

HPB

270

HOUSE COMMITTEE REPORT

(7)

Date Referred: April 26, 1991

FURTHER REFERRALS:

Date of Committee Action: 5-6-91

The COMMUNITY AND REGIONAL AFFAIRS Committee considered:

HB 270

HOUSE BILL NO. 270

UNPAID PARKING TICKETS/IMPOUNDMENT

"An Act relating to motor vehicle registration and impoundment of motor vehicles."

RECOMMENDATIONS:

be replaced with CS HB 270 (C.R.A)

[X] the same title

[] a new title

[] have attached amendments(s)

[X] do pass

[] do not pass

[] no recommendations

[] individual recommendations

[] additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

[] fiscal impact _____

[] fiscal note(s) _____

[] zero fiscal note _____

[X] zero fiscal note(s) Public Safety

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>[Signature]</i> Machie	X				
<i>[Signature]</i> Phillips	X				
<i>[Signature]</i> Baker	✓				
<i>[Signature]</i> Gonzales	✓				

[Signature] Machie
CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. HB 270

Revision Date: _____ Department Affected: Public Safety
 Title: "An Act relating to motor vehicle registration and impoundment. . ." BRU: Statewide Support
 Sponsor: Representative Baker Component: AK Public Safety Info. Network
 Requestor: H. TRAN

COMPONENT SERIAL NO.

	5	0	1
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EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not Included)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	2.0	0	0	0	0	0
TRAVEL						
CONTRACTUAL	5.0	0	0	0	0	0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	7.0	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	7.0	0	0	0	0	0
FEDERAL FUNDS						
OTHER/PROG RCPT						
TOTAL	7.0	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

Estimate of current year impact None

ANALYSIS: (Attach a separate page if necessary)

Please see attached.

Prepared by: KES Kenneth E. Bischoff Phone: 465-4336
 Division: Administrative Services Date: 4/24/91

Approved by Commissioner: Wade G. Anttaka Richard L. Burton
 Agency: Department of Public Safety Date: 4/24/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

HB NO. 270
BILL ANALYSIS
INFORMATION SYSTEMS

The existing wording of the proposed text (Section 1.(a)(12)) is unclear with regard to the triggering of the "Do Not Register" stipulation. Two possibilities can be inferred:

- the three or more infractions must be from the same issuing authority
- the three or more infractions may be from a combination of issuing authorities

For Information Systems' cost containment reasons, we suggest that the "Do Not Register" stipulation be imposed only as a result of three or more infractions being levied from a single issuing authority.

Cost calculations were made for each of the above possibilities. They are referred to as Single Issuing Authority and Multiple Issuing Authorities respectively.

Single Issuing Authority Alternative

The Alaska Public Safety Information Network's (APSIN) online system must be modified to allow the placing and removing of a "Do Not Register" indicator. The issuing authority will be responsible for placing and removing this indicator. DMV personnel would be limited to providing the name of the issuing authority and the date the indicator was set to the citizen wishing to register the vehicle.

Under this scenario, Information Systems' work effort would be relatively small. Costs would be as follows:

50 person hours @ \$40.00 per hour.....	\$2,000
Disk space to house indicator, date and issuing authority name.....	5,000

	\$7,000

Ongoing maintenance will be absorbed within the existing IS budget.

Multiple Issuing Authorities

APSIN's online and batch systems must be modified to allow the entry of each and every parking citation issued statewide by all state and municipal enforcement authorities. APSIN processing would be required to place and remove the "Do Not Register" indicator based on the number of citations issued, length of time outstanding, type of disposition, or a combination of these factors.

If the indicator must be set according to length of time outstanding, Information Systems must program for each issuing authority's specific ordinance governing when a violation becomes overdue. This is seen as a significant analysis and design issue.

Municipalities with the more sophisticated information processing systems already have applications in place to manage parking violations. We suspect these organizations will want a bulk data transfer of infraction information as opposed to using the APSIN online system, regardless of the organizations current usage of APSIN. We know Municipalities are already sensitive to double key stroking in law enforcement applications.

Under this scenario, Information Systems' work effort would be relatively large. Costs would be as follows:

	<u>Startup</u>	<u>Ongoing</u>
500 person hours @ \$40.00 per hour.....	\$20,000	
Disk space to house citations, indicator, date and issuing authority name.....	25,000	
CPU Resources	5,000	1,000
50 person hours @ \$40.00 per hour (ongoing maintenance each year for four years)	_____	<u>8,000</u>
	\$50,000	\$9,000

OTHER CONSIDERATIONS

The following items were identified in staff discussions as a result of a cursory review and analysis of the proposed HB:

On a change in vehicle ownership, it is the new owner that will be unable to register the vehicle, i.e., the "wrong" person is inconvenienced

Will rental car firms and commercial businesses be required to pay for violations incurred by their customers or employees?

Will DPS be required to issue warning notices when "Do Not Register" indicators are set? This type of change has not been included in the above cost estimates.

Will paper receipts for payment be accepted in lieu of changing the online indicator? If no, we are, in effect, mandating real time data entry on the part of issuing agencies.

Many citizens do not regularly make use of mail registration, often delaying in person registration until the last possible day. How will enforcement of expired registration be reconciled with the new legislation, i.e., will citizens claim "I was just notified that I cannot register - I need time to pay."

HOUSE COMMITTEE REPORT

(7)

Date Referred: April 10, 1991

FURTHER REFERRALS: Community & Regional Affairs

Date of Committee Action: 4/25/91

The TRANSPORTATION Committee considered:

HB 270

HOUSE BILL NO. 270

UNPAID PARKING TICKETS/IMPOUNDMENT

"An Act relating to motor vehicle registration and impoundment of motor vehicles."

RECOMMENDATIONS: the same title
 be replaced with _____ a new title

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APPROVES PREVIOUS: (Dept/Date)

fiscal impact _____

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>[Signature]</i>	X				
<i>Gail Phillips</i>	X				
<i>Gene Phillips</i>	X				
<i>Richard Storey</i>	X				

[Signature]
 CHAIRMAN'S SIGNATURE

FAK TO: Eric Musser
Office of Honorable Larry Baker

FROM: Dave Harbour

SUBJECT: Legislation

DATE: 4/22/91

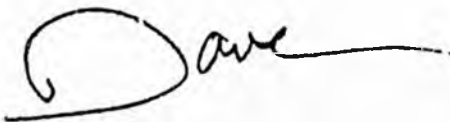
Eric:

Following is the information you requested.

In 1990, the Anchorage Parking Authority completed approximately 80,000 parking violation citations, of various types and for various amounts. Slightly over 20% of those were not paid. Most were \$10 parking violations. Some were \$50 expired tag citations and some were \$100 handicap parking violation citations. Parking violations not paid during the required time period had a \$15 penalty added. Many of those were not paid after the penalty was added.

1. At approximately \$17 each, total value of
accounts.....\$1,280,000
2. Approximate value of all fines actually paid.....963,900
3. Approximate value of unpaid citations.....316,100

...hope this is what you needed.



Position Paper: Amendments to Sec. 1 AS 28.10.041(a) and
Sec. 2 AS 28.35.300

A new paragraph (12) under AS 28.10.041(a) will provide agencies with a defense against parking "scofflaws". Currently, when a citizen fails to pay parking citations, agency recourse is minimal. One Municipality, Anchorage, provides that those not paying for three or more outstanding parking citations are:

- a. subject to having their cars towed (in which case, outstanding fines need not be paid, only the tow fee and current fine).
- b. subject to having their accounts sent to a collection agency (a new program only now being implemented).

It is in the interest of all citizens that laws in effect be properly enforced. If proper enforcement does not occur, conscientious citizens who pay citations subsidize public services on behalf of those who do not.

This amendment will serve to increase voluntary compliance with the law by adding a deterrent to ignoring parking citations: namely, the person who accrues three or more unpaid citations will be subject to having the record transferred to the Division of Motor Vehicles which will deny violators the privilege of registering vehicles until such citations are paid.

Fiscal note: The amendment is constructed in such a way that additional cost to the State will be avoided. Any cost for reporting will accrue to the requesting agency; it is understood that any agency not wishing to accrue the additional cost of enforcement by this method need not request support from DMV.

* * *

A new Sec. 28.35.300 will be created under Article 6, RELEASE OF IMPOUNDED VEHICLES. This section will also increase incentive for voluntary compliance with parking laws by requiring that any vehicle which has been impounded by an agency may not be released from impoundment until such time as the owner of the vehicle has paid all outstanding parking fines and impoundment charges. It is thought that this section, when combined with the amendment above, will eliminate parking "scofflaws" in the State of Alaska, at the option of agencies wishing to employ these discretionary tools of enhanced enforcement.

Fiscal note: This section will result in no fiscal impact on the State. Fiscal impact on municipal agencies will occur only as such agencies, at their option, use the new enforcement tool.

Coordinating note: This legislation has been coordinated with the Division of Motor Vehicles at the request of the Anchorage Parking Authority.

CITY OF PALMER



231 W. EVERGREEN AVE.
PALMER, ALASKA 99645



Phone (907) 745-3271

A HOME RULE CITY

April 17, 1991

The Honorable Jerry Mackie
Representative
State of Alaska
Box V
Juneau, Alaska 99811

RE: House Bill No. 270 - An Act Relating to Motor Vehicle
Registration and Impoundment of Motor Vehicles

Dear Representative Mackie,

The City of Palmer would like to take exception to House Bill
No. 270 - An Act Relating to Motor Vehicle Registration and
Impoundment of Motor Vehicles.

The City of Palmer feels that the proposed amendment to AS
28.10.041 and the new section of AS 28.35.300 is unworkable
and will be a nightmare for the Division of Motor Vehicles.

A case in point is that the City of Palmer has vehicles in
the Municipality of Anchorage nearly every day of the week.
Naturally the vehicle in many instances is required to pay a
parking fee which is done. However, throughout the year, we
get reminders from the Anchorage Parking Authority stating
that we have outstanding parking tickets. In many instances,
the vehicle cited was not in town nor was a member of the
department to which the vehicle is assigned. Too, in our
travels to Anchorage, the meter person can be issuing parking
tickets and a short time later someone has removed the
violation and they are blowing down the street.

Those communities which issue parking violations, which the
City of Palmer does, should utilize their own resources
rather than have the State of Alaska do their work free.

While we can sympathize with the Municipality of Anchorage,
it may take a coordination effort between the Anchorage
Police Department and the Anchorage Parking Authority in the
form of paying a fee for the services rather than imposing

The Honorable Jerry Mackie - April 17, 1991
Page 2

another task upon the State with no restitution for the service. Similarly, we in local government complain about the State mandates without compensation.

Should you have any questions, please feel free to contact me.

Yours truly,

David L. Soulak
City Manager
City of Palmer

DLS/cac

cc: Chief Ron Otte
Senator Kerttula
Senator Menard
Representative Carney
Representative Larson

RECEIVED

CITY OF KODIAK
RESOLUTION NUMBER 13-91

APR 30 1991

A RESOLUTION OF THE COUNCIL OF THE CITY OF KODIAK URGING THE PASSAGE OF HOUSE BILL 270 RELATING TO MOTOR VEHICLE REGISTRATION AND IMPOUNDMENT OF MOTOR VEHICLES

WHEREAS, Representative Baker has sponsored House Bill 270 relating to motor vehicle registration and impoundment of motor vehicles; and

WHEREAS, this bill provides that the department may refuse to register a vehicle if there are three or more outstanding parking infractions against that vehicles; and

WHEREAS, the bill also provides that the vehicle would be released from impoundment once the vehicle owner had paid all fines and impoundment charges; and

WHEREAS, the City of Kodiak has approximately 2,000 outstanding parking citations,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kodiak, Alaska, that the Alaska State Legislature complete its deliberations and pass House Bill 270.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the House Transportation and C&RA Committeemembers, Representative Davidson, and Senator Zharoff.

PASSED AND APPROVED this 25th day of April, 1991.

CITY OF KODIAK


DEPUTY MAYOR

ATTEST:


CITY CLERK



Alaska State Legislature

HOUSE OF REPRESENTATIVES

Official Business

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

April 24, 1991

Mr. David Soulak, Manager
City of Palmer
231 W. Evergreen Ave.
Palmer, AK 99645

Dear Mr. Soulak:

Thank you for your letter of April 17 expressing the City of Palmer's exception to HB 270. I would like to share with you the nature of the legislation and to clarify our position.

Prior to introducing this legislation, the Division of Motor Vehicles (DMV) was consulted and as a result, several changes were made which enables DMV to support HB 270. As indicated on Page 2, line 16 of the Bill, this proposed legislation would only apply to agencies or municipalities that wish to participate in the program. Additionally, the Bill would target only those vehicles with 3 or more outstanding citations, not the vehicle which receives only 1 or 2 citations and perhaps loses them. The threshold of 3 was decided upon to help alleviate problems that might arise as a result of those indicated in paragraph 3 of your letter.

On paragraph 4 of your letter you express a concern that the State would be doing the work of a municipality for free. The proposed legislation is clear in that the participating agency or municipality would pay for the services obtained, they would not be received free.

David, I hope this clarifies some of your concerns and that we can obtain your support for this bill.

Sincerely,

A handwritten signature in cursive script that reads "Larry Baker".

Larry Baker

LB:elm

cc: Senator Jay Kerttula
Senator Kurt Menard
Representative Ron Larson
Representative Pat Carney
Chief Ron Otte