

HB

295

STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF THE COMMISSIONER

WALTER J. HICKEL, GOVERNOR

P.O. BOX 111200
JUNEAU, ALASKA 99811-1200
PHONE: (907) 465-4322

January 24, 1992

The Honorable Dave Donley
Chair, House Judiciary Committee
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Representative Donley:

Re: HB 295, An Act Relating to
Commercial Motor Vehicles

HB 295, an Act relating to penalties for operation of a commercial motor vehicle, is now in the House Judiciary Committee. I am writing to ask you to schedule this bill for a hearing as soon as reasonably possible.

If HB 295 is not enacted into law, there will be two major consequences. The first will occur on the federal deadline of April 1, 1992, when Alaska's authority to issue commercial motor vehicle driver's licenses (CDLs) will be revoked. This means that Alaska residents operating commercial vehicles in Alaska will be in violation of federal law, since the licenses previously issued to them will no longer be valid. It also means that Alaska commercial vehicle drivers will no longer be allowed to operate in any other state. The only "legal" commercial vehicle operators in Alaska would be out-of-state drivers with a valid CDL from their home state. Alaskans could not go to another state to get a license, because a state may only issue CDLs to its own residents.

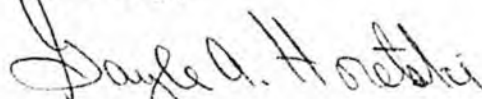
The second consequence of a failure to adopt this proposed legislation is the loss of a percentage of federal highway money, beginning on October 1, 1993. The first year's loss would be five percent of the total allotment, approximately \$12,000,000. The second and subsequent

The Honorable Dave Donley
January 24, 1992
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years' loss would be 10 percent. This penalty would continue until the state complies with the federal requirement.

In order to avoid making all present commercial vehicle operators in the state ineligible to continue their livelihood, this bill must be passed and effective by April 1, 1992. I am respectfully requesting that this bill be set for a hearing as soon as possible. I, or Ms. Juanita Hensley, Chief of Driver Services, would be glad to answer any questions you may have about this.

Sincerely,



Gayle A. Horetski
Deputy Commissioner

ALASKA TRUCKING ASSOCIATION, INC.

3443 Minnesota Drive • Anchorage, Alaska 99503 • Phone (907) 278-1149 • Fax (907) 274-1946

May 1, 1991

TO: HOUSE TRANSPORTATION COMMITTEE
ATTN: Representative Foster, Chairman

FROM: Frank J. Dillon, Executive Director

RE: ATA SUPPORT FOR S.B. 261 - " An Act Relating
To Operating Commercial Motor Vehicles"

ATA asks that you support S.B. 261. Enactment of this proposed legislation will help assure improved highway safety by requiring that commercial motor vehicle drivers are sober and drug-free. It mandates severe penalties for those drivers and companies who do not choose to operate in a reasonable, prudent and safety conscious manner. S.B. 261 will only impact a very small number of drivers and companies. The vast majority of commercial drivers do not drive while impaired nor do many companies allow such drivers to drive while impaired. ATA however feels that even a small number of impaired commercial vehicle drivers are too many and S.B. 261 should further help reduce the number of impaired truck drivers on the roads.

Please pass S.B. 261.

FISCAL NOTE

№ 2

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Version: HB 295

(H) Publish Date: 4/22/91

Revision Date: _____
Title: An Act relating to Commercial
Driver's Licenses
Sponsor: Rules Committee
Requestor: Governor

Department Affected: Public Safety
BRU: Motor Vehicles
Component: Drivers Services

COMPONENT SERIAL NO.

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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						
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/PROG RCPT						
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

Estimate of current year impact None

ANALYSIS: (Attach a separate page if necessary)

See attached analysis.

Prepared by: Juanita Henslev Phone: 465-4335
Division: Drivers Services Date: 4/10/91
Approved by Commissioner: Richard L. Burton Richard L. Burton
Agency: Department of Public Safety Date: 4/10/91

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

This bill is the second phase of a two-phase process to revise state law to meet the requirements of the federal Commercial Motor Vehicles Safety Act. Phase one dealt with the licensing of commercial drivers, and passed the Legislature last year (Ch 53, SLA 1990). A fiscal note accompanied that legislation, and was approved. That fiscal note funded a position to handle the workload expected from the commercial driver's license program. At the present time, the position is assigned the duties of determining the eligibility of applicants for a commercial driver's license.

This bill requires the Division of Motor Vehicles to remove an operator's commercial motor vehicle license upon conviction for certain traffic violations. The additional workload resulting from this bill will be absorbed by present staff, hired as a result of Ch 53, SLA 1990.

STATE OF ALASKA
1991 LEGISLATIVE SESSION

Nr 1
Bill Version: HB 295
(H) Publish Date: 4/22/91

FISCAL NOTE

Revision Date: Draft 4/9/91 Department Affected: DOT&PF
Title: An Act relating to operating commercial motor vehicles, BRU:
motor vehicles, aircraft, and watercraft; and providing for an
effective date
Sponsor: Rules Committee Component:
Requestor: Governor Component Serial Number:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY92	FY93	FY94	FY95	FY96	FY97
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING:	0	0	0	0	0	0

CAPITAL	0	-12197.1*	-24394.3*	-27361.6*	-34323.9*	Unk*
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUNDS	0	0	0	0	0	0
FEDERAL FUNDS	0	-12197.1*	-24394.3*	-27361.6*	-34323.9*	Unk*
OTHER	0	0	0	0	0	0
TOTAL FUNDING:	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

* Estimates of future year impacts are based on the Federal Highway Administrations proposed highway program submitted to Congress as H.R. 1351. The proposed highway program is a 5 year program and, therefore, funding impact in FY 96 is unknown.

ANALYSIS: (Attach a separate page if necessary)

Failure to enact legislation to bring Alaska into compliance with the Commercial Motor Vehicle Safety Act of 1986 (CMVSA 86) will put our highway dollars in jeopardy. CMVSA provides for 5% sanctions against highway funding for states that do not comply in FY 93 and 10% for each fiscal year thereafter. We believe this draft legislation will bring Alaska into compliance with CMVSA 86. We recommend approval of the legislation.

Prepared by: M. Clyde Stoltzfus

Phone: 465-3900

Division: Commissioners Office

Date: April 10, 1991

Approved by Commissioner: 
Frank G. Terpstra

Phone: 465-3900

Agency: Department of Transportation and Public Facilities

Date: April 10, 1991

Distribution By Preparer: Legislative Finance, Legislative Sponsor, Requestor, OMB, Impacted Agency(ies).

REV 2/7/91

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COMMITTEE

(7)

HOUSE COMMITTEE REPORT

Date Referred: May 3, 1991

FURTHER REFERRALS:

Judiciary
Finance

Date of Committee Action: 5-15-91

The LABOR AND COMMERCE Committee considered:

HB 295

HOUSE BILL NO. 295

OPERATION OF VEHICLES, PLANES, & BOATS

"An Act relating to operating commercial motor vehicles, motor vehicles, aircraft, and watercraft; and providing for an effective date."

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

have attached amendments(s)

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) DOT PE

zero fiscal note _____

zero fiscal note(s) DP S

SIGNING <u>DO PASS</u>	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Daniel D. Ouley</i>	✓				
		<i>E. Bunt</i>		-	
<i>Virginia R. ...</i>	✓				
<i>Don ...</i>					

[Signature]
CHAIRMAN'S SIGNATURE

(7)

HOUSE COMMITTEE REPORT

Date Referred: April 22, 1991

FURTHER REFERRALS:

Labor & Commerce
Judiciary
Finance

Date of Committee Action: 5/2/91

The TRANSPORTATION Committee considered:

HB 295

HOUSE BILL NO. 295

OPERATION OF VEHICLES, PLANES, & BOATS

"An Act relating to operating commercial motor vehicles, motor vehicles, aircraft, and watercraft; and providing for an effective date."

RECOMMENDATIONS:

[] the same title

be replaced with _____

[] 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)

[X] ^{negative} fiscal impact DOT

[] fiscal note(s) _____

[X] zero fiscal note DPS

[] zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Greg A. Lemaw</i>	<input checked="" type="checkbox"/>	<i>Gene Kubera</i>		X	
<i>Gail Phillips</i>	<input checked="" type="checkbox"/>				
<i>Richard [unclear]</i>	X				
<i>[unclear]</i>	X				

Richard [unclear]