

**HOUSE BILL NO. 454**

**IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - SECOND SESSION**

**BY REPRESENTATIVES LEMAN, Finkelstein, G.Phillips, Brown**

**Introduced: 2/7/92**

**Referred: Transportation, Labor & Commerce**

**A BILL**

**FOR AN ACT ENTITLED**

**1 "An Act relating to the transfer of ownership of a motor vehicle."**

**2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

**3 \* Section 1. AS 45.45 is amended by adding new sections to read:**

**4 ARTICLE 6A. MOTOR VEHICLE SALES.**

**5 Sec. 45.45.400. PROHIBITED TRANSFER IF POLLUTION CONTROL SYSTEM IS**  
**6 ALTERED. (a) The owner of a motor vehicle or the owner's agent may not transfer, assign,**  
**7 or sell the owner's title or interest in the vehicle if the owner or the owner's agent knows or**  
**8 negligently fails to know that the vehicle's pollution control system has been altered or removed,**  
**9 except that a pollution control system may be altered if the resulting pollution control system has**  
**10 been approved by the state or by a municipality that has established an air pollution control**  
**11 program under AS 46.03.210.**

**12 (b) This section does not apply to a motor vehicle that when manufactured did not have**  
**13 a pollution control system.**

**14 (c) A transfer, assignment, or sale in violation of this section is void and the transferee,**

1 assignee, or buyer may recover from the transferor, assignor, or seller the consideration paid for  
2 the vehicle upon tendering the vehicle to the transferor, assignor, or seller.

3 Sec. 45.45.410. PROHIBITED TRANSFER OF USED CARS. (a) A person engaged  
4 in the business of selling used motor vehicles may not transfer or assign the owner's title or  
5 interest in the used vehicle to a person who resides in a municipality that has an air pollution  
6 control program established under AS 46.03.210 and who intends to use the vehicle in that  
7 municipality, unless the vehicle has a certificate of compliance or noncompliance as required  
8 under the air pollution control requirements applicable in that municipality.

9 (b) This section does not apply to a motor vehicle that when manufactured did not have  
10 a pollution control system.