21 to a trailer space. If the dealer sells or transfers the vehicle, the
22 dealer plate [PLATES] may be used on the vehicle by the new owner or
23 transferee for a period of not more than five days after the sale or
24 transfer. The department may seize the dealer plate [PLATES] if it has
25 reason to believe that the plate is [PLATES ARE] being used to defeat
26 the purposes of, or is [ARE] in violation of, this chapter.

27 * Sec. 17. AS 28.10.181(1) is amended to read:

28 (1) Vehicles owned by former prisoners of war. The department,
29 upon receipt of written proof, may issue without charge a special

1 registration plate [PLATES] for one noncommercial motor vehicle to a
2 person who has been a prisoner of war during a declared war or other
3 conflict, as determined by the Department of Defense under federal
4 regulations. The design and color of the prisoner of war plate
5 [PLATES] shall be solely within the discretion of the commissioner.

6 * Sec. 18. AS 28.10.181(m) is amended to read:

7 (m) Special request plate [PLATES] for Alaska National Guard
8 personnel. Upon application by the owner of a passenger vehicle,
9 noncommercial van or pick-up truck, or motor home who presents satis-
10 factory proof of current membership in the Alaska National Guard, the
11 department may design and issue a registration plate [PLATES] that
12 identifies [IDENTIFY] the vehicle as registered to a member of the
13 Alaska National Guard. The owner shall return the registration plate
14 [PLATES] to the department within 10 days following discharge from the
15 Alaska National Guard.

16 * Sec. 19. AS 28.10.181 is amended by adding a new subsection to read:

17 (n) Vehicles used in certain driving offenses. The department
18 shall design a special registration plate, numbered in a separate
19 numerical series, for issuance under this subsection. The department
20 may, upon proper application, issue temporary registration and a
21 special registration plate designed under this subsection to a vehicle
22 owner who has forfeited registration and a registration plate under
23 AS 28.35.039. The owner shall return the special registration plate
24 to the department following expiration of the temporary registration
25 or transfer of ownership of the vehicle.

26 * Sec. 20. AS 28.10.271(a) is amended to read:

27 (a) When the owner of a registered vehicle transfers or assigns
28 the owner's title or interest in the vehicle, the registration of the
29 vehicle expires; however, the registration plate remains [PLATES

1 REMAIN] on the vehicle except as otherwise provided in AS 28.10.181.

2 * Sec. 21. AS 28.10.281(b) is amended to read:

3 (b) A vehicle transferred to a dealer may not be driven unless
4 it is re-registered under this chapter or is driven under a dealer
5 registration plate [PLATES] issued under AS 28.10.181(j).

6 * Sec. 22. AS 28.10.331 is amended to read:

7 Sec. 28.10.331. DEPARTMENT TO ISSUE NEW CERTIFICATES OF TITLE
8 AND REGISTRATION. The department, upon receipt of the certificate of
9 title properly endorsed, the certificate of registration, the regis-
10 tration plate [PLATES], if any, the application for new title and
11 registration and all required fees and taxes, shall issue a certifi-
12 cate of title and a certificate of registration to the transferee or
13 the lienholder lawfully entitled to the certificates.

14 * Sec. 23. AS 28.10.351 is amended to read:

15 Sec. 28.10.351. DISMANTLING OR WRECKING VEHICLE. A person who
16 dismantles, scraps, or destroys a registered vehicle shall immediately
17 forward to the department the certificates of title and registration
18 and the registration plate [PLATES] for the vehicle.

19 * Sec. 24. AS 28.10.421(d)(10) is amended to read:

- 20 (10) dealer registration plate [PLATES],
21 (A) an [THE] initial plate [SET OF PLATES] . . . \$45;
22 (B) each subsequent plate [SET OF PLATES]. . . . \$25;

23 * Sec. 25. AS 28.10.421(d) is amended by adding a new paragraph to
24 read:

- 25 (14) special request plate issued under AS 28.10.181(n)...
26 \$25;
27 plus the fee required for that vehicle under (b), (c), or (d) of this
28 section; the fee required by this paragraph shall be collected on the
29 first issuance of the special request plate.

1 * Sec. 26. AS 28.10.441 is amended to read:

2 Sec. 28.10.441. SCHEDULE OF OTHER FEES AND CHARGES. The follow-
3 ing fees and charges are imposed by the department for the stated
4 services which it provides:

- 5 (1) title fee (including transfer of title)..... \$ 5;
- 6 (2) lien filing fee..... \$ 5;
- 7 (3) replacement of any registration plate [SET], including
8 a special request plate [PLATES] \$ 5;
- 9 (4) duplicate of original certificate of title..... \$ 5;
- 10 (5) duplicate of certificate of registration..... \$ 2;
- 11 (6) temporary preregistration permit issued under AS 28.-
12 10.031 none;
- 13 (7) special transport permit issued under AS 28.10.151 ...
14 \$ 5;
- 15 (8) special permit for vehicle used for transport of dis-
16 abled or handicapped person as provided in AS 28.10.215..... none.

17 * Sec. 27. AS 28.10.461 is amended to read:

18 Sec. 28.10.461. DRIVING VEHICLE WITHOUT EVIDENCE OF REGISTRA-
19 TION. Except as otherwise expressly permitted in this chapter, a
20 person may not drive or move, nor may an owner knowingly permit to be
21 driven or moved, on a highway or vehicular way or area, a vehicle
22 required to be registered under this chapter unless a valid registra-
23 tion plate, decal, or permit [PLATES, DECALS OR PERMITS] for the
24 current registration period is [ARE] attached to and displayed on the
25 vehicle in the manner required by this chapter, and unless a valid
26 certificate of registration for the current registration period is
27 carried, as required by this chapter, in the vehicle and is available
28 for inspection by a peace officer or an authorized representative of
29 the department.

1 * Sec. 28. AS 28.15.271 is amended to read:

2 Sec. 28.15.271. FEES. The fees for drivers' licenses and per-
3 mits, including [BUT NOT LIMITED TO] renewals, are as follows:

- 4 (1) all classes of drivers' licenses..... \$12 [\$10];
5 (2) motor-driven cycles..... \$12 [\$10];
6 (3) instruction permit..... \$5 [\$3];
7 (4) duplicate of driver's license or instruction per-
8 mit..... \$5 [\$3];
9 (5) temporary license and renewal of permit \$3;
10 (6) school bus driver's permit..... \$3.

11 * Sec. 29. AS 28.35 is amended by adding a new section to article 2 to
12 read:

13 Sec. 28.35.039. FORFEITURE OF MOTOR VEHICLE REGISTRATION AND
14 LICENSE PLATE. (a) In addition to any other penalty provided by law,
15 the court shall require the registered owner, including an owner
16 registered jointly with another owner, to surrender to the court the
17 registration and registration plate of the motor vehicle involved in
18 the commission of the following offenses:

19 (1) a second conviction within a five-year period or a
20 third conviction within a 10-year period, for driving while intoxicat-
21 ed under AS 28.35.030 or refusal to submit to a chemical test of
22 breath under AS 28.35.032, or another law or ordinance with substan-
23 tially similar elements; or

24 (2) a conviction under AS 28.15.291 for driving a motor
25 vehicle when that person's driver's license has been revoked and the
26 revocation was imposed under AS 28.15.181(a)(5), or another law or
27 ordinance with substantially similar elements.

28 (b) This section does not apply if the registered owner of the
29 motor vehicle was not driving the vehicle during the commission of the

1 offense, unless the vehicle was used with the permission of the owner
2 and the owner knew, prior to the commission of the offense, that the
3 person was operating the vehicle without a valid driver's license.

4 (c) For purposes of this section, convictions for driving while
5 intoxicated under AS 28.35.030, and for refusal to submit to a chemi-
6 cal test of breath under AS 28.35.032, if arising out of a single
7 transaction and a single arrest, are considered one previous convic-
8 tion.

9 (d) The registration and registration plate surrendered under
10 this section shall be transmitted to the department, and may not be
11 reissued by the department until the period of driver's license revo-
12 cation imposed by the court is completed. A person who surrenders a
13 registration or a registration plate under this section may apply to
14 the department for a temporary registration and registration plate
15 under AS 28.10.181(n). An application may not be accepted by the
16 department unless a member of the applicant's household has a valid
17 driver's license.

18 (e) A person required to surrender a registration and registra-
19 tion plate under this section and whose driver's license has been
20 revoked, shall also identify to the court all persons residing in the
21 person's household who are 16 years of age or older. These names
22 shall be reported to the department along with the name of the person
23 in the household whose driver's license has been revoked. The depart-
24 ment shall provide to each named person written notice of the fact
25 that the driver's license of the person identified in the report has
26 been revoked, and that if a vehicle owner knowingly permits a person
27 who does not have a valid driver's license to drive the owner's vehi-
28 cle, the owner will be required to surrender the vehicle's registra-
29 tion and registration plate.

1 (f) An owner who has surrendered a motor vehicle registration
2 and registration plate under (a) of this section, and who wishes to
3 sell the vehicle, may apply to the department for permission to trans-
4 fer title to the motor vehicle. The department may, after trans-
5 ferring ownership of the vehicle, issue a new registration and regis-
6 tration plate. When title to a motor vehicle is transferred by fore-
7 closure, conditional sale contract, execution sale, or by a court
8 decree, the department shall transfer the registration to the new
9 owner and may reissue the registration plate.

10 * Sec. 30. AS 28.10.171(a) is repealed.

11 * Sec. 31. Sections 1 and 28 of this Act take effect July 1, 1987.

12 * Sec. 32. Sections 2 - 27, 29, and 30 of this Act take effect
13 January 1, 1988.