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STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF LAW

CRIMINAL DIVISION

POUCH KC - STATE CAPITOL
JUNEAU, ALASKA 99811

February 8, 1979

The Honorable W. E. Bradley
Alaska State Legislature
State Capitol
Pouch V
Juneau, Alaska 99811

Re: Senate Bill 98

Dear Senator Bradley:

You have asked Dick Pegues, Administrative Officer for the Department of Law, for his comments on Senate Bill 98. I have been requested to respond to your letter in his stead.

If a fiscal note is required by SB 98, the Department of Public Safety would be the appropriate agency to inquire of, as this would fall within their expertise.

With respect to the substance of SB 98, the Department of Law has several objections which mitigate against its passage. As a primary consideration, should this bill become law there would be selective enforcement, at best. This is because the person at the counter in the Division of Motor Vehicles would have no way of knowing how long a person attempting to register a vehicle had been in the state, nor whether a person was employed nor for how long the person was employed. Should a person registering a vehicle admit that he has been in the state for longer than 90 days or employed for more than 15 days, he would be subject to the penalty reflected in SB 98. However, it is highly likely that people would soon be aware of the obvious advantages of misrepresenting these facts, and in this regard, the bill encourages misrepresentation.

Senator W. E. Bradley

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In addition, the bill discriminates between residents and non-residents who register their vehicles at a time later than that required by law. There appears to be no valid reason for this distinction other than the possibly more difficult job of enforcing registration requirements on out-of-state vehicles.

It would appear that the best way to approach this problem is simply more strict enforcement of existing laws. I have consulted the Department of Public Safety; and the concerns expressed above are shared by that department.

If I may be of any further assistance, please contact me at your convenience.

Very truly yours,

AVRUM M. GROSS
ATTORNEY GENERAL

DANIEL W. HICKEY
CHIEF PROSECUTOR

By:

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MJS/mt