

**HB**

**510**

# Alaska State Legislature

House of Representatives



Transportation Committee

## **SPONSOR STATEMENT**

### **HB 510**

## **COMMERCIAL MOTOR VEHICLES: REGULATIONS**

This legislation completes the consolidation of the truck size, weight, safety and permitting regulatory programs that was started with Executive Order 98 effective at the beginning of Fiscal Year 98.

The authority to promulgate regulations for driver/vehicle safety requirements and hazardous materials transport currently resides in the Department of Public Safety. This legislation transfers that authority to the Department of Transportation and Public Facilities.



## *Commercial Vehicle Statute Changes*

### *Driver/Vehicle Safety Requirements*

### *Hazardous Material Transport Requirements*

### *House Bill*

*March 22, 2001*

This legislation completes the consolidation of the truck size, weight, safety and permitting regulatory programs that was started with Executive Order 98 effective at the beginning of Fiscal Year 98. The authority to promulgate regulations for driver/vehicle safety requirements and hazardous materials transport currently resides in the Department of Public Safety. This legislation transfers that authority to the Department of Transportation and Public Facilities. The following bullets describe the effect of the legislative change.

- Alaska has not received any formal sanctions from the Federal Motor Carrier Safety Administration, US DOT on our currently outdated regulations. We have regulations prepared and ready to go through the adoption process as soon as this legislative change is effective.
- The proposed legislation will transfer the authority to adopt regulations related to commercial motor vehicle safety from the Department of Public Safety to the Department of Transportation and Public Facilities. The transport of hazardous material is not the only matter addressed in the state's commercial motor safety regulations. The other subjects also include equipment standards, working conditions for drivers, and vehicle inspection standards.
- This legislation continues the process that began with Executive Order 98. That executive order transferred the authority to run weigh stations and issue over weight and over size vehicle permits from the Department of Commerce and Economic Development to DOT&PF. It also transferred the authority to conduct commercial motor vehicle safety inspection programs from the Department of Public Safety to DOT&PF.
- With the changes that were made under Executive Order 98, the trucking industry has had one stop service, i.e. vehicles are weighed, over weight or over size permits are issued, commercial motor vehicles inspected.

*Commercial Vehicle Statute Changes*  
*March 22, 2002*

- The proposed legislation will complete the transfer of the regulatory authority over commercial motor vehicles to the DOT&PF. It will be in the best interests of the state and the trucking industry for this transfer to occur because the people responsible for the adoption of the commercial motor vehicle safety will also be enforcing the standards.
- Federal law requires that the state commercial motor vehicle safety inspections be no less stringent than federal law or regulations. Under 49 USC 31141 state commercial motor vehicle safety regulations are pre-empted if the Secretary of Transportation finds that state commercial motor vehicle regulations are less stringent than federal law or regulation. Alaska has avoided that result by incorporating by reference the federal commercial motor vehicle safety regulations which provide equipment standards, working conditions for drivers and vehicle inspection standards.
- At the present time Alaska's commercial motor vehicle safety standards incorporate by reference the federal regulations that existed in 1995. While there have not been any notices of non-compliance issued by the Federal Motor Carrier Safety Administration, operators in Alaska have not received the benefit of any advantages that newer regulations may provide.
- In order for Alaska to continue receiving federal grant money, our regulations need to be compatible with the Code of Federal Regulations

Aves D. Thompson, Director  
Measurement Standards and  
Commercial Vehicle Enforcement  
AK Dept of Transportation and Public Facilities  
907 345-7750 Phone

# FISCAL NOTE

**STATE OF ALASKA**  
**2002 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: HB 510  
 (H) Publish Date: 4/3/02

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: DOT&PF  
 Title An Act relating to the regulation of BRU Measurement Standards and CVE  
commercial motor vehicles... Component Measurement Standards and CVE  
 Sponsor House Transportation  
 Requester House Transportation Component No. 2332

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual	0.0					
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

Prepared by: Dennis R. Poshard, Assistant to Commissioner  
 Division: Commissioner's Office  
 Approved by: Joseph L. Perkins, Commissioner  
 Agency: Alaska Department of Transportation and Public Facilities

Phone 465-3904  
 Date/Time 4/1/02 1:42 PM  
 Date 4/1/2002

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