

HB

1894

NOTE REGARDING THE FOLLOWING FRAME(S) ON MICROFILM:
COMPLETE DOCUMENT IS AVAILABLE IN ORIGINAL FILES.
TITLE PAGE ONLY HAS BEEN FILMED.

MOTOR VEHICLE LAWS

of

ALASKA

Statutes

1982 Edition



KENNETH Y. SIMPSON
REGISTRAR

REGULATIONS RELATING TO MOTOR VEHICLES

Prepared By: THE DIVISION OF MOTOR VEHICLES
ALASKA DEPARTMENT OF PUBLIC SAFETY

DECEMBER 1982

Published under authority of AS 28.05.031. Contains a reprint of the sections of Title 13, Alaska Administrative Code which pertain to motor vehicles. Also included are the sections of Title 17, Alaska Administrative Code which pertain to vehicle weight, load and dimension restrictions.



KENNETH Y. SIMPSON
REGISTRAR

STATE OF ALASKA
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF MOTOR VEHICLES

P O BOX 100960
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Bill Walker
503-3874

← what is the discrepancy?

Titles ineffective?

Commissioner

| Wrt Hen

| AG's office

| return to division

| comment period

Problem

28.10.201

initial

- off rd. vehicles not subject to registration or title.

- not sub. to reg. Can't get title.

- Wally wanted trucks to be able to get title w/out reg.

DMV - gave title only to Mobile Homes.

court.

AFTER Decision before legist. only mobile home

① DMV would continue issue title

② Suggested DMV BANKS get UCC lien at same time to protect themselves.

N.S. PROBLEM

③ ~~was~~ N.S. WORKERS wanted to get title for equip. but not register equip.

1) couldn't get loan

2) insurance

DMV responded: register vehicles and you can get title.

④ Wally Kubley talk ed to Ken Simpson on problem.

Bill should take care of mobile homes and vehicles operated on private ~~land~~ property. ①

Sec 2: (7) allow you to get title for it parked on horse.

"Special mobile equipment"

- 1) no other option for titling except through DMV,
 - 2) now banks file UCC lien
- CIT says that now people would be able to get title free and clear, forcing us to go to court.

- what are you going to take to get title on vehicle.

- Same as for other vehicles.
- 1) Manufacturer's certificate of origin.
 - OR, other state title.
 - o . SAS 28.10.216 Post a bond.
 - AS 28.35 260 Def. of vehicle.

NOTE:

When not subject to regulation, cannot get title.

well drilling equip - definition is nebulous! (2)

it is not easy to decide if motor vehicle.

28,10,181 (B) 2CK)

occasional users of highways.
\$15 registration

what difference does it make to only have 2 vehicles to so register.

one option:

take special ~~mobile home~~
mobile equip. out of 184.
(7) of section 2)
(place occasional use)

* PROBLEM: Well drillers not subject to registration now so can get title.

Before: well drillers didnt want to register vehicles. got themselves and "special mobile equipment (B.AAC. 40,000 (52).) exempt from registration. which meant they couldnt get title either. they wanted to be able to get title so-

(3)

Kris

Proposed

1 Delete 3

Special mobile equipment
not subject to registration
cannot get title.

amend as 28.10.181k

take out: Department may
not issue more than 2 to
any single person.

2

Department should amend 3000
40,010,522 to delete well being
equipment.

3

back into the situation where
not sub. to registration not sub. to
title.

subject to title not registration

mobile: items (12 in the 181)

not connected (11) (Kubley)

Special mobile equipment (3) not subj. to tit
regist. nor could
issue title

private property

add

Special mobile equipment

well being
equipment
the items

process

- 1) Wally Kubley wanted to allow trucks to get title w/out registration
- 2) division wanted to include private property & mobile homes,
- 3) don't know where "special mobile equipment" was added.

occasional use

N.S. truckers

became special equip (wellboring) 128/179

mobile homes

special mobile equip

private property

Title only prior 1982

could get title on through affidavit

didn't care weren't treated as vehicles

could get title only if wanted

title only

could be grouped w/ truckers or special mobile equip

Decision came out 6/18/82

? who was subject to registration + issuance + priority of title. related 28.10.201 if not subject to registration, you shall not apply a dept. shall not issue title. (except soldiers + sailors)

Notification of Banks, Dept. will still issue mobile home title. Get UL loan. Will no longer issue title to other vehicles

Dept wanted to include mobile homes

will have introduced to include N.S. truckers + title + no regist.

Someone got in special mobile equip.

By Reg. wellboring was included in special mobile equip

Dept wanted to include in HB 184

Bill passed excluding north slope truckers timber houses, affects all truckers w/in port system

state happy got to title mobile homes

Banks are very unhappy because

well borers are happy banks unhappy

state happy

Banks want special mobile equipment to get title only. if subject to registration then they want that if subject to registration then they + only they can you get title.

proposed solution is outlined on page 3
amand. AS 28.10.201 (b)
1) mobile homes - title only
2) private property - title only
3) special mobile equipment
well borers register to get title
anyone else can get occasional use. must register to get title use.

talk to:

- Bill Granger,
- well drilling people (alaska trucks)

THE FOLLOWING DOCUMENT(S) MAY NOT FILM
LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

MEMORANDUM

State of Alaska

TO: William R. Mix
Commissioner
Department of Public Safety

DATE: July 13, 1982

FILE NO:

FROM: *Bob Rowan*
Robert J. Rowan, Director
Division of Motor Vehicles
Department of Public Safety

TELEPHONE NO: 269-5551

SUBJECT: Vehicle Title, Mobile Homes

This division has always, since I've been with it, issued title for mobile homes as the lending institutions found this an easy method of securing their lien interest and for recording ownership. It didn't significantly effect our workload so we had no problem with this method. We recognized that a problem existed after AS 28 was changed by the 1978 Legislature. We attempted to address this by submitting a suggested change to the law. This was in SB-319 Section 10, however this bill never got out of committee.

After I read the attached recent supreme court decision, I met with Assistant's Attorney General Joseph Balfe and Diane Olson to discuss the ramifications of this opinion. They were unanimous in suggesting that we stop titling mobile homes immediately.

Because this action will undoubtedly result in some adverse reaction from the lending institutions, I thought it best if you looked at the opinion and the proposed letter before I go any further.

Basically I would request your approval or disapproval of sending this letter at this time.

Attached is a draft of the proposed letter and a copy of the Alaska Supreme Court decision.

attachments (2)

STATE OF ALASKA

MYE. HAMMOSE, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

P. O. BOX 899
ANCHORAGE, ALASKA 99519

DRAFT

July 13, 1982

To: All Lending Institutions

A recent Alaska Supreme Court opinion, Leslie Newell v National Bank of Alaska, No. 2518, June 18, 1982, has brought to our attention a discrepancy under the most recent revised motor vehicle code, Alaska Title 28, which prohibits us from issuing title or registration to certain vehicles not normally moved upon the highways.

Of particular interest to you may be the prohibition of titling vehicles "driven or parked on private property". This would include mobile homes and similar vehicles.

It is the division's opinion that all such vehicles described above may not be titled and any such title issued since October , 1978, to a vehicle driven or parked on private property which attempted to perfect a security interest is ineffective under the Alaska Motor Vehicle Code.

The division has attempted unsuccessfully to correct the noted discrepancy by legislative action and will continue to do so during the Thirteenth Session of the Alaska State Legislature. In the meantime, commencing immediately the division will no longer issue title to vehicles driven or parked on private property and would suggest that you review your records for any such titled vehicles so that you may perfect your security interest under the Uniform Commercial Code or a similar method.

If you have questions concerning this matter do not hesitate to contact my office at your convenience.

Robert J. Rowan, Director

Before publication in the Pacific Reporter. Readers are requested to bring typographical or other formal errors to the attention of the Clerk of the Appellate Courts, 303 K Street, Anchorage, Alaska 99501, in order that corrections may be made prior to permanent publication.

copy

THE SUPREME COURT OF THE STATE OF ALASKA

LESLIE NEWELL,

Appellant,

v.

NATIONAL BANK OF ALASKA

Appellee.

File No. 5437

O P I N I O N

[No. 2518 - June 18, 1982]

Appeal from the Superior Court of the State of Alaska, Third Judicial District, Anchorage,
James K. Singleton, Judge.

Appearances: M. Ashley Dickerson, Anchorage, for Appellant. Thomas R. Tatka, Anchorage, for Appellee.

Before: Rabinowitz, Chief Justice, Connor, Burke and Matthews, Justices, and Dimond, Senior Justice.* (Compton, Justice, not participating.)

DIMOND, Senior Justice.
BURKE, Chief Justice, concurring.

Appellant Leslie Newell brought this action against Ray and Sazantha Chariton, the National Bank of

*Dimond, Senior Justice, sitting by assignment made pursuant to article IV, section 11 of the Constitution of Alaska, and Alaska R. Admin. P. 23(a).

Alaska (NBA), and the other party¹ in² connection with the default by the Charltons on a promissory note which they had executed in favor of Newell when they purchased his mobile home or house trailer¹ in 1978. The suit against the Charltons sought judgment against them on the note, and asserted a lien against the mobile home which, Newell contended, served as security on the promissory note. NBA was later joined as a party in the suit when Newell learned that NBA also claimed a security interest in the mobile home.

The sole issue between Newell and NBA concerns which party has the superior security interest. NBA sought to perfect its interest by filing the requisite documents with the Motor Vehicle Division, according to the certificate of title provisions of the Motor Vehicle Code. Newell sought to perfect his interest by filing the promissory note with the Anchorage district recorder several months later.² Each party claims that its method of filing its respective security interest was the exclusive method of perfecting a security interest in the mobile home. Summary judgment was granted in favor of NBA, and Newell has appealed.

1. Newell, throughout his brief, refers to the mobile home as a trailer or house trailer.

2. Although the validity of Newell's security interest, a promissory note, was challenged by NBA in the superior court, this issue is not raised on appeal.

Perfection of security interests and priority of perfected interests in personal property and fixtures is generally governed by the provisions of the Uniform Commercial Code - Secured Transactions.³ Under the UCC, the filing of a financing statement to perfect a security interest in property covered by the code would properly be made at the office of the recorder in the recording district of the debtor's residence, or in the case of fixtures, in the office where a mortgage on the real estate concerned would be filed or recorded. AS 45.09.401 (former AS 45.05.768).

There are certain exceptions to the filing provisions of the UCC. AS 45.09.302 (former AS 45.05.734) provides in part:

(c) The filing provisions of AS 45.09.101-45.09.507 do not apply to a security interest in property subject to a statute

(2) of this state which provides for central filing of, or which requires indication on a certificate of title of, the security interests in the property, unless the property is inventory held for sale by a dealer, which has not been previously sold at retail and for which no certificate of title has been issued.

3. At the time of the transactions in question, UCC - Secured Transactions was set out in AS 45.05.690-.794. The article has since been renumbered and is now AS 45.09.101-.307.

(d) A security interest in property covered by a statute described in (c) of this section can be perfected only by registration or filing under that statute or by indication of the security interest on a certificate of title or a duplicate of a certificate of title by a public official.

The Alaska Motor Vehicle Act which was in effect prior to October 1978 former AS 28.10.010-.660, provided a comprehensive scheme for registration, certification of title and perfection of security interests in vehicles subject to the act.⁴ The act provided that the owner of a vehicle subject to registration must apply for a certificate of registration and title to the vehicle. Former AS 28.10.-040, .050, .060, .270.

Liens or encumbrances on a vehicle which was registered or subject to registration were not valid against a subsequent encumbrancer without notice unless the filing requirements of the chapter were complied with. Former AS 28.10.470. The filing provisions required that instruments

4. AS 28.10.010-.660 (short title: Alaska Motor Vehicle Act) was repealed and a new AS 28.10 was enacted by ch. 178, § 7, SIA 1978, which became effective in October 1978. In 1976, Newell purchased the mobile home, and a certificate of title was issued for it pursuant to the Alaska Motor Vehicle Act. The later sale of the mobile home to the Charltons, and the negotiation and filing of the two security agreements, took place between May and August 1978. Because these transactions took place before the effective date of the new legislation, the repealed provisions of AS 28.10 are applicable to this case. See AS 01.10.100(a).

5 2 7 9 1 4 2 4
creating or evidencing liens or encumbrances be filed with the Department of Public Safety. Former AS 28.10.480. A certificate of title was issued containing a statement of liens and encumbrances certified to the department as existing against the vehicle. Former AS 23.10.510. Filing was the exclusive method of giving constructive notice of liens or encumbrances on registered vehicles. Such liens or encumbrances were exempt from other provisions of law such as the UCC requiring or relating to the recording or filing of instruments creating or evidencing liens or encumbrances upon a registered vehicle. Former AS 28.10.530.

If the mobile home or house trailer was a vehicle subject to registration under the Alaska Motor Vehicle Act, filing with the department and notation of the security interest on the certificate of title was clearly the exclusive method of perfecting a security interest in the mobile home. Applicability of the registration requirements of the Alaska Motor Vehicle Act in this case turns on whether the mobile home or trailer was properly subject to registration when Newell purchased it. Once the vehicle was properly

registered, and ⁵ a ² ⁷ ⁹ certificate of ¹ ⁹ ² ⁵ title issued, the act provided the method for transfer of title.⁵

5. See former AS 28.10.350(a), .360 and .370. AS 28.10.350(a) required the owner of a registered vehicle to endorse an assignment of warranty of title on the certificate of title for the vehicle, including a statement of all liens and encumbrances, and deliver the certificate of title and registration to the transferee. The transferee then presented the endorsed certificate of title, the certificate of registration, and an application for registration and title to the department. The department then reregistered the vehicle and issued the transferee a new certificate of title. AS 28.10.350-.370. Transfer of title to a registered vehicle was generally not deemed complete absent compliance with these statutes. Harbor Ins. Co v. U.S. Fidelity & Guar. Co., 350 F. Supp. 723 (D. Ala. 1972); Christian v. State, 513 P.2d 664 (Alaska 1973).

Newell and Charlton complied with these provisions when Newell sold the mobile home to Charlton; a new certificate of title was issued in Charlton's name.

When Newell purchased the mobile home in 1974, he filed with the Motor Vehicle Division of the Department of Public Safety an "Application for Certificate of Title and Motor Vehicle Registration". The record shows that he was issued a "Certificate of Title to a Motor Vehicle" covering the mobile home, but no registration certificate appears in the record on appeal. Similarly, when the Charltons purchased the mobile home in April 1978, they executed an "Application for Title and Registration", showing NBA as the lienholder. A new certificate of title was issued in the names of the Charltons, but again the record does not show that a registration certificate was issued.

The absence of registration certificates in the record does not necessarily mean that they were not issued. But even if this were the case, it is of no consequence. The important point is that the records of the Division of Motor Vehicles showed NBA as having a security interest in the mobile home. As we have mentioned, the filing of notice of the existence of such security interest was the exclusive method of giving constructive notice of the existence of such an encumbrance on the mobile home. Former AS 28.10.-530.

Newell⁵ maintains that the trial court was incorrect in granting the bank's cross-motion for summary judgment because the mobile home was exempt from registration requirements under the statutes in effect prior to October 1978.⁶

Former AS 28.10.040, which was in effect at the time the various transactions in this case took place, described the vehicles subject to and exempt from registration under the Alaska Motor Vehicle Act. That section provided:

Every motor vehicle, trailer, and semi-trailer when driven or moved or parked upon a highway or in a public parking place is subject to the registration provisions of this chapter except

(1) a motor vehicle, trailer, or semi-trailer which is driven or moved upon a highway only to cross the highway from one property to another;

(2) an implement of husbandry which is only incidentally operated or moved upon a highway;

6. Newell mentions in his brief that he relied completely on the UCC in making his argument for summary judgment below. The sections of the UCC he refers to deal with Commercial Paper (AS 45.03.101-.805, former AS 45.05.-246-.402), and seller's rights upon buyer's failure to pay the price of goods as it becomes due. (AS 45.02.709, former AS 45.05.110).

These sections may have been applicable to a dispute between Newell and Charlton, but they do not apply to the dispute between Newell and NBA. Here, the validity of Newell's security interest is presumed. It is the method of perfecting interests, and the priority of competing interests, which are at issue.

5 2 7 9 1 1 2 7
(3) special mobile equipment

(4) a vehicle for which permanent identification plates and an identification certificate have been issued under § 125 of this chapter, when the vehicle is being driven or moved upon a highway for the primary purpose of historical exhibition or for a similar purpose;

(5) a motor vehicle used in relation to fishing, mining, hunting or farming operations and which is used only occasionally upon a highway, and for which a license has been issued under § 127 of this chapter;

(6) snow vehicles, automobiles and motorcycles which are permitted to race under AS 05.35.

As applied to this case, the section required registration of a trailer⁷ if it were to be moved upon a highway, unless movement of the trailer was within one of the exceptions set out in the section. Newell acknowledges that the mobile home was moved once, from the lot where it was purchased to the trailer space where he and his wife occupied it. The act did not provide for a temporary license or temporary

7. Former AS 28.10.650(16) defined "trailer" as

a vehicle without motive power designed for carrying persons or property and being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

Appellant does not argue that the mobile home involved in this case was not a trailer as defined by this section. For the purposes of this case we therefore assume that to be true.

5 2 7 9 1 4 2 8
registration for transfer of a mobile home or trailer.
Therefore, unless the movement of the mobile home or house
trailer came within an exemption, it was a vehicle subject
to registration when purchased by Newell.⁸

Subsection (1) of AS 28.10.040 exempted from
registration requirements "a . . . trailer . . . driven or
moved upon a highway only to cross the highway from one
property to another." Newell contends that this subsection
exempted a house trailer or mobile home without an engine
which was moved upon a highway solely for delivery to a
space in a trailer park. He apparently construes "cross the
highway" to cover movement along the highway as long as it
is only to move a vehicle such as a trailer from one pro-
perty to another.

As to the proper interpretation of AS 28.10.-
040(1), NBA maintains that the ordinary meaning of the

8. The only alternatives to registration were
identification plates and certificates for historic vehicles
(former AS 28.10.125), and licenses for owners of vehicles
used in relation to fishing, mining, hunting or farming op-
erations which were used only occasionally upon the highway
(former AS 28.10.127). Historic vehicles and the vehicles
named in AS 28.10.127 were exempt from registration under AS
28.10.040(4) and (5). There were no provisions in the act
for the transportation of vehicles under a dealer's plate.

word "cross" should be applied,⁹ and that the section should be interpreted to cover only those vehicles which cross from one side of the road to the other. In support of this construction, NBA cites a California case which read a similar statute to mean "crossing the highway from one property to another on the opposite side of the roadway." Connolly v. State, 164 P.2d 60, 63 (Cal. App. 1945).

We believe this is a reasonable construction of the statute. The case and the annotation¹⁰ which Newell cites in support of his interpretation of the subsection do not suggest a different result. Both deal with exceptions for farm vehicles which are moved temporarily along highways in the course of farming operations. There is no discussion

9. See State, Dept. of Revenue v. Debenhan Elec. Supply Co., 612 P.2d 1001, 1002 (Alaska 1980) (citation omitted): "Unless words have acquired a peculiar meaning, by virtue of statutory definition or judicial construction, they are to be construed in accordance with their common usage." The definition of "cross" when used as a verb is "to intersect . . . to extend from one edge or corner to the other; traverse . . . to go from one side to the opposing side (cross a street, . . . to transfer (as from one side to another). . . ." Webster's Third New Int'l Dictionary 540-41 (1963). Issues of the definition of the word "cross" have been annotated at 10A West, Words and Phrases 228-30 (1968): "Cross means to pass or extend from one side to the other of, as to cross a stream. People v. Hawkins, 124 P.2d 691, 692 [(Cal. App. 1942)]. To cross means to pass from side to side of. . . . Atchison, T. & S.F. Ry. Co. v. Kansas City, M. & O. Ry. Co., 70 P. 939, 940 [(Kan. 1902)]."

10. Allred v. J. C. Engleman, Inc., 61 S.W.2d 75 (Tex. 1933); Annot., 91 A.L.R. 422 (1934).

1 3 0
in either the case or the annotation of an exemption similar to the one in subsection (1). Nor is there a need to make comparison of or distinction between crossing and moving along the highway.

The trial court concluded that former AS 28.10.-040(1) did not exempt the mobile home from registration. The court's order to this effect stated in part:

The issue presented for consideration is thus a purely legal one. Does the phrase "cross the highway from one property to another" apply to a mobile home purchased for use as a residence with the intent to maintain it in a mobile home park where the mobile home is transported on the highway from its place of acquisition to one mobile home park and thereafter to another? Defendant Bank suggests that the exemption is limited to movement of a trailer from one piece of property across the road to another and does not exempt vehicles that on rare occasions are moved along the highway from one locale to another.

The court concluded that NBA's interpretation of the exemption was correct, and awarded summary judgment in its favor.

Newell has interpreted the quoted language to mean that the trial court based its decision on the assumption that the mobile home had been moved twice.¹¹ He concedes

11. The trial court apparently concluded that the mobile home had been moved twice because the certificate of title issued to Newell listed his address as 4110 DeBarr Road, and the location of the mobile home at the time of sale to Charlton was shown as 7800 DeBarr Road. Newell claimed that the mobile home had been moved from the dealer's to 7800 DeBarr Road, and that 4110 DeBarr Road was only his mailing address.

that the mobile home was moved once, from the dealer's lot to the mobile home park, but, denies that it was moved again. He contends that the court improperly granted summary judgment to the bank because of this dispute as to the number of times the mobile home was moved.

The trial court's decision was not based on the number of times the mobile home was moved. It was based on the conclusion that the exemption for vehicles which "cross the highway" applied only to vehicles which crossed from one side of the road to the other. Therefore, there was no genuine issue of fact concerning the number of times the mobile home was moved.

The trial court reasonably excluded that the mobile home was a vehicle subject to registration under the Alaska Motor Vehicle Act. Therefore, the filing and notation on certificate of title provisions of the act were the exclusive method of perfecting a security interest in the mobile home. NBA followed these procedures. Newell did not. The trial court was correct in granting summary judgment in favor of NBA.

The judgment is AFFIRMED.

STATE OF ALASKA
FISCAL NOTE

Revision Date 5-9-83

I. REQUEST

Bill/Resolution No.: CS HB 184 (State Affairs)
 Title: An Act relating to issuing a cert.
 Sponsor: Russell
 Requestor: House State Affairs

II. FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Life & Prop. Pr
 BRU, Program of Subprogram(s) Affected:
 Driver/Vehicle Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

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

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Zero fiscal impact on Division of Motor Vehicles.

IV. ANALYSIS: Attach a separate page, for any Analysis (See attached comment)

Prepared by: Bill Brown Phone: 465-4335
 Division: Motor Vehicles Date: 3-17-83
 Approved by Commissioner: [Signature] Date: 3/18/83
 Department: Public Safety

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

3/8/83

FISCAL NOTE
CS HB 184 (State Affairs)

COMMENT:

Prefer Section 1 indicate: "(12) a mobile home as defined by regulation.", or, to be more specific: "(12) a mobile home as defined in 13 AAC 40.010(27).".

Reason: We are not sure the definition contained in the statute, specifically AS 45.30.100, will allow issuance of titles for trailers used for plan reviews, equipment storage, etc., at job sites. The regulation definition is more specific. Banks and construction company owners do want the Division of Motor Vehicles to be able to title this type equipment.

13 AAC 40.010(28) states: "'mobile home' means a trailer in excess of either 28 feet in length or eight feet in width that is designed, constructed, and equipped for use as a dwelling or as a place of business, storage or other off-highway purpose".

Original sponsor: Bussell

1 IN THE HOUSE

BY THE RULES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 184 (Rules)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to issuing a certificate of title
7 for vehicles exempt from registration and exempting
8 mobile homes from registration."

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

10 * Section 1. AS 28.10.011 is amended by adding a new paragraph to read:

11 (12) a mobile home as defined by regulation.

12 * Sec. 2. AS 28.10.201(b) is amended to read:

13 (b) The owner of a vehicle described in AS 28.10.011 as being
14 exempt from registration and the owner of a snowmobile or off-highway
15 vehicle may not apply for, nor may the department issue, a certificate
16 of title for such a vehicle. However, the department may issue a
17 certificate of title to the owner of a vehicle exempt from registra-
18 tion under AS 28.10.011(3), (7) or (12) only [AS 28.10.011(6),] upon
19 application by that owner.

20
21 Special
22 mobile
23 equip.

24
25

STATE OF ALASKA
DIVISION OF MOTOR VEHICLES
FISCAL SERVICES
ANCHORAGE, ALASKA

<u>YEAR</u>	<u>PASSENGER</u>	<u>TRUCK</u>	<u>OTHER</u>	<u>TRAILER</u>	<u>COMMERCIAL TRAILER</u>	<u>MOTOR- CYCLE</u>	<u>SNOW MACHINES</u>	<u>TOTAL</u>
1947	7,870	4,209	--	--	--	82	--	12,161
1948	10,094	5,636	--	--	--	131	--	15,861
1949	14,087	7,578	--	--	--	164	--	21,829
1950	17,945	8,707	--	--	--	213	--	26,865
1951	25,979	10,638	157	--	--	260	--	37,034
1952	30,460	13,818	862	--	--	274	--	45,414
1953	35,252	15,529	882	--	--	309	--	51,972
1954	38,511	16,674	877	--	--	356	--	56,418
1955	41,847	16,528	823	--	--	415	--	59,613
1956	45,661	16,554	810	--	--	544	--	63,569
1957	49,115	17,233	800	--	--	653	--	67,801
1958	47,642	16,760	630	--	--	724	--	65,756
1959	51,102	18,804	602	--	--	837	--	71,345
1960	68,452	11,905	659	--	--	908	--	81,924
1961	71,965	13,012	633	--	--	1,030	--	86,640
1962	58,231	20,449	2,369	5,584	--	1,051	--	87,684
1963	59,569	22,112	2,452	6,032	--	1,293	--	91,458
1964	63,543	25,212	2,557	6,588	--	2,213	--	100,113
1965	66,997	28,341	2,585	7,412	--	3,326	--	108,661
1966	72,655	27,448	3,178	8,701	1,916	4,319	--	118,217
1967	75,108	28,798	3,379	9,846	1,986	4,770	--	123,887
1968	78,556	30,982	4,182	11,755	2,219	5,607	1,820	135,121
1969	89,205	35,437	3,896	12,322	2,613	6,376	6,362	156,211
1970	93,563	40,978	6,323	16,875	3,375	9,310	5,412	175,836
1971	99,902	45,367	6,835	18,602	3,186	10,513	5,591	189,996
1972	103,269	48,629	5,637	19,929	3,640	10,684	5,329	197,117
1973	111,476	53,029	4,379	23,073	4,006	11,428	5,194	212,585
1974	133,608	66,359	7,918	25,918	5,621	12,981	4,751	257,156
1975	141,019	77,340	4,581	25,733	7,804	12,809	4,469	273,755
1976	153,143	86,437	6,713	27,593	8,165	13,322	--	295,373
1977	171,058	97,545	1,091	30,392	11,510	14,279	3,797	329,672
1978	168,738	94,576	868	30,606	7,154	12,736	3,539	318,217
1979	159,918	91,655	1,134	27,842	7,091	9,842	4,618	302,100
1980	161,936	85,529	1,138	27,334	6,994	8,888	1,102	292,921
1981	185,942	102,254	1,298	30,237	9,178	10,206	2,522	341,637
1982	217,719	126,212	1,357	37,999	10,079	14,504	--	407,870

Revenue Activity - Comparative Analysis

FY 82/83/84

	Monthly				Year-To-Date					
	FY82	FY83	% Diff (82/83)	FY84	% Diff (83/84)	FY82	FY83	% Diff (82/83)	FY84	% Diff (vs/84)
July	1291205.25	1576304.75	23.6	1573707.64		1291205.25	1576304.75	23.6	1573707.64	
Aug.	1473148.52	1795907.20	28.1	2,002,396.86		2693353.77	3392,211.95	25.9	3576104.50	
Sept	1,161,475.52	1402514.57	20.8	1774,119.00		3854829.29	4774726.52	24.4	5,350,223.50	
Oct	1557136.20	1454575.02	(6.6)			5411765.49	6249301.54	15.5		
Nov	1550373.29	1864218.55	20.2			6962338.78	8113520.09	16.5		
Dec	1728033.04	1935477.61	12.0			8690371.82	10048777.70	15.6		
Jan	1410986.22	1575977.66	13.1			10101358.04	11644925.36	15.3		
Feb	1182353.14	1238075.84	4.7			11283711.18	12883021.20	14.2		
Mar	1572040.33	1809085.84	13.6			12875751.51	14672107.04	14.1		
Apr	1667006.30	2032977.50	22.0			14542757.1	16725701.84	15.0		
May	1715473.16	1826776.00	6.5			16258231.07	18552080.84	14.1		
June	1845071.13	2434658.77	32.0			18103302.20	20986737.83	15.9		
Totals	18103302.70	20986737.83	15.9							

ALASKA VEHICLE REGISTRATION
CALENDAR YEAR 1982

LOCATION	PASSENGER	MOTOR CYCLE	COMM. TRAILER	TRAILER	COMM. TRUCK	PICKUP	BUS	TOTAL	% OF TOTAL
Anchorage	107,263	5,509	5,066	15,315	8,639	38,201	389	180,382	44.23
Fairbanks	33,863	2,870	1,258	6,295	2,900	19,050	178	66,414	16.28
Palmer	10,494	752	227	2,594	803	6,625	20	21,515	5.27
Juneau	11,642	659	125	1,688	592	5,239	42	19,987	4.90
Eagle River	8,157	558	130	2,029	376	4,126	86	15,462	3.79
Ketchikan	6,156	520	136	1,082	500	3,548	19	11,961	2.93
Kenai	5,115	310	274	1,472	410	3,227	1	10,809	2.65
Soldotna	4,448	322	188	1,573	409	3,076	18	10,034	2.46
Homer	3,531	301	95	1,155	267	2,954	7	8,310	2.04
Kodiak	3,474	295	129	467	519	2,589	10	7,483	1.83
Sitka	2,634	330	26	223	189	1,533	29	4,964	1.22
Delta Junction	1,290	122	69	478	250	1,136	29	3,374	.83
Valdez	1,504	156	43	421	133	1,030	18	3,305	.81
Seward	1,442	116	34	317	98	1,041	1	3,049	.75
Glennallen	1,027	98	46	359	151	907	17	2,605	.64
Cordova	874	93	22	192	104	981	4	2,270	.56
Petersburg	932	116	10	83	73	969	6	2,189	.53
Trapper Creek	800	69	14	256	59	672	21	1,891	.46
Haines	709	98	28	229	72	706	3	1,845	.45
Bethel	777	127	5	28	111	771	5	1,824	.45
Wrangell	701	67	10	79	83	671	9	1,620	.40
Nome	563	134	23	47	160	650	9	1,586	.39
Tok	508	63	18	187	53	531	8	1,368	.34
Dillingham	433	100	20	26	79	517	9	1,184	.29
Nenana	337	42	21	101	44	326	6	877	.22
Skagway	354	55	7	49	25	329	7	826	.20
Unalaska	222	73	3	10	79	258	3	648	.16
Kotzebue	183	34	6	22	45	242	2	534	.13
Naknek	127	12	5	11	35	204	-0-	394	.10
Yakutat	156	3	0	9	34	181	2	391	.10
Barrow	165	10	1	8	27	130	-0-	341	.08
Galena	42	-0-	1	2	5	38	-0-	88	.02
Other	7,796	490	2,033	1,192	2,037	4,393	399	18,340	4.49
TOTAL	217,719	14,504	10,079	37,999	19,361	106,851	1,357	407,870	100%

These statistics are compiled by zip code location.

Statewide Title Activity

	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
July	15914	13044	12527	13358	15200	16149	16984			
Aug	21193	15021	13768	12968	14305	16891	19057			
Sept	18880	11993	11056	12436	14783	14758	16811			
Oct	21233	10641	11720	13190	13259	14284				
Nov	17793	8827	8696	9391	10840	12573				
Dec	13598	8120	6310	8071	10292	11599				
Jan	8725	8223	7918	9644	9612	11903				
Feb	8107	6842	8223	8986	9862	11525				
March	12651	10074	10119	12393	13704	15462				
Apr	13461	11754	13046	15120	15905	16868				
May	15968	15641	13277	15159	16326	18092				
June	17047	14852	13030	16638	17657	19906				
Total	184570	135032	129723	147364	161745	179991				

Statewide Registration Activity

	Fy 78	Fy 77	Fy 80	Fy 81	Fy 82	Fy 83	Fy 84	Fy 85	Fy 86	Fy 87	
July	23171	14469	27191	27783	31150	36229	32553				
Aug	26363	12976	24887	27511	25441	36840	41709				
Sept	35641	10062	21544	26478	24786	28480	34739				
Oct	39843	6111	20657	26059	29670	29088					
Nov	20886	4992	17896	18038	25571	31456					
Dec	24285	4461	21695	22946	19892	27663					
Jan	12292	13275	19795	23362	22013	25312					
Feb	14820	24058	23897	22713	23651	25194					
Mar	66338	53661	28009	32532	33794	37222					
Apr	49236	46621	34457	38911	35634	39471					
May	64532	49678	32225	36721	35926	41656					
June	57936	65338	32730	36337	38067	49663					
Total	435343	305702	304983	339371	345515	408274					

TO: William R. Nix
Commissioner
Department of Public Safety

DATE: July 13, 1982

FILE NO:

TELEPHONE NO: 269-5551

FROM: *Bob Rowan*
Robert J. Rowan, Director
Division of Motor Vehicles
Department of Public Safety

SUBJECT: Vehicle Title, Mobile Homes

269-5551-

This division has always, since I've been with it, issued title for mobile homes as the lending institutions found this an easy method of securing their lien interest and for recording ownership. It didn't significantly effect our workload so we had no problem with this method. We recognized that a problem existed after AS 28 was changed by the 1978 Legislature. We attempted to address this by submitting a suggested change to the law. This was in SB-319 Section 10, however this bill never got out of committee.

After I read the attached recent supreme court decision, I met with Assistant's Attorney General Joseph Balfe and Diane Olson to discuss the ramifications of this opinion. They were unanimous in suggesting that we stop titling mobile homes immediately.

Because this action will undoubtedly result in some adverse reaction from the lending institutions, I thought it best if you looked at the opinion and the proposed letter before I go any further.

Basically I would request your approval or disapproval of sending this letter at this time.

Attached is a draft of the proposed letter and a copy of the Alaska Supreme Court decision.

attachments (2)

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

P. O. BOX 960
ANCHORAGE, ALASKA 99510DRAFT

July 13, 1982

To: All Lending Institutions

A recent Alaska Supreme Court opinion, Leslie Newell v National Bank of Alaska, No. 2518, June 18, 1982, has brought to our attention a discrepancy under the most recent revised motor vehicle code, Alaska Title 28, which prohibits us from issuing title or registration to certain vehicles not normally moved upon the highways.

Of particular interest to you may be the prohibition of titling vehicles "driven or parked on private property". This would include mobile homes and similar vehicles.

It is the division's opinion that all such vehicles described above may not be titled and any such title issued since October , 1978, to a vehicle driven or parked on private property which attempted to perfect a security interest is ineffective under the Alaska Motor Vehicle Code.

The division has attempted unsuccessfully to correct the noted discrepancy by legislative action and will continue to do so during the Thirteenth Session of the Alaska State Legislature. In the meantime, commencing immediately the division will no longer issue title to vehicles driven or parked on private property and would suggest that you review your records for any such titled vehicles so that you may perfect your security interest under the Uniform Commercial Code or a similar method.

If you have questions concerning this matter do not hesitate to contact my office at your convenience.

Robert J. Rowan, Director

NOTICE: This opinion is subject to formal correction before publication in the Pacific Reporter. Readers are requested to bring typographical or other formal errors to the attention of the Clerk of the Appellate Courts, 303 K Street, Anchorage, Alaska 99501, in order that corrections may be made prior to permanent publication.

Northern Oil Services, Inc. copy

THE SUPREME COURT OF THE STATE OF ALASKA

HB 184

LESLIE NEWELL,)
)
 Appellant,)
)
 v.)
)
 NATIONAL BANK OF ALASKA)
)
 Appellee.)

File No. 5437

O P I N I O N

[No. 2518 - June 18, 1982]

Appeal from the Superior Court of the State of Alaska, Third Judicial District, Anchorage,
James K. Singleton, Judge.

Appearances: M. Ashley Dickerson, Anchorage, for Appellant. Thomas R. Tatka, Anchorage, for Appellee.

Before: Rabinowitz, Chief Justice, Connor, Burke and Matthews, Justices, and Dimond, Senior Justice.* (Compton, Justice, not participating.)

DIMOND, Senior Justice.
BURKE, Chief Justice, concurring.

Appellant Leslie Newell brought this action against Ray and Samantha Charlton, the National Bank of

*Dimond, Senior Justice, sitting by assignment made pursuant to article IV, section 11 of the Constitution of Alaska, and Alaska R. Admin. P. 23(a).

Alaska (NBA), and one other party in connection with the default by the Charltons on a promissory note which they had executed in favor of Newell when they purchased his mobile home or house trailer¹ in 1978. The suit against the Charltons sought judgment against them on the note, and asserted a lien against the mobile home which, Newell contended, served as security on the promissory note. NBA was later joined as a party in the suit when Newell learned that NBA also claimed a security interest in the mobile home.

The sole issue between Newell and NBA concerns which party has the superior security interest. NBA sought to perfect its interest by filing the requisite documents with the Motor Vehicle Division, according to the certificate of title provisions of the Motor Vehicle Code. Newell sought to perfect his interest by filing the promissory note with the Anchorage district recorder several months later.² Each party claims that its method of filing its respective security interest was the exclusive method of perfecting a security interest in the mobile home. Summary judgment was granted in favor of NBA, and Newell has appealed.

1. Newell, throughout his brief, refers to the mobile home as a trailer or house trailer.

2. Although the validity of Newell's security interest, a promissory note, was challenged by NBA in the superior court, this issue is not raised on appeal.

Perfection of security interests and priority of perfected interests in personal property and fixtures is generally governed by the provisions of the Uniform Commercial Code - Secured Transactions.³ Under the UCC, the filing of a financing statement to perfect a security interest in property covered by the code would properly be made at the office of the recorder in the recording district of the debtor's residence, or in the case of fixtures, in the office where a mortgage on the real estate concerned would be filed or recorded. AS 45.09.401 (former AS 45.05.768).

There are certain exceptions to the filing provisions of the UCC. AS 45.09.302 (former AS 45.05.734) provides in part:

(c) The filing provisions of AS 45.09.101-45.09.507 do not apply to a security interest in property subject to a statute

(2) of this state which provides for central filing of, or which requires indication on a certificate of title of, the security interests in the property, unless the property is inventory held for sale by a dealer, which has not been previously sold at retail and for which no certificate of title has been issued.

3. At the time of the transactions in question, UCC - Secured Transactions was set out in AS 45.05.690-.794. The article has since been renumbered and is now AS 45.09.-101-.507.

(d) A security interest in property covered by a statute described in (c) of this section can be perfected only by registration or filing under that statute or by indication of the security interest on a certificate of title or a duplicate of a certificate of title by a public official.

The Alaska Motor Vehicle Act which was in effect prior to October 1978 former AS 28.10.010-.660, provided a comprehensive scheme for registration, certification of title and perfection of security interests in vehicles subject to the act.⁴ The act provided that the owner of a vehicle subject to registration must apply for a certificate of registration and title to the vehicle. Former AS 28.10.-040, .050, .060, .270.

Liens or encumbrances on a vehicle which was registered or subject to registration were not valid against a subsequent encumbrancer without notice unless the filing requirements of the chapter were complied with. Former AS 28.10.470. The filing provisions required that instruments

4. AS 28.10.010-.660 (short title: Alaska Motor Vehicle Act) was repealed and a new AS 28.10 was enacted by ch. 178, § 7, SLA 1978, which became effective in October 1978. In 1976, Newell purchased the mobile home, and a certificate of title was issued for it pursuant to the Alaska Motor Vehicle Act. The later sale of the mobile home to the Charltons, and the negotiation and filing of the two security agreements, took place between May and August 1978. Because these transactions took place before the effective date of the new legislation, the repealed provisions of AS 28.10 are applicable to this case. See AS 01.10.100(a).

creating or evidencing liens or encumbrances be filed with the Department of Public Safety. Former AS 28.10.480. A certificate of title was issued containing a statement of liens and encumbrances certified to the department as existing against the vehicle. Former AS 28.10.510. Filing was the exclusive method of giving constructive notice of liens or encumbrances on registered vehicles. Such liens or encumbrances were exempt from other provisions of law such as the UCC requiring or relating to the recording or filing of instruments creating or evidencing liens or encumbrances upon a registered vehicle. Former AS 28.10.530.

If the mobile home or house trailer was a vehicle subject to registration under the Alaska Motor Vehicle Act, filing with the department and notation of the security interest on the certificate of title was clearly the exclusive method of perfecting a security interest in the mobile home. Applicability of the registration requirements of the Alaska Motor Vehicle Act in this case turns on whether the mobile home or trailer was properly subject to registration when Newell purchased it. Once the vehicle was properly

registered, and a certificate of title issued, the act provided the method for transfer of title.⁵

5. See former AS 28.10.350(a), .360 and .370. AS 28.10.350(a) required the owner of a registered vehicle to endorse an assignment of warranty of title on the certificate of title for the vehicle, including a statement of all liens and encumbrances, and deliver the certificate of title and registration to the transferee. The transferee then presented the endorsed certificate of title, the certificate of registration, and an application for registration and title to the department. The department then reregistered the vehicle and issued the transferee a new certificate of title. AS 28.10.360-.370. Transfer of title to a registered vehicle was generally not deemed complete absent compliance with these statutes. Harbor Ins. Co. v. U.S. Fidelity & Guar. Co., 350 F. Supp. 723 (D. Alaska 1972); Christian v. State, 513 P.2d 664 (Alaska 1973).

Newell and Charlton complied with these provisions when Newell sold the mobile home to Charlton; a new certificate of title was issued in Charlton's name.

When Newell purchased the mobile home in 1976, he filed with the Motor Vehicle Division of the Department of Public Safety an "Application for Certificate of Title and Motor Vehicle Registration". The record shows that he was issued a "Certificate of Title to a Motor Vehicle" covering the mobile home, but no registration certificate appears in the record on appeal. Similarly, when the Charltons purchased the mobile home in April 1978, they executed an "Application for Title and Registration", showing NBA as the lienholder. A new certificate of title was issued in the names of the Charltons, but again the record does not show that a registration certificate was issued.

The absence of registration certificates in the record does not necessarily mean that they were not issued. But even if this were the case, it is of no consequence. The important point is that the records of the Division of Motor Vehicles showed NBA as having a security interest in the mobile home. As we have mentioned, the filing of notice of the existence of such security interest was the exclusive method of giving constructive notice of the existence of such an encumbrance on the mobile home. Former AS 28.10.-530.

Newell maintains that the trial court was incorrect in granting the bank's cross-motion for summary judgment because the mobile home was exempt from registration requirements under the statutes in effect prior to October 1978.⁶

Former AS 28.10.040, which was in effect at the time the various transactions in this case took place, described the vehicles subject to and exempt from registration under the Alaska Motor Vehicle Act. That section provided:

Every motor vehicle, trailer, and semi-trailer when driven or moved or parked upon a highway or in a public parking place is subject to the registration provisions of this chapter except

(1) a motor vehicle, trailer, or semi-trailer which is driven or moved upon a highway only to cross the highway from one property to another;

(2) an implement of husbandry which is only incidentally operated or moved upon a highway;

6. Newell mentions in his brief that he relied completely on the UCC in making his argument for summary judgment below. The sections of the UCC he refers to deal with Commercial Paper (AS 45.03.101-.805, former AS 45.05.-246-.402), and seller's rights upon buyer's failure to pay the price of goods as it becomes due. (AS 45.02.709, former AS 45.05.210).

These sections may have been applicable to a dispute between Newell and Charlton, but they do not apply to the dispute between Newell and NBA. Here, the validity of Newell's security interest is presumed. It is the method of perfecting interests, and the priority of competing interests, which are at issue.

(3) special mobile equipment;

(4) a vehicle for which permanent identification plates and an identification certificate have been issued under § 125 of this chapter, when the vehicle is being driven or moved upon a highway for the primary purpose of historical exhibition or for a similar purpose;

(5) a motor vehicle used in relation to fishing, mining, hunting or farming operations and which is used only occasionally upon a highway, and for which a license has been issued under § 127 of this chapter;

(6) snow vehicles, automobiles and motorcycles which are permitted to race under AS 05.35.

As applied to this case, the section required registration of a trailer⁷ if it were to be moved upon a highway, unless movement of the trailer was within one of the exemptions set out in the section. Newell acknowledges that the mobile home was moved once, from the lot where it was purchased to the trailer space where he and his wife occupied it. The act did not provide for a temporary license or temporary

7. Former AS 28.10.650(16) defined "trailer" as a vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

Appellant does not argue that the mobile home involved in this case was not a trailer as defined by this section. For the purposes of this case we therefore assume that to be true.

registration for transfer of a mobile home or trailer. Therefore, unless the movement of the mobile home or house trailer came within an exemption, it was a vehicle subject to registration when purchased by Newell.⁸

Subsection (1) of AS 28.10.040 exempted from registration requirements "a . . . trailer . . . driven or moved upon a highway only to cross the highway from one property to another." Newell contends that this subsection exempted a house trailer or mobile home without an engine which was moved upon a highway solely for delivery to a space in a trailer park. He apparently construes "cross the highway" to cover movement along the highway as long as it is only to move a vehicle such as a trailer from one property to another.

As to the proper interpretation of AS 28.10.-040(1), NBA maintains that the ordinary meaning of the

8. The only alternatives to registration were identification plates and certificates for historic vehicles (former AS 28.10.125), and licenses for owners of vehicles used in relation to fishing, mining, hunting or farming operations which were used only occasionally upon the highway (former AS 28.10.127). Historic vehicles and the vehicles named in AS 28.10.127 were exempt from registration under AS 28.10.040(4) and (5). There were no provisions in the act for the transportation of vehicles under a dealer's plate.

word "cross" should be applied,⁹ and that the section should be interpreted to cover only those vehicles which cross from one side of the road to the other. In support of this construction, NBA cites a California case which read a similar statute to mean "crossing the highway from one property to another on the opposite side of the roadway." Connolly v. State, 164 P.2d 60, 63 (Cal. App. 1945).

We believe this is a reasonable construction of the statute. The case and the annotation¹⁰ which Newell cites in support of his interpretation of the subsection do not suggest a different result. Both deal with exceptions for farm vehicles which are moved temporarily along highways in the course of farming operations. There is no discussion

9. See State, Dept. of Revenue v. Debenham Elec. Supply Co., 612 P.2d 1001, 1002 (Alaska 1980) (citation omitted): "Unless words have acquired a peculiar meaning, by virtue of statutory definition or judicial construction, they are to be construed in accordance with their common usage." The definition of "cross" when used as a verb is "to intersect . . . to extend from one edge or corner to the other: traverse . . . to go from one side to the opposing side (cross a street) . . . to transfer (as from one side to another) . . ." Webster's Third New Int'l Dictionary 540-41 (1963). Issues of the definition of the word "cross" have been annotated at 10A West, Words and Phrases 228-30 (1968): "Cross means to pass or extend from one side to the other of, as to cross a stream. People v. Hawkins, 124 P.2d 691, 692 [(Cal. App. 1942)]. To cross means to pass from side to side of. . . . Atchison, T. & S.F. Ry. Co. v. Kansas City, M. & O. Ry. Co., 70 P. 939, 940 [(Kan. 1902)]."

10. Allred v. J. C. Engleman, Inc., 61 S.W.2d 75 (Tex. 1933); Annot., 91 A.L.R. 422 (1934).

that the mobile home was moved once, from the dealer's lot to the mobile home park, but, denies that it was moved again. He contends that the court improperly granted summary judgment to the bank because of this dispute as to the number of times the mobile home was moved.

The trial court's decision was not based on the number of times the mobile home was moved. It was based on the conclusion that the exemption for vehicles which "cross the highway" applied only to vehicles which crossed from one side of the road to the other. Therefore, there was no genuine issue of fact concerning the number of times the mobile home was moved.

The trial court reasonably concluded that the mobile home was a vehicle subject to registration under the Alaska Motor Vehicle Act. Therefore, the filing and notation on certificate of title provisions of the act were the exclusive method of perfecting a security interest in the mobile home. NBA followed these procedures. Newell did not. The trial court was correct in granting summary judgment in favor of NBA.

The judgment is AFFIRMED.

in either the case or the annotation of an exemption similar to the one in subsection (1). Nor is there a need to make comparison of or distinction between crossing and moving along the highway.

The trial court concluded that former AS 28.10.-040(1) did not exempt the mobile home from registration. The court's order to this effect stated in part:

The issue presented for consideration is thus a purely legal one. Does the phrase "cross the highway from one property to another" apply to a mobile home purchased for use as a residence with the intent to maintain it in a mobile home park where the mobile home is transported on the highway from its place of acquisition to one mobile home park and thereafter to another? Defendant Bank suggests that the exemption is limited to movement of a trailer from one piece of property across the road to another and does not exempt vehicles that on rare occasions are moved along the highway from one locale to another.

The court concluded that NBA's interpretation of the exemption was correct, and awarded summary judgment in its favor.

Newell has interpreted the quoted language to mean that the trial court based its decision on the assumption that the mobile home had been moved twice.¹¹ He concedes

11. The trial court apparently concluded that the mobile home had been moved twice because the certificate of title issued to Newell listed his address as 4110 DeBarr Road, and the location of the mobile home at the time of sale to Charlton was shown as 7800 DeBarr Road. Newell claimed that the mobile home had been moved from the dealer's to 7800 DeBarr Road, and that 4110 DeBarr Road was only his mailing address.

that the mobile home was moved once, from the dealer's lot to the mobile home park, but, denies that it was moved again. He contends that the court improperly granted summary judgment to the bank because of this dispute as to the number of times the mobile home was moved.

The trial court's decision was not based on the number of times the mobile home was moved. It was based on the conclusion that the exemption for vehicles which "cross the highway" applied only to vehicles which crossed from one side of the road to the other. Therefore, there was no genuine issue of fact concerning the number of times the mobile home was moved.

The trial court reasonably concluded that the mobile home was a vehicle subject to registration under the Alaska Motor Vehicle Act. Therefore, the filing and notation on certificate of title provisions of the act were the exclusive method of perfecting a security interest in the mobile home. NBA followed these procedures. Newell did not. The trial court was correct in granting summary judgment in favor of NBA.

The judgment is AFFIRMED.



STATE OF ALASKA

BILL ANALYSIS

Department Public Safety	Sponsor (Principal) Bussell	Bill Number CS HB 184 (SA)
Department Position Support		
Division Director Robert J. Rowan <i>Rob J Rowan</i>	Date 3-23-83	Commissioner's Signature <i>Robert J. Rowan</i>
		Date 3-24-83

Comments:

<input type="checkbox"/> Position Noted	By	Date
---	----	------

SUMMARY

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

3. Program Effects of Bill

4. Fiscal Impact: None Fiscal Note Attached

5. Amendments Proposed:

6. Comments: Prefer Section 1 indicate "a mobile home as defined by regulation", or if they want it specific, "a mobile home as defined in 13 AAC 40.010(27), rather than "a mobile home as defined in AS 45.30.100". Reason being, we are not sure the definition contained in the statute will allow us to title trailers used for plan reviews, equipment storage, etc., at job sites. The regulation definition is more specific. Banks and construction company owners do want us to be able to title this type equipment.

13 AAC 40.010(27) states: "mobile home" means a trailer in excess of either 28 feet in length or eight feet in width that is designed, constructed, and equipped for use as a dwelling or as a place of business, storage or other off-highway purpose".

CONSTITUENT CASEWORK

NAME: Kew Simpson

STAFF: Suzanne Trice

ADDRESS: Division of
Motor Vehicles

DATE OPENED: _____

DATE CLOSED: _____

2
(Mailing or Residence)

REFERRAL: _____

PHONE # (H): _____

SSN #: _____

(W): 209-5906

AGE: _____

MINORITY: _____ SEX: _____

Bill
Walker

563-
3877

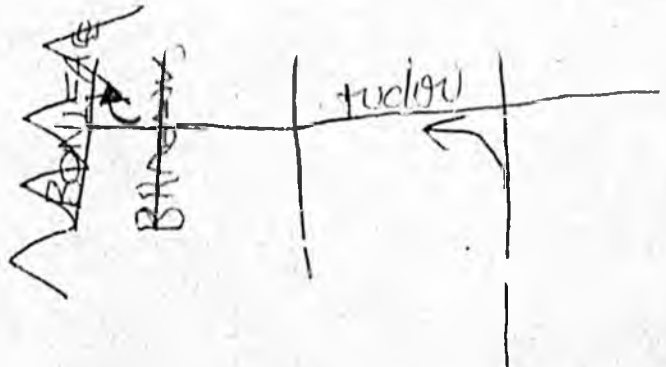
Unfortunately, the research person in the Division of Motor Vehicles has been cut out. We are now the only state that does not have a research section.

The research section is vitally important for the apprehension of criminals. Virtually no

Special mobile equip.

Director & Commissioner
Draft Req.

Robert J. Rowan



CONSTITUENT CASEWORK

NAME: Ann Marshall

STAFF: _____

ADDRESS: _____

DATE OPENED: _____

DATE CLOSED: _____

(Mailing or Residence)

REFERRAL: _____

PHONE # (H): _____

(W): 276-3414 (WORKS AT HOME)

SSN #: _____

AGE: _____

MINORITY: _____ SEX: _____

Pioneer Home - 276-3414 [Time: NAFF] [Mr. NAFF] Pioneer
Louie Keller (276-3414) * Benefits

- He is not in Pioneer's home.

- allowed her to enter.

- he is living on his own

- he can come and visit her.

- ^{she} needs care dressing etc... (minimal care patients)

[Someone dds admitted who was only
w/3. Squeaked on by.]

[DFAYS services - Kathy Katzell

- Perhaps home health aide

- home maker

- home delivered meals -

- transportation

- She could be delivered to day
Care everyday.

CONSTITUENT CASEWORK

NAME: Dennis ALLEN

STAFF: G. BAIM

ADDRESS: KSKA

DATE OPENED: 9/6/83

DATE CLOSED: _____

(Mailing or Residence)

REFERRAL: UF

PHONE # (H): _____

SSN #: _____

(W): 561-1161

AGE: _____

MINORITY: _____ SEX: _____

had note from systems.

Dennis Allen of KSKA called Wednesday, September 7 - he wanted to speak to Vic.

PROBLEM: KSKA has the community support, permission to use the land, and funding from the legislature to put in a translator in Girdwood and Hope so those communities can have public radio.

Me1 Holverstein of the Division of Telecommunications has unilaterally refused to grant KSKA permission to put in the translators. Mr. Allen seemed to believe that because of a bad taste in his (Holverstein's) mouth over a public radio hassel in Wrangell * he (Holverstein) has "a hair up his but over public radio". (quote is from Allen).

I told Mr. Allen you'd call him back to get a more detailed picture of the problem and follow up with a call to Lisa Rudd.

*Being as how my dad is the engineer in Wrangell, I called him and asked for a rundown on the "hassle" with DivCom. He said this: The city of Wrangell wanted public radio so they waived rules on city owned recreation land to allow the station to put in a translator with the limitation that no commercial use could be made of the property and that the translator was to be only for public radio, not TV or any other quasi-commercial operation. Because the city would have to charge a private group (if the radio group wanted to incorporate or something) and would only have to charge a token amount for leasing to a state agency, DIVCOM agreed (and signed) to be the responsible party to lease the land, fully understanding the restrictions placed on the leasing agreement.

Immediately upon signing the lease DIVCOM proceeded with trying to set up public television translators on the site with apparent plans to include commercial TV at some time. Wrangell was furious (at the root of some of this problem is DIVCOM's plan to replace satellite bush feed with regular public TV in Wrangell. Needless to say the Wrangelites want to keep the live sports coverage that comes with the bush feed rather than straight public TV).

Wrangell is still imbroiled in this hassel but does have an operating public radio station and thus far, has prevented DIVCOM from putting in anything else. I suspect a similar situation is brewing over the Girdwood/Hope problem.

Let me know what you want to do about this?

Systems has sites where they have equip & etc.....

KSKA WANTS TO PUT THEIR EQUIP in some bldg. Systems wants to keep bldg secure. (Systems has metal bldg).

Bruce Smith - Station manager w/ KSKA.

STATE SYSTEMS SITE.

anchorage public radio
4101 university drive
anchorage • alaska • 99508 • 907/561/1161

KSKA *fm* **91**

September 20, 1983

Ms. Julianna Guy
Deputy Commissioner of Telecommunications
Juneau, AK 99811

Dear Ms. Guy,

Thank you for your interest in the KSKA translator project for Girdwood. What KSKA needs to complete this project is the following:

- 1) permission to locate a 10 watt translator in the equipment shelter at Girdwood (we would accept an adjacent empty structure if available)
- 2) space for a small transmit antenna on the tower at Girdwood
- 3) AC power (not to exceed 100 watts)
- 4) carriage on the State Microwave System. KSKA will purchase the modulator/demodulator for the State microwave and a fixed tuned base band receiver for installation at the Point Campbell microwave head-end

Our present plan calls for the State to carry KSKA from Point Campbell to Girdwood to hand off base band composite audio to our translator.

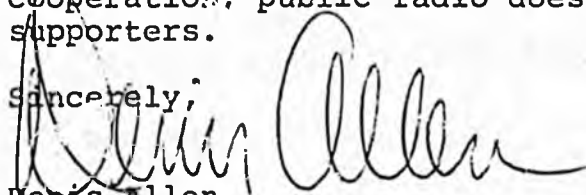
KSKA agrees to the following maintenance stipulations:

- 1) There will be no costs to the State for equipment to do this.
- 2) KSKA will maintain the Girdwood translator.
- 3) KSKA will pay all maintenance costs for the modulator, demodulator, and fixed tuned receiver.

KSKA will continue the spirit of friendly cooperation which is the hallmark of relations with the Division of Telecommunications.

KSKA will publicly thank the chief government officials involved in the project for their understanding, cooperation and sensitivity to the public needs. KSKA will be forever indebted to the responsiveness and sensitivity you have shown to the Girdwood residents in completing this project. We have our FCC construction permits and are ready to proceed. Following the plan outlined above should make any translator at Hope unnecessary and access to that site unnecessary. Again, thank you for your cooperation; public radio does not forget its friends and supporters.

Sincerely,


Denis Allen
Chief Engineer

DA/ct

cc: Charlie Northrip, Director - APBC
Girdwood Board of Supervisors
Senator Vic Fischer

STATE OF ALASKA
FISCAL NOTE

Revision Date 5-9-83

I. REQUEST

Bill/Resolution No.: CS HB 184 (State Affairs)
 Title: An Act relating to issuing a cert.
 Sponsor: Bussell
 Requestor: House State Affairs

II. FISCAL DETAIL

Agency Affected: Public Safety
 Program Category Affected: Life & Prop. P.
 BRU, Program of Subprogram(s) Affected:
 Driver/Vehicle Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

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

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Zero fiscal impact on Division of Motor Vehicles.

IV. ANALYSIS: Attach a separate page for any Analysis

(See attached comment)

Prepared By: Bill Brown

Phone: 465-4335

Division: Motor Vehicles

Date: 3-17-83

Approved by Commissioner: [Signature]

Date: 3/18/83

Department: Public Safety

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

3/8/83

FISCAL NOTE
CS HB 184 (State Affairs)

COMMENT:

Prefer Section 1 indicate: "(12) a mobile home as defined by regulation.", or, to be more specific: "(12) a mobile home as defined in 13 AAC 40.010(27).".

Reason: We are not sure the definition contained in the statute, specifically AS 45.30.100, will allow issuance of titles for trailers used for plan reviews, equipment storage, etc., at job sites. The regulation definition is more specific. Banks and construction company owners do want the Division of Motor Vehicles to be able to title this type equipment.

13 AAC 40.010(28) states: "'mobile home' means a trailer in excess of either 28 feet in length or eight feet in width that is designed, constructed, and equipped for use as a dwelling or as a place of business, storage or other off-highway purpose".

ALASKA STATE LEGISLATURE

SENATE STATE AFFAIRS COMMITTEE

SENATOR VIC FISCHER, CHAIRMAN

POUCH V, JUNEAU 99811

(907) 465-4954



May 17, 1983

Butrovich Room

Members Present

Senator Vic Fischer, Chair
Senator Tim Kelly
Senator Arliss Sturgulewski

Agenda

- HB 6 Driving a motor vehicle
- HB 17 Advisory vote on raising the drinking age to 21
- HJR 28 Native Allotments
- HB 184 Title for Vehicles
- HCR 9 Veterans' memorial
- HCR 17 State medal of heroism
- HCR 18 Display of flags
- HB 106 Alaska bidder preference
- HB 165 Relating to the Alaska Public Offices Commission

HB 5 Driving a motor vehicle

Committee staff presented a proposed committee substitute. The committee substitute is an amended version of SB 61 which has been considered previously by the committee.

Alan Baily, Anchorage Municipal Prosecutor and Gayle Horetski, Department of Law, testified in favor of the committee substitute.

Senator Sturgulewski asked if there are latent constitutional problems with administrative revocation of driver's licenses. Ms. Horetski replied that there are no problems per se.

Senator Fischer called attention to Sec. 13, sobriety check points, which has been added to the bill.

Senator Kelly moved and asked unanimous consent to adopt the committee substitute and pass it from committee with individual recommendations. There was no objection.

HB 17 Advisory vote on raising the drinking age to 21

Senator Kelly asked to withdraw his proposed committee substitute. He then moved and asked unanimous consent to pass the bill from committee with individual recommendations. There was no objection.

HJR 28 Native Allotments

Senator Fischer proposed a committee substitute which refined and clarified certain language but made no substantive changes.

The committee substitute was passed from committee with individual recommendations.

HB 184 Title for vehicles

Wally Kubley, representing himself, testified for the bill.

There was discussion regarding whether the definition of "mobile home" should be by statute or by regulation. It was decided to follow the written recommendation of the Department of Public Safety and have the definition by regulation. Committee staff was directed to prepare a committee substitute to that effect.

HCR 9 Veterans' memorial

Senator Fischer expressed concerns about the resolution including the issue of censorship of art and possible copyright law violations.

Natalie Pauthaus, Juneau Arts and Humanities Council, spoke in favor of leaving the sculpture "Nimbus" where it is. She felt that there would be negative repercussions from the National Endowment for the Arts if the State of Alaska did not hold up its grant agreement.

Senator Sturgulewski said she favors leaving "Nimbus" alone.

Peter Kelley, Vietnam Veterans of Alaska, testified in favor of moving "Nimbus" to another location and placing a veterans' memorial at that location.

Senator Fischer said he favored a resolution which would look at the entire capital city area for potential sites for a veterans' memorial.

Steve Smith, Southeast Alaska Visual Artists Association, testified he personally thought that the present site is not ideal for a work such as "Nimbus" but that he had reservations about moving the work. He suggested that a more appropriate memorial could be dedicated to all those who have been lost in Alaska's waters, with special emphasis on veterans.

The resolution was held over pending study by staff.

HCR 17 State Medal of Heroism

The resolution was passed with a unanimous do pass recommendation without discussion.

HCR 18 Display of flags

Representative Milo Fritz (prime sponsor) testified for the resolution. He has noticed that during holidays the flag poles in Juneau are often empty. He finds this situation deplorable. He thinks flags should be flown on state government buildings throughout the state.

Senator Fischer suggested that there be a slight wording change to clarify that flags are to be flown only when there is a security or maintenance person on regular duty.

Senator Sturgulewski moved and asked unanimous consent to adopt a committee substitute to that effect and to move the bill from committee with individual recommendations. There was no objection.

HB 106 Alaska bidder preference

Senator Fischer introduced a proposed committee substitute for the Committee's consideration.

Resa King, Associated General Contractors, testified against the bill and bidder's preferences in general because of increased costs.

Bob Link, Director of the Division of General Services and Supply, Department of Administration, said that the bidder's preference was easy to administer. He said the bill could lead to significantly increased costs.

Dave Hutchins, Alaska Rural Electric Cooperative Association, testified against raising the bidder's preference to 15%.

The bill was held over pending additional staff work.

HB 165 Relating to the Alaska Public Offices Commission

Representative Rick Uehling (prime sponsor) testified for the bill and gave a brief legislative history of the bill.

Theda Pittman, Executive Director of the Alaska Public Offices Commission, testified in favor of the bill and recommended that a House floor amendment deleting certain requirements be added back into the bill by this committee.

Senator Fischer stated that the bill would be held over pending preparation of a committee substitute.

The meeting was adjourned at 4:32 p.m.

by
David Dye
committee aide

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

P. O. BOX 960
ANCHORAGE, ALASKA 99510DRAFT

July 13, 1982

To: All Lending Institutions

A recent Alaska Supreme Court opinion, Leslie Newell v National Bank of Alaska, No. 2518, June 18, 1982, has brought to our attention a discrepancy under the most recent revised motor vehicle code, Alaska Title 28, which prohibits us from issuing title or registration to certain vehicles not normally moved upon the highways.

Of particular interest to you may be the prohibition of titling vehicles "driven or parked on private property". This would include mobile homes and similar vehicles.

It is the division's opinion that all such vehicles described above may not be titled and any such title issued since October , 1978, to a vehicle driven or parked on private property which attempted to perfect a security interest is ineffective under the Alaska Motor Vehicle Code.

The division has attempted unsuccessfully to correct the noted discrepancy by legislative action and will continue to do so during the Thirteenth Session of the Alaska State Legislature. In the meantime, commencing immediately the division will no longer issue title to vehicles driven or parked on private property and would suggest that you review your records for any such titled vehicles so that you may perfect your security interest under the Uniform Commercial Code or a similar method.

If you have questions concerning this matter do not hesitate to contact my office at your convenience.

Robert J. Rowan, Director

TO: William R. Nix
Commissioner
Department of Public Safety.

DATE: July 13, 1982.

FILE NO:

TELEPHONE NO: 269-5551

FROM: *Bob. Rowan*
Robert J. Rowan, Director
Division of Motor Vehicles
Department of Public Safety

SUBJECT: Vehicle Title, Mobile Homes

269-5551-

This division has always, since I've been with it, issued title for mobile homes as the lending institutions found this an easy method of securing their lien interest and for recording ownership. It didn't significantly effect our workload so we had no problem with this method. We recognized that a problem existed after AS 28 was changed by the 1978 Legislature. We attempted to address this by submitting a suggested change to the law. This was in SB-319 Section 10, however this bill never got out of committee.

After I read the attached recent supreme court decision, I met with Assistant's Attorney General Joseph Balfe and Diane Olson to discuss the ramifications of this opinion. They were unanimous in suggesting that we stop titling mobile homes immediately.

Because this action will undoubtedly result in some adverse reaction from the lending institutions, I thought it best if you looked at the opinion and the proposed letter before I go any further.

Basically I would request your approval or disapproval of sending this letter at this time.

Attached is a draft of the proposed letter and a copy of the Alaska Supreme Court decision.

attachments (2)

ALASKA STATE LEGISLATURE

SENATE STATE AFFAIRS COMMITTEE

SENATOR VIC FISCHER, CHAIRMAN

POUCH V, JUNEAU 99811

(907) 465-4954



May 19, 1983
3:00 p.m.

Butrovich Room

Members Present

Senator Vic Fischer, Chair
Senator Tim Kelly
Senator Pat Rodey
Senator Arliss Sturgulewski

Agenda

HB 106 Alaska bidder's preference
HB 165 Relating to the Alaska Public Offices Commission
HB 184 Title for vehicles
HB 128 Child prostitution penalties
HJR 2 Constitutional Amendment--length of legislative session

HB 106 Alaska bidder's preference

The bill was discussed by the committee and the consensus was that the portion of the bill dealing with the percentage of preference should be deleted and made the subject matter of a separate state affairs committee bill. The new committee substitute for HB 106 would thus contain the "purpose" section and a section relating to joint venture.

Senator Rodey moved and asked unanimous consent to adopt the committee substitute and to pass the bill from committee with individual recommendations. There was no objection.

General discussion ensued on the topic of session extensions once the limit had been met.

The committee adjourned at 3:45 p.m.

Original sponsor: Bussell

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 184 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to issuing a certificate of title
7 for vehicles exempt from registration and exempting
8 mobile homes from registration."

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

10 * Section 1. AS 28.10.011 is amended by adding a new paragraph to read:

11 (12) a mobile home as defined by regulation.

* ONLY
change
in state aff. CS.

12 * Sec. 2. AS 28.10.201(b) is amended to read:

13 (b) The owner of a vehicle described in AS 28.10.011 as being
14 exempt from registration and the owner of a snowmobile or off-highway
15 vehicle may not apply for, nor may the department issue, a certificate
16 of title for such a vehicle. However, the department may issue a
17 certificate of title to the owner of a vehicle exempt from registra-
18 tion under AS 28.10.011(3), (6), (7), (11) or (12) [AS 28.10.011(6),]
19 upon application by that owner.

20
21 * House CS defined mobile home in statute.
22 see highlighted paragraph ^{ON} next page.

23 X Definition by regulation WAS preferred; as it is
24 unclear whether the statutory definition would
25 allow DMV to title trailers used for plan reviews,
26 or equipment storage at job sites.

27 — DMV WANTS TO BE ABLE TO TITLE TRAILERS
28 MOVED FROM JOB TO JOB.

1) State affairs CS changes the definition reference to regulation from statute.

2) This change was requested because the statute definition is too unclear.

3) A) It is questionable, for instance, whether or not DMV would be able to title trailers used at job sites for plan review. ~~ETC.~~

B) CONSTRUCTION COMPANIES WANT TRAILER EQUIPMENT TO BE TITLED.

Offered: 3/18/83
Referred: Rules

Original sponsor: Bussell

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2

CS FOR HOUSE BILL NO. 184 (State Affairs)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to issuing a certificate of title

7

for vehicles exempt from registration and exempting

8

mobile homes from registration."

9

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

10

* Section 1. AS 28.10.011 is amended by adding a new paragraph to read:

11

(12) a mobile home as defined in AS 45.30.100.

12

* Sec. 2. AS 28.10.201(b) is amended to read:

13

(b) The owner of a vehicle described in AS 28.10.011 as being

14

exempt from registration and the owner of a snowmobile or off-highway

15

vehicle may not apply for, nor may the department issue, a certificate

16

of title for such a vehicle. However, the department may issue a

17

certificate of title to the owner of a vehicle exempt from registra-

18

tion under AS 28.10.011(3), (6), (7), (11) or (12) [AS 28.10.011(6),]

19

upon application by that owner.

<CS FOR HOUSE BILL NO. 184 (SA)> by the State Affairs Committee, entitled:

"An Act relating to issuing a certificate of title for vehicles exempt from registration and exempting mobile homes from registration."

was read the first time and referred to the State Affairs Committee.

HB 184

SENATE JOURNAL - PAGE 1059- 2 5/20/83

The State Affairs Committee considered <CS FOR HOUSE BILL NO.> <184 (SA)> (certificate of title for vehicles exempt from registration and exempting mobile homes from registration) and recommended it be replaced with

SENATE CS FOR CS FOR HOUSE
BILL NO. 184 (SA)

Senator Vic Fischer, Chairman and Senator Sturgulewski signed "do pass". Senators Kelly and Rodey signed "no recommendation".

CS FOR HOUSE BILL NO. 184 (SA) was referred to the Rules Committee.

Rule SC5 offered 6/26