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# Alaska State Legislature

## House

JUNEAU ALASKA

### TRANSPORTATION COMMITTEE

CSSB 57 (Trsp) An Act relating to transportation safety; and providing for and effective date. (Original Sponsors: Ray & Ferguson)

#### Senate History:

Senate Judiciary: Committee considered bill on 4/6; Senators Rodey, Ray, & Parr signed "Do Pass;" Sen Hohman signed "no rec;" referred to Trsp Committee  
Senate Transportation: CS reported out with Senators Ray, Gilman, Kerttula, and Dankworth signing "Do Pass" with fiscal note

CS: page 1, line 18, Sec. 2--Statute changed from AS 44.19.025 to AS 44.99.001  
page 2, line 6 & 7 originally read (a) There is established in the Department of Public Safety the Transportation Safety Commission" which was amended and should have said in the draft "The Governor's Transportation Safety Commission is established:

page 2, line 15 was amended to add the following language "with at least one on from each house"

page 3, line 8, Sec. (b) was added, and sections renumbered accordingly  
page 4, line 14, the following language was added "and the Federal Highway Safety Act of 1966 (P.L. 89-504, 80 Stat. 731).

Sent to Rules for calendar 4/14.

Rules scheduled CSSB 57 for 4/20; Sen. Ray asked for referral to Finance

Senate Finance: Considered CSSB 57 and attached new fiscal note; Senators Bernett, Sturgulewski, Eliason, Sackett and Stimson signed "No Rec;"  
Senators Dankwork and Ferguson signed "Do Pass" 4/27 to Rules

Senate Rules: CSSB 57 be placed on 4/27 calendar, signed Kelly, Ziegler, & Ferguson

Senate Floor Vote on CSSB 57: 19-1 (Sackett voting nay)

DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

ALASKAN REGION  
701 C STREET BOX 14  
ANCHORAGE, ALASKA 99513



FEB 5 1981

The Honorable Bill Ray  
Alaska Senate  
Chairman, Transportation Committee  
Pouch V, State Capitol  
Juneau, Alaska 99811

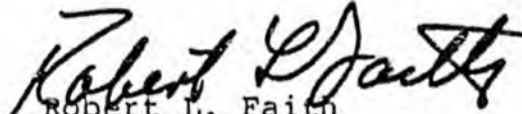
Dear Senator Ray:

The Federal Aviation Administration wholeheartedly endorses  
Sec. 09.65.092 of SB 57.

For your information, on December 15, 1980, the enclosed  
letter was sent to each member of the legislature urging  
passage of a bill similar to the one you are now  
considering. We have for some time encouraged a program of  
free aircraft maintenance inspection clinics. At these  
clinics, FAA-licensed aircraft and powerplant mechanics have  
performed "courtesy" inspections of general aviation  
aircraft. Possible liability from an act or omission  
creates reluctance on the part of mechanics to participate  
in the safety inspections. This bill would provide the  
needed relief from liability and allow this worthy program  
to continue.

If there is something further I can do to encourage passage  
of this legislation or assist you in any way, please call me  
at 271-5645.

Sincerely,

  
Robert L. Faith  
Director

Enclosure

DEC 15 1980

Dear Sir:

In the past days of the 1980 legislature, an important Bill (CS for CS for SB 377--copy enclosed) designed to enhance aviation safety in Alaska was not enacted. It did, however, successfully pass the House, but never reached the Senate for their approval prior to the end of the legislative session.

Several years ago, a group of volunteers dedicated to the prevention of aviation accidents held free safety inspection clinics for aircraft and instruction sessions for pilots and owners. This group was sanctioned by the Federal Aviation Administration and in 1979 and the first part of 1980 the FAA provided air transportation and per diem for those volunteers when inspections and clinics were held outside the Anchorage area. In these sessions, aircraft were inspected and owners were instructed in finding hidden aircraft damage. During 1978 and 1979, an estimated 400 to 500 aircraft inspections per year were held. Between 50 and 60 of these aircraft were found to have structural damage which would have gone unnoticed without the help of trained observers. In some cases, the damage was so severe that the aircraft could have lost a vital component when subject to normal flight loads. One aircraft was found to have the vertical tailpost corroded all the way through. Here in the Anchorage area, there has been extremely high winds over the last two years which have caused a lot of minor to major damage to aircraft because of tiedown procedures, contact with other objects, and methods of control surface restraint.

These inspections were halted approximately a year ago because of the possible liability for volunteers growing out of a claim if an accident occurred following one of these inspections. To protect these volunteers, and better serve the cause of aviation safety, a Bill was introduced in the Alaska Legislature which provided a measure of "Good Samaritan" protection for the involved volunteers (SB 377). As we have mentioned above, this Bill did not get to the floor of the Senate for a vote before the end of the 1980 session. The importance of this Bill to all Alaskans is easily seen when one considers the state has a ratio of pilots to population some ten times that of the national ratio and some 85 percent of the state area is served by light aircraft for transportation and acquiring necessities. Only a small percentage of the state's aircraft operators have the service of an approved repair station close by. The adverse operating conditions in remote areas require these aircraft to need more, rather than less, attention to provide protection to the flying public. The volunteer inspection program does something concrete to reduce the accident risk by encouraging continued inspection of the aircraft and instruction of pilots in finding problems in critical areas before they cause mishaps.

We the undersigned, therefore, urgently request that this enabling legislation be enacted as soon as possible to get this program moving forward again. This action would not obligate the State to provide any funds for this activity. Because of the critical safety problems facing the Alaskan flying public, we urge your support in the introduction and early passage of this legislation. Your assistance is clearly appreciated.

*Wayne Davis*

SIGNED: Wayne Davis  
President, Alaskan Aviation Safety Group

*Orin D. Seybert*

Orin D. Seybert  
Chairman of the Board  
Alaskan Air Carriers Association

*Robert Sutherlin*

Robert Sutherlin, President  
Alaskan Airmen Association

*Robert L. Faith*

ENDORSED by: Robert L. Faith  
Director, Federal Aviation  
Administration

*Bud Walters*

Bud Walters  
Alaska Repair Station  
Representative

POSITION PAPER/Department of Health & Social Services

POSITION PAPER

CS for Senate Bill No. 57 (Transportation)

"An Act relating to transportation safety; and providing for an effective date."

This Act provides:

- 1) Immunity from liability for voluntary aircraft inspectors;
- 2) That the Governor may designate a person to serve as his highway safety representative to deal with the federal government with respect to programs and activities under the Federal Highway Safety Act of 1966; and to coordinate the activities relating to highway safety of state departments, agencies and subdivisions, and of the Governor's Commission on Transportation Safety.
- 3) Establishment of the Governor's Commission on Transportation Safety as the state planning agency to assist the Governor in the exercise of his powers and duties relating to the Federal Highway Safety Act, and to investigate state and local transportation safety needs.

The Department of Health and Social Services strongly supports the concept of this bill. Automobile, aircraft, and boating accidents are major contributors to the accidental death rate in Alaska. The proposed Transportation Safety Commission could assist in finding means to reduce transportation accidents and the associated death, disability, and property loss. The Department recommends that, if a Transportation Safety Commission is established, it should work with, and not duplicate, the activities of the State Advisory Council for Emergency Medical Services.

Recommended by: David Bruce  
David Bruce, Deputy Director  
Division of Public Health

Date: April 16, 1981

Approved by: Helen D. Beirne  
Helen D. Beirne  
Commissioner

Date: 4-29-81

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for Senate Bill No. 57 (Transportation)  
 Title "An Act relating to transportation safety; and providing for an effective date "  
 Requested by Commissioner's Office Date 4/16/81

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services  
 Program Category Affected Division of Public Health  
 BRU, Program, or Subprogram(s) Affected \_\_\_\_\_

(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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Fund Source)	0	0	0	0	0	0

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

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

IV. DATE 4/16/81 PREPARED BY Mark Johnson  
 AGENCY Dept. of Health & Social Services  
 PHONE 465-5027  
 Original: Legislative Finance  
 cc: Budget and Management

POSITION PAPER/Department of Health & Social Services

POSITION PAPER

SENATE BILL NO. 57

"An Act relating to transportation safety; and providing for an effective date."

This Act will establish in the Department of Public Safety a Transportation Safety Commission to investigate state and local transportation safety needs and seek financing for development of programs and techniques to:

- (1) alleviate and prevent all types of transportation accidents;
- (2) aid the court system in the adjudication of traffic cases;
- (3) aid peace officers in the enforcement of transportation laws;
- (4) rehabilitate and prevent recidivism of traffic offenders.

The Department of Health and Social Services strongly supports the concept of this bill. Automobile, aircraft and boating accidents are major contributors to the accidental death rate in Alaska. The proposed Transportation Safety Commission could assist in finding means to reduce transportation accidents and the associated death, disability and property loss.

Recommended by: David Bruce  
David Bruce, Deputy Director  
Division of Public Health

Date: January 22, 1980

Approved by: Helen D. Beirne  
Helen D. Beirne  
Commissioner

Date: 2/2/81

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. Senate Bill No. 57  
 Title "An Act relating to transportation safety..."  
 Requested by Commissioner's Office Date 01/21/81

II. FISCAL DETAIL  
 Agency Affected Department of Health & Social Services  
 Program Category Affected Health/Division of Public Health  
 BRU, Program, or Subprogram(s) Affected Emergency Medical 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 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

FUNDING (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER (Specify Fund Source)	0	0	0	0	0	0

POSITIONS

FULL TIME	0	0	0	0	0	0
PART TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

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

DATE 01/21/81 PREPARED BY Mark S. Johnson  
 AGENCY Emergency Medical Services Div. Public Health  
 PHONE \_\_\_\_\_

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 57  
 Title An Act Relating to Highway Safety  
 Requested by Senators Ray, Ferguson Date 04/25/81

II. FISCAL DETAIL

Agency Affected Department of Public Safety  
 Program Category Affected Public Protection  
 BRU, Program, or Subprogram(s) Affected Traffic Safety Improvement  
 (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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL		10.7	10.7	10.7	10.7	10.7
300 CONTRACTUAL		10.0				
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		20.7	10.7	10.7	10.7	10.7

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND		20.7	10.7	10.7	10.7	10.7
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME						
PART TIME						
TEMPORARY						

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

Funds will provide travel and per diem expenses to the fifteen members of the Highway Safety Commission as per AS.99.001 for the purpose of conducting conferences for planning enforcement and adjudication, and offender rehabilitation. An inflation factor of seven per cent is added for the succeeding years.

The 10.0 in contractual will be to assist the Agency in hosting the 1982 National Conference of Governors' Highway Safety Representatives in Anchorage September 13 through 17, 1982. Past conferences have attracted between 375 and 700 participants, depending on location. Alaska should attract a fairly large number.

IV. DATE 04/25/81 PREPARED BY M.E. Dankworth, Co-Chairman  
 AGENCY Senate Finance Committee  
 PHONE 465-3753  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. SB 57  
 Title An Act Relating to Highway Safety  
 Requested by Senators Ray, Ferguson Date 04/07/81

II. FISCAL DETAIL  
 Agency Affected Department of Public Safety  
 Program Category Affected Public Protection  
 BRU, Program, or Subprogram(s) Affected Traffic Safety Improvement  
 (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 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL	10.0	10.7	11.5	12.3	13.2	14.1
300 CONTRACTUAL		10.0	10.0			
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>						

FUNDING (Thousands of Dollars)

	10.0	10.7	11.5	12.3	13.2	14.1
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	Ø	Ø	Ø	Ø	Ø	Ø
FULL TIME						
PART TIME						
TEMPORARY						

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

Funds will provide travel and per diem expenses to the fifteen members of the Highway Safety Commission as per AS 44.99.001 for the purpose of conducting conferences for planning, enforcement and adjudication, and offender rehabilitation. An inflation factor of seven per cent is added for the succeeding years.

The 10.0 in contractual will be to assist the Agency in hosting the 1982 National Conference of Governors' Highway Safety Representatives in Anchorage September 13 through 17, 1982. Past conferences have attracted between 375 and 700 participants, depending on location. Alaska should attract a fairly large number.

DATE 04/07/81 PREPARED BY Charles A. Smith  
 AGENCY Department of Public Safety  
 PHONE 457-4491  
 Name Sponsor (First Legislator Named)

b) The Governor's Commission on Transportation Safety consists of ~~13~~ <sup>11</sup> members as follows:

- (1) the attorney general, the commissioners of public safety, transportation and public facilities, and health and social services;
- (2) four residents of the state selected by the governor based on geographic representation and population distribution;
- (3) one superior court or district court judge experienced in the adjudication of traffic cases, and appointed by the Judicial Council;
- (4) two members of the legislature, one from each house and appointed by the presiding officers.

(c) A member of the commission appointed under (b)(1)-(2) of this section serves at the pleasure of the governor.

(d) A member of the commission appointed under (b)(3)-(4) of this section serves ~~at~~ for a period of two years.