

**SENATE CS FOR CS FOR HOUSE BILL NO. 454 (L&C)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION**

BY BY THE SENATE LABOR AND COMMERCE COMMITTEE

**Offered: 5/1/92
Referred: Rules**

Sponsor(s): REPRESENTATIVES LEMAN, Finkelstein, G.Phillips, Brown

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 who resides in an area that has an air pollution
7 program established under AS 46.03.210 or the owner's agent may not transfer, assign, or sell
8 the owner's title or interest in the vehicle if the owner or the owner's agent knows or negligently
9 fails to know that the vehicle's pollution control system has been altered or removed, except that
10 a pollution control system may be altered if the resulting pollution control system has been
11 approved by the state or by a municipality that has established an air pollution control program
12 under AS 46.03.210.

13 **(b)** This section does not apply to a motor vehicle that

14 **(1)** when manufactured did not have a pollution control system; or

1 (2) is not registered in an area that has an air pollution control program
2 established under AS 46.03.210.

3 (c) A transfer, assignment, or sale in violation of this section is voidable by the
4 transferee, assignee, or buyer before another transfer, assignment, or sale of the motor vehicle
5 and the transferee, assignee, or buyer may recover from the transferor, assignor, or seller the
6 consideration paid for the vehicle upon tendering the vehicle to the transferor, assignor, or seller.

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

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

15 * Sec. 2. AS 45.50.471(b) is amended by adding a new paragraph to read:

16 (31) violating the provisions of AS 45.45.410.