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# Alaska State Legislature

## Senate Committee on State Affairs

Vic Fischer, Chair • Pouch V  
Juneau, Alaska 99511  
(907) 465-4954

Official Business

### MEMORANDUM

TO: Senate State Affairs Committee  
FROM: Senate State Affairs Committee Staff  
RE: SB 543 Registration of motor vehicles by elected state officials  
DATE: April 16, 1984

SB 543 requires the Department of Public Safety to keep records reflecting the identity of the elected official and the motor vehicle to which each special registration plate is issued (section 1).

The bill also requires that legislators pay a fee equal to the registration fee for each new legislative plate they receive (section 2).

### Fiscal information

This bill has a zero fiscal note.

### Back-up information

fiscal note from the Department of Public Safety  
position paper from the Department of Public Safety  
letter from Senator Josephson  
statutes

# ALASKA STATE SENATE

JOE P. JOSEPHSON  
DISTRICT G - ANCHORAGE  
1526 F STREET  
ANCHORAGE, ALASKA 99501  
(907) 277-4419



WHILE IN JUNEAU  
POUCH V  
JUNEAU, ALASKA 99811  
(907) 465-4907  
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COMMITTEES  
HEALTH, EDUCATION & SOCIAL SERVICES (CHAIR)  
JUDICIARY (VICE-CHAIR)  
FINANCE  
MAJORITY CAUCUS (CHAIR)

April 9, 1984

Ms. Phyllis Albrecht  
6238 Prosperity Drive  
Anchorage, Alaska 99504

Please find enclosed a copy of Senate Bill 543, an Act relating to the registration of motor vehicles owned by elected state officials.

As I mentioned the other day when we spoke, I trust that this measure will end the confusion between legislative and non-legislative license plates by requiring that the motor vehicle identification for elected officials be maintained in the state's data processing system records.

Additionally, SB 543 would amend AS 28.10.421 to require that legislators pay an amount equal to the annual registration fee for each new legislative license they receive, rather than a transfer of the fees from their current non-legislative registration. I have added this section to the bill because I firmly believe that legislators should not receive any special privileges.

On the brighter side, it was very nice to get the opportunity to talk with you, and if I may be of assistance to you in any way, please do not hesitate to contact me.

With best wishes, I am

Sincerely,

A handwritten signature in cursive script that reads "Joe P. Josephson".  
Joe P. Josephson

JPJ/mrc  
Enclosure

bcc: K.C. Moon, Anchorage Daily News

*Let from Senator Joe Josephson 4/9/84*

Sec. 28.10.105. Staggered registration.

NOTES TO DECISIONS

Jury trial for violations.— Subsection (a) of this section and the other registration statutes in pari materia do not specify a violation of the registration statutes as an infraction, and thus under AS 28.35.230, such a violation is a misde-

meanor punishable by up to 90 days' imprisonment, and entitling a defendant to a jury trial, denial of which right constitutes prejudicial error, requiring a new trial. Epperly v. State, Ct. App. Op. No. 111 (File No. 6590), 648 P.2d 609 (1982).

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 AS 28.10.011 — 28.10.502, 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 AS 28.10.421(d), 28.10.431 and 28.10.441; 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, at the discretion of the department, registration plates issued under this subsection may be issued at the discretion of the department.

(d) Vehicle registration plates issued to a person who is 70 per cent or more disabled may consist of a special series of registration plates. The department may, in its discretion, issue a special series of registration plates to a person who is 70 per cent or more disabled. The department may, in its discretion, issue a special series of registration plates to a person who is 70 per cent or more disabled.

(1) recognition of a vehicle registration plate issued in another state or

(2) the state

(e) Vehicle registration plates issued to a person who is 70 per cent or more disabled may consist of a special series of registration plates. The department may, in its discretion, issue a special series of registration plates to a person who is 70 per cent or more disabled. The department may, in its discretion, issue a special series of registration plates to a person who is 70 per cent or more disabled.

(f) Vehicles used for display purposes may be registered under this section. The department may, in its discretion, issue a special series of registration plates to a person who is 70 per cent or more disabled.

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 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.

by up to 90 days' entitling a defendant of which right constitor, requiring a new te. Ct. App. Op. No. 648 P.2d 509 (1982).

pecial vehicles department shall used for special in this section. 28.10.502, regis- h the person or nership is trans- except for plates ion plates issued o, a vehicle other out the approval s and taxes pre- ; however, if the transferred to a the fee for the ner shall pay the issued under this e transfer of the not approve shall rson or organiza-

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the owner of a k, or motor home, ates containing a ination of letters ment may, in its

(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, AS 28.10.011 — 28.10.502.

(k) Occasional users of highways. The department may issue a license to the owner of a vehicle which is only occasionally used on a highway. The applicant must show to the satisfaction of the department that the vehicle to be licensed under this subsection will travel upon state highways less than five per cent of its total hours of operation. The department may not issue more than two licenses under this subsection to a single person. (§ 7 ch 178 SLA 1978; am § 2 ch 54 SLA 1979)

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title fee required under § 441 of this chapter, the department shall issue a new certificate of title. (§ 7 ch 178 SLA 1978)

Article 5. Fees and Charges.

Section

- 411. Registration fees levied
- 421. Registration fee rates

Section

- 431. Annual motor vehicle registration tax
- 441. Schedule of other fees and charges

Sec. 28.10.411. Registration fees levied. (a) For every year during any part of which a vehicle is subject to registration under this chapter, a registration fee shall be paid to the department at the time of original registration and at each annual renewal of registration after that time.

(b) Motor carrier and bus transportation fees paid on vehicles subject to the Alaska Motor Freight Carrier Act (AS 42.10) and the Alaska Bus Act (AS 42.15) shall be paid to the department at the same time the registration fee is paid.

(c) A resident 65 years of age or older is entitled to an exemption from tax under this section for one motor vehicle subject to registration. No exemption may be granted except upon written application for the exemption on a form prescribed by the department.

(d) The Department of Community and Regional Affairs shall pay to the borough and to the city in which a person who is granted an exemption under (c) of this section resides an amount equal to the tax levied under § 431(b) of this chapter regardless of whether the borough or city is eligible for the tax levied under that section.

(e) Notwithstanding any other provision of law, the fees paid for registering a vehicle under § 421(b)(1), (2), (5), (6) or (d) of this chapter shall include all fees required for entry into and use of a state park or campground. (§ 7 ch 178 SLA 1978)

Sec. 28.10.421. Registration fee rates. (a) Unless otherwise provided by law, the fees prescribed in this section shall be paid to the department at the times provided under §§ 101--111 of this chapter.

(b) 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 . . . . . \$30;
- (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;
- (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 transportation o use, including, l trailer, utility tr

(c) The annual are based upon manufacturer's owner shall furn representative, 1 or semi-trailer, 1 for hire, excepti the transportati including a con wrecker, tow ca

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(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.

(c) 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.

(d) 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 § 181 of this chapter) ..... \$10;
- (2) special request plates ..... \$20;  
plus the fee required for that vehicle under (b)(1) or (2) of this section;
- (3) a vehicle owned by a disabled veteran or other handicapped person, and registered under § 181 of this chapter or a resident 65 years of age or older who complies with § 411(c) of this chapter ..... 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 § 181 of this chapter ..... \$30;
- (7) a vehicle owned by a rancher, farmer, or dairyman and registered under § 181 of this chapter ..... \$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 operation .....  
..... 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 . . . . . \$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 Vehicle							
	Since Model Year:							
	1st	2nd	3rd	4th	5th	6th	7th	8th or over
Motor Vehicle								
(1) motorcycle	\$ 8	\$ 7	\$ 6	\$ 5	\$ 4	\$ 3	\$ 2	\$ 2
(2) vehicles specified in § 421(b)(1) of this chapter	60	50	40	30	20	15	10	5

Motor Vehicle  
 (3) vehicles specified in § 421(b) of this chapter  
 (4) vehicles specified in § 421(c) (4) of chapter 5,000 pound or less: 5,001-12,000 pound 12,001-18,000 pound 18,001 pound or over  
 (5) vehicles specified in § 421(b) of this chapter  
 (6) vehicles specified in § 421(b) of this chapter

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER

SB 543

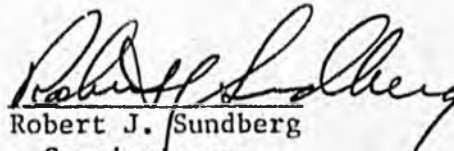
Neutral

April 12, 1984

SB 543: An act relating to the registration of motor vehicles by elected state officials.

Due to the small number of vehicles affected, this bill will have little impact on the Division of Motor Vehicles. The vehicles and owners are already in the computer systems and the vehicle record can be accessed using the vehicle identification number. Legislative plates are not recorded in the system since they are courtesy plates and individual legislators may have more than one set of plates with their unique number.

This bill does place duties and restrictions upon the legislators. They will have to identify specific vehicles prior to issuance of the plates and also return the plates when their term of office is over. Since the plate is a unique identifier, duplicate numbers cannot be used as is currently done.

  
Robert J. Sundberg  
Commissioner

*Position Paper - 4/12/84*

STATE OF ALASKA 1984 LEGISLATIVE SESSION  
FISCAL NOTE

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

**REQUEST**

Bill/Resolution No.: SB 543  
 Title: Act Relating to Registration  
of Motor Vehicles of elected.....  
 Sponsor: Health, Ed, and SS Comm.  
 Requestor: Sen. State Affairs  
 Date of Request: 4-13-84

**FISCAL DETAIL**

Agency Affected: Public Safety  
 Program Category Affected: Life and  
Property Protection  
 BRU, Program or Subprogram(s) Affected: Division of Motor Vehicles

**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						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
<b>TOTAL OPERATING</b>		0	0	0	0	0
<b>CAPITAL</b>		0	0	0	0	0
<b>REVENUE</b>						

**FUNDING: (Thousands of Dollars)**

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

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

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

Prepared By: Charles R. Hoserck *CRH* Phone: 269-5551  
 Division: Motor Vehicles Date: 04/12/84  
 Approved by Commissioner: *[Signature]* Date: 4/17/84  
 Agency: Public Safety

**Distribution (by Agency preparing fiscal note):**

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83