

HB

222

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. HB 222

Revision Date: _____
 Title: An Act relating to abandoned, wrecked or junk vehicles.

 Sponsor: Representative Rokeberg
 Requestor: H. TRAN

Department Affected: Administration
 BRU: Motor Vehicles
 Component: Field Services

 COMPONENT SERIAL NO. 0502

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 97) cost: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

This bill does not have fiscal impact to the Division of Motor Vehicles.

Prepared by: Juanita M. Hensley
 Division: Motor Vehicles

Phone: 465-2650
 Date: _____

Approved by Commissioner: Mark Boyer
 Agency: Department of Administration

Alison Li Elger
 Date: 4/21/97

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FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO: HB 222

Revision Date: _____ Dept. Affected: Public Safety
 Title: An Act relating to abandoned, wrecked, or BRU: Alaska State Troopers
junked vehicles Component: _____
 Sponsor: Rep. Rokeberg
 Requestor: H.TRA COMPONENT SERIAL NO. 0799

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

OPERATING	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
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-
CHANGE IN REVENUES ()	-0-	-0-	-0-	-0-	-0-	-0-
Revenue Code						

FUNDING: (Thousands of Dollars)

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

Estimate of current year (FY 97) impact: \$ _____

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 would not have any significant fiscal impact on AST.

Prepared By: F/Sgt. Robert Gorder Phone: 269-5650
 Division: Alaska State Troopers Date: 04/18/97
 Approved by Commissioner: Ronald L. Otte *Ronald L. Otte* Date: 4-18-97
 Agency: Department of Public Safety

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CS FOR HOUSE BILL NO. 222(TRA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE TRANSPORTATION COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVE ROKEBERG

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to abandoned, wrecked, or junk vehicles."

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

3 * Section 1. AS 28.11.020 is amended to read:

4 Sec. 28.11.020. Presumption of abandonment. A vehicle registered or
5 titled as required under AS 28.10 that reasonably appears to have [HAS] been left
6 unattended, standing, parked upon or within 10 feet of the traveled portion of a
7 highway or vehicular way or area in excess of 48 hours, or a vehicle registered or
8 titled as required under AS 28.10 that reasonably appears to have been left
9 standing or parked on private property in excess of 24 hours or upon other public
10 property for more than 30 days, without the consent of the owner or person in charge
11 of the property, notwithstanding other statutory provisions, may be removed under
12 AS 28.11.030 and treated as an abandoned vehicle, unless the vehicle is reclaimed and
13 removed before [ACTION REGARDING] removal occurs [IS TAKEN] under
14 AS 28.11.030. The department for good cause may make provisions for parking of
15 vehicles on state property other than specified in this section and under the provisions

1 of AS 44.62.

2 * Sec. 2. AS 28.11.020 is amended by adding new subsections to read:

3 (b) Notwithstanding other provisions of law, a wrecked or junk vehicle that
4 reasonably appears to have been left unattended, standing, parked upon or within 10
5 feet of the traveled portion of a highway or vehicular way or area in excess of 24
6 hours, or a wrecked or junk vehicle that reasonably appears to have been left standing
7 or parked on private property or other public property in excess of 24 hours and
8 without the consent of the owner or person in charge of the property, may be removed
9 under AS 28.11.030 and treated as an abandoned vehicle, unless the vehicle is
10 reclaimed and removed before removal occurs under AS 28.11.030.

11 (c) In this section,

12 (1) "junk vehicle" means a vehicle that

13 (A) is not currently registered under AS 28.10;

14 (B) is stripped, wrecked, or otherwise inoperable due to
15 mechanical failure;

16 (C) has not been repaired because of mechanical difficulties or
17 because the cost of repairs required to make it operable exceeds the fair market
18 value of the vehicle; or

19 (D) is in a condition that exhibits more than one of the
20 following elements:

21 (i) broken glass;

22 (ii) missing wheels or tires;

23 (iii) missing body panels or parts; or

24 (iv) missing drive train parts.

25 (2) "wrecked vehicle" means a vehicle that is disabled and cannot be
26 used as a vehicle without substantial repair or reconstruction;

27 * Sec. 3. AS 28.11.050 is amended to read:

28 Sec. 28.11.050. Vesting of title. Title to an impounded vehicle not reclaimed
29 by the registered owner, a lienholder, or other person entitled to possession of the
30 vehicle within 15 [30] days from the notice given under AS 28.11.040 vests with the
31 state or, if a municipal ordinance is adopted under AS 28.11.100, with the

1 municipality, as appropriate. However, nothing in this section prohibits a lien under
2 AS 28.11.090.

3 * Sec. 4. AS 28.11.070(a) is amended to read:

4 (a) Upon satisfaction of the notice and reporting requirements prescribed in
5 this chapter, a vehicle may be disposed of by removal to a scrap processing yard or
6 auto wrecker for disposal or by public auction 20 days after notice of the auction is
7 published in a newspaper of general circulation in the area or municipality in which
8 the vehicle was found and presumed abandoned. The notice of auction must describe
9 the vehicle and specify the place, date, and time at which it will be sold. A copy of
10 the notice of auction shall be conveyed to the department.

11 * Sec. 5. AS 28.11.070(b) is amended to read:

12 (b) A vehicle disposed of under this section by public auction must be
13 [REGISTERED AND] titled under AS 28.10, and may not be subsequently sold
14 without a certificate of title issued by the department.

15 * Sec. 6. AS 28.11.100 is amended to read:

16 Sec. 28.11.100. Municipal abatement procedure. A municipality may adopt
17 an ordinance establishing procedures for the abatement and removal from private or
18 public property, as a public nuisance or a health or safety hazard, a wrecked,
19 dismantled, or inoperative vehicle or a vehicle otherwise presumed to be abandoned.
20 An ordinance adopted under this section must contain provisions for (1) notice to
21 owners and lienholders of record and persons known to be lawfully entitled to
22 possession of the vehicles, of their right to a hearing which shall be conducted by the
23 municipality in the manner provided for by municipal ordinance [THE
24 DEPARTMENT UNDER AS 28.05.131 - 28.05.141]; (2) notice to owners and
25 lienholders as provided in AS 28.11.040; and (3) disposal of abandoned vehicles as
26 provided in AS 28.11.070.

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE ROKEBERG

TO: HB 222

1 Page 3, following line 13:

2 Insert a new bill section to read:

3 "* Sec. 6. AS 28.11.100 is amended to read:

4 **Sec. 28.11.100. Municipal abatement procedure.** A municipality may
5 adopt an ordinance establishing procedures for the abatement and removal from
6 private or public property, as a public nuisance or a health or safety hazard, a
7 wrecked, dismantled, or inoperative vehicle or a vehicle otherwise presumed to be
8 abandoned. An ordinance adopted under this section must contain provisions for (1)
9 notice to owners and lienholders of record and persons known to be lawfully entitled
10 to possession of the vehicles, of their right to a hearing which shall be conducted by
11 the municipality in the manner provided for by municipal ordinance [THE
12 DEPARTMENT UNDER AS 28.05.131 - 28.05.141]; (2) notice to owners and
13 lienholders as provided in AS 28.11.040; and (3) disposal of abandoned vehicles as
14 provided in AS 28.11.070."

ALASKA STATE LEGISLATURE

House of Representatives

COMMITTEE ASSIGNMENTS

LABOR & COMMERCE COMMITTEE, CHAIRMAN
SPECIAL COMMITTEE ON OIL & GAS, MEMBER
JUDICIARY COMMITTEE, MEMBER
CORRECTIONS BUDGET SUBCOMMITTEE, MEMBER
ADMINISTRATION BUDGET SUBCOMMITTEE MEMBER
HEALTH & SOCIAL SERVICES BUDGET SUBCOMMITTEE MEMBER



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JUNEAU, AK 99801-1182
PHONE: (907) 465-4968
FAX: (907) 465-2040

Representative Norman Rokeberg

SPONSOR STATEMENT

HOUSE BILL 222

BY REPRESENTATIVE NORMAN ROKEBERG

House Bill 222 is an act relating to abandoned, wrecked, or junk vehicles.

HB 222 would give local governments more tools to work with when impounding and disposing of wrecked or junk vehicles. The Municipality of Anchorage has placed the passage of such legislation on its 1997 Legislative Program as an issue that needs to be addressed. The number of vehicles abandoned on streets and highways has become and is a problem for local governments. These vehicles, besides being an eyesore, can be a possible traffic or health risk. Such vehicles are usually not properly registered and tracing the owner can be difficult.

It is expensive for local governments, and citizens of those governments, to remove wrecked or junk vehicles can be formidable. The Municipality of Anchorage removes more than 1,000 such vehicles from municipal and state rights-of-way each year. The cost to the Municipality of Anchorage to remove such vehicles is approximately \$126,000.

House Bill 222 would provide the following benefits to local governments:

- Expedite removal of junk vehicles from streets and rights-of-way
- Reduce holding time and decrease processing time for junk vehicles.
- Assist in reducing the number of junk vehicles which are sold through auction and often re-deposited on the streets and rights-of-way.

House Bill 222 would make it easier for local governments to remove junk vehicles from streets and rights-of-way. The provisions of HB 222 would save money, allow municipal programs in this area to be more effective, and help make our roadways safer.

Your support of this measure would be appreciated.

ED 1:4/14/97

LEGAL SERVICES

APR 11 1997

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

April 4, 1997

SUBJECT: Sectional Summary of HB 222

TO: Representative Norman Rokeberg
Attn: Janet

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

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Establishes that a presumption of abandonment attaches to certain vehicles left unattended if the vehicles are registered or titled as required under AS 28.10.

Section 2. Allows certain junk vehicles to be removed and treated as abandoned vehicles. Provides a definition of "junk" and "wrecked" vehicles.

Section 3. Reduces the time period for reclaiming an impounded vehicle from 30 to 15 days.

Section 4. Allows disposal of a vehicle by scrap processing or by public auction.

Section 5. Requires that vehicles that are sold at auction must be registered and titled.

MFF:jdr
97-246.jdr

Municipality of Anchorage



P.O. Box 196650
Anchorage, Alaska 99519-6650
Telephone: (907) 786-8277
Fax: (907) 561-1057

Rick Mystrom, Mayor

APR 03 1997

DEPARTMENT OF PUBLIC WORKS
Street Maintenance Division
(3500 E. Tudor Road)

April 3, 1997

Representative Norm Rokeberg
Alaska State Legislature
State Capitol "MS 3100", Room 24
Juneau, AK 99801-1182

Re: Junk Vehicle House Bill

Dear Representative Rokeberg:

To reduce the costs of impounding and disposing of approximately 1000 abandoned, wrecked, or junk vehicles in the Municipality of Anchorage each year, we are seeking revisions to AS 28.11.020, 28.22.050 and 28.11.070. These revisions will provide the following benefits:

- Enable the Municipality to expedite removal of junk vehicles from streets and rights-of-ways by reducing the notice time to twenty-four hours rather than the current forty-eight hour requirement;
- The reduction of the holding time from thirty days to fifteen days will not only decrease the processing time for a junk vehicle, but will also provide additional economies for the program by reducing the size of holding yards for municipal contractors.
- The change to allow junk vehicles to be taken directly to a scrap processing yard will greatly assist in reducing the number of junk vehicles which are sold through auction and often re-deposited onto our streets and rights-of-ways.

The revisions proposed in this bill will save money, make municipal junk vehicle programs more effective, and help to make all of our roadways more attractive to our citizens and visitors. Thank you for sponsoring HB 222, "An Act Relating to Abandoned, Wrecked, or Junk Vehicles." This bill will help us manage the problem more effectively and efficiently.

Sincerely,

Everett L. Mabry
Manager

cc: Tim Rogers

wordrow/junk/bill

**MUNICIPALITY OF ANCHORAGE
1997 LEGISLATIVE PROGRAM**

SUMMARY OF LEGISLATIVE ISSUES

**Page
Reference**

HIGHEST PRIORITY LEGISLATIVE ISSUES

- 2-3 **Public Safety Program**
- 2-5 **Safe Communities Program**
- 2-6 **Economic Development – Global Logistics Industrial Park
Infrastructure**
- 2-7 **Bill of Mandates Legislation or Constitutional Amendment**

OTHER LEGISLATIVE ISSUES

- 2-9 **Amend AS 29.65 to provide conveyance of isolated tracts**
- 2-10 **Economic Development – Reauthorize Alaska Regional
Development Organizations (ARDOR's)**
- 2-11 **Abandoned Vehicles - AS 28.11.020, AS 28.04.050, and
AS 28.11.070**
- 2-14 **Revision to Method of Imposition of Penalties for Minor Traffic
Offenses and Operator's License Revocations - AS 28.15.191 &
AS 28.40.050**
- 2-16 **Amendment to Worker's Compensation Statute - AS 23.30.015
Compensation when third persons are liable**
- 2-20 **Amend Public Employees Pension Plans to limit basis of
computation of retirement benefits to base pay. Exclude
overtime that inflates future pension benefits.**