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261

SENATE COMMITTEE REPORT

DATE: 5/15/91

FURTHER:

DATE TURNED INTO OFFICE: 2-18-92

Judiciary Committee considered SENATE BILL NO. 261

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

and recommended:

- replace with CS SB 261 (TUD) same title
- or adopt _____ new title
- attached amendment(s) technical title change (HB only)
- _____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

ATTACHES NEW FISCAL NOTE(S):

APPROVES PREVIOUS:

Dept/Date:
 fiscal note(s) DOT & PF 2/11/92
Dec 1/9/92

Dept/Date:
 fiscal note(s) _____

zero fiscal note(s) DOT & PF 2/11/92
Dec 1/9/92

zero fiscal note(s) AK Cart System 5/9/91
Public Safety 4/10/91

appropriation-no fiscal note

Governor's bill w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

Walter L. Rader

[Signature]

[Signature]

Rich Halford do pass

 Chair: Signature and Recommendation

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Bill No. SB 261

Revision Date: 02/21/92 Department Affected: Alaska Court System
 Title: An Act relating to operating commercial motor vehicles BRU: Trial Courts
 Sponsor: Rules Committee by request Components: _____
 Requestor: Senate Judiciary COMPONENT SERIAL NO.

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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUNDS	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel *CS* Phone: 264-8228
 Division: Alaska Court System Date: 02/21/92

Approved by: Arthur H. Snowden, II, Administrative Director *AS* *CS*
 Agency: Alaska Court System Date: 02/21/92

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

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. SB 261

Revision Date: _____ Department Affected: Public Safety
 Title: An Act Relating to Operating BRU: Motor Vehicles
Motor Vehicles Component: Driver Services
 Sponsor: Senate Rules
 Requestor: Senate Judiciary COMPONENT SERIAL NO.

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

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
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 FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE:						
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: _____

ANALYSIS: (Attach a separate page if necessary.)

 No fiscal impact anticipated.

Prepared By: Gayle A. Horetski Phone: 465-4322
 Division: Commissioner's Office Date: 2/7/92
 Approved by Commissioner: Gayle A. Horetski Richard L. Burton
 Agency: Department of Public Safety Date: 2/7/92

FISCAL NOTE

Revision Date: 02/11/92
Title: Operation of Vehicles, Planes, and Boats

Department Affected: DOT&PF
BRU:

Sponsor: Rules Committee
Requestor: Governor

Component:
Component Serial Number:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY93	FY94	FY95	FY96	FY97	FY98
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	<10,600>*	<21,200>*	<21,200>*	<22,200>*	<22,200>*
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REVENUE FUND SOURCE	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	<10,600>*	<21,200>*	<21,200>*	<22,200>*	<22,200>*
OTHER FUND SOURCE	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 Administration's tentative allocation of the Intermodal Surface Transportation Efficiency Act of 1991 for the next 6 years.

ANALYSIS: (Attach a separate page if necessary)

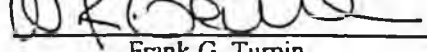
Failure to enact legislation to bring Alaska into compliance with the Commercial Motor Vehicle Safety Act of 1986 (CMVSA 86) will put our highway dollars in jeopardy. CMVSA 86 provides for 5% sanctions against highway funding for states that do not comply in FY93 and 10% for each fiscal year thereafter. We believe this draft legislation will bring Alaska into compliance with CMVSA 86. We recommend approval of the legislation.

Prepared by: M. Clyde Stoltzfus, Chief

Phone: 465-3900

Division: Office of Strategic Management, Planning and Policy

Date: February 11, 1992

Approved by Commissioner: 
Frank G. Turpin

Phone: 465-3900

Agency: Department of Transportation and Public Facilities

Date: February 11, 1992

Distribution By Preparer: Leg. Finance, Leg. Sponsor, Requestor, OMB/DBR, Gov. Leg. Office, Impacted Agency(ies).

DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

240 Main Street, Suite 500
Juneau, Alaska 99801-2101

MEMORANDUM

February 25, 1992

SUBJECT: Commercial motor vehicles - (CSSB 261(Jud))

TO: Senator Rick Halford

FROM: Michael F. Ford *M.F.*
Legislative Counsel

You have asked for a description of matters that could be included in CSSB 261(Jud), if the title amendment 7-GS0033/D.1 were adopted. Under this title, the only matters that could be included in the bill would be (1) regulations of the Department of Public Safety regarding commercial motor vehicles or necessary to qualify for federal highway funds; (2) provisions of law related to operating commercial motor vehicles; and (3) changes to the definitions of "previously convicted" and "controlled substance" affecting motor vehicle licenses and offenses regarding the operation of motor vehicles, aircraft and watercraft. Barring a change to the title, only matters that fall within these subjects could be included in the bill.

Please contact me if you have further questions.

MFF:pl
92-129.plm

SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERENCE

DATE: 4/22/91

FURTHER: *Subcommittee*

Date of 5-Day Notice: 5/2/91
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 5-15-91

State Affairs Committee considered SB 261

Operating commercial motor vehicles, motor vehicles, aircraft, and watercraft; efd.

may do pass

and recommended:

- replace with _____ CS _____ same title
- attached amendment(s) new title
- _____ letter of intent adopted
- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to _____

φ/φ

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

fiscal note(s) _____

Department(s)/Date:

zero fiscal note(s) _____

Courts 5/9/91

Corrections 4/29/91

appropriation-no fiscal note

Governor's bill w/fiscal note

previous DOT 4/10/91

φ DPS 4/10/91

SIGNING DO PASS:

[Signature]

[Signature]

[Signature]

OTHER RECOMMENDATIONS:

[Signature] *do pass*

Chair: Signature and Recommendation

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR HALFORD

TO: CSSB 261(JUDICIARY)

Page 1, lines 1 - 2:

Delete "operating commercial motor vehicles, motor vehicles, aircraft, and watercraft"

Insert "relating to the authority of the Department of Public Safety to adopt regulations concerning commercial motor vehicle safety and licensing, and regulations necessary to qualify for federal highway funds; to operating commercial motor vehicles; to the definitions of 'previously convicted' and 'controlled substance' as they relate to motor vehicle licenses and to offenses regarding the operation of motor vehicles, aircraft, and watercraft"

SENATE AMENDMENT #1

BY: Halford + Roday

TO: CS (Judiciary) SENATE BILL NO. 261

TO: _____ HOUSE BILL NO. _____

An Act implementing a commercial motor vehicle safety, inspection and licensing program pursuant to federal law and regulation and providing for an effective date

V with legal
only references to aircraft
wording is a restatement of existing law?

(TURN IN ORIGINAL AMENDMENT TO SENATE SECRETARY'S OFFICE. THE AMENDMENT WILL BE NUMBERED, COPIED AND DISTRIBUTED.)

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY

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

OFFICE OF THE COMMISSIONER

January 27, 1992

The Honorable Rick Halford
Chair, Senate Judiciary Committee
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Senator Halford:

Re: SB 261, An Act Relating to
Commercial Motor Vehicles

SB 261, an Act relating to penalties for operation of a commercial motor vehicle, is now in the Senate Judiciary Committee. I am writing to ask you to schedule this bill for a hearing as soon as reasonably possible.

If SB 261 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.

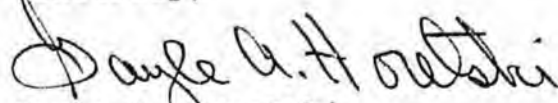
The second consequence of a failure to adopt this proposed legislation is the loss of a percentage of federal highway money, beginning on October 1, 1993. The first year's loss would be five percent of the total allotment, approximately \$12,000,000. The second and subsequent

The Honorable Rick Halford
January 27, 1992
Page 2

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 (or its companion bill, HB 295) 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) 276-1149 • FAX (907) 274-1946

February 25, 1992

TO: MEMBERS OF ALASKA STATE SENATE

FROM: Frank J. Dillon, Executive Director ATA

MESSAGE: SUPPORT S.B. 261 "An Act Related To Commercial Vehicles....."

ATA's members respectfully request your support on the Senate floor Wednesday February 26, 1992 for S.B. 261. ATA members employ several thousand truck drivers who have already taken the time and made the effort to obtain Commercial Driver Licenses. The vast majority of truck users and affected drivers support C.D.L. and ask that you do too! Please pass S.B. 261.

