

HB

68

22-LS0300F
Ford
3/26/01

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 68()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE ROKEBERG

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to civil liability for transporting an intoxicated person or for driving an**
2 **intoxicated person's motor vehicle; and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1. AS 09.65 is amended by adding a new section to read:**

5 **Sec. 09.65.280. Damages resulting from transportation of an intoxicated**
6 **person or damage to an intoxicated person's motor vehicle. (a) An intoxicated**
7 **person who is being transported in a taxicab, who is not paying for the transportation,**
8 **and who suffers personal injury or death during the transport may not bring a civil**
9 **action to recover damages from the owner or driver of the taxicab if the owner or**
10 **driver is acting in good faith.**

11 **(b) The owner of a motor vehicle may not bring a civil action to recover for**
12 **damage to the motor vehicle if the motor vehicle damage occurred when the motor**
13 **vehicle was being driven**

14 **(1) to the owner's residence at the request of the owner or a law**

1 enforcement officer; and

2 (2) by an owner or employee of a taxicab business because the motor
3 vehicle owner was intoxicated.

4 (c) A person may not bring a civil action against an owner or employee of a
5 taxicab business to recover for personal injury, death, or property damage if the
6 personal injury, death, or property damage resulted from a motor vehicle accident and
7 the accident involved a motor vehicle being driven

8 (1) by the owner or an employee of a taxicab business, but the motor
9 vehicle driven by the owner or employee of the taxicab business is not owned by the
10 owner or employee of the taxicab business;

11 (2) to the motor vehicle owner's residence at the request of the motor
12 vehicle owner or a law enforcement officer; and

13 (3) by the owner or employee of a taxicab business because the motor
14 vehicle owner or operator was intoxicated.

15 (d) This section does not preclude liability for civil damages as a result of
16 gross negligence or reckless or intentional misconduct.

17 * Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to
18 read:

19 APPLICABILITY. This Act applies to a civil action that accrues on or after the
20 effective date of this Act.

21 * Sec. 3. This Act takes effect July 1, 2001.

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CS HB 64 (TRANS)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Revenue
 Title: International Airports Revenue Bonds BRU: Revenue Operations
 Component: Treasury Division
 Sponsor: Rules Committee
 Requester: House Finance Component Number: 121

Expenditures/Revenues (Thousands of Dollars)

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

| OPERATING EXPENDITURES | FY 2002 | FY 2003 | FY 2004 | FY 2005 | FY 2006 | FY 2007 |
|------------------------------------|-------------|-------------|----------------|-----------------|-----------------|-----------------|
| Personal Services | | | | | | |
| Travel (Marketing & Selling Bonds) | 25.0 | | | | | |
| Contractual (Paying Agent) | | 15.0 | 15.0 | 15.0 | 15.0 | 15.0 |
| Supplies | | | | | | |
| Equipment | | | | | | |
| Land & Structures | | | | | | |
| Grants & Claims | | | | | | |
| Miscellaneous | | | 4,705.9 | 12,260.8 | 12,253.5 | 12,250.0 |
| TOTAL OPERATING | 25.0 | 15.0 | 4,720.9 | 12,275.8 | 12,268.5 | 12,265.0 |

| | | | | | | |
|-----------------------------|--|--|--|--|--|--|
| CAPITAL EXPENDITURES | | | | | | |
|-----------------------------|--|--|--|--|--|--|

| | | | | | | |
|-------------------------------|--|--|--|--|--|--|
| CHANGE IN REVENUES () | | | | | | |
|-------------------------------|--|--|--|--|--|--|

FUND SOURCE (Thousands of Dollars)

| | | | | | | |
|--------------------------|-------------|-------------|----------------|-----------------|-----------------|-----------------|
| 1002 Federal Receipts | | | | | | |
| 1003 GF Match | | | | | | |
| 1004 GF | 25.0 | 15.0 | 15.0 | 15.0 | 15.0 | 15.0 |
| 1005 GF/Program Receipts | | | | | | |
| 1037 GF/Mental Health | | | | | | |
| AIAS Revenue Fund | | | 4,705.9 | 12,260.8 | 12,253.5 | 12,250.0 |
| TOTAL | 25.0 | 15.0 | 4,720.9 | 12,275.8 | 12,268.5 | 12,265.0 |

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| Full-time | | | | | | |
| Part-time | | | | | | |
| Temporary | | | | | | |

ANALYSIS: (Attach a separate page if necessary)

This legislation authorizes the State Bond Committee to issue an additional \$142,900,000 in revenue bonds to support the Alaska International Airport System's capital improvement program.

BASE ASSUMPTIONS: Project size of approximately \$113.2 million, 25-year term of bonds. True interest cost of 6.76% (approximately 1.5% above current rates). Two years of capitalized interest (making the interest payments on the bonds with bond proceeds). Debt service reserve funded with bond proceeds.

SOURCES OF CAPITAL: Par amount of bonds \$142.9 million, with interest earnings on the construction fund estimated at \$4 million.

USES OF CAPITAL: Project \$113.2 million. Capitalized interest \$18.8 million. Debt service reserve fund \$12.3 million. Costs associated with issuing the bonds \$2.5 million. Total uses of capital are \$146.9 million.

Prepared by: Deven Mitchell, State Debt Manager Phone 465-3750
 Division: Treasury Division Date/Time May 4, 2001, 9 a.m.
 Approved by: Larry Persily, Deputy Commissioner Date 05/04/2001
 Agency: Department of Revenue

For distribution information, call the Governor's Legislative Office

ALASKA STATE LEGISLATURE
House of Representatives

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Representative Norman Rokeberg

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MEMORANDUM

TO: The Honorable Vic Kohring, Chairman
House Transportation Committee

FROM: Representative Norman Rokeberg

DATE: March 20, 2001

RE: SSHB 68

A handwritten signature in black ink, appearing to read "Norm Rokeberg".

Please schedule SSHB 68 for a hearing before the House Transportation Committee.

Attached are:

- 1. SSHB 68**
- 2. Sponsor Statement**
- 3. Sectional Analysis**

I would request that this hearing be teleconferenced to the Anchorage LIO.

If you have any questions, please do not hesitate to contact me.

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Representative Norman Rokeberg

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SPONSOR STATEMENT

SPONSOR STATEMENT FOR HOUSE BILL 68

An Act relating to civil liability for transporting an intoxicated person or for driving an intoxicated person's motor vehicle; and providing for an effective date

SSHB 68 is a "good samaritan" bill for taxicab operators who transport intoxicated persons or who drive an intoxicated person's motor vehicle to a location directed by that person. Absent gross negligence or reckless or intentional misconduct, a person engaging in this activity would not be civilly liable for damages.

One of the problems facing Alaskans is when they are out drinking; they want to drive home even when they shouldn't. Additionally, these intoxicated persons are worried about leaving their vehicle parked in a location other than their home. This legislation would allow the intoxicated person and his or her vehicle to get home safely without the taxicab operator fearing liability from this activity.

Your support would be appreciated.

ED 2:03/19/01

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SECTIONAL ANALYSIS

SPONSOR STATEMENT FOR HOUSE BILL 68

An Act relating to civil liability for transporting an intoxicated person or for driving an intoxicated person's motor vehicle; and providing for an effective date

- Section 1:** Adds new section to 09.65. Under certain specific circumstances, a taxicab operator is not civilly liable for personal injury or death during the transportation of an intoxicated person or an intoxicated person's vehicle except as a result of gross negligence or reckless or intentional misconduct.
- Section 2:** Applicability section.
- Section 3:** Effective date: July 1, 2001.

ED 2:03/19/01