

HB

83

FISCAL NOTE

No. 2

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO: _____
Bill Version: CSHB 83(STA)
(H) Publish Date: 3/26/97

Revision Date: 03/10/97 Dept. Affected: Public Safety
Title: Commercial Vehicle Inspections BRU: Alaska State Troopers
Sponsor: Rep. Martin Component: Commercial Vehicle Enforcement
Requestor: H.STA COMPONENT SERIAL NO. 1235

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: Capt. Ted M. Bachman Phone: 269-5650
Division: Alaska State Troopers Date: 03/10/97
Approved by Commissioner: Ronald L. Otte Date: 3/10/97
Agency: Department of Public Safety

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FISCAL NOTE

No. 3
 Bill Version: CSHB 83 (STA)
 (H) Publish Date: 3/26/97

**STATE OF ALASKA
 1997 LEGISLATIVE SESSION**

Revision Date: 3/21/97 Dept. Affected: DOT&PF
 Title: "An Act relating to commercial vehicle inspections: and providing for an effective date." BRU: Engineering and Operations
 Sponsor: Representative Martin Component: Engineering and Operations
 Requester: State Affairs COMPONENT SERIAL NO. 547

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)

FUND SOURCE	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 CAPITAL						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY97) cost: \$ 0.0

POSITIONS

POSITIONS	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

The proposed bill will not have a fiscal impact on the Department of Transportation and Public Facilities.

Prepared by: Mike Downing, P.E., Director
 Division: Engineering and Operations
 Approved by: Joseph L. Perkins
 Agency: Department of Transportation and Public Facilities

Phone: 465-2960
 Date: 3/21/97
 Date: 3/21/97

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TERRY MARTIN
VICE-CHAIRMAN
BUDGET & AUDIT COMMITTEE
MEMBER
HOUSE FINANCE COMMITTEE

Alaska State Legislature



MAY 15 - JAN 15 258-8169
716 W. 4TH, SUITE 650
ANCHORAGE, AK 99504
JAN 15 - MAY 15 465-3783
STATE CAPITOL
JUNEAU, AK 99801-1182

MEMORANDUM

To: Senator Jerry Ward, Chairman
Senate Committee on Transportation

From: Representative Terry Martin *TMM*

Date: April 15, 1997

Subject: Request for hearing

The House has taken action on CSHB 83 (STA), a bill relating to commercial vehicle inspections. The CS has the strong backing of the Alaska Trucking Association and the State Troopers.

I would be most appreciative if, at your earliest opportunity, you could fit the bill into your committee schedule.

Support information for the bill is attached. If you have questions, please contact either myself or John Manly of my staff at 465-3783. Thank you for your kind attention to this request.



REPRESENTATIVE
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Sponsor Statement

CS HB 83 (STA)

An Act relating to commercial vehicle inspections; efd.

House Bill 83 was originally introduced in response to a recommendation by the Ombudsman that the requirement to have a commercial motor vehicle inspected by the state be reduced from twice a year to once a year. This recommendation was made because the State Troopers do not have adequate manpower to do the inspections twice a year.

Testimony in the House Transportation Committee and the House State Affairs Committee, particularly from representatives of the Alaska State Troopers and the Alaska Trucking Association, supported the changes found in CS HB 83 (STA).

These changes essentially repeal the state-run inspection program (which had not been implemented due to lack of funding and manpower) and officially adopt the federal regulations under which commercial vehicles are currently inspected. Under the federal program, inspections are conducted either by a qualified in-house mechanic or by contracting with a garage or other repair facility which employs a mechanic qualified to conduct the inspections. A record of inspections and repairs is required to be kept in the vehicle as well as at the facility where the inspection was done.

Peace officers and other authorized officials will continue be authorized to conduct random inspections and review a vehicle's records, issue citations and red-tag an unsafe vehicle to keep it off the highway until it is repaired.

The State Affairs CS also incorporates the effects of EO 98, which transferred the administration of the state's commercial motor vehicle inspection programs to DOT&PF. The CS changes the statutory reference from AS 28.32 to AS 19.10, to conform with EO 98.



Sectional Analysis

CS HB 83 (Trans)

An Act relating to commercial vehicle inspections; efd.

Sec. 1 eliminates the semi-annual inspection requirement, official vehicle inspection stations, and a requirement to display a current sticker of inspection on the vehicle. Instead, an annual inspection is required, and a vehicle owner or operator will have to show proof of the inspection upon demand by an authorized official.

Sec. 2 replaces the never-impemented state-run inspection program with one that meets federal guidelines, in which the inspections are conducted by in-house mechanics or at a qualified garage. This section also allows for audits of inspection records at any time by peace officers or other authorized personnel.

Sec. 3 adopts federal commercial vehicle inspection regulations that were in effect on October 31, 1996 as the basic requirements of the state program. The section also defines "interstate" as used in the federal regulations, to include "intrastate" trucking operations.

Sec. 4 makes a violation of this statute (except for AS 19.10.365) a civil offense, not a criminal offense, authorizing fines of up to \$20,000.

Sec. 5 establishes a maximum fine for violation of AS 19.10.365 (compliance with federal inspection regulations by inspectors) at \$500.

Sec. 6 allows a person who is charged with a violation of the state law to use as a defense the fact that the action is allowed under federal law.

Sec. 7 makes changes to the definition of "commercial motor vehicle" to clarify that it is used for "commercial purposes."

Sec. 8 repeals the following: AS 19.10.060(c), which requires adoption of regulations adequate to avoid losing federal funds; 19.10.320, pertaining to state inspection stations; 19.10.330, pertaining to certification of commercial vehicle inspectors; 19.10.350, relating to falsely representing to be an official inspection station; 19.10.360, relating to counterfeit certificates of inspection; and 19.10.370, directing the commissioner to adopt regulations.

Sec. 9 provides an effective date of July 1, 1997.