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STATE OF ALASKA
THE LEGISLATURE

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JUNEAU, ALASKA 99811
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May, 1986

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS date base CM 14. In order to save space copies of minutes have not been left in the files.

Jeanie Henry

House Judiciary

4/21/86

1:30 pm

HOUSE
COMMITTEE REPORT

(7)

Date referred: 3/26/86

FURTHER REFERRALS: FINANCE

DATE: _____

The JUDICIARY Committee has considered SSHB 456

"An Act relating to registration of commercial and noncommercial motor vehicles and providing a penalty for failure to obtain title or registration; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS SSHB 456 (JUD) same title
- new title

and recommends _____

further referral to the _____ Committee

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

SIGNING DO PASS:

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

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SIGNING OTHER RECOMMENDATIONS:

[Signature] - NO REC.

[Signature] 100 REC

[Signature]

Chairman

Original sponsors: Pourchet and Boucher

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 456 (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 registration of commercial and
7 noncommercial motor vehicles and providing a penalty
8 for failure to obtain title or registration; and
9 providing for an effective date."

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

11 * Section 1. AS 28.10.121(a) is amended to read:

12 (a) A nonresident owner of a noncommercial vehicle registered
13 outside the state is exempt from the registration provisions of this
14 chapter for 60 [90] days after entry into the state if the vehicle at
15 all times when driven in this state is registered in and has displayed
16 upon it a currently valid registration plate issued for it by another
17 jurisdiction. However, if the person becomes gainfully employed in
18 the state or takes action that [WHICH] indicates an intention to
19 acquire residence in the state, the person shall comply with the
20 licensing and registration provisions of this chapter within 10 [15]
21 days of commencement of employment or of taking action that [WHICH]
22 indicates the person's intention to acquire residence. If the vehicle
23 is a commercial vehicle, the vehicle must be registered when its
24 commercial use begins except as provided in AS 28.10.011 and 28.10.-
25 131(c) [IN ACCORDANCE WITH AS 28.10.141 AND OTHER APPLICABLE PRO-
26 VISIONS OF THIS CHAPTER].

27 * Sec. 2. AS 28.10.121 is amended by adding a new subsection to read:

28 (d) It is the responsibility of the person claiming exemption
29 under this section to provide proof of qualification for the ex-

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emption.

* Sec. 3. AS 28.10.131(c) is amended to read:

(c) If a vehicle to be registered under this chapter is previously registered outside the state, the jurisdiction of registry shall be stated in the application, and the owner shall surrender to the department all evidence of out-of-state registration in the owner's [NYS] possession or control except as provided in this section or AS 28.10.141, and the department may require verification of the vehicle identification number.

* Sec. 4. AS 28.10.131 is amended by adding a new subsection to read:

(c) If the owner of a commercial vehicle desires to maintain title in another jurisdiction, the department, when satisfied that the applicant is temporarily operating in-state and is the lawfully registered owner of the commercial vehicle, may register the commercial vehicle without issuing a title and shall type or stamp on the face of the State of Alaska certificate of registration "No Title Issued."

* Sec. 5. AS 28.10.141 is amended to read:

Sec. 28.10.141. INTERSTATE USE OF VEHICLES. When, in the course of regular interstate operation in this state [OF] a commercial vehicle licensed by the Interstate Commerce Commission under 49 U.S.C. 1-1240 (Interstate Commerce Act) or regulated by the Federal Maritime Commission under 46 U.S.C. 304 (Interstate Commerce Act) is registered in another jurisdiction, and it is desirable to retain the registration and title of the vehicle in the other jurisdiction, the owner or an agent of the owner shall register the vehicle and pay all required fees and taxes and submit for inspection the certificate of registration issued by that jurisdiction. The department, when satisfied that the applicant is entitled to the exemption from the title requirements of this chapter, shall register the vehicle but may

not issue a certificate of title. [NOTICE OF THE FACT THAT THE VEHICLE IS REGISTERED IN ANOTHER JURISDICTION SHALL APPEAR ON THE CERTIFICATE OF REGISTRATION ISSUED BY THIS STATE AND IN THE RECORDS OF THE DEPARTMENT MAINTAINED UNDER AS 28.10.071.]

* Sec. 6. AS 28.10.151 is amended to read:

Sec. 28.10.151. VEHICLES TRANSPORTED UNDER SPECIAL PERMITS.

When moved or driven under a special permit to be designed and issued by the department, the registration required by this chapter is not required of

(1) a vehicle under construction and which is not completed;

(2) a vehicle while being moved from one place to another for the purpose of inspection, weighing, or meeting other requirements of the department; or

(3) a vehicle while being moved or driven from one location to another for the purpose of rebuilding, dismantling, or permanently removing the vehicle from the highways and vehicular ways and areas of the state;

(4) an unladen commercial vehicle making a single continuous trip by a noncircular route for a period of time not exceeding 10 days.

* Sec. 7. AS 28.10.151 is amended by adding a new subsection to read:

(b) A special permit issued under this section shall be prominently displayed.

* Sec. 8. AS 28.10.201(d) is amended to read:

(d) Except for vehicles registered under AS 28.10.131(b) or (c) and 28.10.141, the department may not register a vehicle unless the applicant for registration at the same time applies for and obtains a certificate of title under this chapter, or presents satisfactory

1 evidence that a certificate of title was previously issued to the
2 applicant. The department may not accept the application for the
3 original certificate of registration or title to a vehicle unless the
4 vehicle is in the state at the time of application. However, the
5 department may accept an application for registration and certificate
6 of title for a vehicle is not in the state when the application is
7 made by a registered and bonded dealer or by a resident of the state
8 when the application is accompanied by a manufacturer's statement of
9 origin, or in the case of a used vehicle, when the application is
10 accompanied by a certificate of title issued in another jurisdiction
11 and a certificate of inspection by a peace officer of that jurisdic-
12 tion stating that the vehicle has been determined to be the vehicle
13 described in the certificate of title and that the vehicle has not
14 been reported stolen.

15 * Sec. 9. AS 28.10.451 is amended by adding a new subsection to read:

16 (b) Except as otherwise provided in this chapter, a person who
17 violates this section shall be fined \$50. In addition to the fine of
18 \$50, a person who continues to violate this section after being cited,
19 shall be fined an additional \$10 for each day the person fails to
20 properly title or register the vehicle, not to exceed \$250. The
21 additional fine of \$10 a day under this subsection may not be imposed
22 if the person who violates this section obtains proper title or
23 registration within five days after being charged. A person who
24 violates this section two or more times, within seven years of the
25 prior violation, is guilty of a class B misdemeanor.

26 * Sec. 10. This Act takes effect immediately in accordance with AS 01.-
27 10.070(c).
28
29

INDEX TO PACKET

1. Cover Memo
2. SSHB 456
3. Sectional Analysis for SSHB 456
4. Summary
5. Position Paper - Department of Public Safety
6. Alaska Statutes - Title 28 - Chapter 10
Relating to Motor Vehicle Registration and Title
7. Department of Public Safety Regulations
Relating to Motor Vehicle Registration and Title
8. Fiscal Note - Department of Public Safety

Alaska State Legislature

REPRESENTATIVE
PAT POURCHOT

HOUSE FINANCE COMMITTEE
COMMITTEE ON OIL AND GAS



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JUNEAU
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STATE CAPITOL
JUNEAU AK 99811
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House of Representatives MEMORANDUM

DATE: April 15, 1986

TO: House Judiciary Committee
Representative Mike M. Miller, Chairman
Representative John Sund, Vice-Chairman
Representative Don Clocksin
Representative Max Gruenberg
Representative Fritz Pettyjohn
Representative Randy Phillips
Representative Robin Taylor

FROM: Representative Pat Fourchot
Representative Red Boucher

SUBJECT: SSHB 456, Relating to Registration of Motor Vehicles

With increasing frequency, we hear complaints of commercial vehicles with out-of-state license plates operating on our highways. While some operators may pay the required registration fee, others do not. Enforcement of registration laws is difficult as there is no visual means to quickly identify the illegal nonregistered operator.

In addition, many new residents or nonresidents working temporarily instate fail to comply with state registration requirements, choosing instead to maintain their vehicle registration in other states. These residents benefit from our roads and jobs without paying the required fees.

SSHB 456 would eliminate distinctions between nonresident and resident commercial vehicles for purposes of registration, assessing fees, and display of license plates. Only licensed ICC carriers and unladen commercial vehicles operating under a one way trip permit would be exempted although prominent display of permits would be required.

SSHB would shorten the length of time a nonresident, noncommercial vehicle is exempt from state registration requirements, require proof of any exemption from registration, and provide a specified fine for noncompliance with current registration and title laws.

Page 2

We consider this legislation to be an important element of the local hire issue in its attempt to enforce our vehicle registration laws and to legally, but forcefully, discourage the use of nonresident commercial vehicles.

Introduced: 2/12/36
Referred: Transportation
Judiciary and Finance

1 IN THE HOUSE BY POURCHOT AND BOUCHER
2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 456
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 registration of commercial and
7 noncommercial motor vehicles and providing a penalty
8 for failure to obtain title or registration; and
9 providing for an effective date."

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

11 * Section 1. AS 28.10.121(a) is amended to read:

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13 outside the state is exempt from the registration provisions of this
14 chapter for 60 [90] days after entry into the state if the vehicle at
15 all times when driven in this state is registered in and has displayed
16 upon it a currently valid registration plate issued for it by another
17 jurisdiction. However, if the person becomes gainfully employed in
18 the state or takes action that [WHICH] indicates an intention to
19 acquire residence in the state, the person shall comply with the
20 licensing and registration provisions of this chapter within 10 [15]
21 days of commencement of employment or of taking action that [WHICH]
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23 is a commercial vehicle, the vehicle must be registered when its
24 commercial use begins except as provided in AS 28.10.011 and 28.10.-
25 131(c) [IN ACCORDANCE WITH AS 28.10.141 AND OTHER APPLICABLE PRO-
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29 under this section to provide proof of qualification for the ex-

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4 viously registered outside the state, the jurisdiction of registry
5 shall be stated in the application, and the owner shall surrender to
6 the department all evidence of out-of-state registration in the
7 owner's [HIS] possession or control except as provided in this section
8 or AS 28.10.141, and the department may require verification of the
9 vehicle identification number.

10 * Sec. 4. AS 28.10.131 is amended by adding a new subsection to read:

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12 title in another jurisdiction, the department, when satisfied that the
13 applicant is temporarily operating in-state and is the lawfully regis-
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16 the State of Alaska certificate of registration "No Title Issued."

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18 Sec. 28.10.141. INTERSTATE USE OF VEHICLES. When, in the course
19 of regular interstate operation in this state [OF] a commercial
20 vehicle licensed by the Interstate Commerce Commission under 49 U.S.C.
21 1-1240 (Interstate Commerce Act) is registered in another jurisdic-
22 tion, and it is desirable to retain the registration and title of the
23 vehicle in the other jurisdiction, the owner or an agent of the owner
24 shall register the vehicle and pay all required fees and taxes and
25 submit for inspection the certificate of registration issued by that
26 jurisdiction. The department, when satisfied that the applicant is
27 entitled to the exemption from the title requirements of this chapter,
28 shall register the vehicle but may not issue a certificate of title.
29 [NOTICE OF THE FACT THAT THE VEHICLE IS REGISTERED IN ANOTHER

1 JURISDICTION SHALL APPEAR ON THE CERTIFICATE OF REGISTRATION ISSUED BY
2 THIS STATE AND IN THE RECORDS OF THE DEPARTMENT MAINTAINED UNDER
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9 (1) a vehicle under construction and which is not com-
10 pleted;

11 (2) a vehicle while being moved from one place to another
12 for the purpose of inspection, weighing, or meeting other requirements
13 of the department; or

14 (3) a vehicle while being moved or driven from one location
15 to another for the purpose of rebuilding, dismantling, or permanently
16 removing the vehicle from the highways and vehicular ways and areas of
17 the state;

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20 days.

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27 applicant for registration at the same time applies for and obtains a
28 certificate of title under this chapter, or presents satisfactory
29 evidence that a certificate of title was previously issued to the

1 applicant. The department may not accept the application for the
2 original certificate of registration or title to a vehicle unless the
3 vehicle is in the state at the time of application. However, the
4 department may accept an application for registration and certificate
5 of title for a vehicle is not in the state when the application is
6 made by a registered and bonded dealer or by a resident of the state
7 when the application is accompanied by a manufacturer's statement of
8 origin, or in the case of a used vehicle, when the application is
9 accompanied by a certificate of title issued in another jurisdiction
10 and a certificate of inspection by a peace officer of that jurisdic-
11 tion stating that the vehicle has been determined to be the vehicle
12 described in the certificate of title and that the vehicle has not
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16 violates this section shall be fined \$50. In addition to the fine of
17 \$50, a person who violates this section shall be fined an additional
18 \$10 for each day the person fails to properly title or register the
19 vehicle, not to exceed \$250. The additional fine of \$10 a day under
20 this subsection may not be imposed if the person who violates this
21 section obtains proper title or registration within five days after
22 being charged. A person who violates this section two or more times,
23 within five years of the prior violation, is guilty of a class B
24 misdemeanor.

25 * Sec. 10. This Act takes effect immediately in accordance with AS 01.-
26 10.070(c).

A M E N D M E N T

OFFERED IN THE HOUSE:

By: _____

To: _____ HOUSE BILL No. 456 _____

SENATE BILL No. _____

PAGE: 2 _____

LINE: 21 _____

After: "Act)"

Add: "or Federal Maritime Commission"

STATE OF ALASKA
THE LEGISLATURE

POUCHY STATE CAPITOL
JUNEAU ALASKA 99801
907 465 0800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 28, 1986

SUBJECT: Registration of Motor Vehicles - SSHB 456
TO: Representative Pat Pourchot
FROM: Michael F. Ford *M.F.*
Legislative Counsel

The following is a sectional analysis of SSHB 456, as requested:

Section 1

Lowers the nonresident exemption from registration of a non-commercial vehicle from 90 to 60 days, and the requirement that registration take place after employment is lowered from 15 to 10 days after the person becomes employed. Requires commercial vehicles to be registered when use begins, except as provided in AS 28.10.011 and 28.10.131(c).

Section 2

Requires the person claiming nonresident exemption from registration to provide proof of qualification for the exemption.

Section 3

Technical amendment in conjunction with section 4.

Section 4

Allows the owner of a commercial vehicle temporarily operating in-state to register a commercial vehicle, while maintaining title in another jurisdiction.

Section 5

Requires owners of commercial vehicles licensed by the I.C.C. and registered in another jurisdiction who desire to

Representative Pat Pourchot

Page 2

February 28, 1986

retain registration and title in the other jurisdiction, to register the commercial vehicle, but exempts the owner from title requirements.

Section 6

Adds an additional exemption from registration requirements for an unladen commercial vehicle making a single continuous trip not exceeding 10 days.

Section 7

Requires special permits issued under AS 28.10.151 to be prominently displayed.

Section 8

Technical amendment in conjunction with section 4.

Section 9

Provides a penalty for failure to title or register a vehicle.

Section 10

Effective date.

MFF:mkr

m3/100

SUMMARY

SSHB 456
(Relating to Vehicle Registration)

Background

Current State law or regulations require the registration of all vehicles operating instate. However, many new residents or nonresidents working temporarily instate illegally maintain their vehicle registration in other states. These operators benefit from our roads and jobs without paying the required fees.

Current State law also does not specifically address the handling of nonresident commercial vehicles operating temporarily instate. Regulations now provide for permitting or registration for such vehicles. However, with the exception of licensed ICC carriers, the regulations do not require the display of a permit or registration for nonresident commercial vehicles. Thus, it is difficult for law enforcement officers and the public to distinguish between a vehicle holding a valid temporary permit and one operating illegally instate.

Additionally, fees for temporary permits for nonresident commercial vehicles are now determined administratively by prorating the resident commercial vehicle fee for the number of days the nonresident vehicle is registered for use instate. This method does not appear to result in fees appropriate for the privilege of operating nonresident commercial vehicles in Alaska.

SSHB 456 would accomplish the following:

1. Shorten the length of time a nonresident, noncommercial vehicle is exempt from State registration requirements and require proof of any exemption from registration.
2. Eliminate the distinction between resident and nonresident commercial vehicles for purposes of registration, assessing fees, and display of license plates.
3. Limit the authority for issuance of special permits and the exemption from normal registration to only short-term, one-way unladen commercial vehicles and licensed ICC carriers. Permits would have to be prominently displayed.
4. Require that a specified fine be assessed for noncompliance with the State's registration and title laws.

DEPARTMENT OF PUBLIC SAFETY

POSITION PAPER - SS HB 456

Support

February 19, 1986

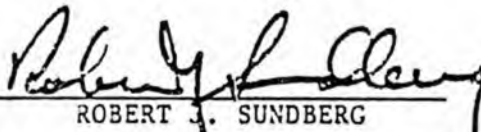
SS HB 456. An Act relating to issuance of temporary permits for commercial motor vehicles.

All commercial vehicles may now obtain a "trip permit" that allows them to operate in Alaska for up to 90 days. This gives summer commercial operators an advantage over Alaska residents who must pay full fees. This bill restricts use of the trip permit to only licensed ICC carriers and requires temporary operators to pay full fees. This is done to put non-residents on an equal economic basis with Alaska residents while, at the same time, not placing a restrictive burden on legitimate interstate carriers.

I recommend the bill be amended to consist of the two following amendments.

1. 28.10.011(9) add: F.M.C. (Federal Maritime Commission) carrier
(a) a licensed ICC or FMC carrier under AS 28.10.141;
2. 28.10.141 add: F.M.C. (Federal Maritime Commission) carrier
INTERSTATE USE OF VEHICLES. When a licensed ICC or FMC carrier in the course.....

Without the addition of the F.M.C. carrier, barge lines which transport commercial vehicles, (trailers) would not be eligible for trip permit when unloading at their destination.


ROBERT J. SUNDBERG
Commissioner

Chapter 10. Vehicle Registration and Title.

Article

1. Registration (§§ 28.10.011 — 28.10.181)
2. Title (§§ 28.10.201 — 28.10.261)
3. Transfer of Vehicle (§§ 28.10.271 — 28.10.361)
4. Filing Documents Evidencing Liens or Encumbrances (§§ 28.10.371 — 28.10.401)
5. Fees and Charges (§§ 28.10.411 — 28.10.441)
6. Registration and Title Violations (§§ 28.10.451 — 28.10.493)
7. General Provisions (§§ 28.10.495 — 28.10.661)

NOTES TO DECISIONS

Cited in *Newell v. National Bank, Sup. Anchorage, Ct. App. Op. No. 89 (File No. Ct. Op. No. 2518 (File No. 5437), 646 P.2d 5318), 645 P.2d 205 (1982); Anderson v. Municipality of 224 (1982);*

Collateral references. — 7A Am. Jur. 2d. *Automobiles and Highway Traffic, § 51 et seq.*
60 C.J.S., *Motor Vehicles, § 58 et seq.*

Article 1. Registration.

Section	Section
11. Vehicles subject to registration	106. Staggered registration
21. Application for registration	107. Staggered registration in implemen-
31. Temporary permits	tation
41. Grounds for refusing registration	111. Renewal of registration
51. Department may suspend or revoke registration	121. Vehicles of nonresidents
61. Registration of vehicles with altered or missing identification number	131. Vehicles previously registered in other jurisdictions
71. Registration records and statistics: stolen vehicles	141. Interstate use of vehicles
81. Issuance of certificate of registration; certificate to be signed, carried and displayed	151. Vehicles transported under special permits
91. Lost or mutilated certificates of registration or registration plates	161. Registration plates to be furnished by department
101. Expiration of registration	171. Display of registration plates
	181. Registration of unique and special vehicles and vehicles used for special purposes

Sec. 28.10.010. Administration. (Repealed, § 7 ch 178 SLA 1978.)

Sec. 28.10.011. Vehicles subject to registration. Every vehicle driven, moved, or parked upon a highway or other public parking place in the state shall be registered under this chapter except when the vehicle is

**PART 4.
DIVISION OF MOTOR VEHICLES**

Chapter

70. Vehicle Registration, Title, and Transfer
(13 AAC 70.010–13 AAC 70.260)

**CHAPTER 70.
VEHICLE REGISTRATION, TITLE,
AND TRANSFER**

Article

1. Registration, Title and Transfer
(13 AAC 70.010–13 AAC 70.250)
2. General Provisions
(13 AAC 70.260–13 AAC 70.270)

**ARTICLE 1.
REGISTRATION, TITLE AND TRANSFER**

Section

10. Title and registration: burden of producing evidence of ownership on applicant
20. Title and registration: grounds for refusing title or registration or transfer of title or registration
30. Title and registration: ownership and transfer;
40. Title and registration after involuntary transfer of ownership by court order
50. Title and registration after tax or customs sale
60. Title and registration after death of registered owner
70. Title and registration for a new vehicle not located in Alaska
80. Title and registration for a used vehicle
90. Title and registration for a vehicle purchased in foreign country other than Canada
100. Title and registration for vehicle purchased in Canada
110. Title and registration for assembled vehicle
120. Title and registration when no supporting evidence of ownership
130. Title and registration after dismantling or wrecking vehicle
140. Registration for vehicle registered elsewhere
150. Registration for occasional-use vehicle
160. Registration for snowmobile

170. Personalized registration plates for motor vehicles
180. Registration plates for handicapped registrant
190. Registration plates for mobile amateur radio station owner
200. Exemption from registration tax for military
210. Exemption from license tax for charitable organization
220. Refund of tax or fee
230. Satisfaction and release of liens: procedures
240. Duty of insurance company obtaining title to an unreparable vehicle
250. Temporary operating permits

13 AAC 70.010. TITLE AND REGISTRATION: BURDEN OF PRODUCING EVIDENCE OF OWNERSHIP ON APPLICANT.
An applicant for title to and registration of a vehicle has the burden of producing evidence of ownership in all cases. The department will provide reasonable guidelines to assist applicants for title and registration whose vehicles are not listed on the state's records system. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020

13 AAC 70.020. TITLE AND REGISTRATION: GROUNDS FOR REFUSING TITLE OR REGISTRATION OR TRANSFER OF TITLE OR REGISTRATION.
(a) The department will, in its discretion, refuse to issue title or registration or transfer title or registration if the application does not comply with the procedures established in the Alaska Motor Vehicle Act, AS 28.10 and the regulations in this chapter.

(b) If the department refuses to issue title or registration or transfer title or registration, it will promptly inform the applicant of its decision and briefly give reasons in writing for its action. An applicant may reapply after a refusal to act on an earlier application. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.110
AS 28.10.310

13 AAC 70.030. TITLE AND REGISTRATION: OWNERSHIP AND TRANSFER. (a) The department will issue title and registration in the names of all owners of a vehicle upon the application and signature of one or more of the multiple owners.

(b) Title to and registration of a vehicle recorded in the names of more than one owner in the conjunctive will not be transferred or encumbered without the signature on the title of every owner or his legally recognized representative. Title and registration in the conjunctive are signified by use of the word "and" between names of the owners listed on the certificates of title and registration.

(c) Title to and registration of a vehicle recorded in the names of more than one owner in the disjunctive will be transferred or encumbered on the signature of one or more of the multiple owners or his legally recognized representative. Title and registration in the disjunctive are signified by use of the word "or" between the names of the owners listed on the certificates of title and registration.

(d) In this section, "legally recognized representative" means any person who is the heir, beneficiary, assignee, or devisee of an owner or who holds a power of attorney signed by an owner, authorizing the holder to transfer, assign or encumber title to the vehicle. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020

13 AAC 70.040. TITLE AND REGISTRATION AFTER INVOLUNTARY TRANSFER OF OWNERSHIP BY COURT ORDER. In addition to the other requirements in AS 28.10, an applicant for title and registration after involuntary transfer by court order must submit a certified copy of a court order showing a transfer to the applicant of ownership of the vehicle. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.410

13 AAC 70.050. TITLE AND REGISTRATION AFTER TAX OR CUSTOMS SALE. (a) In addition to the other requirements in AS 28.10, an applicant for title and registration who purchased a vehicle at a tax sale

must submit a copy of a bill of sale by the United States Internal Revenue Service, the Alaska Department of Revenue, or a municipality showing that the vehicle was sold for taxes owed upon it.

(b) In addition to the other requirements in

AS 28.10, an applicant for title and registration who purchased a vehicle at a sale by the United States Customs Service must submit a copy of a bill of sale issued by it. (Eff. 3/29/78, Reg. 65)
Authority: AS 28.10.020
AS 28.10.410

13 AAC 70.060. TITLE AND REGISTRATION AFTER DEATH OF REGISTERED OWNER. (a) In addition to the other requirements in AS 28.10, an applicant for new title and registration after the death of the registered owner must submit the following documents:

(1) letters of administration issued to the applicant as the personal representative of the estate of the deceased; or

(2) a certified copy of a probated will or a will declared valid by an order of informal probate naming the applicant the devisee of the deceased's vehicle; and

(3) the current title to and registration of the vehicle.

(b) When the estate of the deceased can be summarily administered under AS 13.16.690, the applicant for new title and registration after the death of a registered owner, in addition to the other requirements in AS 28.10, must submit a certified copy of the closing statement for the estate showing the applicant to be the person entitled to the vehicle and current title to and registration of the vehicle. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020

13 AAC 70.070. TITLE AND REGISTRATION FOR A NEW VEHICLE NOT LOCATED IN ALASKA. In addition to the other requirements in AS 28.10, an applicant for title to and registration of a new vehicle not located in Alaska at the time of application must submit a manufacturer's certificate of origin. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020 AS 28.10.090
AS 28.10.060 AS 28.10.260

13 AAC 70.080. TITLE AND REGISTRATION FOR A USED VEHICLE. In addition to the other requirements in AS 28.10,

an applicant for title to and registration of a used vehicle must submit

(1) an affidavit affirming that the vehicle is located within the state; and

(2) current title to and registration of the vehicle, or current registration alone if the owner cannot surrender out-of-state title. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020 AS 28.10.090
AS 28.10.050 AS 28.10.260

13 AAC 70.090. TITLE AND REGISTRATION FOR VEHICLE PURCHASED IN FOREIGN COUNTRY OTHER THAN CANADA. (a) In addition to the other requirements in AS 28.10, an applicant for title to and registration of a new vehicle purchased in a foreign country other than Canada must submit the following documents:

(1) a manufacturer's certificate of origin;

(2) DOD Form 430 or AD Form 89 issued by the Department of Defense or their successor forms; and

(3) other documents reasonably required by the department in its examination of the applications for title and registration.

(b) In addition to the other requirements in AS 28.10, an applicant for title to and registration of a used vehicle purchased in a foreign country other than Canada must submit the following documents:

(1) an affidavit affirming that the vehicle is located within the state;

(2) a bill of sale or comparable document evidencing a transfer of ownership and possession to the applicant;

(3) DOD Form 430 or AD Form 89 issued by the Department of Defense, or their successor forms; and

(4) other documents reasonably required by the department in its examination of the applications for title and registration. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020 AS 28.10.090
AS 28.10.050 AS 28.10.260

13 AAC 70.100. TITLE AND REGISTRATION FOR VEHICLE PURCHASED IN CANADA. In addition to the other requirements in AS 28.10, an applicant for title to and registration of a new vehicle purchased in Canada must comply with sec. 70 of this chapter and an applicant for title and registration to a used vehicle purchased in Canada must comply with sec. 80 of this chapter. (Eff. 3/29/78, Reg. 65)

Authority: AS 20.50.090
AS 20.50.260

13 AAC 70.110. TITLE AND REGISTRATION FOR ASSEMBLED VEHICLE. In addition to the other requirements in AS 28.10, an applicant for the title to and registration of a reconstructed vehicle or a vehicle assembled from a kit must submit a receipt of purchase for the engine, transmission, drive train, frame and body and other information reasonably required by the department in its examination of the applications for title and registration. The applicant may also be required to submit his vehicle to the department for an inspection for stolen parts before the issuance of title and registration. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.050

13 AAC 70.120. TITLE AND REGISTRATION WHEN NO SUPPORTING EVIDENCE OF OWNERSHIP. In addition to the other requirements in AS 28.10, an applicant for title and registration who has no supporting evidence of ownership must submit

(1) an affidavit affirming that he is the owner of the vehicle and that no liens or encumbrances exist on it;

(2) a cash bond or surety bond, executed by a corporate surety approved by the department, posted with the state and held by it for at least two years, in the amount of the retail value of the vehicle as determined from a departmental listing; and

(3) a statement signed by the applicant holding the state harmless in all suits concerning questions of title and ownership to the vehicle and promising to indemnify the state for all

judgments against it arising out of these actions. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020

13 AAC 70.130. TITLE AND REGISTRATION AFTER DISMANTLING OR WRECKING VEHICLE. Title to and registration of a vehicle expires when it is disassembled or sold for scrap or parts. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.440

13 AAC 70.140. REGISTRATION FOR VEHICLE REGISTERED ELSEWHERE. The department will issue "No Alaska Title Issued" (NTI) registration only in the name of the owner shown on the records of the other state where the vehicle is registered. Lienholders recorded on the certificate of registration for another state will be shown on the NTI registration card issued by Alaska. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.060

13 AAC 70.150. REGISTRATION FOR OCCASIONAL-USE VEHICLE. (a) In addition to the other requirements in AS 28.10, an applicant for occasional-use registration must submit an affidavit affirming that the vehicle is used in relation to commercial fishing, mining, hunting, or farming operations and travels upon the highways less than 10 percent of its total hours of operation.

(b) No person may transfer an occasional-use registration plate to another vehicle. Upon the transfer or assignment of title to an occasional-use vehicle, the registration plates remain with the vehicle if it continues to be used as an occasional-use vehicle or must otherwise be returned to the department by the new owner.

(c) In this section, "occasional-use vehicle" means a motor vehicle as defined in AS 28.15.260(4) used in accordance with AS 28.10.127(a). (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.127

13 AAC 70.160. REGISTRATION FOR SNOWMOBILE. (a) In addition to the other requirements in AS 05.30, an applicant for registration of a snowmobile must submit a bill of sale for the vehicle. An applicant unable to

submit a bill of sale may be required to present the vehicle for an inspection of the serial number displayed on the frame and to submit an affidavit affirming that he is the owner and stating the circumstances under which he acquired ownership.

(b) When ownership of a registered snowmobile is transferred or assigned the new owner shall notify the department of the change in ownership within 30 days and pay a transfer fee of \$2. When ownership of an unregistered snowmobile is transferred or assigned, the new owner shall notify the department of the change of ownership within 30 days and pay the original registration fee. (Eff. 3/29/78, Reg. 65)

Authority: AS 05.30.020
AS 05.30.050
AS 05.30.101

13 AAC 70.170. PERSONALIZED REGISTRATION PLATES FOR MOTOR VEHICLES. (a) The department will issue personalized registration plates for a pickup truck, van, motor home, or passenger car not used for commercial purposes.

(b) The department will not issue personalized registration plates displaying

(1) symbols in a combination identical to one already in use on a registration plate;

(2) a total of more than six or less than two symbols;

(3) the prefix "KL7";

(4) four consecutive numbers followed by two consecutive letters;

(5) three consecutive letters followed by three consecutive numbers;

(6) two consecutive letters followed by four consecutive numbers;

(7) symbols other than numbers or letters; or

(8) symbols in a combination which demeans any ethnic or racial group, carries a prurient meaning, or which is otherwise vulgar or indecent; any combination known by the department to be patently offensive to a person

of ordinary sensibilities will be considered vulgar or indecent or carrying a prurient meaning; any combination known by the department to be patently offensive to any racial or ethnic group will be considered demeaning to that group.

(c) The department will recall any personalized registration plate discovered to be in violation of subsection (b).

(d) In addition to the other requirements in AS 28.10, an applicant for personalized registration plates must submit five ranked combinations of symbols for the plates. No registrant may transfer personalized registration plates to another vehicle or person, except that a registrant may transfer plates to another vehicle registered in his name after proper application to the department. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020 AS 28.10.200
AS 28.10.120 AS 28.10.205

13 AAC 70.180. REGISTRATION PLATES FOR HANDICAPPED REGISTRANT. The department will issue only one set of special registration plates to each registrant under AS 28.10.200(b)(11). Special registration plates remain with the registrant if title or ownership to the vehicle is transferred. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.120
AS 28.10.200

13 AAC 70.190. REGISTRATION PLATES FOR MOBILE AMATEUR RADIO STATION OWNER. (a) The department will issue special registration plates containing the prefix "KL7" to a mobile amateur radio station owner. Each registrant will be issued only one set of special registration plates.

(b) In addition to the other requirements in AS 28.10, the applicant for special registration plates broadcasting on 75 meters through 10 meters must submit a copy of his amateur radio operator's license and call letters issued by the Federal Communications Commission and pay the annual license tax levied under AS 28.10.200(b)(7).

(c) In addition to the other requirements in AS 28.10, the applicant for special registration plates broadcasting on frequencies other than 75

meters through 10 meters must submit a copy of his amateur radio operator's license and call letters issued by the Federal Communications Commission and pay the annual license tax levied upon the particular type of vehicle to be registered.

(d) A registrant may use mobile amateur radio registration plates as long as he retains a qualifying amateur radio operator's license issued by the Federal Communications Commission and otherwise complies with the requirements of law. After proper application to the department, the registration plates may be placed on another vehicle containing a mobile amateur radio station. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020 AS 28.10.120
AS 28.10.060 AS 28.10.200

13 AAC 70.200. EXEMPTION FROM REGISTRATION TAX FOR MILITARY. A vehicle owned by a member of the armed forces of the United States on active duty, and a vehicle owned jointly by a member and one or more of his or her dependents, is exempt from registration if the vehicle is registered in a state of domicile other than Alaska. A vehicle owned solely by a dependent of a member of the armed forces of the United States on active duty is not exempt from registration. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
50 USC App. 574

13 AAC 70.210. EXEMPTION FROM LICENSE TAX FOR CHARITABLE ORGANIZATION. In addition to the other requirements in AS 28.10, a charitable organization applying for an exemption from the annual license tax must submit to the department, if requested by the department, a letter from the Internal Revenue Service establishing its tax exempt status. When the title to or ownership of a vehicle exempted from the annual license tax is transferred, the charitable organization shall surrender the registration plates to the department. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.210

13 AAC 70.220. REFUND OF TAX OR FEE. The department will not refund a tax or fee paid by an applicant unless the applicant can prove

that the tax or fee has already been paid for the current licensing period or can demonstrate that a refund is necessary to correct an administrative error. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020

13 AAC 70.230. SATISFACTION AND RELEASE OF LIENS: PROCEDURES. (a) A lien recorded upon the title shall immediately be released by the lienholder upon satisfaction of the lien. Upon satisfaction, the lienholder shall release or assign his interest in the vehicle to the owner.

(b) An owner of a registered vehicle upon which a lien has been satisfied and released shall, within 10 days, apply for a new title, unless title to the vehicle will be transferred or assigned within 30 days of the release of the lien. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.430
AS 28.10.450

13 AAC 70.240. DUTY OF INSURANCE COMPANY OBTAINING TITLE TO AN UNREPAIRABLE VEHICLE. An insurance company obtaining title to an unrepairable vehicle through the satisfaction of an insurance claim shall mark the word "junk" on the face of the certificate of title and surrender the current title and registration to the department. The vehicle may then be sold by a bill of sale which indicates that the title has been surrendered to the department (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020

13 AAC 70.250. TEMPORARY OPERATING PERMITS. (a) The department will, in its discretion, issue a temporary operating permit without charge to an owner of an unladen vehicle, pending action on the application for title and registration.

(b) The department will, in its discretion, issue a noncommercial trip permit for a fee as established by statute to an owner of an unladen vehicle, allowing a single continuous trip by a noncircular route for a period of time not to exceed 20 days.

(c) The department will, in its discretion, issue for a fee as set by statute a nonresident vehicle permit to an owner of a laden vehicle, allowing

the commercial operation of a vehicle registered in another state. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020
AS 28.10.290
AS 28.10.540

ARTICLE 2. GENERAL PROVISIONS

Section

260. Records of department
270. Definitions

13 AAC 70.260. RECORDS OF DEPARTMENT. (a) Certified or uncertified copies of records made within the scope of duty of an employee or representative of the department, unless specifically declared confidential by statute or regulation, will be available during regular business hours upon request and payment of a reasonable fee equal to the cost to the department of copying the record.

(b) Records of applications for title and registration and records of the denial, suspension, or revocation of the title and registration, will be retained by the department for a period of three years following the final entry in the title history or registration file for a vehicle. After three years, the commissioner will, in his discretion, destroy records of no further service in carrying out the powers and duties of the department. (Eff. 3/29/78, Reg. 65)

Authority: AS 09.25.110 AS 28.10.010
AS 09.25.120 AS 28.10.020

13 AAC 70.270. DEFINITIONS. In this chapter

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

(2) "manufacturer's certificate of origin" includes a manufacturer's statement of origin. (Eff. 3/29/78, Reg. 65)

Authority: AS 28.10.020

PART 5. VIOLENT CRIMES COMPENSATION BOARD

Chapter

80. Violent Crimes Compensation
(13 AAC 80.010-13 AAC 80.110)

CHAPTER 80. VIOLENT CRIMES COMPENSATION

Editor's Note: As of Register 71, the material formerly located in 7 AAC 77 has been transferred to 13 AAC 80, in recognition of the relocation of the Violent Crimes Compensation Board by sec. 1, ch. 87 SLA 1978. The history notes for the sections in this chapter continue the history of these provisions from their former location.

Section

10. Applications for compensation
15. Investigation and consideration
20. Hearings
30. Attorney fees
40. (Repealed)
50. Standards for compensation
60. Awarding compensation
65. Recommencing suspended proceedings
70. Finality of awards
80. Recovery from a collateral source
90. Emergency compensation
100. Recovery from an offender
110. Definitions

13 AAC 80.010. APPLICATIONS FOR COMPENSATION. (a) All applications for compensation shall be made on the form authorized by the board. The information required by the board shall be supplied in full by the claimant, or the claim may not be considered. Additional sheets may be used, as necessary, to complete descriptions of the injury, incident or expenses. For those unable to make applications for compensation themselves (e.g., minors or the mentally incompetent), claims may be filed by a parent, guardian or other individual authorized to administer the injured party's estate. The applicant shall sign his completed application under oath before a notary public.

(b) Those medical reports and examination results which are reasonably available shall be submitted by the applicant no less than 10 days before the date of the hearing. On the basis of their potential relative importance or material

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : SS HB 456
 Title : An Act relating to registration of commercial and noncommercial motor vehicles and providing...
 Sponsor : Pourchot
 Requestor : H. Transportation
 Date of Request : _____

FISCAL DETAIL

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

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
----------------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Will not have any fiscal impact. There may be a slight increase in revenues, however, we are unable to predict the amount.

Prepared by: Kenneth Simpson Phone: 269-5566
 Division: Motor Vehicles Date: 2-19-86

Approved by Commissioner: [Signature] Date: 2/20/86
 Agency: Public Safety

Distribution (by Agency preparing fiscal note):

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