

CS FOR HOUSE BILL NO. 328(STA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 3/9/94
Referred: Finance

Sponsor(s): REPRESENTATIVES MARTIN AND BARNES, Phillips, B.Davis

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to motor vehicle registration and registration fees, and to the
2 optional municipal motor vehicle registration tax; to fees for drivers' licenses and
3 permits; to fees related to inspection and control of motor vehicle emissions; and
4 providing for an effective date."

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

6 * Section 1. AS 14.17.140(b) is amended to read:

7 (b) Motor vehicles subject to the motor vehicle registration tax under
8 AS 29.45.075 [AS 28.10.431] shall be treated as taxable property under this section.

9 * Sec. 2. AS 28.10.108(c) is amended to read:

10 (c) A vehicle subject to registration [AND NOT DESCRIBED IN (b) OF THIS
11 SECTION] shall have its initial registration, and may have its biennial [ANNUAL]
12 registration, renewed in the month of initial registration in the state, subject to the
13 provisions of (f) of this section.

14 * Sec. 3. AS 28.10.108(d) is amended to read:

1 (d) A registered vehicle retains the same biennial [ANNUAL] expiration date
2 regardless of the ownership of the vehicle.

3 * Sec. 4. AS 28.10.108(f) is amended to read:

4 (f) Upon request of the owner and payment of the proportionate prorated
5 applicable fees, a vehicle registered under this section shall have its registration period
6 extended in monthly increments to allow biennial [ANNUAL] registration to occur in
7 the month of the owner's choice.

8 * Sec. 5. AS 28.10.111(b) is amended to read:

9 (b) The department may receive an application for the renewal of vehicle
10 registration and issue a new certificate of registration at any time before the expiration
11 of the biennial [ANNUAL] registration as prescribed in regulations adopted by the
12 commissioner. Nothing in this section prevents the commissioner from providing for
13 a longer [MULTI-YEAR] registration period; however, a person may not display the
14 new registration plates on a vehicle before a date which may be set by the
15 commissioner.

16 * Sec. 6. AS 28.10.181(a) is amended to read:

17 (a) The department shall register unique and special vehicles and vehicles used
18 for special purposes and issue registration plates as provided in this section.
19 Notwithstanding other provisions of this chapter, registration plates issued under this
20 section remain with the person or organization to whom they are issued when vehicle
21 ownership is transferred or title or interest in the vehicle is assigned, except for plates
22 issued under (b), (h) and (i) of this section. Registration plates issued under this
23 section may not be used on, or transferred to, a vehicle other than the vehicle for
24 which the plates are issued without the approval of the department and payment of any
25 required fees and taxes prescribed in AS 28.10.421(d), [28.10.431 AND] 28.10.441,
26 and AS 46.14.510(e); however, if the plates issued under (c), (f) and (j) of this section
27 are transferred to a vehicle for which the registration fee is more than the fee for the
28 vehicle from which the plates are transferred, the owner shall pay the difference
29 between the two fees. Registration plates issued under this section to which a person
30 is no longer entitled or the transfer of the plates to another vehicle which the
31 department does not approve shall be returned immediately to the department by the

1 person or organization to whom the plates were originally issued.

2 * Sec. 7. AS 28.10.411(a) is amended to read:

3 (a) For every year during any part of which a vehicle is subject to registration
4 under this chapter, a registration fee shall be paid to the department at the time of
5 original registration and at each biennial [ANNUAL] renewal of registration after that
6 time.

7 * Sec. 8. AS 28.10.411(f) is amended to read:

8 (f) A resident 65 years of age or older on January 1 of the year the vehicle is
9 registered is entitled to an exemption once each biennial registration period
10 [CALENDAR YEAR] from the registration fee required under this section for one
11 motor vehicle subject to registration under AS 28.10.421(b)(1), (2), (5), or (6). An
12 exemption may not be granted except upon written application for the exemption on
13 a form prescribed by the department.

14 * Sec. 9. AS 28.10.421(a) is amended to read:

15 (a) Unless otherwise provided by law,

16 (1) the fees prescribed in this section shall be paid to the department
17 at the times provided under AS 28.10.108 and 28.10.111; [AND]

18 (2) an additional fee of \$10 shall be added to the registration fee set
19 out in this section for registration not conducted by mail; the department may waive
20 this additional fee for a good cause based on criteria established in regulations adopted
21 by the department; and

22 (3) the department shall establish procedures that allow the fees
23 prescribed in this section to be paid by credit card, including credit card payment
24 authorized by telephone.

25 * Sec. 10. AS 28.10.421(b) is amended to read:

26 (b) The biennial [ANNUAL] registration fees under this subsection are
27 imposed within the following classifications for:

28 (1) a passenger vehicle or motor home not used or maintained for the
29 transportation of persons or property for hire or for other commercial use

30 \$53 [\$35];

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

- 1 weight and not used or maintained for the transportation of persons or property for hire
- 2 or for other commercial use **\$60** [\$40];
- 3 (3) a taxicab **\$105** [\$70];
- 4 (4) a motor bus with a seating capacity for 20 or more persons and
- 5 used exclusively for commercial purposes in the transporting of visitors or tourists
- 6 **\$128** [\$85];
- 7 (5) a motorcycle or a motor-driven cycle **\$30** [\$20];
- 8 (6) a trailer not used or maintained for the transportation of persons
- 9 or property for hire or for other commercial use, including, but not limited to, a boat
- 10 trailer, baggage trailer, box trailer, utility trailer, house trailer, travel trailer, or a trailer
- 11 rented or offered for rent **\$8** [\$5].

12 * Sec. 11. AS 28.10.421(c) is amended to read:

13 (c) The biennial [ANNUAL] registration fees under this subsection are

14 imposed and are based upon the actual unladen weight as established by the

15 manufacturer's advertised weight or upon the actual weight which the owner shall

16 furnish, subject to the approval of the commissioner or the commissioner's

17 representative, for a vehicle, including a motor vehicle pulling a trailer or semi-trailer,

18 that is registered in the name of a company or business, or is used or maintained for

19 the transportation of passengers for hire, excepting taxicabs and buses under (b) of this

20 section, or for the transportation of property for hire or for other commercial purposes,

21 including a trailer, semi-trailer, truck, wrecker, tow car, hearse, ambulance, and tractor,

22 as follows

- 23 (1) up to and including 5,000 pounds **\$77** [\$51];
- 24 (2) more than 5,000 pounds to and including 12,000 pounds
- 25 **\$129** [\$86];
- 26 (3) more than 12,000 pounds to and including 18,000 pounds **\$234**
- 27 [\$156];
- 28 (4) more than 18,000 pounds **\$332** [\$221].

29 * Sec. 12. AS 28.10.421(d) is amended to read:

30 (d) The special registration fees under this subsection are imposed biennially

31 [ANNUALLY], unless otherwise specified, for

- 1 (1) an historic vehicle, [(] one time only upon initial registration under
- 2 AS 28.10.181 [)] \$10;
- 3 (2) special request plates for
- 4 (A) Alaska National Guard personnel \$30;
- 5 (B) veterans or retired veterans \$30;
- 6 (C) recipients of the Purple Heart \$30;
- 7 (D) owners of custom collection vehicles \$50;
- 8 (E) other special request plates \$30;
- 9 plus the fee required for that vehicle under (b) of this section; the fee required by this
- 10 paragraph shall be collected only on the first issuance and on the replacement of
- 11 special request plates;
- 12 (3) a vehicle owned by a disabled veteran or other handicapped person,
- 13 and registered under AS 28.10.181 or a resident 65 years of age or older who files a
- 14 written application for an exemption on a form prescribed by the department none;
- 15 (4) a vehicle owned by the state none;
- 16 (5) a vehicle owned by an elected state official the fee
- 17 required for that vehicle under (b) of this section;
- 18 (6) [REPEALED
- 19 (7)] a vehicle owned by a rancher, farmer, or dairyman and registered
- 20 under AS 28.10.181 \$53 [\$35];
- 21 (7) [(8)] a snowmobile or off-highway vehicle \$8 [\$5];
- 22 (8) [(9)] an amateur mobile radio station vehicle,
- 23 (A) with a transceiver capable of less than 5-band operation ...
- 24 the fee required for that vehicle under (b) or (c) of this section;
- 25 (B) in recognition of service to the public a mobile amateur
- 26 radio station owned by an amateur with general class or higher license,
- 27 provided the station must be satisfactorily proved capable of operating on at
- 28 least five bands from 160 through 10 meters, must have an antenna, and must
- 29 have a power supply and wiring as a permanent part of the vehicle; the
- 30 transmitting unit may be removed from the car for service or dry storage ...
- 31 none for a mobile amateur radio station vehicle included in (b)(1) or (2) of this

1 section;

2 ~~(9)~~ [(10)] dealer registration plates

3 (A) the initial set of plates ~~\$68~~ [\$45];

4 (B) each subsequent set of plates ~~\$38~~ [\$25];

5 ~~(10)~~ [(11)] a vehicle owned by a municipality or charitable organization

6 meeting the requirements of AS 28.10.181(e) ~~\$8~~ [\$5];

7 ~~(11)~~ [(12)] REPEALED

8 (13) a vehicle owned by a Pearl Harbor survivor or a former prisoner

9 of war none;

10 ~~(12)~~ [(14)] REPEALED

11 (15) special request university plates \$50

12 plus the fee required for that vehicle under (b)(1) or (2) of this section; the fee

13 required by this paragraph shall be collected only on the first issuance and on the

14 replacement of special request plates; the commissioner of administration shall

15 separately account by university campus designation for the fees received under this

16 paragraph that the department deposits in the general fund; the annual estimated

17 balance in the accounts that is in excess of the cost of issuing special request

18 university plates may be appropriated by the legislature for the support of programs

19 at each campus.

20 * Sec. 13. AS 28.10.423 is amended to read:

21 Sec. 28.10.423. EMISSION CONTROL INSPECTION PROGRAM FEES. In

22 addition to the biennial [ANNUAL] registration fee specified in AS 28.10.421, the

23 department shall collect [A \$1 FEE IS IMPOSED UPON EVERY VEHICLE

24 REQUIRED TO BE INSPECTED UNDER] an emission control program fee as

25 required under AS 46.14.510(e) [ESTABLISHED UNDER AS 46.14.400 OR

26 46.14.510]. This fee shall be collected at the same time and in the same manner as

27 the registration fee.

28 * Sec. 14. AS 28.15.271 is amended by adding a new subsection to read:

29 (e) The department shall establish procedures that allow the fees prescribed in

30 this section to be paid by credit card, including credit card payment authorized by

31 telephone.

1 * Sec. 15. AS 29.45.030(j) is amended to read:

2 (j) One motor vehicle per household owned by a resident 65 years of age or
3 older on January 1 of the assessment year is exempt either from taxation on its
4 assessed value or from the registration tax under AS 29.45.075 [AS 28.10.431]. An
5 exemption may be granted under this subsection only upon written application on a
6 form prescribed by the municipality imposing the tax [DEPARTMENT OF PUBLIC
7 SAFETY].

8 * Sec. 16. AS 29.45 is amended by adding a new section to read:

9 Sec. 29.45.075. ANNUAL MOTOR VEHICLE REGISTRATION TAX. (a)
10 A motor vehicle registration tax is imposed within a municipality that elects, by
11 passage of an appropriate ordinance, to come under this section. If a municipality has,
12 before October 15, 1978, levied a motor vehicle registration or ad valorem tax that has
13 been repealed by a vote of the people at any regular or special municipal election, then
14 the election provided for in this subsection is not effective until the ordinance passed
15 by the local governing body has been approved by the people at the next regularly
16 scheduled general or special municipal election.

17 (b) The tax is imposed upon motor vehicles subject to the license fee under
18 AS 28.10.411 and 28.10.421 and is based upon the age of vehicles as determined by
19 model year according to the following schedule:

| | Tax According to Age of Vehicle Since Model Year: | | | | | | | |
|------------------------|---|------|------|------|------|------|------|---------|
| | 1st | 2nd | 3rd | 4th | 5th | 6th | 7th | 8th |
| | | | | | | | | or over |
| 23 Motor Vehicle | | | | | | | | |
| 24 (1) motorcycle | \$ 9 | \$ 8 | \$ 7 | \$ 6 | \$ 4 | \$ 3 | \$ 2 | \$ 2 |
| 25 (2) vehicles speci- | 66 | 55 | 44 | 33 | 22 | 17 | 11 | 8 |
| 26 fied in AS 28.10.- | | | | | | | | |
| 27 421(b)(1) | | | | | | | | |
| 28 (3) vehicles speci- | 66 | 55 | 44 | 33 | 22 | 17 | 11 | 8 |
| 29 fied in AS 28.10.- | | | | | | | | |
| 30 421(b)(3) | | | | | | | | |
| 31 (4) vehicles speci- | | | | | | | | |

| | | | | | | | | | |
|----|-----------------------|-----|-----|-----|-----|----|----|----|----|
| 1 | fied in AS 28.10.- | | | | | | | | |
| 2 | 421(c)(1) - (4) | | | | | | | | |
| 3 | 5,000 pounds or | 66 | 55 | 44 | 33 | 22 | 17 | 11 | 8 |
| 4 | less | | | | | | | | |
| 5 | 5,001 - 12,000 | 110 | 88 | 66 | 55 | 44 | 33 | 22 | 11 |
| 6 | pounds | | | | | | | | |
| 7 | 12,001 - 18,000 | 165 | 132 | 110 | 88 | 66 | 44 | 33 | 22 |
| 8 | pounds | | | | | | | | |
| 9 | 18,001 pounds | 220 | 176 | 143 | 110 | 88 | 66 | 44 | 22 |
| 10 | or over | | | | | | | | |
| 11 | (5) vehicles speci- | 110 | 88 | 66 | 55 | 44 | 33 | 22 | 11 |
| 12 | fied in AS 28.10.- | | | | | | | | |
| 13 | 421(b)(4) | | | | | | | | |
| 14 | (6) vehicles speci- | 9 | 8 | 7 | 6 | 4 | 3 | 2 | 2 |
| 15 | fied in AS 28.10.- | | | | | | | | |
| 16 | 421(b)(6) | | | | | | | | |
| 17 | (7) vehicles speci- | 66 | 55 | 44 | 33 | 22 | 17 | 11 | 8 |
| 18 | fied in AS 28.10.- | | | | | | | | |
| 19 | 421(d)(9) | | | | | | | | |
| 20 | (8) vehicles speci- | 66 | 55 | 44 | 33 | 22 | 17 | 11 | 8 |
| 21 | fied in AS 28.10.- | | | | | | | | |
| 22 | 421(b)(2) | | | | | | | | |
| 23 | (9) vehicles eligible | 44 | | | | | | | |
| 24 | for dealer plates | | | | | | | | |
| 25 | under AS 28.10.- | | | | | | | | |
| 26 | 421(d)(10). | | | | | | | | |

27 (c) Except as provided under (d) of this section, the registration tax shall be
28 levied, collected, enforced, and otherwise administered by the municipality in which
29 the tax is imposed. Only one registration tax may be collected with respect to the
30 same motor vehicle in the year for which the tax is paid.

31 (d) If the municipality imposing a tax under (a) of this section and the

1 commissioner of public safety agree, the registration tax imposed by that municipality
2 under this section may be collected by the Department of Public Safety in the same
3 manner as provided for registration fees imposed under AS 28.10. If the Department
4 of Public Safety collects the tax imposed under this section, the department shall
5 refund money collected under this section, less eight percent as collection costs, to the
6 municipality for which the money was collected, as determined by

7 (1) the address of residence of an individual required to pay the tax,

8 or

9 (2) the situs of the vehicle if the vehicle is not owned by an individual;
10 the tax situs is the location at which the motor vehicle is usually, normally, or
11 regularly kept or used.

12 (e) If a person has paid the registration tax imposed in this section, and the
13 municipality determines that the payor is entitled to a refund in whole or in part of the
14 registration tax, the municipality shall make the refund to which the person is entitled.
15 A refund may not be made unless application for a refund is filed with the
16 municipality by December 31 of the year following the year for which the refund is
17 claimed.

18 (f) Money received by a borough under this section shall be allocated by the
19 borough by ordinance for city, area outside city, and service area purposes within the
20 borough.

21 (g) Payment of the registration tax is in lieu of all local use taxes and ad
22 valorem taxes on motor vehicles subject to the tax. A municipality that elects to come
23 under the provisions of this section may not levy use or ad valorem taxes on motor
24 vehicles subject to the registration tax during a fiscal year in which the election is in
25 effect.

26 (h) A vehicle owned by a former prisoner of war exempted from registration
27 fees under AS 28.10.421(d)(13) is subject to a motor vehicle registration tax under this
28 section.

29 * Sec. 17. AS 29.60.010(c) is amended to read:

30 (c) For purposes of this section, locally generated revenue

31 (1) includes

1 (A) the actual revenue derived from the levy and collection of
2 local taxes in the taxing unit for municipal services;

3 (B) motor vehicle payments received by the municipality under
4 AS 29.45.075 [AS 28.10.431];

5 (C) revenue from fees, rentals, leases, penalties, licenses, or
6 permits received by the municipality for a function or service over which it has
7 control, including revenues derived from parks and recreation services, mass
8 transit, offstreet parking, and garbage and solid waste disposal services;

9 (D) special assessments received; and

10 (E) payments received by a municipality from a utility that are
11 in place of taxes levied and collected by the municipality;

12 (2) excludes

13 (A) revenue derived from the levy and collection of municipal
14 taxes and appropriated for the operating expenses and debt service of utilities;

15 (B) revenue from interest earned on investments and from the
16 sale and lease of land or equipment; and

17 (C) all other revenue from whatever service derived;

18 (3) is calculated on the basis of the actual revenue received during the
19 fiscal year of the taxing unit preceding the year in which the department's
20 determination of the millage rate equivalent is made under AS 29.60.030.

21 * Sec. 18. AS 46.14.510 is amended by adding new subsections to read:

22 (e) A person required to register a motor vehicle under AS 28.10.011 who
23 resides and operates the registered motor vehicle in an area subject to an emission
24 control program established under AS 46.14.400 or this section shall, in addition to the
25 registration fee specified in AS 28.10.421, pay a biennial motor vehicle emissions fee,
26 as provided under AS 28.10.423. The department shall, by regulation, establish the
27 amount of the motor vehicle emissions fee. The department may not establish a fee
28 under this subsection that is greater than the fee necessary to pay the cost of the
29 department's motor vehicle emissions control program. The motor vehicle fees
30 collected under this subsection may be appropriated to the motor vehicle emissions
31 control account.

1 (f) A motor vehicle emissions control account is established in the general
2 fund. It consists of appropriations made to it. The department may use money in the
3 account for administration of an emission control program established under
4 AS 46.14.400 or this section.

5 (g) In addition to the fee described under (e) of this section, the department
6 may adopt regulations that prescribe reasonable fees to pay the department's
7 administrative costs resulting from other programs of the department designed to
8 control emissions from motor vehicles or to regulate motor vehicle fuels to control
9 emissions.

10 (h) In this section, "motor vehicle" means a vehicle that is self-propelled, but
11 does not include a vehicle propelled by human or animal power.

12 * Sec. 19. AS 28.10.108(b) and 28.10.431 are repealed.

13 * Sec. 20. TRANSITION. (a) Notwithstanding secs. 2 - 12 of this Act, the biennial
14 registration fees imposed under this Act shall be collected upon initial registration or renewal
15 of an existing registration.

16 (b) Notwithstanding the provisions of AS 28.10.423, beginning July 1, 1994, and
17 ending January 1, 1995, the annual motor vehicle emissions fee paid to the Department of
18 Public Safety under AS 28.10.423 shall equal \$2.

19 * Sec. 21. Section 20(b) of this Act takes effect July 1, 1994.

20 * Sec. 22. Except as provided in sec. 21 of this Act, this Act takes effect January 1, 1995.