

**COMMITTEE REPORT**  
**HOUSE**

(11)

FURTHER:

2/21/84

Date: 3/13/84

The Committee on FINANCE has had SSHB 495

"An Act providing for prisoner of war special registration plates."

under consideration and recommends:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for SSHB 495 ()  same title  
 new title
- and recommends DO PASS
- AND attaches a "Letter of Intent"  New Fiscal Note 2/27/84
- reports it back without recommendation  Zero Fiscal Note Attached
- referred to the \_\_\_\_\_ Committee

**MEMBERS SIGNING**  
**DO PASS**

[Signature]  
W. Furnace  
[Signature]  
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**MEMBERS HAVING**  
**OTHER RECOMMENDATIONS:**

[Signature]  
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**CHAIRMAN**

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

Revision Date: \_\_\_\_\_

Page 1 of 2

**REQUEST**

Bill/Resolution No.: SS HB 495  
 Title: An Act providing for prisoner of war special registration....  
 Sponsor: Liska  
 Requestor: House State Affairs  
 Date of Request: 2-22-84

**FISCAL DETAIL**

Agency Affected: Public Safety  
 Program Category Affected: Life and Property  
 BRU, Program or Subprogram(s) Affected: Motor Vehicles/Field Services

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

|                        | FY 84 | FY 85 | FY 86 | FY 87 | FY 88 | FY 89 |
|------------------------|-------|-------|-------|-------|-------|-------|
| <b>OPERATING</b>       |       |       |       |       |       |       |
| 100 PERSONAL SERVICES  |       |       |       |       |       |       |
| 200 TRAVEL             |       |       |       |       |       |       |
| 300 CONTRACTUAL        |       | 1.0   | .5    | .6    | .6    | .7    |
| 400 SUPPLIES           |       |       |       |       |       |       |
| 500 EQUIPMENT          |       |       |       |       |       |       |
| 600 LAND & STRUCTURES  |       |       |       |       |       |       |
| 700 GRANTS, CLAIMS     |       |       |       |       |       |       |
| 800 MISCELLANEOUS      |       |       |       |       |       |       |
| <b>TOTAL OPERATING</b> |       | 1.0   | .5    | .6    | .6    | .7    |
| <b>CAPITAL</b>         |       |       |       |       |       |       |
| <b>REVENUE</b>         |       | (3.0) | (3.0) | (3.0) | (3.0) | (3.0) |

**FUNDING: (Thousands of Dollars)**

|               |  |     |    |    |    |    |
|---------------|--|-----|----|----|----|----|
| GENERAL FUND  |  | 1.0 | .5 | .6 | .6 | .7 |
| FEDERAL FUNDS |  |     |    |    |    |    |
| OTHER         |  |     |    |    |    |    |
| <b>TOTAL</b>  |  | 1.0 | .5 | .6 | .6 | .7 |

**POSITIONS:**

|           |  |  |  |  |  |  |
|-----------|--|--|--|--|--|--|
| FULL-TIME |  |  |  |  |  |  |
| PART-TIME |  |  |  |  |  |  |
| TEMPORARY |  |  |  |  |  |  |

**SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:**

Not identified by sponsor.

**ANALYSIS: Attach a separate page for analysis**

Prepared By: Charles R. Hosack  
 Division: Motor Vehicles

Phone: 269-5551  
 Date: 2-23-84

Approved by Commissioner: [Signature]  
 Agency: Public Safety

Date: 2/29/84

Distribution (by Agency preparing fiscal note):  
 Legislative Finance  
 Legislative Sponsor  
 Requestor  
 Office of Management and Budget  
 Impacted Agency(ies)

SS HB 495 Page 2 of 2  
Fiscal Note Analysis

These estimates are based on the assumption that there will be 100 persons applying for POW registration plates.

FY85 Costs:

300 - Contractual

|                             |       |
|-----------------------------|-------|
| 100 pair POW plates @\$5.00 | .5    |
| Programming changes         | .5    |
|                             | <hr/> |
|                             | 1.0   |

Revenue:

|  |       |
|--|-------|
| Loss of revenue from 100 vehicle registrations @ \$30.00 | (3.0) |
|--|-------|

Introduced: 2/21/84  
Referred: State Affairs and  
Finance

BY LISKA, FURNACE  
AND SZYMANSKI

1 IN THE HOUSE

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 495

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for prisoner of war special regis-  
7 tration plates."

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

9 \* Section 1. AS 28.10.181 is amended by adding a new subsection to  
10 read:

11 (1) Vehicles owned by former prisoners of war. The department,  
12 upon receipt of written proof, may issue without charge special  
13 registration plates for one noncommercial motor vehicle to a person  
14 who has been a prisoner of war during a declared war or other con-  
15 flict, as determined by the Department of Defense under federal reg-  
16 ulations. The design and color of the prisoner of war plates shall be  
17 solely within the discretion of the commissioner.

18 \* Sec. 2. AS 28.10.421(d) is amended to read:

19 (d) The special registration fees under this subsection are  
20 imposed annually, unless otherwise specified, for:

21 (1) an historic vehicle (one time only upon initial regis-  
22 tration under AS 28.10.181) ..... \$10;

23 (2) special request plates..... \$20;

24 plus the fee required for that vehicle under (b)(1) or (2) of this  
25 section; the fee required by this paragraph shall be collected only on  
26 the first issuance and on the replacement of special request plates;

27 (3) a vehicle owned by a disabled veteran or other handi-  
28 capped person, and registered under AS 28.10.181 or a resident 65  
29 years of age or older who complies with AS 28.10.411(c)..... none;

- 1 (4) a vehicle owned by the state..... none;
- 2 (5) a vehicle owned by an elected state official.....the
- 3 fee required for that vehicle under (b) of this section;
- 4 (6) a vehicle owned by a consular officer, unless waived
- 5 under AS 28.10.181..... \$30;
- 6 (7) a vehicle owned by a rancher, farmer, or dairyman and
- 7 registered under AS 28.10.181.....\$30;
- 8 (8) a snowmobile or off-highway vehicle.....\$ 5;
- 9 (9) an amateur mobile radio station vehicle,
- 10 (A) with a transceiver capable of less than 5-band
- 11 operation.....the
- 12 fee required for that vehicle under (b) or (c) of this section;
- 13 (B) in recognition of his service to the public: a
- 14 mobile amateur radio station owned by an amateur with general
- 15 class or higher license, provided the station must be satisfact-
- 16 orily proved capable of operating on at least five bands between
- 17 160 through 10 meters, must have an antenna, and must have a
- 18 power supply and wiring as a permanent part of the vehicle; the
- 19 transmitting unit may be removed from the car for service or dry
- 20 storage .....none
- 21 for a mobile amateur radio station vehicle included in b(1) or
- 22 (2) of this section;
- 23 (10) dealer registration plates,
- 24 (A) the initial set of plates.....\$40;
- 25 (B) each subsequent set of plates.....\$20;
- 26 (11) a vehicle owned by a municipality or charitable
- 27 organization meeting the requirements of AS 28.10.181(c).....\$ 5;
- 28 (12) an occasional use vehicle under AS 28.10.181(k)...\$15;
- 29 (13) a vehicle owned by a former prisoner of war ....none.

1 \* Sec. 3. AS 28.10.431 is amended by adding a new subsection to read:  
2 (h) A vehicle owned by a former prisoner of war exempted from  
3 registration fees under AS 28.10.421(d)(13) is subject to a motor  
4 vehicle registration tax under this section.

# Alaska State Legislature

## COMMITTEES

Vice Chairman — Judiciary

Vice Chairman — Legislative  
Regulations Review

Resources

Finance Sub Committee on Labor



## House of Representatives

John J. Liska

While in Session

Pouch V  
State Capitol  
Juneau, Alaska 99811  
(907) 465-3733

Home - District 15  
Star Route Box 421  
Eagle River, Alaska 99577  
(907) 688-2526

January 10, 1984

### M E M O R A N D U M

REF: House Bill 495, "An Act providing for prisoner of war special registration plates."

The purpose of this Act is to honor ex-POW'S.

Under this bill, each qualifying veteran in the State of Alaska will be entitled to one set of "POW" license plates.

There will be no charge for the plates by the Division of Motor Vehicles, however, the usual permit fees must be paid to the veteran's city or town of residence.

The new license plate will be designed by the Division of Motor Vehicles.

Presently there are approximately 41 other States in the United States which are currently honoring their ex-POW's in this manner.

JJL/tm

# Alaska State Legislature

## COMMITTEES

Vice Chairman — Judiciary  
Vice Chairman — Legislative  
Regulations Review  
Resources  
Finance Sub Committee on Labor



## House of Representatives

John J. Liska

February 20, 1984

### MEMORANDUM

FROM: Representative John J. Liska

REFERENCE: HB 495, "An Act providing for prisoner of war special registration plates."

Attached is a sponsor substitute which addressed the Committee's two areas of concern;

- a. Section 1 - Line 13
  1. Defines who is qualified.
- b. Section 3 - Line 1
  1. New section added - saying they must still pay motor vehicles registration tax.

JJL/tm

While in Session

Pouch V  
State Capitol  
Juneau, Alaska 99811  
(907) 465-3733

Home - District 15  
Star Route Box 421  
Eagle River, Alaska 99577  
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DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - HB 495

Opposed

January 24, 1984

HB 495, An Act providing for prisoner of war special registration plates.

The Department is opposed to this piece of legislation. Issuing special registration plates to any select group of individuals requires more documentation, and more employee effort than a normal registration. With any one group the effort may not be large, but with several groups the effort expended in proportion to the total number of registrations can be excessive.

Since there are so many groups deserving of recognition, the problem with this type legislation is where to stop once it's started. The reasoning would be that since one group has the plates, another group is just as deserving of special recognition and so on. For these very same reasons over the years the Department has successfully opposed special registration plates for Medal of Honor winners, National Guard members, Emergency Medical Technicians, Volunteer Firemen, etc. There is no argument that each of these groups is deserving of recognition, but the various types of special plate designs and registrations could become quite large.

  
Robert J. Sundberg  
Commissioner

HB 495

MSG 84-00012880 PRTY 1 02/13/84 13:29:46 . ORIG: LA01 IN= 0009 OUT= 0077  
FROM: KAREN, ANC LIO TO: POM - JUNEAU INFO  
TARGET: LJHK SUBJ: POM

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TO: REP. ~~LIKA~~

FROM: JIM MURRAY, 1413 ~~ELMENDORF DRIVE~~, ANCHORAGE 99504;  
PHONE 333-8940

FEB 14 1984

AS A MEMBER OF SEVERAL VETERANS ORGANIZATIONS, I STRONGLY URGE  
THAT YOU PASS HB 495, POW LICENSE PLATES. THERE ARE SO FEW  
POWS INVOLVED THAT IT WOULD INVOLVE A SMALL AMOUNT OF MONEY.  
THESE GUYS GET LITTLE RECOGNITION AS IT IS.

# NATIONAL NEWS

## EX-POW LICENSE PLATES

The state of New Hampshire has become the most recent state to pass legislation providing for an ex-POW license plate. Latest information available designates it as the 40th state with special plates for its former prisoners of war residents. Each qualifying veteran in New Hampshire is entitled to one set of the new plates. There will be no charge for the plates by the Division of Motor Vehicles. However, the usual permit fees must be paid to the veteran's city or town of residence. Any questions regarding these plates should be referred to the office of Assistant Director Kenneth H. Lewis, PH: (603)271-2764.

Believed to be a first, the state of Illinois now provides special license plates for widows of POWs. The bill was sponsored by Sen. Watson and is effective immediately.



Pictured, left to right, is Robert Pelka, Director of the VAMC in Wichita, Kansas, and Jon Nelson, artist. Jon is the son of ex-POW Carl A. and Joyce Nelson of Cheney, Kansas. He did the painting, titled "The Good King", out of appreciation of the help Mr. Pelka has given the Nelsons and other veterans. He presented the painting, a blue ribbon winner at the County Fair, to Mr. Pelka. Jon is 15 years old.

6

## MEMORIAL AT TOMB OF THE UNKNOWN SOLDIER

At 3:05 p.m. on Wednesday, September 21, 1983, a wreath was placed on the Tomb of the Unknown Soldier by PNC Charles Miller and NC Earl Derrington, in quiet salute to the 17,026 Americans captured during WWI, WWII, Korea and Vietnam, who died during confinement. Living former POWs honor their comrades-in-arms who first gave their freedom and then their lives in service to their country.

## NEWS FROM ST. LOUIS VAMC

On August 19, 1983, the John Cochran Division of the St. Louis VA Medical Center held groundbreaking ceremonies for a clinical addition and ward renovation project. This 42.5 million dollar project will add more beds and more than 148,000 square feet of new construction and 83,000 square feet of renovated space. Ex-prisoners of war present to help with the ceremonies were ND Peter L. Choma, Wally Branks and, leading those present in the Pledge of Allegiance along with Congressional Medal of Honor Recipient Russell E. Dunham, were the St. Louis Chapter members Santiago Varela, Clyde Baker, and E. Lynn Cosgrove.



MedSearch packets were donated to the VAMC by the OKAW Chapter of Illinois. Pictured left to right are Krista Ludenia, Ph.D., Acting Associate Medical Center Director; ND Peter Choma, Dep/Rep VAVS representing Chapter Cmdr. Morris Lacy; and Sidney F. Ford, St. Louis Medical Center Director.

## EVENTS CALENDAR

### DEPARTMENT OF TEXAS MID-WINTER CONFERENCE

November 4-5, 1983  
Quality Inn, I-35 & Oltorf Rd.,  
Austin, Texas

Sec. 28.10.216. Inadequate evidence of ownership. (a) When the department is not satisfied as to the ownership of a vehicle or believes that there may be undisclosed security interests in it, the department may register the vehicle but shall either

(1) withhold issuance of a certificate of title until the applicant presents documents sufficient to satisfy the department

(A) as to the ownership of the vehicle by applicant, and

(B) that there are no undisclosed security interests in the vehicle; or

(2) require the applicant, as a condition of the issuance of a certificate of title, to file with the department either

(A) a bond in the form prescribed by the department and executed by the applicant, or

(B) a deposit of cash.

(b) A bond or cash deposit filed under (a)(2) of this section shall be equal in amount to one and one-half times the value of the vehicle as determined by the department and be conditioned to indemnify former owners, secured parties, and subsequent purchasers of the vehicle and their successors against loss resulting from a defect in or undisclosed security interest on the title of the applicant. An injured party may sue on the bond for a breach of its conditions, but the liability of the surety or the department may not exceed the amount of the bond or deposit

(c) The bond or deposit shall be returned (1) at the end of three years from its filing, or (2) when the vehicle is no longer registered in the state if (2) is earlier and if the certificate of title is surrendered to the department. Service on the department of notice that action is pending to recover on the bond or the deposit extends the periods established in this subsection until 45 days after a final decision in the action on the bond or on the deposit. (§ 3 ch 54 SLA 1979)

Article 5. Fees and Charges.

Section

421. Registration fee rates

~~Section 421~~ Registration fee rates. Unless otherwise provided by law, the fees prescribed in this section shall be paid to the department at the times provided under AS 28.10.101 — 28.10.111

The annual registration fees under this subsection are imposed within the following classifications for:

(1) a passenger vehicle or motor home not used or maintained for the transportation of persons or property for hire or for other commercial use . . . . . \$25

(2) a pick-up truck or a van not exceeding 6,000 pounds unladen weight and not used or maintained for the transportation of persons or property for hire or for other commercial use . . . . . \$35

Title 35  
Public Buildings, Works,

Title 36  
Public Contracts

Title 37

Title 26  
Public

28.10.421

MOTOR VEHICLES

§ 28.10.421

- (3) a taxicab . . . . . \$65;
- (4) a motor bus with a seating capacity for 20 or more persons and used exclusively for commercial purposes in the transporting of visitors or tourists . . . . . \$80;
- (5) a motorcycle or a motor-driven cycle . . . . . \$15;
- (6) a two- or four-wheeled trailer not used or maintained for the transportation of persons or property for hire or for other commercial use, including, but not limited to, a boat trailer, baggage trailer, box trailer, utility trailer or house trailer . . . . . \$ 5.

The annual registration fees under this subsection are imposed and are based upon the actual unladen weight as established by the manufacturer's advertised weight or upon the actual weight which the owner shall furnish, subject to the approval of the commissioner or his representative, for a vehicle, including a motor vehicle pulling a trailer or semi-trailer, used or maintained for the transportation of passengers for hire, excepting taxicabs and buses under (b) of this section, or for the transportation of property for hire or for other commercial use, including a commercial vehicle such as a trailer, semi-trailer, truck, wrecker, tow car, hearse, ambulance, and tractor, as follows:

- (1) up to and including 5,000 pounds . . . . . \$45;
- (2) more than 5,000 pounds to and including 12,000 pounds \$80;
- (3) more than 12,000 pounds to and including 18,000 pounds . . . . . \$150;
- (4) more than 18,000 pounds . . . . . \$215.

The special registration fees under this subsection are imposed annually, unless otherwise specified, for:

- (1) an historic vehicle (one time only upon initial registration under AS 28.10.181) . . . . . \$10;
  - (2) special request plates . . . . . \$20;
- plus the fee required for that vehicle under (b)(1) or (2) of this section; the fee required by this paragraph shall be collected only on the first issuance and on the replacement of special request plates;
- (3) a vehicle owned by a disabled veteran or other handicapped person, and registered under AS 28.10.181 or a resident 65 years of age or older who complies with AS 28.10.411(c) . . . . . none;
  - (4) a vehicle owned by the state . . . . . none;
  - (5) a vehicle owned by an elected state official . . . . . the fee required for that vehicle under (b) of this section;
  - (6) a vehicle owned by a consular officer, unless waived under AS 28.10.181 . . . . . \$30;
  - (7) a vehicle owned by a rancher, farmer, or dairyman and registered under AS 28.10.181 . . . . . \$30;
  - (8) a snowmobile or off-highway vehicle . . . . . \$ 5;
  - (9) an amateur mobile radio station vehicle,
    - (A) with a transceiver capable of less than 5-band opera-

tion . . . . . the fee required for that vehicle under (b) or (c) of this section;

(B) in recognition of his service to the public: a mobile amateur radio station owned by an amateur with general class or higher license, provided the station must be satisfactorily proved capable of operating on at least five bands between 160 through 10 meters, must have an antenna, and must have a power supply and wiring as a permanent part of the vehicle; the transmitting unit may be removed from the car for service or dry storage . . . . . none for a mobile amateur radio station vehicle included in b(1) or (2) of this section;

(10) dealer registration plates,

(A) the initial set of plates . . . . . \$10;

(B) each subsequent set of plates . . . . . \$20;

(11) a vehicle owned by a municipality or charitable organization meeting the requirements of AS 28.10.181(e) . . . . . \$ 5;

(12) an occasional use vehicle under AS 28.10.181(k) . . . . . \$15.

(c) A vehicle registered under this section which, by the removal of seats, a camper unit, a canopy or other equipment, may be converted into a vehicle on which the registration fee is computed on a different basis or in a different amount may not be driven or moved with a camper unit, canopy or other equipment removed unless the other applicable registration fee is paid. (§ 7 ch 178 SLA 1978; am §§ 4, 5 ch 54 SLA 1979)

Effect of amendments. — Section 4, ch. 54, SLA 1979 added the language beginning "the fee required by this paragraph" to the end of paragraph (2) of subsection (d). Section 5 of ch. 54 added paragraph (12) of subsection (d).

Editor's notes. — Section 8, ch. 54, SLA 1979, provides: "A person who paid a fee in 1979 for special request plates other than

the fee authorized under AS 28.10.421(d)(2) as amended in sec. 4 of this Act is entitled to a refund of the amount collected in excess of the fee authorized under that section."

Section 9, ch. 54, SLA 1979, provides: "Refunds due under sec. 4 of this Act shall be paid on or before July 1, 1979."

Article 6. Registration and Title Violations.

Section

- 491. Felonies relating to title, registration, identification number, and removal and representation of vehicles
- 493. Misdemeanors relating to transfers

Sec. 28.10.471. Driving vehicle when registration suspended or revoked or permit expired.

NOTES TO DECISIONS

Cited in Lowry v. State, Ct. App. Op. No. 181 (File Nos. 6328, 6434), P.2d (1982).

Title 35  
Public Buildings, Works,  
Title 36  
Public Contracts  
Title 37

of the license plate or contained on a suitable sticker or tab device issued by the department.

(c) The department may not adopt a new or altered passenger vehicle registration plate unless it substantially embodies the specifications of this section. (§ 7 ch 178 SLA 1978)

Am. Jur. and C.J.S. references. — 5 Am. Automobiles and Highway Traffic, § 85.  
Jur., Automobiles, § 111; 5A Am. Jur., 60 C.J.S., Motor Vehicles, §§ 105 to 108.

**Sec. 28.10.171. Display of registration plates.** (a) When two registration plates are issued for a vehicle, they shall be attached to the vehicle for which issued, one in front and the other in the rear. When one registration plate is issued, it shall be attached to the rear of the vehicle for which issued.

(b) Every registration plate issued under this chapter shall be securely fastened to the vehicle to which it is assigned, with the upper edge of the plate horizontal, at a height of not less than 12 inches from the ground measuring from the bottom of the plate, and maintained in a location and condition so as to be clearly legible. However, when considered necessary to insure legibility, the commissioner may provide by regulation for another method of installation. (§ 7 ch 178 SLA 1978)

Am. Jur. reference. — 5 Am. Jur.,  
Automobiles, § 111.

**Sec. 28.10.181. Registration of unique and special vehicles and vehicles used for special purposes.** (a) The department shall register unique and special vehicles and vehicles used for special purposes and issue registration plates as provided in this section. Notwithstanding other provisions of this chapter, registration plates issued under this section remain with the person or organization to whom they are issued when vehicle ownership is transferred or title or interest in the vehicle is assigned, except for plates issued under (b), (h) and (i) of this section. Registration plates issued under this section may not be used on, or transferred to, a vehicle other than the vehicle for which the plates are issued without the approval of the department and payment of any required fees and taxes prescribed in §§ 421(d), 431 and 441 of this chapter; however, if the plates issued under (c), (f) and (j) of this section are transferred to a vehicle for which the registration fee is more than the fee for the vehicle from which the plates are transferred, the owner shall pay the difference between the two fees. Registration plates issued under this section to which a person is no longer entitled or the transfer of the plates to another vehicle which the department does not approve shall be returned immediately to the department by the person or organization to whom the plates were originally issued.

(b) Historic vehicles. The owner of an historic vehicle may make application for special registration under this subsection. The department, when satisfied that the vehicle meets the requirements for historic vehicle registration under regulations adopted by the commissioner, shall register the vehicle and issue two permanent registration plates of distinctive design and color bearing no date. These plates remain with the vehicle as long as it is registered under this subsection. Vehicles qualifying for registration under this subsection shall be issued registration plates numbered in a separate numerical series beginning with "Historic Vehicle No. 1."

(c) Special request plates. Upon application by the owner of a passenger vehicle, noncommercial van or pick-up truck, or motor home, the department may design and issue registration plates containing a series of not more than six letters or numbers or combination of letters and numbers as requested by the owner. The department may, in its discretion, disapprove the issuance of registration plates under this subsection when the requested symbols are a duplication of an existing registration or when the symbols are considered unacceptable by the department.

(d) Vehicles owned by disabled veterans and handicapped persons. A person who presents to the department written proof that he is at least 70 per cent disabled or medically handicapped and should be given special consideration by the public with respect to the parking or standing of his vehicle in designated spaces, may register one passenger vehicle without charge. The proof required under this subsection may consist of evidence that the person receives at least 70 per cent disability compensation from a government agency at the time of registration or an affidavit signed by a physician licensed to practice medicine in this state. Upon the request of the applicant the department shall issue a specially designed registration plate which displays

(1) recognition of the disabled veteran if the applicant's disability originated from his service with the armed forces of the United States; or

(2) the standard handicap symbol (the wheelchair logo).

(e) Vehicles owned by the state, municipalities, and charitable organizations of the state. Every certificate of registration and registration plate issued to the state, a municipality or charitable organization of the state is in effect until the vehicle for which the registration certificate and plate were issued is no longer owned and operated by the state, the municipality or the charitable organization of the state or until the department, in its discretion, declares its expiration. The state, municipality or charitable organization of the state shall maintain a current listing of all vehicles registered to it in the order of the registration number assigned to each vehicle, and shall provide a copy of the listing to the department upon its request. The listing shall include a description of each vehicle and other identifying information

required by the department. Registration plates issued under this subsection shall be of a distinctive design and numbering system. For the purposes of this subsection, "charitable organization" means a nonprofit association, corporation, society or other entity organized, incorporated or headquartered in the state for educational, cultural, scientific or other charitable purposes, as prescribed in regulations of the department.

(f) Vehicles owned by elected state officials. The department shall issue special registration plates to each incumbent elected state official for display on noncommercial motor vehicles owned and driven by the official. The department shall number or design the plates so that registration by an elected state official is indicated upon the plates. The registration plates issued under this subsection remain with the owner of the vehicle only during his term of office.

(g) Vehicles owned by consular officers of foreign governments. A vehicle owned by a consular officer of a foreign government shall be issued registration plates displaying the title "consular corps" or "cc." However, the commissioner may waive the registration of consular vehicles and the payment of fees and taxes when consistent with international treaties or agreements.

(h) Vehicles owned by ranchers, farmers, and dairymen. A vehicle not exceeding an unladen total gross weight of 16,000 pounds, owned by a person deriving his primary source of livelihood from the operation of a ranch, farm, or dairy where he maintains his full-time residence, and which vehicle is used exclusively to transport his own ranch, farm, or dairy products to and from the market or to transport supplies, commodities or equipment to be used on his ranch, farm or dairy, may be registered under this subsection and may be issued registration plates of a distinctive design or system of numbering.

(i) Amateur mobile radio station vehicles. A validly licensed amateur radio operator who presents satisfactory proof that the owner holds an unexpired Federal Communications Commission amateur radio operator's license of any renewable class, and who presents satisfactory proof that the vehicle contains or carries an amateur radio transmitter and receiving unit of a type applicable to the license class applied for, and who is permitted by law to operate a fixed station, may register one amateur mobile radio station vehicle for each radio license issued by the federal government and may receive for the vehicle distinctive registration plates instead of regular registration plates. The number on the plates shall be the radio call sign of the owner.

(j) Vehicles owned by dealers. A state-registered and bonded vehicle dealer may apply for dealer registration plates. A plate issued under this subsection may be used only on dealer-owned vehicles during the routine and normal course of the dealer's business, excluding service vehicles, or for transporting an unregistered vehicle from a port of entry to the dealer's facilities or from one dealer to another or, in the case of a house

trailer, from the retail facility to a trailer space. If the dealer sells or transfers the vehicle, the dealer plates may be used on the vehicle by the new owner or transferee for a period of not more than five days after the sale or transfer. The department may seize the dealer plates if it has reason to believe that the plates are being used to defeat the purposes of, or are in violation of, this chapter. (§ 7 ch 178 S.L.A. 1978)

Am. Jur. reference. — 5 Am. Jur.,  
Automobiles, §§ 108, 136.

#### Article 2. Title.

| Section   | Section   |
|---|---|
| 201. Title required; exceptions                   | 241. Delivery and effect of certificate of title    |
| 211. Application for title                        | 251. Lost, stolen or mutilated certificate of title |
| 221. Refusal, suspension, and revocation of title | 261. Evidence                                       |
| 231. Certificate of title contents                |   |

Sec. 28.10.201. Title required; exceptions. (a) Except as otherwise provided in (b) of this section or in §§ 131 — 141 of this chapter, every owner of a vehicle subject to registration in this state shall apply for a certificate of title under this chapter.

(b) The owner of a vehicle described in § 11 of this chapter as being exempt from registration and the owner of a snowmobile or off-highway vehicle may not apply for, nor may the department issue, a certificate of title for such a vehicle. However, the department may issue a certificate of title to the owner of a vehicle exempt from registration under § 11(6) of this chapter, upon application by that owner.

(c) The certificate of title issued may, when there is more than one owner, state the name of each owner in the conjunctive or in the disjunctive in order to indicate that the owners own the vehicle together or in the alternative.

(d) Except for vehicles registered under §§ 131(b) and 141 of this chapter, the department may not register a vehicle unless the applicant for registration at the same time applies for and obtains a certificate of title under this chapter, or presents satisfactory evidence that a certificate of title was previously issued to him. The department may not accept the application for the original certificate of registration or title to a vehicle unless the vehicle is in the state at the time of application. However, the department may accept an application for registration and certificate of title for a vehicle which is not in the state when the application is made by a registered and bonded dealer or by a resident of the state when the application is accompanied by a manufacturer's statement of origin, or in the case of a used vehicle, when the application is accompanied by a certificate of title issued in another jurisdiction and a certificate of inspection by a peace officer of that jurisdiction stating that the vehicle has been determined to be the

- (10) dealer registration plates,
  - (A) the initial set of plates . . . . . \$40;
  - (B) each subsequent set of plates . . . . . \$20;
- (11) a vehicle owned by a municipality or charitable organization meeting the requirements of § 181(e) of this chapter . . . . . \$ 5.

(e) A vehicle registered under this section which, by the removal of seats, a camper unit, a canopy or other equipment, may be converted into a vehicle on which the registration fee is computed on a different basis or in a different amount may not be driven or moved with seats, camper unit, canopy or other equipment removed unless the other applicable registration fee is paid. (§ 7 ch 178 SLA 1978)

Sec. 28.10.431. Annual motor vehicle registration tax. (a) There is levied a motor vehicle registration tax within each municipality which elects, by passage of an appropriate ordinance, to come under this section. A municipality shall file a written notice of election with the department and may not rescind the notice for a subsequent fiscal year. The notice must be filed on or before January 1 of the year preceding the year election under this section is to become effective. If a municipality has, before October 15, 1978, levied a motor vehicle registration or ad valorem tax which has been repealed by a vote of the people at any regular or special municipal election, then the election provided for in this subsection is not effective until the ordinance passed by the local governing body has been approved by the people at the next regularly scheduled general or special municipal election.

(b) The tax is levied upon motor vehicles subject to the license tax under §§ 411 and 421 of this chapter, not including mobile homes, and is based upon the age of vehicles as determined by model year according to the following schedule:

|  | Tax According to Age of<br>Vehicle<br>Since Model Year: |      |      |      |      |      |      |                |
|--|---|------|------|------|------|------|------|----------------|
|  | 1st   | 2nd  | 3rd  | 4th  | 5th  | 6th  | 7th  | 8th<br>or over |
| Motor Vehicle  |   |      |      |      |      |      |      |                |
| (1) motorcycle                                       | \$ 8  | \$ 7 | \$ 6 | \$ 5 | \$ 4 | \$ 3 | \$ 2 | \$ 2           |
| (2) vehicles   |   |      |      |      |      |      |      |                |
| specified<br>in §<br>421(b)(1)<br>of this<br>chapter | 60  | 50   | 40   | 30   | 20   | 15   | 10   | 5              |

§ 28.10.431

MOTOR VEHICLES

§ 28.10.431

Tax According to Age of  
Vehicle  
Since Model Year:

|  | 1st | 2nd | 3rd | 4th | 5th | 6th | 7th | 8th<br>or over |
|--|-----|-----|-----|-----|-----|-----|-----|----------------|
| Motor Vehicle<br>(3) vehicles<br>specified<br>in §<br>421(b)(3)<br>of this<br>chapter                    | 60  | 50  | 40  | 30  | 20  | 15  | 10  | 5              |
| (4) vehicles<br>specified<br>in §<br>421(c)(1) -<br>(4) of this<br>chapter<br>5,000<br>pounds<br>or less | 60  | 50  | 40  | 30  | 20  | 15  | 10  | 5              |
| 5,001-<br>12,000<br>pounds   | 100 | 80  | 60  | 50  | 40  | 30  | 20  | 10             |
| 12,001-<br>18,000<br>pounds  | 150 | 120 | 100 | 80  | 60  | 40  | 30  | 20             |
| 18,001<br>pounds<br>or over  | 200 | 160 | 130 | 100 | 80  | 60  | 40  | 20             |
| (5) vehicles<br>specified<br>in §<br>421(b)(4)<br>of this<br>chapter                                     | 100 | 80  | 60  | 50  | 40  | 30  | 20  | 10             |
| (6) vehicles<br>specified<br>in §<br>421(b)(6)<br>of this<br>chapter                                     | 8   | 7   | 6   | 5   | 4   | 3   | 2   | 2              |

|   | Tax According to Age of Vehicle<br>Since Model Year: |     |     |     |     |     |     |                |
|---|--|-----|-----|-----|-----|-----|-----|----------------|
|   | 1st  | 2nd | 3rd | 4th | 5th | 6th | 7th | 8th<br>or over |
| Motor Vehicle<br>(7) vehicles<br>specified<br>in §<br>421(d)(9)<br>of this<br>chapter | 60   | 50  | 40  | 30  | 20  | 15  | 10  | 5              |
| (8) vehicles<br>specified<br>in §<br>421(b)(2)<br>of this<br>chapter                  | 60   | 50  | 40  | 30  | 20  | 15  | 10  | 5              |
| (9) vehicles<br>specified<br>in §<br>421(d)(10)<br>of this<br>chapter                 | 40   |     |     |     |     |     |     |                |

(c) The registration tax shall be levied, collected, enforced and otherwise administered in the same manner as provided for the registration fees in this chapter. Only one registration tax may be collected with respect to the same motor vehicle in the year for which the tax is paid.

(d) If a person has paid both the registration fee levied in §§ 411 and 421 of this chapter and the registration tax levied in this section, and the department determines that the payor is entitled to a refund in whole or in part of the registration tax, the department shall make the refund to which the person is entitled. No refund may be made unless application for a refund is filed with the department by December 31 of the year following the year for which the refund is claimed.

(e) The department shall refund money collected under this section, less five per cent as collection costs, to a municipality for which the money was collected, as determined by (1) the address of residence of an individual required to pay the tax, or (2) the situs of the vehicle if the vehicle is not owned by an individual; the tax situs is the location at which the motor vehicle is usually, normally, or regularly kept or used. For the first year in which the tax is levied within a municipality,

the department may retain actual costs of collection of the tax within the municipality as determined by the department.

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

(g) Payment of the registration tax is in lieu of all local use taxes and ad valorem taxes on motor vehicles subject to the tax. No municipality which elects to come under the provisions of this section may levy use or ad valorem taxes on motor vehicles subject to the registration tax during a fiscal year in which the election is in effect. (§ 7 ch 178 SLA 1978)

Sec. 28.10.441. Schedule of other fees and charges. The following fees and charges are imposed by the department for the stated services which it provides:

- (1) title fee (including transfer of title) . . . . . \$ 5;
  - (2) lien filing fee . . . . . \$ 5;
  - (3) replacement of any registration plate set, including special request plates . . . . . \$ 5;
  - (4) duplicate of original certificate of title . . . . . \$ 5;
  - (5) duplicate of certificate of registration . . . . . \$ 2;
  - (6) temporary preregistration permit issued under § 31 of this chapter . . . . . none;
  - (7) special transport permit issued under § 151 of this chapter. \$ 5;
  - (8) special permit for vehicle used for transport of disabled or handicapped person as provided in AS 28.10.215 . . . . . none.
- (§ 7 ch 178 SLA 1978)

Article 6. Registration and Title Violations.

| Section   | Section  |
|---|--|
| 451. Unlawful to violate provisions requiring registration and title          | 481. Improper use of evidence of registration or certificate of title  |
| 461. Driving vehicle without evidence of registration                         | 491. Felonies relating to title, registration, identification number, and removal and representation of vehicles |
| 471. Driving vehicle when registration suspended or revoked or permit expired |  |

Sec. 28.10.451. Unlawful to violate provisions requiring registration and title. No person may wilfully attempt to defeat the provisions of this chapter or wilfully fail to title or register a vehicle as required by this chapter, or otherwise wilfully fail to comply with the requirements of this chapter. (§ 7 ch 178 SLA 1978)

Sec. 28.10.461. Driving vehicle without evidence of registration. Except as otherwise expressly permitted in this chapter, no person may drive or move, nor may an owner knowingly permit to be driven or

Introduced: 2/21/84  
Referred: State Affairs and  
Finance

BY LISKA, FURNACE  
AND SZYMANSKI

1 IN THE HOUSE

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 495

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act providing for prisoner of war special regis-  
7 tration plates."

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

9 \* Section 1. AS 28.10.181 is amended by adding a new subsection to  
10 read:

11 (1) Vehicles owned by former prisoners of war. The department,  
12 upon receipt of written proof, may issue without charge special  
13 registration plates for one noncommercial motor vehicle to a person  
14 who has been a prisoner of war during a declared war or other con-  
15 flict, as determined by the Department of Defense under federal reg-  
16 ulations. The design and color of the prisoner of war plates shall be  
17 solely within the discretion of the commissioner.

18 \* Sec. 2. AS 28.10.421(d) is amended to read:

19 (d) The special registration fees under this subsection are  
20 imposed annually, unless otherwise specified, for:

21 (1) an historic vehicle (one time only upon initial regis-  
22 tration under AS 28.10.181) ..... \$10;

23 (2) special request plates..... \$20;  
24 plus the fee required for that vehicle under (b)(1) or (2) of this  
25 section; the fee required by this paragraph shall be collected only on  
26 the first issuance and on the replacement of special request plates;

27 (3) a vehicle owned by a disabled veteran or other handi-  
28 capped person, and registered under AS 28.10.181 or a resident 65  
29 years of age or older who complies with AS 28.10.411(c)..... none;

- 1           (4) a vehicle owned by the state..... none;
- 2           (5) a vehicle owned by an elected state official.....the
- 3 fee required for that vehicle under (b) of this section;
- 4           (6) a vehicle owned by a consular officer, unless waived
- 5 under AS 28.10.181..... \$30;
- 6           (7) a vehicle owned by a rancher, farmer, or dairyman and
- 7 registered under AS 28.10.181.....\$30;
- 8           (8) a snowmobile or off-highway vehicle.....\$ 5;
- 9           (9) an amateur mobile radio station vehicle,
- 10                 (A) with a transceiver capable of less than 5-band
- 11 operation.....the
- 12 fee required for that vehicle under (b) or (c) of this section;
- 13                 (B) in recognition of his service to the public: a
- 14 mobile amateur radio station owned by an amateur with general
- 15 class or higher license, provided the station must be satisfact-
- 16 orily proved capable of operating on at least five bands between
- 17 160 through 10 meters, must have an antenna, and must have a
- 18 power supply and wiring as a permanent part of the vehicle; the
- 19 transmitting unit may be removed from the car for service or dry
- 20 storage .....none
- 21 for a mobile amateur radio station vehicle included in b(1) or
- 22 (2) of this section;
- 23           (10) dealer registration plates,
- 24                 (A) the initial set of plates.....\$40;
- 25                 (B) each subsequent set of plates.....\$20;
- 26           (11) a vehicle owned by a municipality or charitable
- 27 organization meeting the requirements of AS 28.10.181(c).....\$ 5;
- 28           (12) an occasional use vehicle under AS 28.10.181(k)...\$15;
- 29           (13) a vehicle owned by a former prisoner of war .....none.

1 \* Sec. 3. AS 28.10.431 is amended by adding a new subsection to read:  
2 (h) A vehicle owned by a former prisoner of war exempted from  
3 registration fees under AS 28.10.421(d)(13) is subject to a motor  
4 vehicle registration tax under this section.