

SB

133

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 3/9/93

FURTHER:

DATE TURNED INTO OFFICE: _____

The Finance Committee considered SENATE BILL NO. 133

"An Act relating to the revocation of a person's driver's license, privilege to drive, or privilege to obtain a license; and providing for an effective date."

Died in SFC 1994

and recommends:

replace with _____ CS _____ (FINANCE)

or adopt previous _____ CS _____ (_____)

attaches amendment(s)

same title
 new title
 technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

NEW FISCAL NOTES

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

DO PASS:

1. _____
Co-Chair: Signature/Recommendation

PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal

OTHER RECOMMENDATIONS:

2. _____
Co-Chair: Signature/Recommendation

SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERRAL

Frank

DATE: 2/24/93

FURTHER: FINANCE

Date of 5-Day Notice: 3-5-93
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 3-8-93

JUDICIARY Committee considered SB 133

"~~An Act~~ relating to the revocation of a person's driver's license, privilege to drive, or privilege to obtain a license; and providing for an effective date."

and recommends:

and report it back as follows

replace with _____ CS _____

- same title
- new title
- technical title change (HB only)

attaches amendment(s)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

FN

FISCAL NOTE INFORMATION

Department	Date	Zero	Fiscal
DEPT. TRANSPORTATION	3/10/93		(9 615 346)

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

Governor's Bill with Previous Fiscal Notes (enter information above)

DO PASS:

OTHER RECOMMENDATIONS:

1) Rick Holford
~~_____~~
~~_____~~

2) No Rec Suzanne Httoc
2) James Tack ^{Jax} no REC
2) _____ no REC

1) Adrian T. Taylor DO Pass
Chair: Signature and Recommendation

ALASKA STATE LEGISLATURE
SENATE BILL NO. 133

HISTORY IN THE SENATE

1993

Read first time and referred to:

JUD, FIN

2/24

3/9

Jud RPT() CS 2 DP 3 NR ___ DNP ___ AM
 ___ New Title ___ Same Title ___ Previous FN
 X FN ___ OFN To 3/9

___ RPT() CS ___ DP ___ NR ___ DNP ___ AM
 ___ New Title ___ Same Title ___ Previous FN
 ___ FN ___ OFN To ___

___ RPT() CS ___ DP ___ NR ___ DNP ___ AM
 ___ New Title ___ Same Title ___ Previous FN
 ___ FN ___ OFN To ___

___ Rules Calendar() CS ___ AM ___ Other
 ___ New Title ___ Same Title ___ Previous FN
 ___ FN ___ OFN

Read second time

___ CS Adopted () ___ New Title
 ___ Amended ___ Advanced

Read third time

___ Letter of Intent adopted
 ___ Return to second for specific amendment

PASSED	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reconsideration
 Reconsideration not taken up

PASSED	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reported correctly engrossed
 Signed by President, to House

Secretary of the Senate

HISTORY IN THE HOUSE

19

Read first time and referred to:

___ RPT CS() ___ New Title
 ___ DP ___ DNP ___ NR ___ AM
 ___ FN ___ OFN ___ Previous FN

___ RPT CS() ___ New Title
 ___ DP ___ DNP ___ NR ___ AM
 ___ FN ___ OFN ___ Previous FN

___ RPT CS() ___ New Title
 ___ DP ___ DNP ___ NR ___ AM
 ___ FN ___ OFN ___ Previous FN

Read second time
 CS() Adopted

Amended

Advanced

Read third time

Return to second for specific amendment

PASSED	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

___ Intent adopted

Reconsideration
 Reconsideration not taken up

PASSED ON RECON.	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

___ Intent adopted

Reported correctly engrossed, signed by the Speaker
 and returned to the Senate

Chief Clerk of the House

SENATE-HOUSE HISTORY Continued

19	<p>Received from the House Version: _____</p> <p>Concur in House amendment Y ___ N ___ E ___ A ___ _____ Efd name or Y ___ N ___ E ___ A ___</p> <p>Failed to concur in House amendment, ask House recede Y ___ N ___ E ___ A ___</p> <p>House failed to / receded from amendment Y ___ N ___ E ___ A ___</p> <p>CC appointed by Senate _____ Chair _____</p> <p>CC appointed by House _____ Chair _____</p> <p>(S) Granted Limited Powers of Free Conference</p> <p>(H) Granted Limited Powers of Free Conference</p>
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19	<p>(S) Adopted CC Rpt _____ Y ___ N ___ E ___ A ___ _____ Efd name or Y ___ N ___ E ___ A ___</p> <p>(H) Adopted CC Rpt _____ Y ___ N ___ E ___ A ___ _____ Efd name or Y ___ N ___ E ___ A ___</p> <p>To enrolling Received from enrolling Sent to Governor</p> <p>_____ By Governor</p> <p>Chapter Number _____</p> <p>Filed with Lieutenant Governor</p>
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Alaska State Legislature

Senate

Office of the Secretary

OFFICIAL BUSINESS

P.O. BOX V
CAPITOL BUILDING
JUNEAU, ALASKA 99811

FOR YOUR IMMEDIATE ATTENTION

DATE: 3/10/93

TO SENATE
COMMITTEE: Finance (Kathup)

FROM: Office of the Senate Secretary

The attached fiscal note(s) relate to the following bill(s) pending in your Committee.

Please place the fiscal note inside the front cover of the blue or yellow committee folder.

SB 133

Revocation of a person's driver license

Thank you.

SIGNATURE OF PERSON RECEIVING THIS NOTE

JR/s



Alaska State Legislature
Senate

Office of the Secretary

OFFICIAL BUSINESS

P.O. BOX V
CAPITOL BUILDING
JUNEAU, ALASKA 99811

FOR YOUR IMMEDIATE ATTENTION

DATE: 3-9-93

TO SENATE
COMMITTEE: Finance Comte - Kathy Halmquist

FROM: Office of the Senate Secretary

The attached fiscal note(s) relate to the following bill(s) pending in your Committee.

Please place the fiscal note inside the front cover of the blue or yellow committee folder.

SB 133 - revocation of driver's license

SCR 2 - suspension of driver's license
for drug offenses.

Thank you.

SIGNATURE OF PERSON RECEIVING THIS NOTE

JR/s



*Department of Transportation
and Public Facilities*

POSITION PAPER

BILL NO: SB 133

APPROVED: W. R. Conker

TITLE: Revocation of Driver's License

DATE: March 1, 1993

This bill fulfills an urgent federal mandate, that, if ignored, will result in the loss of millions of dollars in federal highway funding. It is based on Public Law 101-516, Nov. 5, 1990, which directs each state to enact a law which requires the revocation of driving privileges of those persons convicted of any type of drug offense, or alternatively, the state must indicate formal opposition to such a law in a manner defined below.

In responding to this federal mandate (some would say blackmail) the state has three options. First, on or before April 1, 1993 the state may enact legislation requiring the revocation of a person's driving privileges upon conviction for a drug offense. Enactment must be accompanied by enforcement, provided there have been circumstances calling for the law's penalties to be imposed. That is the intent of this bill.

Alternatively, on or before April 1, 1993, if the Governor and both houses of the Legislature indicate by certification and resolutions respectively, that they are opposed to the enactment or enforcement of such a law, then the fiscal sanctions will not be imposed on the state. Several other states have selected this option, in most instances as a symbolic act against federal intrusion into states' sovereignty.

Finally, in the absence of the state taking positive, timely action to either enact and enforce the mandatory license revocation law, or indicating formal opposition, a 5% withholding of highway federal-aid funds will begin in Federal Fiscal Year 1994. The penalty would remain the same in FFY '95. Further, funds withheld in these two years would be returned to the state if prior to September 30, 1995 the state achieves compliance with the federal act.

In subsequent federal fiscal years, the penalty rises to 10% and there is no further restoration provision for withheld funding. The approximate magnitude of these penalties is significant, and would be on the order of \$9.6 million in FFYs '95 & '96, and \$19.2 million thereafter. I would therefore urge favorable action on either approach to comply with Public Law 101-516.

For Further Information contact Katy McHugh at 465-3900.

FISCAL NOTE

No. 4

**STATE OF ALASKA
1993 LEGISLATIVE SESSION**

Bill Version: SB 133

(S) Publish Date: 3-10-93

Revision Date: _____ Dept. Affected: Public Safety
 Title: "An Act relating to the revocation of a BRU: Motor Vehicles
person's drivers license. Component: Driver Services
 Sponsor: Senate Transportation
 Requestor: Senate Judiciary COMPONENT SERIAL NO. 500

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

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	44.3	44.3	44.3	44.3	44.3	44.3
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	1.4	1.4	1.4	1.4	1.4	1.4
SUPPLIES	.5	.5	.5	.5	.5	.5
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	46.2	46.2	46.2	46.2	46.2	46.2
CAPITAL	0	0	0	0	0	0
REVENUE FUND SOURCE: 1005	54.0	54.0	54.0	54.0	54.0	54.0

FUNDING: (Thousands of Dollars)

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	46.2	46.2	46.2	46.2	46.2	46.2
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
Other	0	0	0	0	0	0
TOTAL	46.2	46.2	46.2	46.2	46.2	46.2

POSITIONS:

FULL-TIME	1	1	1	1	1	1
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY 93) impact: \$ 19.8

ANALYSIS: (Attach a separate page if necessary.)

See attached.

Prep
3/9/93

Prepared By: Juanita Hensley Phone: 465-4361
 Division: Motor Vehicles Date: 3/9/93
 Approved by Commissioner: *Richard J. Burton* Date: 3/9/93
 Agency: Richard J. Burton, Dept. of Public Safety

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This bill, mandated by federal law, will require the Division of Motor Vehicles to revoke the driver's license of persons who have been convicted of controlled substance offenses in Alaska or in the Federal Court system.

The Department of Law reports that approximately 500 persons a year are convicted of misdemeanor or felony drug offenses each year in Alaska. The federal law requires that notice of a conviction must be sent to the offender's home state, and the home state must take the action to revoke the driver's license. The federal courts were not able to report the number of Alaska residents who are convicted of drug offenses nationwide; the Division of Motor Vehicles estimates an additional 100 convictions from the federal courts.

In order to handle these 600 additional license revocations a year, one full-time Document Processor III will be required. The duties of this position are detailed in the attached request for a new position. The cost for personal services for a Document Processor III is 38.4; the additional 5.9 is for overtime expenses associated with reinstatement of revoked driver's licenses. The overtime pay is requested in lieu of a Motor Vehicle Representative III position, as the workload required to reinstate the offenders' driver's licenses will be borne by all of the Motor Vehicle Field offices throughout the state.

To revoke 600 additional driver's licenses a year takes over 30 processing steps per revoked license. Each processing step varies in the time it takes to complete the transaction. Complete accuracy is essential as an error of entry onto a record could result in civil liability to the State. It takes approximately 20 minutes per applicant to reinstate a revoked driver's license; the person must make a new application for the driver's license, take all of the required tests, pay the reinstatement fee and submit proof of SR-22 (Certificate of Insurance), thus totalling approximately 200 hours of additional workload for the Motor Vehicle Field office personnel.

Under existing law, each person whose license has been revoked or suspended must pay a \$100 fee when applying for reinstatement of his or her driver's license. Assuming that 90 percent of the individuals who are eligible for reinstatement will comply with the reinstatement requirements, approximately 54.0 will be generated annually as program receipts.

DETAIL

		<u>FY 93</u>	<u>FY 94</u>
100	PERSONAL SERVICES	11.1	44.3
	One Document Processor III	9.6	38.4
	Overtime for MVR III Field Office	1.5	5.9
200	CONTRACTUAL	.4	1.4
	Postage and tolls		
400	SUPPLIES	.1	.5
	Routine Office Supplies		
500	EQUIPMENT	8.2	
	1 Employee Work Station		
	TOTAL	19.8	46.2

Position Title Document Processor III		Number of Positions 1	Range/Step 108	Bargaining Unit GGU
Time Status PFT	Staff Months 12	Location Juneau	Election District	
Type of Expenditure		Justification		
1	2	3	This position would handle the necessary paperwork and computer entry onto the person's driving record. Among other duties, this person will send out notice of license revocation, prepare files, prepare certified copies of driving records, file, close files out, sanitize for microfilm, microfilm, enter license revocation, change status, change record to reflect new court action, send judgement to home state of an out-of-state resident, and process court judgements for driving while license revoked.	
Salary*	25.8			
Benefits*	12.6			
Premium Pay (Included in Above)				
Other				
Total Personal Services		38.4		
Travel				
Contractual		1.4		
Commodities		.5		
Equipment				
Other - Overtime 200 hrs.		5.9		
Total Cost		46.2		
Funding Source For Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004	46.2		
Program Receipts/GF	1005			
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS calculations.				

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
 BRU Division of Motor Vehicles
 COMPONENT Driver Services

FY 94

Page 4 of 4
 Revised Date

FISCAL NOTE

No. 3

STATE OF ALASKA
1993 LEGISLATIVE SESSION

Bill Version: SB 133
(S) Publish Date: 3-10-93

Revision Date: _____
Title: "An Act relating to the revocation of a person driver's license, privilege to drive . . ."
Sponsor: Senate Transportation Committee
Requestor: _____

Department Affected: Administration
BRU: Public Defender Agency
Component: Public Defender Agency
COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:
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FUNDING:

1002 Federal Receipts						
1003 GF Match						
1004 GF
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	.	.	.	.	.	.

POSITIONS:

FULL-TIME	.	.	.	.	.	.
PART-TIME						
TEMPORARY	.	.	.	.	.	.

Estimate of current year (FY93) impact: _____

ANALYSIS: (Attach a separate page if necessary.)
See attached.

Prepared by: John Salemi, Public Defender
Division: Public Defender Agency

Phone: 279-7541
Date: _____

Approved by Commissioner: Nancy Bear Usera
Agency: Administration

Date: 3/9/93

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FISCAL NOTE

**STATE OF ALASKA
1993 LEGISLATIVE SESSION**

BILL NO. SB 133

ANALYSIS: (continued)

This legislative proposal, if enacted into the criminal code, will create a new pool of potential "Driving with License Suspended" cases. This will occur because all individuals who are convicted of a drug offense in either State or federal court will have their privilege to drive an automobile revoked, in most cases for at least six months. See Section 1 of this bill.

Because driving has become a necessity of life experience has shown that people whose licenses are revoked continue to drive. A percentage of those people are the subjects of traffic stops or otherwise apprehended by the police and ultimately charged with Driving with License Suspended. Each of those individuals is entitled to have an attorney assist him/her in that the offense is a misdemeanor and carries a potential jail sentence and fine.

Department of Law representatives have not yet assessed the fiscal impact of this bill on state prosecutions. It is for that reason that an indeterminate fiscal note is attached hereto.

FISCAL NOTE

No. 2

Bill Version: SB 133

(S) Publish Date: 3-10-93

STATE OF ALASKA
1993 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Administration
 Title: "An Act relating to the revocation of a person's driver's license . . ." BRU: Office of Public Advocacy
 Component: Office of Public Advocacy
 Sponsor: Senate Transportation Committee
 Requestor: Senate Judiciary COMPONENT SERIAL NO. 43

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
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	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

FUNDING:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
Other	0	0	0	0	0	0
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 (FY93) impact: \$ none

ANALYSIS: (attach a separate page if necessary.)

Prepared By: Brant McGee, Public Advocate Phone: 274-1684
 Division: Office of Public Advocacy Date: _____

Approved by Commissioner: Nancy Bear Usura Date: 3/9/93
 Agency: Department of Administration

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STATE OF ALASKA
1993 LEGISLATIVE SESSION

No. 1
Version: SB 133
(S) Publish Date: 3-9-93

FISCAL NOTE

Revision Date: 03/03/93
Title: Revocation of Driver's License

Department Affected: DOT&PF
BRU:

Sponsor: Transportation
Requestor:

Component:
Component Serial Number:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
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	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)

1002 FEDERAL RECEIPTS **	-9,615,346	-9,615,346	-9,615,346	-19,230,692	-19,230,692	-19,230,692
1003 GF MATCH	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/PROGRAM RECEIPTS	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL FUNDING:	-9,615,346	-9,615,346	-9,615,346	-19,230,692	-19,230,692	-19,230,692

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 (FY93) impact: \$0

ANALYSIS: (Attach a separate page if necessary)

** Failure to pass this legislation will result in the loss of federal ISTEA funds.

Prepared by: Katy McHugh

Phone: 465-3902

Division: Office of the Commissioner

Date: March 3, 1993

Approved by Commissioner: 

Phone: 465-3901

Frank G. Tardiff

Agency: Department of Transportation and Public Facilities

Date: March 3, 1993

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FISCAL NOTE

Revision Date:
Title: Revocation of Driver's License

Department Affected: DOT&PF
BRU:

Sponsor: Transportation
Requestor:

Component:
Component Serial Number:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
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	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)

1002 FEDERAL RECEIPTS **	0	-9,615,346	-9,615,346	-19,230,692	-19,230,692	-19,230,692
1003 GF MATCH	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/PROGRAM RECEIPTS	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL FUNDING:	0	-9,615,346	-9,615,346	-19,230,692	-19,230,692	-19,230,692

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 (FY93) impact: \$ _____

ANALYSIS: (Attach a separate page if necessary)

** Failure to pass this legislation will result in the loss of federal ISTEAs funds.

Prepared by: Katy McHugh

Phone: 465-3902

Division: Office of the Commissioner

Date: March 1, 1993

Approved by Commissioner: 

Phone: 465-3901

Agency: Department of Transportation and Public Facilities

Date: March 1, 1993

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