

HB

31

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

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:

2/9/87

2/11/87

Alaska State Legislature



House of Representatives

Committee on Transportation

Rep. Bette Cato, Chairman

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4858

February 9, 1987

FOR TODAY'S MEETING YOU HAVE:

A CURRENT STATUS REPORT ON HB 31

A COPY OF THE HOUSE COMMITTEE REPORT FORM SIGNED BY
HOUSE STATE AFFAIRS

A REPORT ON HB 31 WHICH INCLUDES:

- a copy of HB 31
- a current status report on HB 31
- a summary of HB 31
- a sectional analysis
- a fiscal note
- a position paper from the Dept. of Public Safety
- an excerpt from the Alaska Statutes
- an excerpt of the regulations of the Dept. of Public Safety

HOUSE COMMITTEE REPORT

1/28

(7)

Date referred: 1/19/87

FURTHER REFERRALS:

Transportation

DATE: 1-26-87

The State Affairs Committee has considered HB 31

"An Act relating to registration of commercial and noncommercial motor vehicles; and providing for an effective date."

RECOMMENDS:

- replace with _____ the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis 1/28

SIGNING DO PASS:

Boucher [Signature]

Menard [Signature]

Hoffman [Signature]

Ulmer [Signature]

Donley [Signature]

Davidson [Signature]

SIGNING OTHER RECOMMENDATIONS:

[Signature]
Chairman's signature

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Relating to Motor Vehicle Registration and Title
8. Department of Public Safety Regulations
Relating to Motor Vehicle Registration and Title

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: February 1, 1987

TO: House Transportation Committee
Representative Bette Cato, Chairman
Representative Henry Springer, Vice Chairman
Representative Red Boucher
Representative Mike Miller
Representative Bill Hudson

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 nonregistered 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.

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

M E M O R A N D U M

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

BILL NO: HB 31

DATE: January 19, 1987

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

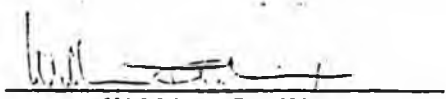
CONTACT: Bill Brown
465-4335

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

5 1 8 7 0 1 1 2

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

REQUEST: _____

Bill Version : HB 31
Publish Date : _____

Revision Date: _____
Title: An Act relating to registration of commercial and noncommercial motor.
Sponsor: Pourchot
Requestor: House State Affairs Comm.

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

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						
---------	--	--	--	--	--	--

REVENUE						
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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
Division: Motor Vehicles

Phone: 465-4335
Date: 1-16-87

Approved by Commissioner: [Signature]
Agency: Public Safety

Date: 1-22-87

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

House of Representatives

Committee on Transportation



Rep. Bette Cato, Chairman

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4858

February 11, 1987

FOR TODAY'S MEETING YOU HAVE:

A FOLDER ON HB 31 THAT INCLUDES:

- * a copy of the Committee Substitute
- * a letter of support from the Dept. of Public Safety Chief of Driver Services
- * a current status report
- * a copy of the House Committee Report form signed by House State Affairs
- * a report on which includes
 - a copy of HB 31
 - a summary of HB 31
 - a sectional analysis
 - a fiscal note
 - a position paper from the Dept. of Public Safety
 - an excerpt from the Alaska Statutes
 - an excerpt from the regulations of the Dept. of Public Safety

A FOLDER ON HB 94 THAT INCLUDES:

- * a copy of HB 94
- * a current status report
- * a bill analysis from the Dept. of Health & Social Services Division of Public Health
- * ~~a fiscal note~~
- * a report prepared by the U.S. Coast Guard
- * background material from Rep. Taylor
 - a paper from House Research
 - a cost benefit analysis from the Coast Guard
 - a question/answer paper from the Coast

Original sponsors: Pourchot and Boucher

1 IN THE HOUSE

BY THE TRANSPORTATION COMMITTEE

2 CS FOR HOUSE BILL NO. 31 (Transportation)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to registration of commercial and
7 noncommercial motor vehicles; and providing for an
8 effective date."

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

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

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

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

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

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

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

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

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

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

17 Sec. 28.10.141. INTERSTATE USE OF VEHICLES. When, in the course
18 of regular interstate operation in this state [OF] a commercial vehi-
19 cle licensed by the Interstate Commerce Commission under 49 U.S.C.
20 1-1240 (Interstate Commerce Act) or regulated by the Federal Maritime
21 Commission under 46 U.S.C. 804 (Interstate Commerce Act) is registered
22 in another jurisdiction, and it is desirable to retain the registra-
23 tion and title of the vehicle in the other jurisdiction, the owner or
24 an agent of the owner shall register the vehicle and pay all required
25 fees and taxes and submit for inspection the certificate of registra-
26 tion issued by that jurisdiction. The department, when satisfied that
27 the applicant is entitled to the exemption from the title requirements
28 of this chapter, shall register the vehicle but may not issue a cer-
29 tificate of title. [NOTICE OF THE FACT THAT THE VEHICLE IS REGISTERED

1 IN ANOTHER JURISDICTION SHALL APPEAR ON THE CERTIFICATE OF REGISTRA-
2 TION ISSUED BY THIS STATE AND IN THE RECORDS OF THE DEPARTMENT MAIN-
3 TAINED UNDER AS 28.10.071.]

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

5 Sec. 28.10.151. VEHICLES TRANSPORTED UNDER SPECIAL PERMITS.

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

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;

18 (4) an unladen commercial vehicle making a single continu-
19 ous trip by a noncircular route for a period of time not exceeding 10
20 days.

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

22 (b) A special permit issued under this section shall be promi-
23 nently displayed.

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

25 (d) Except for vehicles registered under AS 28.10.131(b) or (c)
26 and 28.10.141, the department may not register a vehicle unless the
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 which is not in the state when the application
6 is made by a registered and bonded dealer or by a resident of the
7 state when the application is accompanied by a manufacturer's
8 statement of origin, or in the case of a used vehicle, when the
9 application is accompanied by a certificate of title issued in another
10 jurisdiction [AND A CERTIFICATE OF INSPECTION BY A PEACE OFFICER OF
11 THAT JURISDICTION STATING THAT THE VEHICLE HAS BEEN DETERMINED TO BE
12 THE VEHICLE DESCRIBED IN THE CERTIFICATE OF TITLE AND THAT THE VEHICLE
13 HAS NOT BEEN REPORTED STOLEN].

14 * Sec. 9. This Act takes effect immediately under AS 01.10.070(c).
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STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

STEVE COWPER, GOVERNOR

P.O. BOX 20
JUNEAU, ALASKA 99802-0020

PHONE: (907)465-2650

February 10, 1987

The Honorable Bette Cato
Chairman - House Transportation
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

Re: HB 31

Dear Representative Cato:

I would like to take this opportunity to advise you and the Transportation Committee that the Division of Motor Vehicles supports this piece of legislation.

Since working with Representative Pourchot prior to his introduction of the bill, the division has decided to recommend another change to Section 8 of the bill. That change would be to delete lines 10, 11, 12 and 13 on page 4, and putting a period at the end of line 9. It is the feelings of the division that this wording is no longer necessary, and it is creating a hardship on Alaska residents who purchase used motor vehicles out of state. It is also causing extra processing time for an action we feel is no longer necessary.

I am sorry I had to leave the hearing yesterday before I was able to testify because of a time conflict with another hearing.

Sincerely,



Bill Brown
Chief of Driver Services

BB:ns

cc: Representative Pourchot



Official Business

COMMITTEE:

House Transportation

DATE: February 11, 1987

SIGN-IN

Subject of meeting:

HB 31 "An Act relating to registration of commercial and noncommercial motor vehicles; and providing for an effective date."

HB 94 "An Act relating to boat numbering, accidents, and safety; and providing for an effective date."

NAME	ADDRESS	PHONE	REPRESENTING	DO YOU WANT TO TESTIFY?
CDR. G.M. HERBEN	FED Bldg Div 3 Box 3-5000 Juneau 99802	586-7474	U.S.C.G.	YES ✓
CDR DIM WALKER	612 Willoughby Av Juneau 99801	586-7349	USCG 1450 JUN	Yes ✓
Randy Weaver	415 Coleman 155 S. Seward Juneau, AK 99801 (W) Tues. (H)	586-5255	Harlemaster	Yes ✓
LT. D.M. Shippert	Fed Bldg	586-7398	USCG	NO
CWO W.R. LIRD	Fed Bldg	586-7314	USCG	NO
MARILYN COFFMAN	IPDC 108 TROY AVE JUNEAU 99801	586-6113	U.S.C.G. AUXILIARY	YES ✓
T.O. Thrasher *	3443 Main Anch HR # 31 31 99803	463-3279	AK Trucking Assoc	HB 31 Yes ✓
Bill Brown *	P.O. Box N HR # 31 31 99811	465-4335	DMV	HB 31 Yes ✓
Rep. John Taylor	Juneau V. Jr. AK	465-4905	ME	YES ✓

HOUSE COMMITTEE REPORT

2/13

(5)

Date referred: 1/28/87

FURTHER REFERRALS:

Rules

DATE: February 11, 1987

The Transportation Committee has considered HB 31

"An Act relating to registration of commercial and noncommercial motor vehicles; and providing for an effective date."

RECOMMENDS:

- replace with CS HB 31 (Trsp) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

Cato Butte Cato

Springer James Springer

Pearce Paul Pearce

Hudson Bill Hudson

Boucher Ed Boucher

SIGNING OTHER RECOMMENDATIONS:

Butte Cato
Chairman's signature