

HB

31

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

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POUCH V - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

May, 1988

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

Mary Van Nimwegen

House Transportation:

March 25, 1986

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Relating to Motor Vehicle Registration and Title
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Relating to Motor Vehicle Registration and Title

BILL NO: HB 31

DATE: January 19, 1987

TITLE: An Act relating to registration of commercial and noncommercial motor vehicles.

CONTACT: Bill Brown
465-4335

DEPARTMENT OF
PUBLIC SAFETY

The bill will require full registration of commercial vehicles not used as legitimate interstate carriers, and reduce the time period in which a person is required to register a vehicle.

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 interstate 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.

The Department of Public Safety supports this bill.



William R. Nix
Acting Commissioner

RECEIVED JAN 25 1987

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**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version : HB 31

Publish Date : _____

Revision Date: _____

Agency Affected : Public Safety

Title: An Act relating to registration of commercial and noncommercial motor.

BRU: Motor Vehicles

Sponsor: Pourchot

Components : _____

Requestor: House State Affairs Comm.

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

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 revenue, however, we are unable to predict the amount.

Prepared by: Bill Brown

Phone: 465-4335

Division: Motor Vehicles

Date: 1-16-87

Approved by Commissioner: [Signature]

Date: 1-22-87

Agency: Public Safety

Distribution (by preparer):

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

JNR
1/22/87

Alaska State Legislature

REPRESENTATIVE
PAT POURCHOT

HOUSE FINANCE COMMITTEE
COMMITTEE ON OIL AND GAS



House of Representatives

MEMORANDUM

ANCHORAGE
P.O. BOX 104836
ANCHORAGE, AK 99510
(W) (907) 276-6818
(H) (907) 338-2425

JUNEAU
POUCH V
STATE CAPITOL
JUNEAU, AK 99811
(907) 465-3712

DATE: January 26, 1987

TO: House State Affairs Committee
Representative Fran Ulmer, Chair
Representative Lyman Hoffman, Vice Chair
Representative Red Boucher
Representative Cliff Davidson
Representative Dave Donley
Representative Curt Menard
Representative Terry Martin

FROM: Representative Pat Pourchot
Representative Red Boucher

SUBJECT: HB 31, Relating to Registration of Commercial and
Noncommercial 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 non-registered operator. ✓

In addition, many new residents or nonresidents working temporarily in-state 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.

HB 31 would eliminate distinctions between nonresident and resident commercial vehicles for purposes of registration, assessing fees, and display of license plates. Only licensed ICC and FMC carriers and unladen commercial vehicles operating under a one way trip permit would be exempted - although prominent display of permits would be required.

HB 31 would shorten the length of time a nonresident, noncommercial vehicle is exempt from state registration requirements and require proof of any exemption from registration.

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

Last session we introduced a bill with identical provisions, HB 456, which passed all committees of referral but died in the Senate Rules Committee while awaiting a vote by the full Senate in the final hours of the session.

problems

SUMMARY

HB 31

Relating to Registration of
Commercial and Noncommercial Motor Vehicles

Background

Current State law or regulations require the registration of all vehicles operating instate. However, many new residents or non-residents 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 and FMC 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.

HB 31 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 and FMC carriers. Permits would have to be prominently displayed.

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 20, 1987

SUBJECT: Registration of Motor Vehicles - HB 31
TO: Representative Pat Pourchot
FROM: Michael F. Ford *M. F.*
Legislative Counsel

The following is a sectional analysis of HB 31, 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. or the F.M.C., and registered in another jurisdiction

who desire to 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

Effective date.

MFF:mkr
m8/026

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CONTACT: *Bill Brown*
465-4335

DEPARTMENT OF
PUBLIC SAFETY

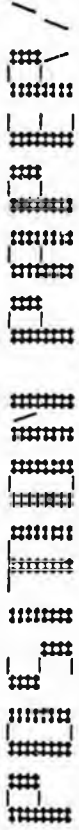
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William R. Nix
Acting Commissioner



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Prepared by: Bill Brown Phone: 465-4335
Division: Motor Vehicles Date: 1-16-87
Approved by Commissioner: [Signature] Date: 1-22-87
Agency: Public Safety

Distribution (by preparer) :
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary

JNR
1/22/87

UPDATES

1) SENATE

12/9 Daily News Ferguson said that he was switching over to Faiks' camp and will resign from the Senate after the vote on organization in January. He publically recommended that Cowper appoint Al Adams in his place. (Ferguson is on the Finance Committee.)

12/10 - Gruenberg would like you to call him: 276-6844 (W), 279-3280 (H). He will be in Wisconsin on vacation from December 23 through January 1. He said if Al accepts the appointment, the House will likely not reorganize as long as "they" agree to an appropriate choice for Finance Chairman... meaning you. He is very anxious to "protect" you.

The Senate has reorganized under Faiks (18-2). The two minority members are Rody and Zman.

Faiks - President

Majority Leader - Halford

Finance - Bennett and Binkley (co-chair) - Duncan, Zharoff, Ferguson, P. Fischer, & Uehling [Half the state's population is represented by one member!]

Rules - Eliason

Labor and Commerce - Kelly

Resources - Coghill

C&RA - Sturgulewski

Transportation - Jones

State Affairs - Abood

HESS - P. Fischer

Judiciary - Kerttula

Special Committees:

Leg. Council - Fahrenkamp

International Relations - Uehling

Ethics - Bennett

I tried to call you on the 10th (11th in New Zealand) but you had already checked out.

2) WALKWAYS

As of 12/10, only the walkway along Edward Street has been scheduled - for the December 18th Northeast CC meeting. The letters were in the mail on the 11th (382 count).

For the walkway along East 20th and the one between the mobile home parks south of East 16th and Russian Jack, hearings are tentatively scheduled for late January - no definite date - probably at Russian Jack Elementary School.

3) PROPOSED LEGISLATION - To have bills included in the first prefiling (Jan. 12), legal must be notified by noon, January 8.

Vehicle Registration - (Draft is on your desk)

Ford sent us a copy of the bill for prefiling. However Karla pointed out a problem. Currently, there is a mail-in bail schedule which specifies a \$50 fine for nonregistration. The nature of the mail-in process makes the proposed additional fine of \$10 per day in Sec. 9 unenforceable. The question is, do we want to keep the current mail-in system, or should a mandatory court appearance be required?

Because the courts are already overloaded, Karla suggested dropping sec 9. Boucher has no problem with dropping it and still wants to co-sponsor the bill. I called Ford and asked him to redraft the bill deleting section 9 and to add Boucher as co-sponsor.

Copies of the draft have been sent to T.J. Thrasher (Alaska Trucking Association) and to Jim Vaden (Public Safety) noting the proposed deletion of section 9 and requesting comments.

Litter - (Karla's draft and Davis' draft are on your desk)
Karla Forsythe sent me a rough draft for a statute which would permit enforcement of anti-littering laws by a mail-in payment rather than the current mandatory court appearance.

I have requested comments on this draft from Jack Braddock (ALPAR), Stephanie Kessler (Alaska Center for the Environment), Keith Kelton (DEC Acting Commissioner), James Vaden (Public Safety), and Chip (Muni).

Also, Mike Davis is going to prefile a litter bill. His proposed bill would eliminate the sunset provisions in the statute, repeal sections: 1) requiring an annual report; 2) establishing an advisory council; 3) relating to public awareness programs; and 4) relating to litter patrol regulations. His draft also eliminates redundant language and substitutes may for must - department may act upon the provisions of this section, the department may provide litter bags. Penalty for littering is reduced from a Class B misdemeanor to a violation, and prison terms for littering are eliminated.

Do you want to work on litter legislation with Davis?

Permanent Fund Dividend

Bradley called to see if you wanted the PFD bill he drafted prefilled. Based upon our conversation before you left, I told him not yet. The draft you requested from Bradley and the updated Revenue draft are on your desk.

Hazardous Physical Agents in the Workplace (draft on your desk)

I called Bradley and had Boyer added as co-sponsor.

4) PHONE CALLS

12/1/86	- Maudine Elliott Adult Residential Care Assoc Invitation to briefing on 12/9 at Herritage House	338-1557 (will call back)
12/2/86	-- Howard Roitman Regarding Mental Health Trust Lands	303-322-1955 PLEASE CALL
12/2/86	- Walt Hays ARCO Public Affairs Office Invitation to attend forum on Tough Love on 12/9	
12/3/86	- Rep. Swackhammer No message	262-7663 PLEASE CALL

- 12/5/86 - John Stonerock 274-3386
Regarding "Tough Love" forum
- 12/9/86 - Rebecca Craig 303-623-7800 PLEASE CALL
National Conference of
State Legislators
Regarding Mental Health Trust
Lands (she called Halford)
- 12/10/86 - Lee Dixon 301-443-3657 PLEASE CALL
National Institute of Mental
Health
Re: Alaska Mental Health Enabling Act
- 12/12/86 - Roland Shanks 465-4100 PLEASE CALL
Wanted to know if you had seen
a copy of Ron Scrugs report on
combining the resource agencies.
- 12/16/86 - Sam Collier
Just wanted to chat.
- 12/16/86 - Richard Kronberg (H) 344-9264 (W) 522-1080 PLEASE CALL
Wants to talkw with you before
session.

5) CONSTITUENT PROBLEMS

Delia Commander (Anthony's ex-wife)
3225 Peterkin #1
277-0618

Briefly, Delia has four children between the ages of 1 and 15 and is a fulltime student at ACC. She was dropped from Public Assistance and food stamps in October due to a \$1292 scholarship payment which she received in September. Public Assistance told her she'd have to go through the whole application process to get reinstated. When I spoke with her four days ago she had only \$50 to last until Jan. 17 for food.

Delia should never have been dropped from assistance; her scholarship should have been prorated. She will be reinstated and will get some food stamps in about 5 days.

Ina Arnold (HSS) deserves a medal. She went the extra distance to speed up the machinery. And Joyce Lee at the Muni was a life saver in coming through with some extra food to tide Delia over until she gets the food stamps.

It wasn't quite this simple..if you want the details, I'll fill you in.

6) TELECONFERENCES WITH COMMUNITY COUNCILS

I've talked with Tom Soper and Bob Fletcher.

NE Community Council is going to continue to meet on Thursdays (last year they met on Fridays during the session). Tom would rather have hookups on an as needed basis, rather than regularly scheduled ones. He anticipates

the Council will be spending its time on the Alaska Greenhouse problem. He thought the best use of time and money would be for you and him to exchange phone calls if something comes up.

Mt. View Community Council is going to change their meeting nights starting in February (probably to a Monday - they'll vote on it in January) to accommodate Dyson's and Campbell's schedules so they can attend.

Fletcher doesn't want a hookup during the CC. He would rather have one a couple of nights after with perhaps the Executive Committee. His reasons: last session, college kids from out of the neighborhood were taking it over (?); and, to keep someone from monopolizing the line (Winifred Trapp).

The District 12/13 teleconference has been scheduled for the first Wednesday of each month, 6:30 - 7:30 p.m.

I haven't cancelled our hookup which was already scheduled with Teleconference - that can wait until January.

7) THE MOVE TO JUNEAU

The box by your chair is for packing the stuff in the top drawer of your black file cabinet. The files that were in your desk drawer are in the file box on top of your desk which only needs to be taped shut - it still has room for more files, etc. The Mental Health Trust Lands files are in the box by the printer.

I left the recorder on...would you please pack it in one of your boxes?

The movers will probably be here on January 2nd; anything you want them to take should be sealed and ready to go by then.

8) THE GOVERNOR

Cowper has appointed:

- Sheila Gottehrer of FBX as assistant in charge of Boards and Commissions.
- Ray Price to handle cabinet affairs.
- John Shaffer for Commissioner of Military Affairs
- Hugh Malone for Commissioner of Revenue
- Rocky Gutierrez for Commissioner of Transportation
- Grace Schible from Fairbanks (spelling ?) from Fairbanks for A.G.
- Bill Nix for Commissioner of Public Safety

Cowper has ordered the A.G. to withdraw from the open meetings lawsuit.

Governor has announced that OMB is to be reorganized and that everyone is to submit their resignation effective January 8. Rumor: John Halterman as director of the Div. of Management.

9) OTHER

Mail for you and Janie is in the box on the floor behind your your desk.

Received listing of MOA nonprofits and sent copy to Joan Thorp.

Rep. Jenkins stopped by to see you...he needs someone to follow through on the assessors bill! How about you?!!

I called Rep. Cotten's office to see if we could start putting in shelves and tables. Okay with them.

Re: List of write-in's by precinct...only number of write-ins recorded, no record of names kept unless one person gets more than 10 votes.

I'll have to order the absentee voter's list for the general election when I get to Juneau. When I went to pick it up, it was the wrong one...it takes a week from the time of ordering until it can be picked up.

I asked Nancy to save newspaper clippings which may be of interest to you.

I left some stamps in your upper right-hand desk drawer.

Newsletters for Elmendorf, Nunaka, and Mt. View Community Schools had to be in by December 10th. Because they come out so infrequently (especially Mt. View), I thought you would probably want something sent in. Similar ones went to all three schools - a copy of Nunaka's is attached.

10/16/86 - Pat, there's been a change in my plans. Because of a slight accident, I'm flying to Juneau tomorrow. I'll fly from Juneau to Anchorage on the 9th of January and will drive my car down to Haines in time to catch the ferry on the 11th.