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92

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER SB 92

SPONSOR Governor

BILL TITLE *Relating to motor vehicles*

DATE REFERRED *1-9-89*

HEARING SCHEDULED *Horetzki requested 1-9-89*

FISCAL NOTE PREPARED ✓

2-8-89
3-7-89

SPONSOR CONTACTED

INTERESTED PARTIES CONTACTED

✓ Gail Horetzki, DPS 4322
✓ Linda Wild, DCEO 2505
AK Truckers

Bill Brown
4335

OTHER *CS - technical corrections*

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE 2-2-89
IN ACCORDANCE WITH UNIFORM RULE 23

**FISCAL NOTE(S) MUST BE ATTACHED
IN ACCORDANCE WITH AS 24.08.035

FURTHER

LABOR & COMMERCE
FINANCE

DATE TURNED INTO OFFICE 3-9-89

1/9/89

Mr. President:

STATE AFFAIRS

Committee considered

SB 92

motor vehicles and related functions of the Department of Public Safety and Department of Commerce and Economic Development; and providing for an effective date.
and recommended:

replace with CS SB 92 (st aff) same title
 attached amendment(s) and new title

_____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

FISCAL NOTE(S) attached zero
 appropriation no FN attached

fiscal impact
 Gov. FN introduced w/ bill

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Al Adams
Jan Hicks

Pat Tompkins do pass
Chairman signature and recommendation

Committee backup attached

Original sponsor: Rules/Governor

1 IN THE SENATE BY THE FINANCE COMMITTEE
2 CS FOR SENATE BILL NO. 92 (Finance)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - FIRST SESSION
5 A BILL

6 For an Act entitled: "An Act relating to identification cards issued by
7 the Department of Public Safety, motor vehicle regis-
8 tration and registration fees, filing a lien on a
9 motor vehicle, and issuance of handicapped parking
10 permits; and providing for an effective date."

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

12 * Section 1. AS 18.65 is amended by adding a new section to article 3
13 to read:

14 Sec. 18.65.320. CANCELLATION OF IDENTIFICATION CARD. (a) The
15 department shall cancel an identification card if the person receiving
16 the card fails to give the required or correct information in the
17 person's application. Nothing in this section prohibits reapplication
18 by the person or reissuance of the identification card.

19 (b) A person whose identification card has been cancelled shall
20 return the card to the department. Failure to return a cancelled card
21 within 10 days after receiving notice of the cancellation is a vio-
22 lation punishable by a fine of up to \$100.

23 * Sec. 2. AS 28.10.051 is amended to read:

24 Sec. 28.10.051. DEPARTMENT MAY SUSPEND OR REVOKE REGISTRATION.
25 The department may suspend or revoke the registration of a vehicle,
26 the certificate of registration or registration plates for a vehicle,
27 or a special permit when

28 (1) the department determines that the registration or
29 certificate, plate or permit was fraudulently procured or erroneously

*Deleted transfer of vehicle dealer
licensing from DPS → DCEO. This
allowed
zero
Fiscal
Note.
(attached)*

1 issued;

2 (2) the department determines that a registered vehicle is
3 mechanically unsafe to be driven or moved on a highway, vehicular way
4 or area, or other public property in this state and the vehicle has
5 been seized or impounded under AS 28.05.091;

6 (3) a registered vehicle has been scrapped, dismantled or
7 destroyed beyond repair;

8 (4) the department determines that a required fee or tax
9 has not been paid and the fee or tax is not paid upon reasonable
10 notice and demand;

11 (5) a registration plate, permit, or certificate is know-
12 ingly displayed upon a vehicle other than the vehicle for which is-
13 sued;

14 (6) the department determines that the owner of a vehicle
15 has committed an offense under this chapter involving the registration
16 or the certificate, plate, or permit to be suspended or revoked;

17 (7) the vehicle has been reported to the department as
18 stolen or unlawfully converted; [OR]

19 (8) the department is otherwise required to do so under the
20 laws of this state; or

21 (9) the department determines that the vehicle owner has
22 violated the requirements of AS 28.10.146 or 28.10.147.

23 * Sec. 3. AS 28.10.108(b) is amended to read:

24 (b) Subject to the provisions of (f) of this section, a vehicle
25 subject to registration

26 (1) under AS 28.10.011 and 28.10.421(b)(3) and (4) and
27 (c)(1) - (4) shall have its initial registration, and may have its
28 annual registration, renewed during the month of December;

29 (2) under AS 28.10.181, 28.10.411 and 28.10.421(d)(3) [,

1 (6)] and (9) shall have its initial registration, and may have its
2 annual registration, renewed during the month of January.

3 * Sec. 4. AS 28.10 is amended by adding new sections to read:

4 Sec. 28.10.146. REGISTRATION OF INTERSTATE RENTAL TRUCKS. (a)
5 Notwithstanding any other registration requirement of this chapter, a
6 fleet rental truck owner or authorized representative shall register a
7 percentage of the total fleet as determined under this subsection, and
8 shall pay the fees and taxes required by this chapter. The percentage
9 of fleet rental trucks required to be registered is equal to the total
10 number of miles that all trucks in the rental fleet were driven in
11 this state during a calendar year or other period established by the
12 department by regulation, divided by the total number of miles that
13 all trucks in the rental fleet were driven in all states and the
14 District of Columbia during that period.

15 (b) When applying for registration under (a) of this section,
16 the fleet rental owner or authorized representative shall file with
17 the department a certified report containing verifiable data, report-
18 ing

19 (1) the total number of miles operated by all of the trucks
20 in the rental fleet in all states and the District of Columbia during
21 the preceding calendar year or other period specified by the depart-
22 ment;

23 (2) the total number of miles operated in this state by all
24 of the trucks in the rental fleet during the preceding calendar year
25 or other period specified by the department; and

26 (3) other fleet rental truck registration information that
27 the department may require.

28 (c) A fleet rental owner or authorized representative whose
29 application for registration under this section has been accepted by

1 the department shall preserve records of the period on which the
2 application was based for four years. Upon request of the department,
3 the fleet rental owner or authorized representative shall

4 (1) provide records preserved under this subsection to the
5 department for audit; or

6 (2) pay the cost of an audit conducted by a representative
7 of the department at the office of the owner.

8 (d) After compliance with this section, all trucks identified as
9 part of the rental fleet, and currently registered in any state or in
10 the District of Columbia, may operate in this state.

11 (e) If the department determines that the fleet rental owner or
12 authorized representative has not registered fleet rental trucks as
13 required by this section, the department may suspend or revoke a
14 registration previously issued, and may deny future fleet rental
15 registration under (a) of this section, until the owner or authorized
16 representative has complied with this section. If registration under
17 (a) of this section has been suspended, revoked, or denied, all the
18 owner's fleet rental trucks present in the state must be registered
19 under applicable state law.

20 (f) A fee or tax paid as a result of registration required under
21 this section does not satisfy or offset other fees or taxes levied by
22 the state or a political subdivision in connection with the ownership
23 or operation of fleet rental trucks.

24 (g) In this section, "fleet" means a fleet of 10 or more rental
25 trucks that are rented or offered for rent without a driver.

26 Sec. 28.10.147. REGISTRATION OF INTERSTATE RENTAL TRAILERS. (a)
27 Notwithstanding any other registration requirement of this chapter, a
28 fleet rental trailer owner or authorized representative shall register
29 the average number of trailers present in this state as calculated

1 under this subsection, and shall pay the fees and taxes required by
2 this chapter. The average number of trailers is equal to the total
3 number of trailers in the fleet that were present at any time in the
4 state during a calendar year or other period established by the de-
5 partment by regulation, divided by the number of calendar months in
6 the period.

7 (b) When applying for registration of trailers as required under
8 (a) of this section, the fleet rental owner or authorized representa-
9 tive shall file with the department a certified report containing
10 verifiable data as to the average number of trailers that were present
11 at any time in the state for the previous calendar year or other
12 period specified by the department.

13 (c) A fleet rental owner or authorized representative whose
14 application for registration under this section has been accepted by
15 the department shall preserve records of the period on which the
16 application was based for four years. Upon request of the department,
17 the fleet rental owner or authorized representative shall

18 (1) provide records preserved under this subsection, to the
19 department at its office for audit; or

20 (2) pay the cost of an audit conducted by a representative
21 of the department at the office of the owner.

22 (d) After compliance with this section, all trailers identified
23 as part of the rental fleet, and currently registered in any state or
24 in the District of Columbia, may operate in this state.

25 (e) If the department determines that the fleet rental owner or
26 authorized representative has not registered fleet rental trailers as
27 required by this section, the department may suspend or revoke a
28 registration previously issued, and may deny future registration under
29 (a) of this section, until the owner has complied with this section.

1 If registration under (a) of this section has been suspended, revoked,
2 or denied, all the owner's fleet rental trailers present in the state
3 must be registered under applicable state law.

4 (f) A fee or tax paid as a result of registration required under
5 this section does not satisfy or offset other fees or taxes levied by
6 the state or a political subdivision in connection with the ownership
7 or operation of fleet rental trailers.

8 (g) In this section, "fleet" means a fleet of 10 or more rental
9 trailers that are rented or offered for rent for personal use, not for
10 the transportation of persons or property for hire or other commercial
11 use, and includes a boat trailer, baggage trailer, box trailer, utili-
12 ty trailer, house trailer, or travel trailer.

13 * Sec. 5. AS 28.10.381 is repealed and reenacted to read:

14 Sec. 28.10.381. FILING A LIEN OR ENCUMBRANCE. (a) A lien or
15 other encumbrance on a vehicle may be filed by delivering to the
16 department

17 (1) a manufacturer's certificate of origin or an existing
18 certificate of title;

19 (2) an application for a new certificate of title, signed
20 by the registered owner and containing the name and address of any
21 lienholder and the date of the lienholder's interest;

22 (3) applicable filing fees required by law; and

23 (4) other documents or information required by the depart-
24 ment.

25 (b) Upon approval of the application, the department shall send
26 to the person holding a lien or other encumbrance a new certificate of
27 title which displays the name of the owner and indicates the existence
28 of the lien or other encumbrance.

29 * Sec. 6. AS 28.10.421(b) is amended to read:

1 (b) The annual registration fees under this subsection are im-
2 posed within the following classifications for:

3 (1) a passenger vehicle or motor home not used or main-
4 tained for the transportation of persons or property for hire or for
5 other commercial use.....\$35;

6 (2) a pick-up truck or a van not exceeding 6,000 pounds
7 unladen weight and not used or maintained for the transportation of
8 persons or property for hire or for other commercial use.....\$40;

9 (3) a taxicab.....\$70;

10 (4) a motor bus with a seating capacity for 20 or more
11 persons and used exclusively for commercial purposes in the transport-
12 ing of visitors or tourists.....\$85;

13 (5) a motorcycle or a motor-driven cycle.....\$20;

14 (6) a [TWO- OR FOUR-WHEELED] trailer not used or maintained
15 for the transportation of persons or property for hire or for other
16 commercial use, including, but not limited to, a boat trailer, baggage
17 trailer, box trailer, utility trailer, [OR] house trailer, travel
18 trailer, or a trailer rented or offered for rent.....\$ 5.

19 * Sec. 7. AS 28.10.495(a) is amended to read:

20 (a) Upon application by a disabled or medically handicapped
21 person, or by an organization that transports disabled or medically
22 handicapped persons, the department shall issue to the applicant,
23 without charge, a special permit bearing the control number of the
24 applicant. The permit issued under this section, when displayed in
25 the front windshield of a parked or standing vehicle, shall provide
26 for special consideration by the public with respect to the parking or
27 standing in designated spaces of a vehicle that [WHICH] is being used
28 for the transportation of a [THE] disabled or medically handicapped
29 person.

1 * Sec. 8. AS 28.10.495(b) is amended to read:

2 (b) A person is not entitled to use the special permit provided
3 for in (a) of this section except when providing transportation for a
4 [THE] disabled or handicapped person [WITH RESPECT TO WHOM THE PERMIT
5 WAS ISSUED]. Upon the death of a [THE] disabled or handicapped person
6 to whom a special permit has been issued, the special permit shall be
7 returned to the department. If an organization to which a special
8 permit has been issued ceases transporting disabled or handicapped
9 persons, or ceases operating, it shall return the special permit to
10 the department.

11 * Sec. 9. AS 28.10.181(g) and 28.10.421(d)(6) are repealed. [28.10.421(d)(6)]

12 * Sec. 10. This Act takes effect January 1, 1990.

FISCAL NOTE

REQUEST:

Revision Date: 04/14/89
Title: An Act relating to
identification cards issued
Sponsor: Rules/Governor
Requestor: Senate Finance

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

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

ANALYSIS: (Attach a separate page if necessary)

This bill contains provisions that will improve public service and streamline procedures of DMV. There will be no fiscal impact.

Prepared by: Bill Broyn
Division: Motor Vehicles

Phone: 465-4335
Date: 04/14/89

Approved by Commissioner: D.A.H. English
Agency: Department of Public Safety

Date: 4-14-89

WORK DRAFT

WORK DRAFT

WORK DRAFT

go0289sE
Ford
2/8

Original sponsor: Rules/Governor

CS contains 3 technical corrections:

page 9, lines 21 + 25

page 11, line 2

p. 1, l. 19

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 92 (State Affairs)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to motor vehicles, identification
7 cards issued by the Department of Public Safety, and
8 duties of the Department of Public Safety and Depart-
9 ment of Commerce and Economic Development with re-
10 spect to motor vehicle dealers; and providing for an
11 effective date."

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

13 * Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

14 (31) regulation of motor vehicle dealers under AS 08.66.

15 * Sec. 2. AS 08.66.010 is amended to read:

16 Sec. 08.66.010. DEALERS TO REGISTER. A dealer in motor vehi-
17 cles, trailers or semi-trailers shall, as a condition to engaging in
18 business in the state, register biennially with the department
19 [DEPARTMENT OF PUBLIC SAFETY] *New Section: Allow DCEED to set fees (for dealer registration) by regulation*

20 * Sec. 3. AS 08.66.030 is amended to read: *(to cover DCEED admin costs)*

21 Sec. 08.66.030. FORM OF APPLICATION. The department [DEPART-
22 MENT OF PUBLIC SAFETY] shall prescribe and furnish the form of appli-
23 cation for dealer registration. The application must [SHALL] contain

24 (1) the name under which the business is conducted;

25 (2) the location of business;

26 (3) the name and address of all persons having an interest
27 in the business, and in the case of a corporation the application must
28 [SHALL] contain the name and address of the president and secretary

29 [TWO PRINCIPAL OFFICERS];

ADD:

Fee currently \$50
-1- biennially - CSSB 92(SA)
likely raise to \$100.

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(4) the name and make of all vehicles handled;

(5) a statement of whether [OR NOT] used vehicles are handled;

(6) a statement that the applicant is a bona fide dealer in motor vehicles, trailers, or semi-trailers with an established business at the location given;

(7) other information the department [DEPARTMENT OF PUBLIC SAFETY] requires to administer this chapter.

* Sec. 4. AS 08.66.040 is amended to read:

Sec. 08.66.040. FILING APPLICATION FOR REGISTRATION. The application shall be filed with the department [DEPARTMENT OF PUBLIC SAFETY]. Upon receipt of the application the department shall examine it and may make an investigation of the information in it. If the department is satisfied that the dealer is entitled to registration, and the fees have been paid and a bond filed, the department shall assign a distinctive registration number to the dealer and file the dealer's application and index it alphabetically and numerically. A dealer is registered when the department assigns a registration number.

* Sec. 5. AS 08.66.060 is amended to read:

Sec. 08.66.060. BOND. (a) An [EVERY] applicant for [DEALER] registration or [FOR] renewal under this chapter [OF DEALER REGISTRATION] shall file with the application [OR REQUEST FOR RENEWAL,] and [SHALL] maintain in force while registered, a bond in favor of the state. The bond shall be [,] executed by an authorized corporate surety approved by the commissioner [OF PUBLIC SAFETY], in the amount of \$10,000, except that a dealer who sells only motorcycles shall maintain [IN FORCE WHILE REGISTERED] a bond in favor of the state [, EXECUTED AND APPROVED IN THE SAME MANNER AS BONDS REQUIRED OF OTHER

1 DEALERS UNDER THIS SECTION,) in the amount of \$3,000. Instead of a
2 corporate surety bond the commissioner may [, IN THE COMMISSIONER'S
3 SOLE DISCRETION,) accept a bond in the same amount with at least two
4 individual sureties, that is secured [EACH JUSTIFYING] with real prop-
5 erty in twice the amount of the bond. The commissioner shall investi-
6 gate [MAKE THE INVESTIGATION NECESSARY] to determine the actual finan-
7 cial responsibility of the individual sureties. The [CONDITION OF
8 THE] bond must require [SHALL BE] that the applicant [WILL] conduct
9 dealer business under [IN ACCORDANCE WITH] this chapter and agree not
10 to [WILL NOT] commit fraud or make fraudulent representations in the
11 course of business.

12 (b) The bond shall be filed in the office of the commissioner [OF
13 PUBLIC SAFETY]. A surety may cancel the bond upon 30 days advance
14 notice in writing filed with the commissioner. However, cancellation
15 does not relieve a surety of liability arising on the bond from a sale
16 made by the bonded dealer before cancellation or a liability that
17 [WHICH] has accrued upon the bond before cancellation. The commis-
18 sioner shall retain the cancelled bond on file [AND MAY NOT RELIEVE A
19 SURETY OF A LIABILITY ARISING BEFORE CANCELLATION].

20 * Sec. 6. AS 08.66.090 is amended to read:

21 Sec. 08.66.090. DEFINITIONS [DEALER DEFINED]. In this chapter

22 (1) "commissioner" means the commissioner of commerce and
23 economic development;

24 (2) "dealer" means a person, or an agent, broker or sales-
25 man of a person, who is engaged in buying, selling or dealing in new
26 or used motor vehicles, trailers, or semi-trailers in the state;

27 (3) "department" means the Department of Commerce and
28 Economic Development.

29 * Sec. 7. AS 18.65 is amended by adding a new section to article 3

read:

1 Sec. 18.65.320. CANCELLATION OF IDENTIFICATION CARD. (a) The
2 department shall cancel an identification card if the person receiving
3 the card fails to give the required or correct information in the
4 person's application. Nothing in this section prohibits reapplication
5 by the person or reissuance of the identification card.

6 (b) A person whose identification card has been cancelled shall
7 return the card to the department. Failure to return a cancelled card
8 within 10 days after receiving notice of the cancellation is a vio-
9 lation punishable by a fine of up to \$100.

10 * Sec. 8. AS 28.10.051 is amended to read:

11 Sec. 28.10.051. DEPARTMENT MAY SUSPEND OR REVOKE REGISTRATION.
12 The department may suspend or revoke the registration of a vehicle,
13 the certificate of registration or registration plates for a vehicle,
14 or a special permit when

15 (1) the department determines that the registration or
16 certificate, plate or permit was fraudulently procured or erroneously
17 issued;

18 (2) the department determines that a registered vehicle is
19 mechanically unsafe to be driven or moved on a highway, vehicular way
20 or area, or other public property in this state and the vehicle has
21 been seized or impounded under AS 28.05.091;

22 (3) a registered vehicle has been scrapped, dismantled or
23 destroyed beyond repair;

24 (4) the department determines that a required fee or tax
25 has not been paid and the fee or tax is not paid upon reasonable
26 notice and demand;

27 (5) a registration plate, permit, or certificate is know-
28 ingly displayed upon a vehicle other than the vehicle for which
29

issued;

(6) the department determines that the owner of a vehicle has committed an offense under this chapter involving the registration or the certificate, plate, or permit to be suspended or revoked;

(7) the vehicle has been reported to the department as stolen or unlawfully converted; [OR]

(8) the department is otherwise required to do so under the laws of this state; or

(9) the department determines that the vehicle owner has violated the requirements of AS 28.10.146 or 28.10.147.

* Sec. 9. AS 28.10.108(b) is amended to read:

(b) Subject to the provisions of (f) of this section, a vehicle subject to registration

(1) under AS 28.10.011 and 28.10.421(b)(3) and (4) and (c)(1)- (4) shall have its initial registration, and may have its annual registration, renewed during the month of December;

(2) under AS 28.10.181, 28.10.411 and 28.10.421(d)(3) [, (6)] and (9) shall have its initial registration, and may have its annual registration, renewed during the month of January.

* Sec. 10. AS 28.10 is amended by adding new sections to read:

Sec. 28.10.146. REGISTRATION OF INTERSTATE RENTAL TRUCKS. (a) Notwithstanding any other registration requirement of this chapter, a fleet rental truck owner or authorized representative shall register a percentage of the total fleet as determined under this subsection, and shall pay the fees and taxes required by this chapter. The percentage of fleet rental trucks required to be registered is equal to the total number of miles that all trucks in the rental fleet were driven in this state during a calendar year or other period established by the department by regulation, divided by the total number of miles that

1 all trucks in the rental fleet were driven in all states and the
2 District of Columbia during that period.

3 (b) When applying for registration under (a) of this section,
4 the fleet rental owner or authorized representative shall file with
5 the department a certified report containing verifiable data, report-
6 ing

7 (1) the total number of miles operated by all of the trucks
8 in the rental fleet in all states and the District of Columbia during
9 the preceding calendar year or other period specified by the depart-
10 ment;

11 (2) the total number of miles operated in this state by all
12 of the trucks in the rental fleet during the preceding calendar year
13 or other period specified by the department; and

14 (3) other fleet rental truck registration information that
15 the department may require.

16 (c) A fleet rental owner or authorized representative whose
17 application for registration under this section has been accepted by
18 the department shall preserve records of the period on which the
19 application was based for four years. Upon request of the department,
20 the fleet rental owner or authorized representative shall

21 (1) provide records preserved under this subsection to the
22 department for audit; or

23 (2) pay the cost of an audit conducted by a representative
24 of the department at the office of the owner.

25 (d) After compliance with this section, all trucks identified as
26 part of the rental fleet, and currently registered in any state or in
27 the District of Columbia, may operate in this state.

28 (e) If the department determines that the fleet rental owner or
29 authorized representative has not registered fleet rental trucks as

1 required by this section, the department may suspend or revoke a
2 registration previously issued, and may deny future fleet rental
3 registration under (a) of this section, until the owner or authorized
4 representative has complied with this section. If registration under
5 (a) of this section has been suspended, revoked, or denied, all the
6 owner's fleet rental trucks present in the state must be registered
7 under applicable state law.

8 (f) A fee or tax paid as a result of registration required under
9 this section does not satisfy or offset other fees or taxes levied by
10 the state or a political subdivision in connection with the ownership
11 or operation of fleet rental trucks.

12 (g) In this section, "fleet" means a fleet of 10 or more rental
13 trucks that are rented or offered for rent without a driver.

14 Sec. 28.10.147. REGISTRATION OF INTERSTATE RENTAL TRAILERS. (a)
15 Notwithstanding any other registration requirement of this chapter, a
16 fleet rental trailer owner or authorized representative shall register
17 the average number of trailers present in this state as calculated
18 under this subsection, and shall pay the fees and taxes required by
19 this chapter. The average number of trailers is equal to the total
20 number of trailers in the fleet that were present at any time in the
21 state during a calendar year or other period established by the
22 department by regulation, divided by the number of calendar months in
23 the period.

24 (b) When applying for registration of trailers as required under
25 (a) of this section, the fleet rental owner or authorized representa-
26 tive shall file with the department a certified report containing
27 verifiable data as to the average number of trailers that were present
28 at any time in the state for the previous calendar year or other
29 period specified by the department.

1 (c) A fleet rental owner or authorized representative whose
2 application for registration under this section has been accepted by
3 the department shall preserve records of the period on which the
4 application was based for four years. Upon request of the department,
5 the fleet rental owner or authorized representative shall

6 (1) provide records preserved under this subsection, to the
7 department at its office for audit; or

8 (2) pay the cost of an audit conducted by a representative
9 of the department at the office of the owner.

10 (d) After compliance with this section, all trailers identified
11 as part of the rental fleet, and currently registered in any state or
12 in the District of Columbia, may operate in this state.

13 (e) If the department determines that the fleet rental owner or
14 authorized representative has not registered fleet rental trailers as
15 required by this section, the department may suspend or revoke a
16 registration previously issued, and may deny future registration under
17 (a) of this section, until the owner has complied with this section.
18 If registration under (a) of this section has been suspended, revoked,
19 or denied, all the owner's fleet rental trailers present in the state
20 must be registered under applicable state law.

21 (f) A fee or tax paid as a result of registration required under
22 this section does not satisfy or offset other fees or taxes levied by
23 the state or a political subdivision in connection with the ownership
24 or operation of fleet rental trailers.

25 (g) In this section, "fleet" means a fleet of 10 or more rental
26 trailers that are rented or offered for rent for personal use, not for
27 the transportation of persons or property for hire or other commercial
28 use, and includes a boat trailer, baggage trailer, box trailer, utili-
29 ty trailer, house trailer, or travel trailer.

* Sec. 11. AS 28.10.381 is repealed and reenacted to read:

Sec. 28.10.381. FILING A LIEN OR ENCUMBRANCE. (a) A lien or other encumbrance on a vehicle may be filed by delivering to the department

(1) a manufacturer's certificate of origin or an existing certificate of title;

(2) an application for a new certificate of title, signed by the registered owner and containing the name and address of any lienholder and the date of the lienholder's interest;

(3) applicable filing fees required by law; and

(4) other documents or information required by the department.

(b) Upon approval of the application, the department shall send to the person holding a lien or other encumbrance a new certificate of title which displays the name of the owner and indicates the existence of the lien or other encumbrance.

* Sec. 12. AS 28.10.421(b) is amended to read:

(b) The annual registration fees under this subsection are imposed within the following classifications for:

(1) a passenger vehicle or motor home not used or maintained for the transportation of persons or property for hire or for other commercial use.....(was 30) \$35;

(2) a pick-up truck or a van not exceeding 6,000 pounds unladen weight and not used or maintained for the transportation of persons or property for hire or for other commercial use.....(was 35) \$40;

(3) a taxicab.....\$70;

(4) a motor bus with a seating capacity for 20 or more persons and used exclusively for commercial purposes in the transporting of visitors or tourists.....\$85;

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(5) a motorcycle or a motor-driven cycle.....\$20;

(6) a [TWO- OR FOUR-WHEELED] trailer not used or maintained for the transportation of persons or property for hire or for other commercial use, including, but not limited to, a boat trailer, baggage trailer, box trailer, utility trailer, [OR] house trailer, travel trailer, or a trailer rented or offered for rent.....\$ 5.

* Sec. 13. AS 28.10.495(a) is amended to read:

(a) Upon application by a disabled or medically handicapped person, or by an organization that transports disabled or medically handicapped persons, the department shall issue to the applicant, without charge, a special permit bearing the control number of the applicant. The permit issued under this section, when displayed in the front windshield of a parked or standing vehicle, shall provide for special consideration by the public with respect to the parking or standing in designated spaces of a vehicle that [WHICH] is being used for the transportation of a [THE] disabled or medically handicapped person.

* Sec. 14. AS 28.10.495(b) is amended to read:

(b) A person is not entitled to use the special permit provided for in (a) of this section except when providing transportation for a [THE] disabled or handicapped person [WITH RESPECT TO WHOM THE PERMIT WAS ISSUED]. Upon the death of a [THE] disabled or handicapped person to whom a special permit has been issued, the special permit shall be returned to the department. If an organization to which a special permit has been issued ceases transporting disabled or handicapped persons or ceases operating, it shall return the special permit to the department.

* Sec. 15. AS 44.33.020 is amended by adding a new paragraph to read:

(C1) administer state laws relating to registration of

dealers in motor vehicles, trailers, or semi-trailers.

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2 * Sec. 16. AS 28.05.011(10), AS 28.10.181(g) and 28.10.421(d)(6) are
repealed. *added*

3 * Sec. 17. This Act takes effect January 1, 1990.
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Alaska State Legislature

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman
Sen. Al Adams
Sen. Tim Kelly
Sen. Rick Uehling



P.O. Box V
State Capitol
Juneau, Alaska 99811

907-465-3712

Senate State Affairs Committee

MEMORANDUM

TO: Senate State Affairs Committee Members
FROM: Senator Pat Pourchot, Chairman
RE: February 8 Committee Hearing
DATE: February 7, 1989

On Wednesday, February 8 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

SB 59, An Act relating to mandatory use of safety devices in motor vehicles.

SB 59 is scheduled for committee action. The bill would make failure to wear a seatbelt an infraction carrying a fine of up to \$15, and would remove the current exemption of rural areas from the child safety device requirements. A draft committee substitute that sets a maximum \$50 fine for violation of the child safety requirements is attached. Under current statute a violation could carry a fine of up to \$300; the court system's current bail schedule sets the fine at \$50.

SB 32, An Act relating to registration of vehicles owned by charitable organizations.

SB 32 would increase the annual registration fee for vehicles owned by charitable organizations. Current statute establishes a special \$5 fee for vehicles owned by municipalities or charitable organizations. SB 32 would remove charitable organizations from this category, requiring them to pay the standard registration fees.

In 1987 there were 2,481 vehicles registered by charitable organizations. Of these, 906 were passenger cars, 2 were motorcycles, 245 were non-commercial trailers, 1124 were trucks or vans, and 195 were buses. The standard fees for these classes of vehicles are \$35 for a car, \$20 for a motorcycle, \$5 for a non-commercial trailer, \$40 for a truck or van, and \$50-220 for a bus depending on its weight.

The Department of Public Safety estimates a \$82,140 increase in revenues through passage of SB 32.

SB 92, An Act relating to motor vehicles and related functions of the Department of Public Safety and Department of Commerce and Economic Development.

SB 92 would make a variety of improvements to the motor vehicle registration law. In brief, it transfers the licensing authority for motor vehicle dealers from the Department of Public Safety to the Department of Commerce, establishes a procedure for registration of interstate rental trucks and trailers, broadens the non-commercial trailer registration requirements, allows for cancellation of fraudulently obtained identification cards, eliminates the requirement that lien documents be filed with the division of motor vehicles, allows for issuance of handicap parking permits to organizations, and repeals the foreign consul license plate provisions. The Governor's transmittal letter and a sectional analysis, both of which are attached, provide information on each of these provisions.

A draft committee substitute has been prepared to correct three errors identified in the original bill. Page 9, lines 13 and 16 incorrectly indicated the current registration fees; the repeal of AS 28.10.181(g) on page 10, line 24 necessitates the repeal of AS 28.10.421(d)(6).

SB 117, An Act relating to special request university license plates.

SB 117 would authorize the Department of Public Safety to issue license plates representing the state university campuses with the letters "UAA", "UAF", or "UAS". The fee for such plates would be \$50, payable at first issuance and upon replacement. Fees would be separately accounted for and could be appropriated by the legislature for the support of programs at each campus.

In addition to "vanity" plates (\$30), current statute provides for special license plates for Pearl Harbor survivors and former prisoners of war (\$0), members of the Alaska National Guard (\$30), motor vehicle dealers (\$45), elected state officials (\$0), disabled veterans and other handicapped persons (\$0), historic vehicles (\$10), consular officers of foreign governments (\$35), amateur mobile radio station vehicles (\$0), ranchers and farmers (\$35), and Winter Olympics commemoration (\$70).

SB 137, An Act relating to commercial vehicle driver licensing.

SB 137 would bring Alaska into compliance with the Federal Commercial Motor Vehicle Safety Act (CMVSA) of 1986. The CMVSA requires that all states have a licensing system for drivers of commercial vehicles. The system must include written

February 7 Memo
Page 3

and road tests for the size vehicle being operated and all drivers must be licensed by April 1, 1992. The penalty for noncompliance is the withholding of 10% of federal highway funding.

SB 137 defines "commercial vehicle" by adopting the federal standards (gross weight rating of 26,001 or more pounds, designed to transport more than 15 passengers, or transporting placarded amounts of hazardous materials) while continuing the state's tradition of less strict regulation of vehicles on roads not connected to the main highway system or to heavily-traveled roads. In addition, the definition specifically excludes farmers and firefighters, as allowed by federal law.

With passage of SB 137, the Department of Public Safety plans to begin issuing commercial vehicle operating licenses by January 1, 1991. SB 137 has a zero fiscal note. According to DPS, total implementation costs cannot be estimated at this time. Federal grant monies will be forthcoming; if supplemental state funds are needed, they will likely appear as an increment in the department's FY 91 operating budget.

Alaska State Legislature



Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman
Sen. Al Adams
Sen. Tim Kelly
Sen. Rick Uehling

P.O. Box V
State Capitol
Juneau, Alaska 99811

907-465-3712

Senate State Affairs Committee

MEMORANDUM

TO: Senate State Affairs Committee Members
FROM: Senator Pat Pourchot, Chairman
RE: March 8 Committee Hearing
DATE: March 7, 1989

On Wednesday, March 8 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

SB 5, An Act amending and making effective an annuity program and amendments to the longevity bonus program and the permanent fund dividend program.

State agencies and interest groups presented testimony on SB 5 to the committee January 30; a statewide teleconference was held February 18. Wednesday's hearing will focus on a comparison of annuity programs available through the private sector with the state annuity program proposed in SB 5. Tax ramifications will also be discussed.

Representatives of several insurance companies and an accounting firm will participate by teleconference.

SB 92, An Act relating to motor vehicles and related functions of the Department of Public Safety and Department of Commerce and Economic Development.

SB 92 was heard by the committee on February 8. No particular concerns were raised at that time.

In brief, the bill makes a variety of improvements to the motor vehicle registration law. A sectional analysis and the Governor's transmittal letter, both of which are attached, provide information on each provision in the bill. A revised fiscal note indicating the transfer of funds from DPS to DCED for the motor vehicle dealer license program is also attached.

SECTIONAL ANALYSIS
SB 92 RELATING TO MOTOR VEHICLES

Sec. 1 Adds to DCED's licensing authority the regulation of motor vehicle dealers.

Sec. 2-6 Transfer the registration requirement for motor vehicle dealers from the Department of Public Safety to DCED.

Sec. 7 Authorizes DPS to cancel identification cards if it is determined they were fraudulently obtained. Provides for a possible \$100 fine for failure to return the canceled card.

Sec. 8 Authorizes DPS to suspend or revoke vehicle registration for failure to register interstate rental trucks and trailers (see sec. 9).

Sec. 9 Requires registration of interstate rental trucks and trailers. Provision applies to fleets of 10 or more vehicles. Fees would be based on the amount of time the vehicles are used in Alaska as compared to other states.

Sec. 10 Eliminates the requirement that motor vehicle lien documents be filed with the division of motor vehicles. The lienholder's name and address on the title application will serve as evidence of the lien.

Sec. 11 Broadens the non-commercial trailer registration requirement by removing the reference to "two- or four-wheeled trailers".

Sec. 12 Allows the issuance of handicap parking permits to organizations. Current law applies to individuals only.

Sec. 13 Adds to DCED's duties the administration of state laws relating to registration of motor vehicle dealers.

Sec. 14 Repealers:

AS 28.05.011(10) DPS registration of motor vehicle dealers.

AS 28.10.181(g) and AS 28.10.421(d)(6) Foreign consul license plates. The U.S. Department of State has taken over this responsibility.

Sec. 15 Effective date January 1, 1990 to allow time for the departments to get needed procedures and forms into place and to provide employee training.

FISCAL NOTE

REQUEST:

Revision Date: 03/09/89 Agency Affected: Public Safety
Title: An Act relating to motor BRU: Motor Vehicles
vehicles...
Sponsor: Senate Rules Component: Vehicle Services
Requestor: Senate State Affairs

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	-0-	(1.5)	(3.0)	(3.0)	(3.0)	(3.0)
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	(1.5)	(3.0)	(3.0)	(3.0)	(3.0)

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	(1.5)	(3.0)	(3.0)	(3.0)	(3.0)
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	(1.5)	(3.0)	(3.0)	(3.0)	(3.0)

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

This bill contains several provisions that will improve public service and streamline procedures of DMV. Part of the bill includes the transfer of the motor vehicle dealer license program from DMV to Division of Occupational Licensing in the Department of Commerce & Economic Development. A Motor Vehicle Rep III, Range 10, currently spends approximately 3.5 hours per week on this program. 3.5 hours per week equals 1.12 months per year. $1.12 \times 2,640$ (monthly salary) = \$2,957. With the effective date of January 1, 1990, one-half year funds of what it cost DMV to administer the program are transferred in FY90, and full year funding thereafter.

Prepared by: Bill Brown
Division: Motor Vehicles

Phone: 465-4335
Date: 03/09/89

Approved by Commissioner: J.A. English
Agency: Department of Public Safety

Date: 3-9-89

FISCAL NOTE

REQUEST:

Revision Date: 02/17/89
Title: An Act relating to motor vehicles...
Sponsor: Senate Rules
Requestor: Senate State Affairs

Agency Affected: Public Safety
BRU: Motor Vehicles
Component: Vehicle Services

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	-0-	(1.5)	(3.0)	(3.0)	(3.0)	(3.0)
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	(1.5)	(3.0)	(3.0)	(3.0)	(3.0)

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	(1.5)	(3.0)	(3.0)	(3.0)	(3.0)

POSITIONS:

FULL-TIME	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

This bill contains several provisions that will improve public service and streamline procedures of DMV. Part of the bill includes the transfer of motor vehicle dealer license program from DMV to Division of Occupational Licensing in the Department of Commerce & Economic Development. A Motor Vehicle Rep III, Range 10, currently spends approximately 3.5 hours per week on this program. 3.5 hours per week equals 1.12 months per year. $1.12 \times 2,640$ (monthly salary) = \$2,957. with the effective date of January 1, 1990, one-half year funds of what it cost DMV to administer the program are transferred in FY90, and full year funding thereafter.

Jm
2/16/89

Prepared by: Bill Brown
Division: Motor Vehicles

Phone: 465-4335
Date: 02/17/89

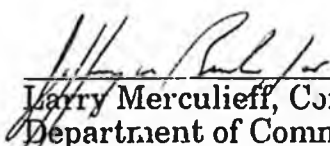
Approved by Commissioner: J. H. English
Agency: Department of Public Safety

Date: 2-17-89

SB 92: An Act relating to motor vehicles and related functions of the Department of Public Safety and Department of Commerce and Economic Development; and providing for an effective date.

The bill transfers the licensing program for dealers in motor vehicles, trailers and semitrailers from the Department of Public Safety to Centralized Licensing, AS 08.01, within the Department of Commerce and Economic Development. Sections 1-6, and 15, apply specifically to this department.

Although the program responsibilities are being transferred, no personnel support and minimal funds (\$3.0) accompany the transfer. The department supports the transfer of this licensing function. We must note, however, based on approximately 265 licensees, that the program does not support its costs through licensing fees and therefore must be supplemented by a general fund appropriation. We recommend that the fees be increased in order that the program can become self-supporting and not a drain on the general fund.


Larry Mercurieff, Commissioner
Department of Commerce and
Economic Development

Date: 3/7/89

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Commerce & Econ. Dev.
 Title: An Act relating to motor vehicles and functions of the Dept. of Public Safety. BRU: Occupational Licensing
 Sponsor: Rules Committee Components: Administration
 Requester: Governor

EXPENDITURES / REVENUES : (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	0	7.0	13.9	13.9	13.9	13.9
TRAVEL	0	.3	.6	.6	.6	.6
CONTRACTUAL	0	2.0	4.1	4.1	4.1	4.1
SUPPLIES	0	.2	.3	.3	.3	.3
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	9.5	18.9	18.9	18.9	18.9

CAPITAL	0	0	0	0	0	0
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REVENUE	0	2.5	5.4	13.3	0	13.3
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FUNDING: (Thousands of dollars)

GENERAL FUND	0	7.0	13.5	5.6	18.9	5.6
FEDERAL FUNDS						
OTHER (GF/PR)	0	2.5	5.4	13.3	0	13.3
TOTAL	0	9.5	18.9	18.9	18.9	18.9

POSITIONS:

FULL-TIME		0	0	0	0	0
PART-TIME		0	0	0	0	0
TEMPORARY		0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

See attached for explanation.

*Revenues are based on numbers provided by the Division of Motor Vehicles.

Prepared by: Jennifer Strickler, Administrative Officer Phone: 465-2144
 Division: Occupational Licensing Date: March 7, 1989

Approved by Commissioner: Larry Mercurieff, Commissioner Phone: 465-2500
 Agency: Dept. of Commerce & Economic Development Date: 3/7/89

Distribution (by preparer):

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

ANALYSIS:

*Expenditures: The transfer of the motor vehicle dealer license program to the Division of Occupational Licensing is being made without the transfer of any personnel from the Division of Motor Vehicles, Department of Public Safety, to support the transfer and therefore requires this fiscal note. The Division of Motor Vehicles is apparently transferring \$3.0 in personal services to assist in the defrayment of the cost of running the dealership licensing program.

This fiscal note is based on the assumption that once the program is placed in Occupational Licensing, the program will be responsible for a portion of the administrative costs of the division. Information obtained regarding the motor vehicle dealer license program indicates that there are approximately 650 licensees; however, many are inactive. This fiscal note is therefore based on 265 current licensees, as provided by the Division of Motor Vehicles. Based on 265 licensees, motor vehicle dealers will be responsible to cover .097% of the division's administrative costs in FY 90. The .097% is derived by dividing the anticipated number of licensees (265) by the total number of licensees (27,210), not including business licensing. Only half of the anticipated costs are shown for FY 90 since transfer of the motor vehicle dealer license program is not expected to occur until January 1, 1990.

*Revenues: In FY 90, approximately 50 motor vehicle dealer licensees are anticipated to renew their biennial license. Based on a biennial license/renewal fee of \$50, revenues collected will total \$2.5 (50 x \$50) in the first year. This will require \$7.0 to be supplemented by general funds.

In FY 91, the division will renew the remaining 215 licensees for a one year period only, in order to place all motor vehicle dealer renewals on the same biennial cycle, to parallel the biennial renewal scheme followed by all other licensing areas administered by the division. Therefore, 215 licensees are expected to be renewed for one year (215 x \$25), totaling \$5.4. FY 91 will require a general fund supplemental of \$13.5.

Effective in FY 92, all licensees will be placed on the same biennial renewal cycle. The 265 licensees to be renewed in FY 92 is anticipated to generate \$13.3 in licensing fees (265 x \$50). This year will require a general fund supplemental of \$5.6.

During the nonrenewal years, the program must be supplemented entirely by general funds.

Licensing fees will have to be reassessed for possible increase in order for the program to be supported by its fees. An increase in the licensing fee to \$100 every two years will cover the expense of the program and not require a general fund appropriation.



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STATE OF ALASKA
| OFFICE OF THE GOVERNOR
JUNEAU

January 9, 1989

The Honorable Tim Kelly
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Senator Kelly:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to motor vehicles and related functions of the Department of Public Safety (DPS) and the Department of Commerce and Economic Development (DCED), which makes a number of needed changes in state law.

The bill contains several provisions that the division of motor vehicles, in DPS, believes will improve its service to the public or streamline its procedures. A section-by-section description of the bill follows.

Sections 1 -- 6 and 13 of the bill would require motor vehicle dealers to register with DCED rather than with DPS. Existing law (AS 08.66.010 -- 08.66.090) requires a dealer in motor vehicles, trailers, or semi-trailers to register with DPS. The dealer is required to pay fees and post a bond. However, the licensing of a business, even one dealing with motor vehicles, is a more appropriate function of DCED. That department has the staff and expertise to provide appropriate clerical and administrative support, in addition to enforcement and compliance personnel. The division of motor vehicles, in DPS, has no enforcement or compliance personnel in this area, and provides only limited clerical support for this program. Transfer of the registration requirement would also be more convenient for the dealers, who already are required to obtain a business license from the Department of Commerce and Economic Development. Transfer of this function would also free up motor vehicles personnel to perform other tasks more directly related to vehicle and operator licensing functions.

Section 7 of the bill provides for the cancellation of identification cards issued under AS 18.65.310. The present law does not authorize DPS to cancel the card if it is later determined that it should not have been issued due to fraud or for some other reason. Identification cards are becoming more and more popular, and fraudulently obtained cards are becoming more common. The department needs statutory authority to cancel those cards under appropriate circumstances. This section also provides for a possible \$100 fine for failure to return a cancelled card to DPS.

Sections 8 and 9 provide for the registration of interstate rental trucks and trailers. Alaska statutes do not address the issue of registration of trucks or trailers involved in an interstate rental business. Before 1984, there was no need for this type of legislation because no company offered this type of service to Alaska. However, in the past five years two major companies have started rental operations in the state. These companies typically offer one-way rentals of both trucks and trailers, and during a typical year the vehicles might operate in a number of different states. The entire rental fleet is very mobile and the vehicles are not based in any one state. The time or miles spent in any state by any particular vehicle would be difficult to calculate, as these vehicles are used in uncontrolled private applications.

Unlike most other states, Alaska does not have a statute that allows registration of this type of vehicle other than on a full commercial vehicle basis. Paying full fees each time a new vehicle comes into the state for a short period would be overly burdensome and could possibly eliminate a valuable commercial service. To avoid this result, the division of motor vehicles has entered into agreements with interstate rental companies to register and pay fees on a fair share of their total fleet. There is no clearly defined authority for these agreements, however, and they are entirely voluntary.

The statutory scheme in this bill is similar to that used in most other states, and would allow a firm engaged in interstate vehicle rental business to register and pay fees in Alaska on a fair proportion of its vehicle fleet.

Section 10 eliminates the requirement that motor vehicle lien documents be filed with the division of motor vehicles. When a person applies for a vehicle title in Alaska, current AS 28.10.381 requires that a copy of the document creating or evidencing a lien be filed with DPS. This requirement serves no useful purpose for the state or the public, and should be eliminated. There is no standard or legal requirement for the format of a lien document, so each one must be reviewed carefully as the vehicle title is processed; this delays processing. The additional document also increases

microfilm costs. If the requirement to submit the lien document were eliminated, the same amount of protection could be afforded to both the public and lienholders by having the lienholder's name and address on the title application serve as evidence of the lien. Applicants are acknowledging the lien by signing the application under penalty of perjury. Most other states are successfully using this system. Adoption of this amendment would free up staff time that could be devoted to other areas.

The amendments in sec. 11 allow for registration of a broader range of non-commercial trailers. Current AS 28.10.421(b) allows only two- and four-wheeled trailers to be registered in the non-commercial category. Travel trailers with six wheels are becoming increasingly common. One-wheel trailers are also still marketed. A common-sense policy dictates that these non-commercial one- and six- (or more) wheeled trailers be registered on the same basis as the two- and four-wheeled trailers.

Section 12 allows the issuance of handicap parking permits to organizations. Current AS 28.10.495 allows issuance of a special permit to a disabled or medically handicapped person. The permit, when displayed in the front windshield of a motor vehicle, allows the use of designated parking spaces. The permit is intended for those handicapped individuals who are transported by others in vehicles that do not have a handicap license plate.

As currently written, the statute only allows issuance of the permit to an individual; however, there are many organizations that transport disabled or handicapped persons. The amendments in sec. 12 authorize the issuance of permits to these organizations, allowing them to use special parking spaces.

Section 14 provides two needed repeals. The first is of AS 28.05.011(10), which relates to DPS registration of motor vehicle, trailer, and semi-trailer dealers. That function is transferred to the Department of Commerce and Economic Development by secs. 1 -- 6 of the bill.

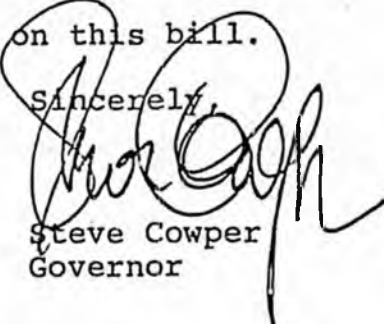
In addition, sec. 14 repeals the current law creating "foreign consul" license plates. AS 28.10.181(g) allows the state to issue special license plates for vehicles owned by a consular office of a foreign government. In Alaska only two consular offices are truly official foreign missions: the Japanese and Korean missions. There are several other "honorary" consuls in the state, however, and consular plates have been issued to them in the past.

The United States Department of State, Office of Foreign Missions, through the Diplomatic Motor Vehicle Office, is now responsible for issuing drivers' licenses, motor vehicle registrations, and license plates to qualified, accredited foreign mission personnel and their family members throughout the country. The State Department has asked Alaska to stop issuing consular plates to "honorary consuls." With the State Department issuing all required driver and motor vehicle licenses for official consular officers, AS 28.10.-181(g) is unnecessary, and should be repealed.

Finally, sec. 15 provides for an effective date of January 1, 1990. Because this bill relates to a large number of functions of the Department of Public Safety, the most convenient effective date is the beginning of the calendar year. This will allow the department time to get needed procedures and forms into place, and to train personnel around the state.

I urge your favorable action on this bill.

Sincerely,



Steve Cowper
Governor

OLDMV.TXT

Pat,

You asked how any of these bills relate to your vehicle registration bill passed in 1987. That bill did 3 things:

- 1) Shorten length of time nonresident, noncommercial vehicle is exempt from state registration requirements
- 2) Eliminate distinction between resident and nonresident commercial vehicles for purposes of registration
- 3) Limit the exemption from normal registration to short-term, one-way unladen commercial vehicles

It doesn't appear that anything in the bills we're considering addresses or affects any of these issues.

Sandra

SB 92 RELATING TO MOTOR VEHICLES AND RELATED FUNCTIONS OF
DEPT. PUBLIC SAFETY AND DEPT. OF COMMERCE

NOTIFIED

BILL BROWN, DIV. MOTOR VEHICLES

Linda Wild , DEPT. COMMERCE

F.Y.I.

STATE AFFAIRS C.S. CORRECTS 3 DRAFTING ERRORS POINTED OUT BY THE DEPT. THE VERSION OF THE STATUTE THAT MIKE FORD USED IN DRAFTING THE BILL HAD ACTUALLY BEEN PRINTED INCORRECTLY. THE STATUTE HAS NOW BEEN CORRECTED; C.S. MAKES THE CORRESPONDING CHANGES:

PAGE 9, LINES 21 AND 25

PAGE 11, LINE 2

WE HEARD FEB. 8. QUESTIONS WERE ASKED ABOUT HANDICAP PERMITS TO ORGANIZATIONS AND LICENSING OF INTERSTATE TRAILERS (I.E. U-HAUL) -- BOTH SEEMED SATISFACTORILY ANSWERED.

QUESTION ALSO WAS ASKED ABOUT TRANSFER OF MOTOR VEHICLE DEALER LICENSING FROM D.M.V. TO D.C.E.D. -- IS TO IMPROVE SERVICE SINCE DEALERS ALREADY GO TO D.C.E.D. FOR THEIR BUSINESS LICENSE.

NEW FISCAL NOTE HAS BEEN PREPARED THAT INDICATES A TRANSFER OF \$3,000 FROM D.M.V. TO D.C.E.D. FOR THE PROGRAM. THIS REFLECTS D.M.V.'S COST FOR THE PROGRAM (A RANGE 10 SPENDS 3.5 HOURS A WEEK). HOWEVER, UNDER DIV. OCCUPATIONAL LICENSING'S SCHEME OF LICENSE FEES PAYING ADMINISTRATIVE COSTS, THEY CALCULATE THE PROGRAM COST TO BE \$18,900/YR.

CURRENT LICENSE FEE OF \$50 BIENNIALLY (AS 08.66.020) WILL NOT GENERATE ENOUGH MONEY (BASED ON 265 LICENSEES). OCCUPATIONAL LICENSING PLANS TO REASSESS FEES FOR POSSIBLE INCREASE TO \$100 BIENNIALLY.

→ DEED will bring amendment today
(they thought fee was in regulation, as is typical for licensing fees just realized that increasing it would require statute change)

Amendment options:

- statutory increase to \$100

- specify fee will be set in regulation

SB 92, RELATING TO MOTOR VEHICLES AND RELATED FUNCTIONS OF THE
DEPT. OF PUBLIC SAFETY AND DEPT. OF COMMERCE

TO TESTIFY:

BILL BROWN, DEPT. PUBLIC SAFETY (GAIL HORETSKI)

OTHERS (SEE WITNESS LIST)

F.Y.I.

C.S. REQUESTED BY D.P.S. TO MAKE 3 CORRECTIONS. THIS GAVE OUR
LEGAL DIVISION (MIKE FORD) THE EXCUSE TO MAKE MANY REVISIONS
NECESSARY FOR THE BILL TO CONFORM TO LEGISLATIVE LEGAL'S DRAFTING
STYLE VS. THE A.G.'S DRAFTING STYLE. WE ARE STILL WAITING FOR
THE C.S....

OH OH -- THE OLD "WE'LL FIX IT IN FINANCE COMMITTEE" APPROACH.
D.C.E.D. FISCAL NOTE NEEDS REVISION. UNDER THE BILL, THE
FUNCTION OF LICENSING MOTOR VEHICLE DEALERS IS TRANSFERRED FROM
D.P.S. TO D.C.E.D. THE FISCAL NOTE WE HAVE ASSUMES THAT NO STAFF
OR FUNDS WILL BE TRANSFERRED. NEGOTIATIONS BETWEEN THE TWO
AGENCIES ON THE TRANSFER OF STAFF/FUNDS HAVE JUST BEEN COMPLETED,
AND WILL ALLOW FOR A REDUCED FISCAL NOTE. LINDA WILD (D.C.E.D.)
SAYS THEY DON'T HAVE TIME TO CORRECT THE FISCAL NOTE IN TIME FOR
OUR MEETING, BUT WILL TAKE CARE OF IT WHEN THE BILL GETS TO
FINANCE. D.C.E.D. WILL NOT BE PRESENT AT OUR MEETING -- D.P.S.
IS TO HANDLE THIS BILL FOR THE ADMINISTRATION. (AN ADDITIONAL
REDUCTION IN THE FISCAL NOTE WILL BE MADE BECAUSE OF A MORE
ACCURATE ESTIMATE OF THE NUMBER OF MOTOR VEHICLE DEALERS.)

STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

P.O. BOX N
JUNEAU, ALASKA 99811-1200
PHONE: 465-4322

February 1, 1989

The Honorable Pat Pourchot
Chair, State Affairs Committee
Alaska State Senate
P.O. Box V
Juneau, AK 99811

has

Draft CS
with these changes
has been prepared.

Re: SB 92
Motor Vehicle Laws

Dear Senator Pourchot:

A review of SB 92, an act relating to motor vehicles, has revealed a couple of drafting errors which should be corrected. On page 9, line 13, the present fee should be shown as \$35 instead of \$30, and on line 16, the fee should be \$40 instead of \$35. If this change is not made, the bill would reduce the present registration fee for passenger cars and non-commercial pickups and vans by \$5. This would result in an annual revenue loss to the State of over one and one-half million dollars, which was definitely not the intent of this bill.

The fees described above, along with other registration fees, were increased by \$5 each in Chapter 60, SLA 1986. However, when The Michie Company printed the cumulative supplement to the Alaska Statutes the fees for these two classes of vehicles were not changed. Thus, when SB 92 was drafted, the drafter was working with an incorrect version of the statute. The Michie Company has recently published an addendum to correct the error in the statute books.

We apologize for our failure to catch this error during our review of the draft bill, and hope that the oversight can be corrected during your committee's consideration of the bill. Please let me know if any further information is needed.

Sincerely,

Gayle Horetzki

Gayle Horetzki
Deputy Commissioner

cc: Shari Kochman
Legislative Staff Assistant
Office of the Governor

SCHEDULING REQUESTED 1-9-89

Introduced: 1/9/89
Referred: State Affairs, Labor and Commerce
and Finance

go00289s

Dept. calls this "streamlining" + "clean up" In brief:

- 1) transfers registration of motor vehicle dealers from DPS to DCED
- 2) allows DPS to cancel ID cards in case of fraud (ID card looks like driver's license but is stamped ID only)
- 3) authorizes registration of interstate rental trucks (DPS currently enters into agreements with rental companies, but has no statutory authority to do so + agreements are voluntary)
- 4) allows for registration of broader range of non-commercial trailers (currently 2 + 4-wheel trailers only; there are also 1 and 6-wheels) BY THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR
- 5) allows handicapped parking permits to be issued to organizations (current law is to individuals only) SENATE BILL NO. 92
- 6) eliminates requirement that "lienholder documents" be filed with DPS - will simply state lienholder's name on title (which is signed under penalty of perjury) IN THE LEGISLATURE OF THE STATE OF ALASKA SIXTEENTH LEGISLATURE - FIRST SESSION
- 7) repeals authority to issue "foreign consul" license plates (at request of Fed. gov't, who has assumed this task) A BILL

6 For an Act entitled: "An Act relating to motor vehicles and related
7 functions of the Department of Public Safety and
8 Department of Commerce and Economic Development; and
9 providing for an effective date."

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

11 * Section 1. AS 08.01.010 is amended by adding a new paragraph to read:

12 (31) regulation of motor vehicle dealers under AS 08.66.

13 * Sec. 2. AS 08.66.010 is amended to read:

14 Sec. 08.66.010. DEALERS TO REGISTER. A dealer in motor vehi-
15 cles, trailers, or semi-trailers shall, as a condition to engaging in
16 business in the state, register biennially with the department [DE-
17 PARTMENT OF PUBLIC SAFETY].

18 * Sec. 3. AS 08.66.030 is amended to read:

19 Sec. 08.66.030. FORM OF APPLICATION. The department [DEPARTMENT
20 OF PUBLIC SAFETY] shall prescribe and furnish the form of application
21 for dealer registration. The application shall contain

- 22 (1) the name under which the business is conducted;
- 23 (2) the location of business;
- 24 (3) the name and address of all persons having an interest
- 25 in the business, and in the case of a corporation the application
- 26 shall contain the name and address of the two principal officers;
- 27 (4) the name and make of all vehicles handled;
- 28 (5) whether or not used vehicles are handled;
- 29 (6) a statement that the applicant is a bona fide dealer in

1 motor vehicles, trailers, or semi-trailers with an established busi-
2 ness at the location given;

3 (7) other information the department [DEPARTMENT OF PUBLIC
4 SAFETY] requires to administer this chapter.

5 * Sec. 4. AS 08.66.040 is amended to read:

6 Sec. 08.66.040. FILING APPLICATION FOR REGISTRATION. The appli-
7 cation shall be filed with the department [DEPARTMENT OF PUBLIC SAFE-
8 TY]. Upon receipt of the application the department shall examine it
9 and may make an investigation of the information in it. If the de-
10 partment is satisfied that the dealer is entitled to registration, and
11 the fees have been paid and a bond filed, the department shall assign
12 a distinctive registration number to the dealer and file the dealer's
13 application and index it alphabetically and numerically. A dealer is
14 registered when the department assigns a registration number.

15 * Sec. 5. AS 08.66.060 is amended to read:

16 Sec. 08.66.060. BOND. (a) Every applicant for dealer registra-
17 tion or for renewal of dealer registration shall file with the appli-
18 cation or request for renewal, and shall maintain in force while
19 registered, a bond in favor of the state, executed by an authorized
20 corporate surety approved by the commissioner [OF PUBLIC SAFETY], in
21 the amount of \$10,000, except that a dealer who sells only motorcycles
22 shall maintain in force while registered a bond in favor of the state,
23 executed and approved in the same manner as bonds required of other
24 dealers under this section, in the amount of \$3,000. Instead of a
25 corporate surety bond the commissioner may, in the commissioner's sole
26 discretion, accept a bond in the same amount with at least two indi-
27 vidual sureties, each justifying with real property in twice the
28 amount of the bond. The commissioner shall make the investigation
29 necessary to determine the actual financial responsibility of the

1 individual sureties. The condition of the bond shall be that the
2 applicant will conduct business in accordance with this chapter and
3 will not commit fraud or make fraudulent representations in the course
4 of business.

5 (b) The bond shall be filed in the office of the commissioner
6 [OF PUBLIC SAFETY]. A surety may cancel the bond upon 30 days advance
7 notice in writing filed with the commissioner. However, cancellation
8 does not relieve a surety of liability arising on the bond from a sale
9 made by the bonded dealer before cancellation or a liability which has
10 accrued upon the bond before cancellation. The commissioner shall
11 retain the cancelled bond on file and may not relieve a surety of a
12 liability arising before cancellation.

13 * Sec. 6. AS 08.66.090 is amended to read:

14 Sec. 08.66.090. DEFINITIONS [DEALER DEFINED]. In this chapter

15 (1) "commissioner" means the commissioner of commerce and
16 economic development;

17 (2) "dealer" means a person or an agent, broker or sales-
18 man or a person who is engaged in, selling or dealing in new or
19 used motor vehicles, trailers, or semi-trailers in the state; and

20 (3) "department" means the Department of Commerce and
21 Economic Development.

22 * Sec. 7. AS 18.65 is amended by adding a new section to article 3
23 read:

24 Sec. 18.65.320. CANCELLATION OF IDENTIFICATION CARD. (a) The
25 department shall cancel an identification card if the person to whom
26 the card was issued failed to give the required or correct information
27 in the person's application. Nothing in this section prohibits reap-
28 plication by the person or reissuance of the identification card.

29 (b) A person whose identification card has been cancelled shall

1 return the card to the department. Failure to return a cancelled card
2 within 10 days after receiving notice of the cancellation is a vio-
3 lation punishable by a fine of up to \$100.

4 * Sec. 8. AS 28.10.051 is amended to read:

5 Sec. 28.10.051. DEPARTMENT MAY SUSPEND OR REVOKE REGISTRATION.

6 The department may suspend or revoke the registration of a vehicle,
7 the certificate of registration or registration plates for a vehicle,
8 or a special permit when

9 (1) the department determines that the registration or
10 certificate, plate or permit was fraudulently procured or erroneously
11 issued;

12 (2) the department determines that a registered vehicle is
13 mechanically unsafe to be driven or moved on a highway, vehicular way
14 or area, or other public property in this state and the vehicle has
15 been seized or impounded under (AS 28.05.091;)

16 (3) a registered vehicle has been scrapped, dismantled or
17 destroyed beyond repair;

18 (4) the department determines that a required fee or tax
19 has not been paid and the fee or tax is not paid upon reasonable
20 notice and demand;

21 (5) a registration plate, permit, or certificate is know-
22 ingly displayed upon a vehicle other than the vehicle for which is-
23 sued;

24 (6) the department determines that the owner of a vehicle
25 has committed an offense under this chapter involving the registration
26 or the certificate, plate, or permit to be suspended or revoked;

27 (7) the vehicle has been reported to the department as
28 stolen or unlawfully converted; [OR]

29 (8) the department is otherwise required to do so under the

1 laws of this state; or

2 (9) the department determines that the owner of a vehicle
3 has violated the requirements of AS 28.10.146 or 28.10.147.

4 * Sec. 9. AS 28.10 is amended by adding new sections to read:

5 Sec. 28.10.146. REGISTRATION OF INTERSTATE RENTAL TRUCKS. (a)

6 Notwithstanding any other registration requirement of this chapter,
7 the owner or authorized representative of a fleet of 10 or more rental
8 trucks shall register that number of trucks which represents a certain
9 proportion of the total fleet in this state, and shall pay the fees
10 and taxes required by this chapter. The proportion required to be
11 registered is determined by dividing the total number of miles that
12 all trucks in the rental fleet operated in this state, during a calen-
13 dar year or other period established by the department by regulation,
14 by the total number of miles that all trucks in the rental fleet
15 operated in all states and the District of Columbia during that peri-
16 od.

17 (b) When applying for registration of trucks as required in (a)
18 of this section, the owner or authorized representative of the rental
19 fleet shall file with the department a certified report containing
20 verifiable data, reporting

21 (1) the total number of miles operated by all of the trucks
22 in the rental fleet in all jurisdictions during the preceding calendar
23 year or other period specified by the department;

24 (2) the total number of miles operated in this state by all
25 of the trucks in the rental fleet during the preceding calendar year
26 or other period specified by the department; and

27 (3) other information pertinent to vehicle registration as
28 the department may require.

29 (c) An owner or authorized representative whose application for

*Same
sys*

1 registration under this section has been accepted by the department
2 shall preserve the records on which the application was based for a
3 period of four years following the period upon which the application
4 was based. Upon request of the department, the owner or authorized
5 representative shall

6 (1) provide these records to the department for audit as to
7 the accuracy of reported information and the correct computation and
8 payment of fees and taxes; or

9 (2) pay the cost of such an audit by a representative of
10 the department at the place where the records are kept by the owner.

11 (d) After registration of, and payment of fees and taxes for,
12 the number of trucks required to be registered under (a) of this
13 section, all trucks identified as part of the rental fleet, and cur-
14 rently registered in any state or in the District of Columbia, may
15 operate in this state.

16 (e) If the department determines that the owner or authorized
17 representative of the fleet should have registered more trucks in this
18 state under the provisions of this section, the department may suspend
19 or revoke the registrations previously issued, and may deny future
20 registration of the fleet under (a) of this section, until the addi-
21 tional trucks have been registered. If registration of the rental
22 fleet under (a) of this section has been suspended, revoked, or denied
23 by the department, all trucks in the fleet present at any time in the
24 state must be registered under applicable Alaska law.

25 (f) Fees and taxes paid under this section do not satisfy or
26 offset other fees and taxes levied by the state or jurisdictions
27 within the state in connection with the ownership or operation of
28 rental trucks.

29 (g) As used in this section, "rental truck" means a truck that

1 is rented or offered for rent without a driver.

2 Sec. 28.10.147. REGISTRATION OF INTERSTATE RENTAL TRAILERS. (a)
3 Notwithstanding any other registration requirement of this chapter,
4 the owner or authorized representative of a fleet of 10 or more rental
5 trailers shall register the average number of trailers present in this
6 state, and shall pay the fees and taxes required by this chapter. The
7 average number of trailers is calculated as the total number of trail-
8 ers in the fleet which have been present at any time in the state
9 during a calendar year or other period established by the department
10 by regulation, divided by the number of calendar months in the period.

11 (b) When applying for registration of trailers as required in
12 (a) of this section, the owner or authorized representative of the
13 rental fleet shall file with the department a certified report con-
14 taining verifiable data as to the average number of trailers operating
15 in or through this state for the previous calendar year or other
16 period specified by the department.

17 (c) An owner or authorized representative whose application for
18 registration under this section has been accepted by the department
19 shall preserve the records on which the application was based for a
20 period of four years following the period upon which the application
21 was based. Upon request of the department, the owner or authorized
22 representative shall

23 (1) make these records available to the department at its
24 office for audit as to the accuracy of the number of vehicles reported
25 and the correct computation and payment of fees and taxes; or

26 (2) pay the cost of such an audit by a representative of
27 the department at the place where the records are kept by the owner.

28 (d) After registration of, and payment of fees and taxes for,
29 the number of trailers required to be registered under (a) of this

1 section, all trailers identified as part of the rental fleet, and
2 currently registered in any state or in the District of Columbia, may
3 operate in this state.

4 (e) If the department determines that the owner or authorized
5 representative of the fleet should have registered more trailers in
6 this state under the provisions of this section, the department may
7 suspend or revoke the registrations previously issued, and may deny
8 future registration under (a) of this section, until the additional
9 trailers have been registered. If registration under (a) of this
10 section has been suspended, revoked, or denied by the department, all
11 trailers in the fleet present at any time in the state must be duly
12 registered under applicable Alaska law.

13 (f) Fees and taxes paid under this section do not satisfy or
14 offset other fees and taxes levied by the state or jurisdictions
15 within the state in connection with the ownership or operation of
16 rental trailers.

17 (g) As used in this section, "rental trailer" means a trailer
18 that is rented or offered for rent for personal use, not for the
19 transportation of persons or property for hire or other commercial
20 use, and includes a boat trailer, baggage trailer, box trailer, utili-
21 ty trailer, house trailer, or travel trailer.

22 * Sec. 10. AS 28.10.381 is repealed and reenacted to read:

23 Sec. 28.10.381. FILING A SECURITY INTEREST. (a) A security
24 interest in a vehicle may be filed by delivering to the department

25 (1) a manufacturer's certificate of origin or an existing
26 certificate of title;

27 (2) an application for a new certificate of title, signed
28 by the registered owner and containing the name and address of any
29 lienholder and the date of the lienholder's security interest;

- 1 (3) applicable filing fees required by law; and
2 (4) other documents or information required by the depart-
3 ment.

4 (b) Upon approval of the application, the department shall send
5 to the person holding a lien or other encumbrance a new certificate of
6 title which displays the name of the owner, and indicating the exist-
7 tence of the lien or other encumbrance.

8 * Sec.11. AS 28.10.421(b) is amended to read:

9 (b) The annual registration fees under this subsection are
10 imposed within the following classifications for:

11 (1) a passenger vehicle or motor home not used or main-
12 tained for the transportation of persons or property for hire or for
13 other commercial use.....\$30;

14 (2) a pick-up truck or a van not exceeding 6,000 pounds
15 unladen weight and not used or maintained for the transportation of
16 persons or property for hire or for other commercial use.....\$35;

17 (3) a taxicab.....\$70;

18 (4) a motor bus with a seating capacity for 20 or more
19 persons and used exclusively for commercial purposes in the transport-
20 ing of visitors or tourists.....\$85;

21 (5) a motorcycle or a motor-driven cycle.....\$20;

22 (6) a [TWO- OR FOUR-WHEELED] trailer not used or maintained
23 for the transportation of persons or property for hire or for other
24 commercial use, including, but not limited to, a boat trailer, baggage
25 trailer, box trailer, utility trailer, [OR] house trailer, travel
26 trailer, or a trailer rented or offered for rent.....\$ 5.

27 * Sec. 12. AS 28.10.495 is amended to read:

28 Sec. 28.10.495. PARKING PERMIT FOR VEHICLE TRANSPORTING DISABLED
29 PERSON. (a) Upon application by a disabled or medically handicapped

1 person, or by an organization that transports disabled or medically
2 handicapped persons, the department shall issue to the applicant,
3 without charge, a special permit bearing the control number of the
4 applicant. The permit issued under this section, when displayed in
5 the front windshield of a parked or standing vehicle, shall provide
6 for special consideration by the public with respect to the parking or
7 standing in designated spaces of a vehicle that [WHICH] is being used
8 for the transportation of a [THE] disabled or medically handicapped
9 person.

10 (b) A person is not entitled to use the special permit provided
11 for in (a) of this section except when providing transportation for a
12 [THE] disabled or handicapped person [WITH RESPECT TO WHOM THE PERMIT
13 WAS ISSUED]. Upon the death of a [THE] disabled or handicapped person
14 to whom a special permit has been issued, the special permit shall be
15 returned to the department. If an organization to which a special
16 permit has been issued ceases transporting disabled or handicapped
17 persons, or ceases operating, it shall return the special permit to
18 the department.

19 (c) Proof of disablement or medical handicap, for the purpose of
20 this section, shall be provided as specified in AS 28.10.181(d).

21 * Sec. 13. AS 44.33.020 is amended by adding a new paragraph to read:

22 (31) administer state laws relating to registration of
23 dealers in motor vehicles, trailers, or semi-trailers.

24 * Sec. 14. AS 28.05.011(10) and AS 28.10.181(g) are repealed.

25 * Sec. 15. This Act takes effect January 1, 1990.

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to motor vehicles...
Sponsor: Rules
Requestor: Governor

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

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

This bill contains several provisions that will improve public service and streamline procedures of the division. Major subjects of the bill include registration of motor vehicle dealers, cancellation of ID cards, registration of interstate rental vehicles, eliminating unnecessary lien documents, expanding the range of non-commercial trailers for registration, issuing handicap parking permits, and repealing provisions for foreign consul license plates.

Passage of this bill will streamline present procedures within the division, but will not have any direct fiscal impact.

Prepared by: Jay N. Dulany, Director
Division: Motor Vehicles

Phone: 269-5551
Date: 11-23-88

Approved by Commissioner: A.H. English
Agency: Department of Public Safety

Date: 12-2-88

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Commerce & Economic Dev.
 Title: An Act relating to motor vehicles BRU: Occupational Licensing
 and functions of the Dept. of Public Safety...
 Sponsor: Rules Committee Components: Administration
 Requestor: Governor

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		23.7	23.7	23.7	23.7	23.7
TRAVEL		.6	.6	.6	.6	.6
CONTRACTUAL		7.0	7.0	7.0	7.0	7.0
SUPPLIES		.3	.3	.3	.3	.3
EQUIPMENT		6.0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		37.6	31.6	31.6	31.6	31.6
CAPITAL						
REVENUE		16.3	8.1	32.5	0	32.5

FUNDING: (Thousands of Dollars)

GENERAL FUND		21.3	23.5			
FEDERAL FUNDS						
OTHER PR/GF		16.3	8.1	31.6	31.6	31.6
TOTAL		37.6	31.6	31.6	31.6	31.6

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

See attached for explanation.

*Revenues are based on approximate numbers. These numbers will be revised upon receipt of actual numbers from Div. of Motor Vehicles in late December.

Prepared by: Jennifer Strickler, Admin. Officer Phone: 465-2144
 Division: Occupational Licensing Date: November 25, 1988

Approved by Commissioner: Larry Metcullieff Date: 11/25/88
 Agency: Commerce and Economic Development

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

CONTINUATION OF FISCAL NOTE ANALYSIS

SB 92 (b)
1/9/89

For Bill/Resolution No. _____

The transfer of the motor vehicle dealer license program to the Division of Occupational Licensing is being made without the transfer of personnel or Department of Motor Vehicle funds to support the transfer and therefore requires a fiscal note. The fiscal note is based on a proportion of personnel and supporting costs which the program can be expected to require, based on a percentage of motor vehicle dealer licensees. Information obtained regarding the motor vehicle dealer license program indicates that there are approximately 650 current licensees, or approximately half renew each year.

*Revenues: In FY 90, approximately 325 motor vehicle dealer licensees are anticipated to renew their biennial license. Based on a biennial renewal fee of \$50, revenues collected will total \$16.3 (325 x 50) in the first year. This will require \$21.3 to be supplemented by general funds.

In FY 91, the division will renew the remaining 325 licensees for a one year period only, in order to place all motor vehicle dealer renewals on the same biennial cycle, to parallel the biennial renewal scheme followed by all other licensing areas administered by the division. Therefore, 325 licensees are expected to be renewed for one year (325 x \$25), totalling \$8.1. This year will require a general fund supplement of \$23.5.

Effective in FY 92, all licensees placed on the same biennial renewal cycle with the licenses to be renewed in FY 92 generating \$32.5 in licensing fees (650 x \$50), sufficient to support the motor vehicle licensing program with program receipts. As with all the other division biennial renewals, the expenses incurred by the motor vehicle dealer program during FY 93 (a non-renewal year) will be covered by other occupations renewing in that year.