

COMMITTEE REPORT

HOUSE

(11)

FURTHER:

2/15/82

Date: 4/1/82

Mr. Speaker: (Taken from Rules 2/15/82)

The Committee on Finance has had HB 586

"An Act relating to permits for overweight vehicles."

under consideration and ~~(a majority of the committee)~~ ~~(the committee)~~ reports it back with the following recommendations:

do pass

do not pass

do pass with attached amendments(s)

replace with CS for HB 586 (Fin) same title

and recommends do pass new title

AND attaches a "Letter of Intent" New Fiscal Note (2)

reports it back without recommendation

referred to the _____ Committee

MEMBERS SIGNING DO PASS

MEMBERS HAVING OTHER RECOMMENDATIONS:

W.B. Stinson

Paul Fuller

Matyung

Janice Roper

Robert E. ...

Robert E. ...
CHAIRMAN

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CS HB 586 (Finance)
 Title An Act relating to permits for oversize vehicles
 Requested by Bettisworth Date 3/31/82

II. FISCAL DETAIL
 Agency Affected Dept. of Commerce & Economic Development
 Program Category Affected Weights and Measures
 BRU, Program, Or Subprogram(s) Affected Vehicle Enforcement (new)
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		1212.8				
200 TRAVEL		28.8				
300 CONTRACTUAL		84.2				
400 COMMODITIES		19.6				
500 EQUIPMENT		7.8				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		1353.2				

FUNDING (Thousands of Dollars)

GENERAL FUND		681.2				
FEDERAL FUNDS		672.0				
OTHER (Specify Source)						

POSITIONS

FULL TIME		33				
PART TIME		6				
TEMPORARY		5				
		437				

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Based on Governor's FY 83 request for the Department of Public Safety, Bureau of Vehicle Enforcement less 15 State troopers and associated costs.

(See attached)

IV. DATE 3/31/82 PREPARED BY Elmer Lindstrom
 AGENCY Legislative Finance
 Original: Legislative Finance PHONE 465-3795
 cc: Budget and Management

Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

ANALYSIS

	<u>Governor</u> (Public Safety)	<u>House</u> (Commerce)	<u>Difference/Description</u>
Personal Services	2012.1	1212.8	Delete 15 trooper positions, Salary increases and convert variable benefits to Dept. of Commerce rates (799.31)
Travel	28.8	28.8	
Contractual	185.3	84.2	Delete trooper vehicles (101.1)
Commodities	28.8	19.6	Delete uniforms (6.6), Delete Professional Supplies & Ammunition (2.6)
Equipment	7.8	7.8	
Miscellaneous	24.6	-0-	Delete operating costs associated with proposed capital project (24.6)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

REQUEST
 Bill/Resolution No. GCSHB 586 (Fin)
 Title Relating to permits for overweight and oversize vehicles
 Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Commerce and Economic Development
 Program Category Affected Consumer Protection
 BRU, Program, Or Subprogram(s) Affected Administrative Services
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		25.1	26.9	28.8	30.8	33.0
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		25.1	26.9	28.8	30.8	33.0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		25.1	26.9	28.8	30.8	33.0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		1				
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Personal Services: Accounting Clerk III, Range 10

No support personnel are being transferred from Public Safety with the program.

IV. DATE 4/1/82 PREPARED BY Lois Cook
 AGENCY Commerce and Economic Development
 PHONE 465-2505
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

Lois Cook / cej

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. DRAFT CSHB 586 (Fin)
 Title An Act Relating to Permits for Overweight Vehicles
 Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Commerce and Economic Development
 Program Category Affected Public Protection
 BRU, Program, Or Subprogram(s) Affected Weights and Measures
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		2012.1				
200 TRAVEL		28.8				
300 CONTRACTUAL		185.3				
400 COMMODITIES		28.8				
500 EQUIPMENT		7.8				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
		24.6				
TOTAL		2287.4	Assumed to increase with inflation			

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		2287.4				
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		48.0				
PART TIME		6.0				
TEMPORARY		5.0				
TOTAL		59.0				

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This bill would transfer the Bureau of Vehicle Enforcement from the Department of Public Safety to the Department of Commerce and Economic Development. The above fiscal data represents the entire cost of this BRU as noted in the Governor's Detail Budget request for FY '83, page 849, except that the entire funding source is general fund. This reflects the end of a three year federal funding program.

It is assumed that all necessary space and any other equipment, and tools and training would either be provided in the BRU or be made available at no cost from other units within Public Safety.

IV. DATE 3/30/82 PREPARED BY Joe Swanson
 AGENCY Commerce and Economic Development
 Original: Legislative Finance PHONE 345-3886
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

Introduced: 5/20/81
Referred: Labor & Commerce

1 IN THE HOUSE

BY ROGERS

2 HOUSE BILL NO. 586

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to permits for overweight vehicles."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 19.10.060 is amended by adding a new paragraph to read:

9 (2) issue special written permits authorizing the operation
10 of overweight vehicles;

11 * Sec. 2. AS 19.10.060 is amended by adding a new paragraph to read:

12 (4) operate motor vehicle weighing stations and establish
13 regulations for the enforcement of size, weight, and load limitations.

14 * Sec. 3. AS 28.05.011(8) is repealed.
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A M E N D M E N T

by Cotten

Offered in the HOUSE Finance Committee

TO: HB 586

Page 1, line 10, after overweight insert "and oversize"

Page 1, line 10, following "vehicles" insert:

"and prescribe fees for the special permits"

Page 1, line 15 add new sec.4

A§ 19.10.060 is amended to read:

- (1) establish limitations on weight ,size
and load of vehicles.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 586
Title "An Act relating to permits for overweight vehicles"
Requested by Bob Schroeder Date _____

II. FISCAL DETAIL

Agency Affected Department of Transportation & Public Facilities
Program Category Affected Transportation
BRU, Program, Or Subprogram(s) Affected Bureau of Vehicle Enforcement
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		2012.1				
200 TRAVEL		28.8				
300 CONTRACTUAL		185.3				
400 COMMODITIES		28.8				
500 EQUIPMENT		7.8				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
		24.6				
TOTAL		2287.4	Assumed to increase with inflation			

FUNDING (Thousands of Dollars)

GENERAL FUND		1615.4				
FEDERAL FUNDS		672.0				
OTHER (Specify Source)						
		2287.4				

POSITIONS

FULL TIME		48.0				
PART TIME		6.0				
TEMPORARY		5.0				
TOTAL		59.0				

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This Bill would effectively remove the Bureau of Vehicle Enforcement BRU from the Department of Public Safety and place it under the Department of Transportation. The Above fiscal data represents the entire cost of this BRU as noted in the Governor's Detail Budget request for FY 83, Page 849.

It is assumed that all necessary space and any other equipment, and tools and training would either be provided in the BRU or be make available at no cost from other units within Public Safety.

IV. DATE February 19, 1982 PREPARED BY Ron Lind *Ron Lind*
AGENCY DEZPF
Original: Legislative Finance PHONE 465-3900
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

MEMORANDUM

State of Alaska

TO: The Honorable Brian D. Rogers
Representative
Alaska State Legislature

DATE: February 18, 1982

FILE NO:

TELEPHONE NO: 465-4322

FROM: William R. Nix *WRN*
Commissioner
Department of Public Safety

SUBJECT: Position Paper -
HB 586

The Department of Public Safety is strongly opposed to HB 586 which will effectively transfer enforcement of vehicle weight and size regulations and the permit function to the Department of Transportation and Public Facilities.

The Bureau of Vehicle Enforcement (BVE) within the Department of Public Safety is part of the Division of Alaska State Troopers which is the chief law enforcement agency for the State. As such, the Troopers enforce the traffic laws, including size, weight and load laws, on the highway system. Enactment of this Bill will delegate the enforcement to two State agencies instead of one. Confusion and delay will result when two agencies begin to perform the same function.

This dual enforcement will occur when regulations are enforced by DOT/PF at weigh stations and the State Troopers in the course of routine patrol duties when violations are observed. Inconsistent enforcement could result from this duality of functions.

At present, under BVE, uniform overweight/oversize permit procedures have been developed, and guidelines have been established for the permit program. It should be noted that Public Safety considers the safety of the traveling public first and the highway damage factors second when issuing permits.

The primary purpose of size and weight enforcement is to protect the state's highway system from damage caused by excessively heavy trucks. A July, 1979 report to the United States Congress by the Comptroller General clearly identifies excessive truck weights as a major cause of highway damage and further states that the rate of highway deterioration will slow down if excessively heavy trucks are kept off the highways.

Each year the State of Alaska is required to certify to the United States Government that it is enforcing the State's size and weight regulations. Failure to adequately and consistently enforce the weight and size laws could result in Federal sanctions which could reduce the Federal funds allocated to the State's Highway Program by 10%. This would mean approximately \$10 million to the State of Alaska.

The Honorable Brian D. Rogers
February 18, 1982
Page 2

The DOT/PF, due to its organizational mission and structure, is not equipped at the present time to provide the uniform enforcement necessary. The fact of movement along highways requires an around-the-clock communications and enforcement capability to coordinate oversize moves which can be a hazard to the driving public. The Department of Public Safety has a statewide communications blanket to provide instant, 24-hour information on road and weather conditions or other driving hazards, whereas DOT/PF is basically a daytime office hours operation.

Under the auspices of the Alaska State Troopers, overweight and oversize permits that have been issued can be speedily verified via electronic telecommunications, which helps to eliminate fraudulent or altered permits.

An additional benefit of the current program under the Department of Public Safety has been to the commercial carrier operators directly. The Managing Director of the Alaska Trucking Association has indicated that the Association is seeking a reduction in insurance rates for member firms because of our truck inspection program.

Under the Alaska State Troopers within the Department of Public Safety, the expansion and uniformity of the overweight/oversize permit program's scope of operation has provided a deterrent to the "Gypo" operators who routinely operated in an unsafe and overweight condition. This undercuts the honest trucking firms who consistently comply with the regulations.

In summary, the following results are anticipated if the proposed legislation is enacted into law. Due to dual responsibility and inconsistency in enforcement:

- A. Commercial truck accidents could increase, endangering all vehicle operators. (Note: Commercial carrier insurance rates that have been lowered will rise.)
- B. Damage to our highways could increase, resulting in higher repair and maintenance costs.
- C. With a less effective regulations enforcement program, there is a possibility of reduced Federal highway funding due to sanctions.
- D. Conscientious trucking firms that try to operate at legal weights and maintain their equipment will be "penalized" as "Gypo" firms will consistently operate with overweight and poor equipment and undercut the honest firms.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 586
 Title "An Act relating to permits for overweight vehicles"
 Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Department of Public Safety
 Program Category Affected Transportation
 BRU, Program, Or Subprogram(s) Affected Bureau of Vehicle Enforcement
 (Note: If more than one budget component is affected, separate line-item
 amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		(2012.1)				
200 TRAVEL		(28.8)				
300 CONTRACTUAL		(185.3)				
400 COMMODITIES		(28.8)				
500 EQUIPMENT		(7.8)				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		(24.6)				
TOTAL		(2287.4)				

FUNDING (Thousands of Dollars)

GENERAL FUND		(1615.4)				
FEDERAL FUNDS		(672.0)				
OTHER (Specify Source)						
TOTAL		(2287.4)				

POSITIONS

FULL TIME		(48.0)				
PART TIME		(6.0)				
TEMPORARY		(5.0)				



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

Department Public Safety	Sponsor (Principal) Rogers	Bill Number House Bill 586
Department Position Opposed		
Division Director Colonel T.R. Anderson	Date 2-11-82	Commissioner's Signature TRA
		Date

GOVERNOR'S OFFICE USE

Comments:

Position Noted By _____ Date _____

SUMMARY

1. a) Related Bills (Similar or Conflicting) SB 58	1. b) Other Agencies Affected by Bill DOT/PF
2. a) Organizational Support for Bill	2. b) Organizational Opposition to Bill

3. Program Effects of Bill

A. The issuance of oversize/overweight permits would be removed from the Department of Public Safety to DOT/PF.

B. The operation of the fixed scalehouses on the State highway system and the related enforcement of the size, weight and load limitations will also be removed from Public Safety to DOT/PF.

4. Fiscal Impact: None Fiscal Note Attached

5. Amendments Proposed:

6. Comments:

The State Troopers are the chief law enforcement agency for the State. As such, the Troopers enforce the traffic laws, including size, weight and load laws, on the highway system. Enactment of this Bill will delegate the enforcement to two state agencies instead of one. Confusion and delay will result when two agencies begin to perform the same function.

The related enforcement support that Public Safety will not be as ready available to DOT/PF.

The DOT/PF does not have the communications capability at present to communicate with other areas of the state for verification of permit information on trucks that are stopped at a scale for questionable loads. This lack of communication with other areas of the state will

cause delays in the movement of questionable loads until some type of verification can be obtained.

In reference to the issuance of overweight/oversize permits the following comments are offered:

1. More uniform issuing procedures.
 - a. A Statewide Permit Officer attempts to bring about a uniform procedure through permit review and training.
 - b. Under DOT - The various Highway Districts have historically acted in an independant manner from one another adding to large inconsistencies.
 - c. The permit program has established guidelines.
 - d. Public Safety has considered the safety of the traveling public first when issuing permits.
2. Better communications link to coordinate oversize moves.
 - a. With the function in our Department, one area office in the State has better communications access with another to determine road and weather conditions or other hazardous information.
 - b. Trooper Offices are open virtually 24 hours per day while DOT is basically an 8 to 5 operation.
 - c. Errors in policy and procedure can be identified easier and corrective action taken.
 - d. Communicating from one Department to another is most often cumbersome and not very timely.
3. Enforcement of oversize and overweight regulation and the issuance of permits are closely related.
 - a. Permits that have been issued can be verified by Public Safety personnel with relative speed.
 - b. This helps to eliminate fraudulent or altered permits.
 - c. Under DOT control, the speedy verification is not available.
4. Facilities design.
 - a. The new Public Safety Building in Fairbanks was designed to accomodate truck traffic applying for permits; other buildings are being designed for this purpose also.
 - b. The Anchorage Public Safety Office which issues the largest volume of permits in the State has parking and office resources which accomodate the truck traffic constantly coming and going.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 586
Title "An Act relating to permits for overweight vehicles"
Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Department of Public Safety
Program Category Affected Transportation
BRU, Program, Or Subprogram(s) Affected Bureau of Vehicle Enforcement
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EXPENDITURES (Thousands of Dollars)

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700 GRANTS, CLAIMS, ETC.						
TOTAL		(2287.4)				

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	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		(1615.4)				
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OTHER (Specify Source)						
TOTAL		(2287.4)				

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		(48.0)				
PART TIME		(6.0)				
TEMPORARY		(5.0)				
TOTAL		(59.0)				

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

This Bill would effectively remove the Bureau of Vehicle Enforcement BRU from the Department of Public Safety and place it under the Department of Transportation. The above fiscal data represents the entire cost of this BRU as noted in the Governor's Detail Budget request for FY '83, page 849.

IV. DATE February 11, 1982 PREPARED BY Francis C. Allan
AGENCY Department of Public Safety
Original: Legislative Finance PHONE 269-5691
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. CSHB 586 (Fin) DRAFT
 Title Relating to permits for overweight and oversize vehicles
 Requested by _____ Date _____

II. FISCAL DETAIL
 Agency Affected Commerce and Economic Development
 Program Category Affected Consumer Protection
 BRU, Program, Or Subprogram(s) Affected Administrative Services
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		25.1	26.9	28.8	30.8	33.0
200 TRAVEL						
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700 GRANTS, CLAIMS, ETC.						
TOTAL		25.1	26.9	28.8	30.8	33.0

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		25.1	26.9	28.8	30.8	33.0
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		1				
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Personal Services: Accounting Clerk III, Range 10

No support personnel are being transferred from Public Safety with the program.

IV. DATE 4/1/82 PREPARED BY Lois Cook
 AGENCY Commerce and Economic Development
 PHONE 465-2505
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

Lois Cook / cej

Lear

Original sponsor: Rogers

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 586 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to permits for overweight and oversize
7 vehicles; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 44.33.020 is amended by adding a new paragraph to read:

10 (25) operate motor vehicle weighing stations, issue special
11 written permits authorizing the operation of overweight and oversize
12 vehicles, establish fees for the overweight and oversize vehicle special
13 permits, enforce the size, weight, and load limitations adopted by the
14 Department of Transportation and Public Facilities under AS 19.10.060,
15 and establish regulations relating to enforcement of the size, weight,
16 and load limitations adopted under AS 19.10.060.

17 * Sec. 2. AS 19.10.060(1) is amended to read:

18 (1) establish limitations on weight, size, and load of
19 vehicles;

20 * Sec. 3. AS 28.05.011(8) is repealed.

21 * Sec. 4. This Act takes effect July 1, 1982.

A M E N D M E N T

OFFERED IN THE HOUSE:

By: Finance Committee

To: _____ HOUSE BILL No. 586

SENATE BILL No. _____

PAGE: 1

LINE: 10 and 15

Page 1, line 10, after overweight insert "and oversize"

Page 1, line 10, following "vehicles" insert:

"and prescribe fees for the special permits"

Page 1, line 15 add new Sec. 4

AS 19.10.060 is amended to read:

(1) establish limitations on weight, size
and load of vehicles.

A M E N D M E N T

OFFERED IN THE HOUSE:

By: Labor & Commerce Committee

To: _____ HOUSE BILL No. 586

SENATE BILL No. _____

PAGE: 1

⁶ and
LINES 15

Page 1, line 6

After "vehicles" add "and providing for an effective date."

Page 1, line 15, add

* Sec. 4. This Act takes effect January 1, 1983.

Introduced: 5/20/81
Referred: Labor & Commerce

1 IN THE HOUSE

BY ROGERS

2 HOUSE BILL NO. 586

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to permits for overweight vehicles."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 19.10.060 is amended by adding a new paragraph to read:

9 (2) issue special written permits authorizing the operation
10 of overweight vehicles;

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12 (4) operate motor vehicle weighing stations and establish
13 regulations for the enforcement of size, weight, and load limitations.

14 * Sec. 3. AS 28.05.011(8) is repealed.
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