

HOUSE
COMMITTEE REPORT

JUDICIARY

3/21

Date referred: 1/13/86

FURTHER REFERRALS: FINANCE

DATE: 20 MARCH 1986

The TRANSPORTATION Committee has considered HB 460

"An Act relating to off-road vehicles."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CSHB 460 (TRSP) same title
- new title

and recommends do pass

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note Supplement 100
 - new fiscal note
 - zero fiscal note

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

Pignatelli
Motigialbeni
Cato
Bytte Cato
Davis
Mike W.

Herrmann
Adelheid Herrmann Do Not Pass!
will be unenforceable in
rural Alaska

Bytte Cato
Chairman

Offered: 4/18/86
Referred: Finance

Ford

Original sponsors: Hurley, Pourchot,
Thompson and Taylor

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 460 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to off-road vehicles."

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

8 * Section 1. AS 05 is amended by adding a new chapter to read:

9 CHAPTER 40. OFF-ROAD VEHICLES.

10 Sec. 05.40.010. UNLAWFUL TO OPERATE UNREGISTERED VEHICLE.

11 Except for operation on the owner's private property, a person may not
12 operate an off-road vehicle unless the vehicle has been registered
13 with the Department of Public Safety as provided in this chapter.

14 Sec. 05.40.020. REGISTERED AND REGISTRATION FEE. (a) The owner
15 of an off-road vehicle subject to registration shall apply for regis-
16 tration under this chapter by properly completing a form provided by
17 the department. The fee for registration of a vehicle is \$15, and is
18 valid for two years. Fees collected under this section shall be
19 deposited by the Department of Revenue into the general fund.

20 (b) Off-road vehicles owned by the federal or state government
21 or a political subdivision of the federal or state government shall be
22 registered but are not required to pay a registration fee.

23 Sec. 05.40.030. REGISTRATION CERTIFICATE AND DECAL. Upon regis-
24 tration of an off-road vehicle, the registrant shall be issued a
25 registration certificate and a numbered decal containing the registra-
26 tion number of the vehicle. Once a vehicle has been issued a number,
27 it shall retain that number until the vehicle is destroyed, abandoned,
28 or permanently removed from the state. The numbered registration
29 decal shall be prominently displayed at a location prescribed by the

1 department.

2 Sec. 05.40.040. TRANSFER OF OWNERSHIP. The department shall
3 adopt regulations covering transfer of ownership of off-road vehicles.

4 Sec. 05.40.050. EDUCATION AND TRAINING PROGRAM. (a) The de-
5 partment shall establish and may approve off-road vehicle safety
6 education and training programs. The program shall include training
7 and dissemination of information and safety advice to the public
8 concerning vehicle maintenance, environmental protection, alcohol and
9 controlled substances laws, and emergency first aid procedures.

10 (b) A person who completes the training program shall receive an
11 off-road vehicle safety certificate.

12 Sec. 05.40.060. OFF-ROAD VEHICLE SAFETY FUND. There is created
13 a special account in the general fund known as the off-road vehicle
14 safety fund. The purpose of the fund shall be to support the educa-
15 tion and training program of this chapter. It is the intent of the
16 legislature that the fund consist of fees received under AS 05.40.020,
17 and that an amount equal to the fees received be appropriated for
18 off-road vehicle safety education and training under AS 05.40.050.

19 Sec. 05.40.070. OPERATING RESTRICTIONS. Not more than one
20 person may ride an off-road vehicle at the same time, unless the
21 off-road vehicle is specifically designed by the manufacturer to carry
22 more than one person.

23 Sec. 05.40.080. USE BY CERTAIN MINORS. (a) A person under the
24 age of 18 years may not operate an off-road vehicle on public land
25 unless the person has in possession a valid off-road vehicle safety
26 certificate.

27 (b) A person under the age of 18 years may not operate or ride
28 as a passenger on an off-road vehicle on public land unless the person

29 (1) wears a helmet that meets the requirements set out in

1 AS 28.05.081(c); and

2 (2) wears eye protection, unless the off-road vehicle is
3 equipped with a wind screen or windshield.

4 Sec. 05.40.090. SAFETY EQUIPMENT. An off-road vehicle is re-
5 quired to contain the following equipment:

6 (1) brakes adequate to control the movement of and to stop
7 and to hold the vehicle under normal conditions of operation;

8 (2) at least one head lamp so aimed and of sufficient
9 intensity to reveal persons and objects at a distance of at least 100
10 feet ahead during hours of darkness under normal atmospheric condi-
11 tions;

12 (3) at least one tail light of sufficient intensity to be
13 visible at a distance of 50 feet behind the vehicle during hours of
14 darkness under normal atmospheric conditions;

15 (4) a throttle that, when released by hand, will return the
16 engine speed to idle; and

17 (5) an exhaust muffler in good working order.

18 Sec. 05.40.100. RETAIL SALES. All off-road vehicles made after
19 July 1, 1986, and sold in the state must

20 (1) have a manufacturer's permanent identification number
21 stamped in letters and numbers on the vehicle in the form and at a
22 location prescribed by the department;

23 (2) be designed and made to provide an area to affix the
24 registration number; the area shall be at a location and of dimensions
25 prescribed by the department by regulation.

26 Sec. 05.40.110. HIGHWAY USE. An off-road vehicle may not be
27 driven on a roadway, as defined in AS 28.40.100(a), except for the
28 purpose of crossing the street or highway.

29 Sec. 05.40.120. PENALTY. A person who violates a provision of

1 this chapter or a regulation adopted under this chapter is guilty of
2 an infraction and may be punished as provided in AS 28.40.050(c).

3 Sec. 05.40.900. DEFINITIONS. In this chapter and in regula-
4 tions adopted under this chapter, unless the context otherwise re-
5 quires,

6 (1) "department" means the Department of Public Safety;

7 (2) "off-road vehicle" means a motorized vehicle with three
8 or four tires that has an engine displacement of less than 600 cubic
9 centimeters and total dry weight of less than 600 pounds.

10 * Sec. 2. AS 28.15.031(a) is amended to read:

11 (a) The department may not issue a driver's license to a person
12 who is under the age of 16 years, except that the department may issue
13 a permit or a certificate under AS 28.15.051 or a restricted license
14 under AS 28.15.121.

15 * Sec. 3. AS 28.15.051 is amended by adding a new subsection to read:

16 (f) The department may issue or approve issuance of a special
17 driver's certificate to a person who is at least 14 years of age for
18 the purpose of driving an off-road vehicle. The certificate may be
19 issued upon successful completion of an off-road vehicle education and
20 training program established under AS 05.40.050, and is valid for the
21 same period of time as a driver's license. The certificate is not
22 valid in a municipality that by ordinance prohibits the driving of an
23 off-road vehicle by a person under the age of 16 years; a borough may
24 adopt the ordinance on a nonareawide basis only, unless the power to
25 adopt it on an areawide basis is acquired under AS 29.35.300 - 29.35.-
26 330 or former AS 29.33.250 - 29.33.290.

Offered: 3/21/86
Referred: Judiciary and
Finance

*Miss Fante
Sup 100*

Original sponsors: Hurley, Pourchot,
Thompson and Taylor *Thompson*

1 IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR HOUSE BILL NO. 460 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

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6 For an Act entitled: "An Act relating to off-road vehicles."

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12 operate an off-road vehicle unless the vehicle has been registered
13 with the Department of Public Safety as provided in this chapter.

14 Sec. 05.40.020. REGISTERED AND REGISTRATION FEE. (a) The owner
15 of an off-road vehicle subject to registration shall apply for regis-
16 tration under this chapter by properly completing a form provided by
17 the department. The fee for registration of a vehicle is \$15, and is
18 valid for three years. Fees collected under this section shall be
19 deposited by the Department of Revenue into the general fund.

20 (b) Off-road vehicles owned by the federal or state government
21 or a political subdivision of the federal or state government shall be
22 registered but are not required to pay a registration fee.

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25 registration certificate and a numbered decal containing the registra-
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27 it shall retain that number until the vehicle is destroyed, abandoned,
28 or permanently removed from the state. The numbered registration
29 decal shall be prominently displayed at a location prescribed by the

1 department.

2 Sec. 05.40.040. TRANSFER OF OWNERSHIP. The department shall
3 adopt regulations covering transfer of ownership of off-road vehicles.

4 Sec. 05.40.050. EDUCATION AND TRAINING PROGRAM. (a) The de-
5 partment shall establish and may approve off-road vehicle safety
6 education and training programs. The program shall include training
7 and dissemination of information and safety advice to the public
8 concerning vehicle maintenance, environmental protection, alcohol and
9 controlled substances laws, and emergency first aid procedures.

10 (b) A person who completes the training program shall receive an
11 off-road vehicle safety certificate.

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14 safety fund. The purpose of the fund shall be to support the educa-
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16 legislature that the fund consist of fees received under AS 05.40.020,
17 and that an amount equal to the fees received be appropriated for
18 off-road vehicle safety education and training under AS 05.40.050.

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20 person may ride an off-road vehicle at the same time, unless the
21 off-road vehicle is specifically designed by the manufacturer to carry
22 more than one person.

23 Sec. 05.40.080. OPERATION BY CERTAIN MINORS. (a) A person at
24 least 14 years of age and under the age of 18 years may not operate an
25 off-road vehicle on public land unless the person

26 (1) has in possession a valid off-road vehicle safety
27 certificate;

28 (2) wears a helmet that meets the requirements set out in
29 AS 28.05.081(c); and

1 (3) wears eye, foot, and hand protection prescribed by the
2 department by regulation.

3 Sec. 05.40.090. SAFETY EQUIPMENT. An off-road vehicle is re-
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5 (1) brakes adequate to control the movement of and to stop
6 and to hold the vehicle under normal conditions of operation;

7 (2) at least one head lamp so aimed and of sufficient
8 intensity to reveal persons and objects at a distance of at least 100
9 feet ahead during hours of darkness under normal atmospheric condi-
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11 (3) at least one tail light of sufficient intensity to be
12 visible at a distance of 50 feet behind the vehicle during hours of
13 darkness under normal atmospheric conditions;

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23 registration number; the area shall be at a location and of dimensions
24 prescribed by the department by regulation.

25 Sec. 05.40.110. HIGHWAY USE. An off-road vehicle may not be
26 driven on a street or highway, except for the purpose of crossing the
27 street or highway.

28 Sec. 05.40.120. PENALTY. A person who violates a provision of
29 this chapter or a regulation adopted under this chapter is guilty of a

1 misdemeanor and, upon conviction, is punishable by a fine of not more
2 than \$500 for each offense.

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26 330 or former AS 29.33.250 - 29.33.290.

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Introduced: 1/13/86
Referred: Transportation
Judiciary and Finance

1 IN THE HOUSE

BY HURLEY

2 HOUSE BILL NO. 460

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

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6 For an Act entitled: "An Act relating to off-road vehicles."

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6 education and training program. The program shall include training
7 and dissemination of information and safety advice to the public
8 concerning vehicle maintenance, environmental protection, alcohol and
9 controlled substances laws, and emergency first aid procedures.

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15 education and training program of this chapter. It is the intent of
16 the legislature that the fund consist of fees received under
17 AS 05.40.020, and that an amount equal to the fees received be
18 appropriated for off-road vehicle safety education and training under
19 AS 05.40.050.

20 Sec. 05.40.070. OPERATION BY CERTAIN MINORS. (a) A person
21 under the age of 17 years may not operate an off-road vehicle on
22 public land unless the person

23 (1) has in possession a valid off-road vehicle safety
24 certificate issued by the department; and

25 (2) wears a helmet that meets the requirements set out in
26 AS 28.05.081(c), and eye, foot, and hand protection prescribed by the
27 department by regulation.

28 Sec. 05.40.080. SAFETY EQUIPMENT. An off-road vehicle is
29 required to contain the following equipment:

1 (1) brakes adequate to control the movement of and to stop
2 and to hold the vehicle under normal conditions of operation;

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4 intensity to reveal persons and objects at a distance of at least 100
5 feet ahead during hours of darkness under normal atmospheric condi-
6 tions;

7 (3) at least one tail light of sufficient intensity to be
8 visible at a distance of 50 feet behind the vehicle during hours of
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11 engine speed to idle; and

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17 location prescribed by the department;

18 (2) be designed and made to provide an area to affix the
19 registration number; the area shall be at a location and of dimensions
20 prescribed by the department by regulation;

21 (3) include as a part of the retail sale a helmet that
22 meets the requirements of AS 28.05.081(c).

23 Sec. 05.40.100. HIGHWAY USE. An off-road vehicle may not be
24 driven on a street or highway, except for the purpose of crossing the
25 street or highway.

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28 misdemeanor and, upon conviction, is punishable by a fine of not more
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STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : CSHB 460 (Trsp)
 Title : "An Act relating to off-road vehicles."
 Sponsor : Representative Hurley
 Requestor : House Transportation
 Date of Request : 2/19/86

FISCAL DETAIL

Agency Affected : Public Safety
 BRU : Division of Motor Vehicles
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		89.3	93.8	98.4	103.4	108.5
TRAVEL		25.0	26.3	27.6	28.9	30.4
CONTRACTUAL		84.5	34.5	36.2	38.0	39.9
SUPPLIES		8.0	2.0	2.1	2.2	2.3
EQUIPMENT		31.0	1.0	1.1	1.1	1.2
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		237.8	157.6	165.4	173.6	182.3

CAPITAL						
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REVENUE		450.0	150.0	150.0	250.0	150.0
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FUNDING : (Thousands of Dollars)

GENERAL FUND		237.8	157.6	165.4	173.6	182.3
FEDERAL FUNDS						
OTHER						
TOTAL		237.8	157.6	165.4	173.6	182.3

POSITIONS :

FULL-TIME		2	2	2	2	2
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Prepared by : Kathy Niles, Admin Assistant
 Division : Commissioner's Office
 Approved by Commissioner : [Signature]
 Agency : Public Safety

Phone : 465-4336
 Date : 2/20/86
 Date : 2/20/86

Distribution (by Agency preparing fiscal note):

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSHB 460 (Trsp)

The Revenue and Expenditure Analysis is based on the assumption that there are 30,000 ATVs to be registered and after the first year 10,000 will be registered annually. This number is only a rough estimate since there is no reliable method to determine the actual number. Also, the number of actual registrations could vary considerably depending on the actual enforcement effort put into the program.

The second assumption is that the program will have an effective date of January 1, 1987.

Registration

The workload of 30,000 vehicle registrations spread over three years represents an overall workload increase of 2%. This can be absorbed at most offices with no increase, but many registrations will come from areas where this division has no offices. One position and related equipment will be added to the correspondence unit to perform this work.

The cost breakdown is as follows:

Personal Services		
MVR II, Range 9		31.8
Contractual		
Terminal, Printer Lease	2.5	
DP Costs	1.5	
Forms	<u>.5</u>	
		4.5
Equipment -- Desks, chair, etc.		<u>1.0</u>
	Total	<u>37.3</u>

Education and Training Program

The education and training program will be conducted by working with ATV manufacturers in establishing a training and testing curriculum. The Department's role the first year will be to train instructors who will in turn provide instructor training to individuals who will be certified to administer training and certify operators. The Department will continue in subsequent years by overseeing the programs established in cooperation with the University of Alaska Cooperative Extension Service, the Department of Education and private or non-profit corporations who are authorized to conduct training and certify officers.

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill Resolution No. CSHB 460 (Trsp)

The cost breakdown is as follows:

Personal Services		
Program Coordinator, Range 18		57.5
Travel		25.0
Contractual		
Printing		
HWCF		
Charters		
Office Space		
Utilities, etc.	30.0	
Training Expenditure (one year only)	<u>50.0</u>	
		80.0
Supplies		8.0
Equipment		
Vehicle		
PC		
Desk, Chairs, etc.		
Filing Cabinet		
Projectors		
Bookcase		<u>30.0</u>
	Total	<u>200.5</u>

A 5% inflation factor is included in subsequent fiscal year computations.

ALASKA STATE LEGISLATURE

1986 Legislature SECOND Session

HOUSE BILL NO. 460

By HURLBY

"An Act relating to off-road vehicles."

off road vehicles.

Introduced in the House 1/13, 1986.

HISTORY IN THE HOUSE

1986

Jan 13

Read first time and referred to Committee on

TRSP, JUDICIARY AND FINANCE

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reconsideration

PASS Effective Date
Yeas Yeas
Nays Nays
Absent Absent
Excused Excused

Reported correctly engrossed
Signed by Speaker
Sent to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19

Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

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PASS Effective Date
Yeas Yeas
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Reported correctly engrossed
Signed by President
Returned to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19

Received from Senate

Concurred in Senate amendment thus adopting:
VOTE

Failed to concur in Senate amendment; asked Senate to recede
VOTE

Senate receded from amendment
VOTE

Senate failed to recede from amendment
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House
VOTE

CC adopted by Senate
VOTE

To enrolling
Reported correctly enrolled
Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

Offered: 4/18/86
Referred: Finance

Original sponsors: Hurley, Fourchot,
Thompson and Taylor

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE
2 CS FOR HOUSE BILL NO. 460 (Judiciary)
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8 concerning vehicle maintenance, environmental protection, alcohol and
9 controlled substances laws, and emergency first aid procedures.

10 (b) A person who completes the training program shall receive an
11 off-road vehicle safety certificate.

12 Sec. 05.40.060. OFF-ROAD VEHICLE SAFETY FUND. There is created
13 a special account in the general fund known as the off-road vehicle
14 safety fund. The purpose of the fund shall be to support the educa-
15 tion and training program of this chapter. It is the intent of the
16 legislature that the fund consist of fees received under AS 05.40.020,
17 and that an amount equal to the fees received be appropriated for
18 off-road vehicle safety education and training under AS 05.40.050.

19 Sec. 05.40.070. OPERATING RESTRICTIONS. Not more than one
20 person may ride an off-road vehicle at the same time, unless the
21 off-road vehicle is specifically designed by the manufacturer to carry
22 more than one person.

23 Sec. 05.40.080. USE BY CERTAIN MINORS. (a) A person under the
24 age of 18 years may not operate an off-road vehicle on public land
25 unless the person has in possession a valid off-road vehicle safety
26 certificate.

27 (b) A person under the age of 18 years may not operate or ride
28 as a passenger on an off-road vehicle on public land unless the person

29 (1) wears a helmet that meets the requirements set out in

1 AS 28.05.081(c); and

2 (2) wears eye protection, unless the off-road vehicle is
3 equipped with a wind screen or windshield.

4 Sec. 05.40.090. SAFETY EQUIPMENT. An off-road vehicle is re-
5 quired to contain the following equipment:

6 (1) brakes adequate to control the movement of and to stop
7 and to hold the vehicle under normal conditions of operation;

8 (2) at least one head lamp so aimed and of sufficient
9 intensity to reveal persons and objects at a distance of at least 100
10 feet ahead during hours of darkness under normal atmospheric condi-
11 tions;

12 (3) at least one tail light of sufficient intensity to be
13 visible at a distance of 50 feet behind the vehicle during hours of
14 darkness under normal atmospheric conditions;

15 (4) a throttle that, when released by hand, will return the
16 engine speed to idle; and

17 (5) an exhaust muffler in good working order.

18 Sec. 05.40.100. RETAIL SALES. All off-road vehicles made after
19 July 1, 1986, and sold in the state must

20 (1) have a manufacturer's permanent identification number
21 stamped in letters and numbers on the vehicle in the form and at a
22 location prescribed by the department;

23 (2) be designed and made to provide an area to affix the
24 registration number; the area shall be at a location and of dimensions
25 prescribed by the department by regulation.

26 Sec. 05.40.110. HIGHWAY USE. An off-road vehicle may not be
27 driven on a roadway, as defined in AS 28.40.100(a), except for the
28 purpose of crossing the street or highway.

29 Sec. 05.40.120. PENALTY. A person who violates a provision of

1 this chapter or a regulation adopted under this chapter is guilty of
2 an infraction and may be punished as provided in AS 28.40.050(c).

3 Sec. 05.40.900. DEFINITIONS. In this chapter and in regula-
4 tions adopted under this chapter, unless the context otherwise re-
5 quires,

6 (1) "department" means the Department of Public Safety;

7 (2) "off-road vehicle" means a motorized vehicle with three
8 or four tires that has an engine displacement of less than 600 cubic
9 centimeters and total dry weight of less than 600 pounds.

10 * Sec. 2. AS 28.15.031(a) is amended to read:

11 (a) The department may not issue a driver's license to a person
12 who is under the age of 16 years, except that the department may issue
13 a permit or a certificate under AS 28.15.051 or a restricted license
14 under AS 28.15.121.

15 * Sec. 3. AS 28.15.051 is amended by adding a new subsection to read:

16 (f) The department may issue or approve issuance of a special
17 driver's certificate to a person who is at least 14 years of age for
18 the purpose of driving an off-road vehicle. The certificate may be
19 issued upon successful completion of an off-road vehicle education and
20 training program established under AS 05.40.050, and is valid for the
21 same period of time as a driver's license. The certificate is not
22 valid in a municipality that by ordinance prohibits the driving of an
23 off-road vehicle by a person under the age of 16 years; a borough may
24 adopt the ordinance on a nonareawide basis only, unless the power to
25 adopt it on an areawide basis is acquired under AS 29.35.300 - 29.35.-
26 330 or former AS 29.33.250 - 29.33.290.

Offered: 4/18/86
Referred: Finance

Original sponsors: Hurley, Pourchot,
Thompson and Taylor

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 460 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to off-road vehicles."

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

8 * Section 1. AS 05 is amended by adding a new chapter to read:

9 CHAPTER 40. OFF-ROAD VEHICLES.

10 Sec. 05.40.010. UNLAWFUL TO OPERATE UNREGISTERED VEHICLE.

11 Except for operation on the owner's private property, a person may not
12 operate an off-road vehicle unless the vehicle has been registered
13 with the Department of Public Safety as provided in this chapter.

14 Sec. 05.40.020. REGISTERED AND REGISTRATION FEE. (a) The owner
15 of an off-road vehicle subject to registration shall apply for regis-
16 tration under this chapter by properly completing a form provided by
17 the department. The fee for registration of a vehicle is \$15, and is
18 valid for two years. Fees collected under this section shall be
19 deposited by the Department of Revenue into the general fund.

20 (b) Off-road vehicles owned by the federal or state government
21 or a political subdivision of the federal or state government shall be
22 registered but are not required to pay a registration fee.

23 Sec. 05.40.030. REGISTRATION CERTIFICATE AND DECAL. Upon regis-
24 tration of an off-road vehicle, the registrant shall be issued a
25 registration certificate and a numbered decal containing the registra-
26 tion number of the vehicle. Once a vehicle has been issued a number,
27 it shall retain that number until the vehicle is destroyed, abandoned,
28 or permanently removed from the state. The numbered registration
29 decal shall be prominently displayed at a location prescribed by the

1 department.

2 Sec. 05.40.040. TRANSFER OF OWNERSHIP. The department shall
3 adopt regulations covering transfer of ownership of off-road vehicles.

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5 partment shall establish and may approve off-road vehicle safety
6 education and training programs. The program shall include training
7 and dissemination of information and safety advice to the public
8 concerning vehicle maintenance, environmental protection, alcohol and
9 controlled substances laws, and emergency first aid procedures.

10 (b) A person who completes the training program shall receive an
11 off-road vehicle safety certificate.

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13 a special account in the general fund known as the off-road vehicle
14 safety fund. The purpose of the fund shall be to support the educa-
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16 legislature that the fund consist of fees received under AS 05.40.020,
17 and that an amount equal to the fees received be appropriated for
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25 unless the person has in possession a valid off-road vehicle safety
26 certificate.

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28 as a passenger on an off-road vehicle on public land unless the person

29 (1) wears a helmet that meets the requirements set out in

1 AS 28.05.081(c); and

2 (2) wears eye protection, unless the off-road vehicle is
3 equipped with a wind screen or windshield.

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7 and to hold the vehicle under normal conditions of operation;

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9 intensity to reveal persons and objects at a distance of at least 100
10 feet ahead during hours of darkness under normal atmospheric condi-
11 tions;

12 (3) at least one tail light of sufficient intensity to be
13 visible at a distance of 50 feet behind the vehicle during hours of
14 darkness under normal atmospheric conditions;

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16 engine speed to idle; and

17 (5) an exhaust muffler in good working order.

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19 July 1, 1986, and sold in the state must

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21 stamped in letters and numbers on the vehicle in the form and at a
22 location prescribed by the department;

23 (2) be designed and made to provide an area to affix the
24 registration number; the area shall be at a location and of dimensions
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28 purpose of crossing the street or highway.

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18 the purpose of driving an off-road vehicle. The certificate may be
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20 training program established under AS 05.40.050, and is valid for the
21 same period of time as a driver's license. The certificate is not
22 valid in a municipality that by ordinance prohibits the driving of an
23 off-road vehicle by a person under the age of 16 years; a borough may
24 adopt the ordinance on a nonareawide basis only, unless the power to
25 adopt it on an areawide basis is acquired under AS 29.35.300 - 29.35.-
26 330 or former AS 29.33.250 - 29.33.290.

Offered: 3/21/86
Referred: Judiciary
and Finance

Original sponsors: Hurley, Pourchot
Thompson and Taylor

1 IN THE HOUSE BY THE TRANSPORTATION COMMITTEE

2 CS FOR HOUSE BILL NO. 460 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to off-road vehicles."

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

8 * Section 1. AS 05 is amended by adding a new chapter to read:

9 CHAPTER 40. OFF-ROAD VEHICLES.

10 Sec. 05.40.010. UNLAWFUL TO OPERATE UNREGISTERED VEHICLE.

11 Except for operation on the owner's private property, a person may not
12 operate an off-road vehicle unless the vehicle has been registered
13 with the Department of Public Safety as provided in this chapter.

14 Sec. 05.40.020. REGISTERED AND REGISTRATION FEE. (a) The owner
15 of an off-road vehicle subject to registration shall apply for regis-
16 tration under this chapter by properly completing a form provided by
17 the department. The fee for registration of a vehicle is \$15, and is
18 valid for three years. Fees collected under this section shall be
19 deposited by the Department of Revenue into the general fund.

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21 or a political subdivision of the federal or state government shall be
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27 it shall retain that number until the vehicle is destroyed, abandoned,
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29 decal shall be prominently displayed at a location prescribed by the

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3 adopt regulations covering transfer of ownership of off-road vehicles.

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7 and dissemination of information and safety advice to the public
8 concerning vehicle maintenance, environmental protection, alcohol and
9 controlled substances laws, and emergency first aid procedures.

10 (b) A person who completes the training program shall receive an
11 off-road vehicle safety certificate.

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13 a special account in the general fund known as the off-road vehicle
14 safety fund. The purpose of the fund shall be to support the educa-
15 tion and training program of this chapter. It is the intent of the
16 legislature that the fund consist of fees received under AS 05.40.020,
17 and that an amount equal to the fees received be appropriated for
18 off-road vehicle safety education and training under AS 05.40.050.

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21 off-road vehicle is specifically designed by the manufacturer to carry
22 more than one person.

23 Sec. 05.40.080. OPERATION BY CERTAIN MINORS. (a) A person at
24 least 14 years of age and under the age of 18 years may not operate an
25 off-road vehicle on public land unless the person

26 (1) has in possession a valid off-road vehicle safety
27 certificate;

28 (2) wears a helmet that meets the requirements set out in
29 AS 28.05.081(c); and

1 (3) wears eye, foot, and hand protection prescribed by the
2 department by regulation.

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4 quired to contain the following equipment:

5 (1) brakes adequate to control the movement of and to stop
6 and to hold the vehicle under normal conditions of operation;

7 (2) at least one head lamp so aimed and of sufficient
8 intensity to reveal persons and objects at a distance of at least 100
9 feet ahead during hours of darkness under normal atmospheric condi-
10 tions;

11 (3) at least one tail light of sufficient intensity to be
12 visible at a distance of 50 feet behind the vehicle during hours of
13 darkness under normal atmospheric conditions;

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15 engine speed to idle; and

16 (5) an exhaust muffler in good working order.

17 Sec. 05.40.100. RETAIL SALES. All off-road vehicles made after
18 July 1, 1986, and sold in the state must

19 (1) have a manufacturer's permanent identification number
20 stamped in letters and numbers on the vehicle in the form and at a
21 location prescribed by the department;

22 (2) be designed and made to provide an area to affix the
23 registration number; the area shall be at a location and of dimensions
24 prescribed by the department by regulation.

25 Sec. 05.40.110. HIGHWAY USE. An off-road vehicle may not be
26 driven on a street or highway, except for the purpose of crossing the
27 street or highway.

28 Sec. 05.40.120. PENALTY. A person who violates a provision of
29 this chapter or a regulation adopted under this chapter is guilty of a

1 misdemeanor and, upon conviction, is punishable by a fine of not more
2 than \$500 for each offense.

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20 training program established under AS 05.40.050, and is valid for the
21 same period of time as a driver's license. The certificate is not
22 valid in a municipality that by ordinance prohibits the driving of an
23 off-road vehicle by a person under the age of 16 years; a borough may
24 adopt the ordinance on a nonareawide basis only, unless the power to
25 adopt it on an areawide basis is acquired under AS 29.35.300 - 29.35.-
26 330 or former AS 29.33.250 - 29.33.290.

Introduced: 1/13/86
Referred: Transportation,
Judiciary and Finance

1 IN THE HOUSE

BY HURLEY .

2

HOUSE BILL NO. 460

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to off-road vehicles."

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

8 * Section 1. AS 05 is amended by adding a new chapter to read:

9

CHAPTER 40. OFF-ROAD VEHICLES.

10

Sec. 05.40.010. UNLAWFUL TO OPERATE UNREGISTERED VEHICLE.

11

Except for operation on the owner's private property, a person may not operate an off-road vehicle unless the vehicle has been registered with the Department of Public Safety as provided in this chapter.

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Sec. 05.40.020. REGISTERED AND REGISTRATION FEE. (a) The owner of an off-road vehicle subject to registration shall apply for registration under this chapter by properly completing a form provided by the department. The fee for registration of a vehicle is \$15, and is valid for three years. Fees collected under this section shall be deposited by the Department of Revenue into the general fund.

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(b) Off-road vehicles owned by the federal or state government or a political subdivision of the federal or state government shall be registered but are not required to pay a registration fee.

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Sec. 05.40.030. REGISTRATION CERTIFICATE AND DECAL. Upon registration of an off-road vehicle, the registrant shall be issued a registration certificate and a numbered decal containing the registration number of the vehicle. Once a vehicle has been issued a number, it shall retain that number until the vehicle is destroyed, abandoned, or permanently removed from the state. The numbered registration decal shall be prominently displayed at a location prescribed

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3 adopt regulations covering transfer of ownership of off-road vehicles.

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5 partment shall establish a comprehensive off-road vehicle safety
6 education and training program. The program shall include training
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27 department by regulation.

28 Sec. 05.40.080. SAFETY EQUIPMENT. An off-road vehicle is
29 required to contain the following equipment:

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2 and to hold the vehicle under normal conditions of operation;

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5 feet ahead during hours of darkness under normal atmospheric condi-
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8 visible at a distance of 50 feet behind the vehicle during hours of
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19 registration number; the area shall be at a location and of dimensions
20 prescribed by the department by regulation;

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27 this chapter or a regulation adopted under this chapter is guilty of a
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29 than \$500 for each offense.

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Introduced: 1/13/86
Referred: Transportation,
Judiciary and Finance

1 IN THE HOUSE

BY HURLEY

2

HOUSE BILL NO. 460

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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9

CHAPTER 40. OFF-ROAD VEHICLES.

10

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Except for operation on the owner's private property, a person may not operate an off-road vehicle unless the vehicle has been registered with the Department of Public Safety as provided in this chapter.

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