

SPB

103

File 2

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"An Act relating to transportation safety and financial responsibility; and providing for an effective date."

* Sec. 1. AS 42.30.200 is amended to read:

Sec. 42.30.200. FINANCIAL RESPONSIBILITY. (a) A person who carries passengers or freight for hire intrastate shall procure and maintain security in an amount determined by the Department of Commerce and Economic Development (PUBLIC SAFETY) as necessary for the reasonable protection of the public against damages or injury caused by the person.

(b) Evidence of security required under (a) of this section shall be filed with the department and must be

(1) a policy or certificate of insurance issued by an insurer acceptable to the department; or

(2) a bond of a surety company licensed to write surety bonds in the state; or

(3) evidence accepted by the department, showing ability to self-insure; or

(4) other security approved by the department.

(c) A policy of insurance, surety bond, or other form of security is not cancellable on less than 30 days' written notice to the department. This requirement must be clearly stated in the policy or endorsement. The 30-day notice period is measured from the date upon which the department receives notice.

(d) The department may authorize enforcement officers to enforce this section and shall adopt regulations necessary to implement this section.

(e) A person who violates this section is guilty of a class B misdemeanor.

(f) This section does not apply to persons who carry passengers for hire in motor vehicles weighing 5000 pounds or less.

* Sec. 2. AS 42.30 is amended by adding a new section to read:

Section 42.30.225. CERTIFICATION OF COMPLIANCE OF AIR CARRIERS. (a)

A person may not engage in air commerce without obtaining a certificate of compliance from the Department of Commerce and Economic Development. The department shall issue a certificate of compliance upon application and presentation of

(1) proof of financial responsibility required under AS 42.30.200;

(2) proof of compliance with Federal Aviation Administration requirements, and, where applicable, federal certification for scheduled airline service.

(b) The certificate of compliance under (a) of this section shall be renewed annually.

(c) Each aircraft owned or leased by a person subject to the provisions of this section must have a certificate of compliance issued by the department before the aircraft is used in air commerce. These certificates are valid for a period of 12 months following the date of certification. The certificate must be displayed on the aircraft so that it is visible to boarding passengers.

(d) Federally-certificated interstate carriers that provide intrastate service between points in the state on their interstate or foreign routes, and who use, for that intrastate service, aircraft based

primarily outside the state, must also obtain a certificate of compliance for each aircraft used in intrastate service.

(e) Use of an aircraft in air commerce prior to obtaining a certificate of compliance required under (a) of this section may be cause for suspension or revocation of the certificate.

(f) An air carrier, who before the effective date of this Act, obtained a certificate to operate from the Alaska Transportation Commission, is not required to obtain a certificate of compliance under (a) of this section until the date on which the insurance policy on each aircraft must be renewed.

(g) The department may authorize enforcement officers to enforce this section and shall adopt regulations necessary to implement this section.

Sec. 42.30.270. DEFINITIONS. For the purposes of AS 42.30.200 - 42.30.270,

(1) "air carrier" means a person undertaking to engage in air commerce, whether directly or indirectly, or by lease, contract, or any other arrangement, and whether over regular or irregular routes;

(2) "air commerce" means carriage by aircraft of persons or property, for compensation or hire, in intrastate commerce, including the carriage by aircraft of persons or property which move partly by aircraft and partly by other forms of transportation.

(3) "aircraft" means a device used or designed for flight in the air;

(4) "department" means the Department of Commerce and Economic Development;

(5) "freight" has the same meaning as "property";

(6) "property" means all commodities, articles, and cargo, of whatever nature or value, excluding garbage, refuse, trash, or other waste material;

* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.070(c).

mtg agenda

M E M O R A N D U M

To: Transportation Committee Members
From: Chairman Coghill
Date: Monday, January 21, 1985
Re: Today's meeting

EOT Commissioner Knapp is scheduled for this afternoon's meeting, and the subject of discussion should follow the general line brought up by questions raised by members at our initial meeting:

- cataloging of the state's highways
- city/state/federal relationship regarding Anchorage roads
- Alaska Marine Highway -
- ~~Capital Project Cleanup -~~

Interstate