

HB

81

SENATE COMMITTEE REPORT

DATE: 4/30/03

FURTHER:

DATE TURNED IN TO OFFICE: 5/7/03

State Affairs Committee considered CS FOR HOUSE BILL NO. 81(STA)

HB 81 MOTOR VEHICLE EMISSIONS INSPECTION

"An Act relating to motor vehicle emissions and to inspection decals and fines relating to motor vehicle emissions; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:

- same title
- new title

House Bill:

- same title
- technical title
- new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
DOA	3/31/03		✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	NO REC	AMEND
<i>[Signature]</i>	✓			
<i>[Signature]</i>			✓	
<i>[Signature]</i>				
CHAIR: <i>[Signature]</i>	X			

REPRESENTATIVE KEVIN MEYER

HOUSE DISTRICT 30

CS HB 81(STA)

“An Act relating to motor vehicle emissions and to inspection decals and fines relating to motor vehicle emissions; and providing for an effective date.”

CS HB 81(STA) streamlines existing motor vehicle emission statutes to improve compliance and enforcement, provide consistency between departments, provide relief from extraneous requirements, and protect consumers.

In areas that require motor vehicle emission programs, car owners have found several loopholes to evade programs and falsely register cars. Before a vehicle's registration can be renewed, a car must also have a current and valid emission inspection. A problem arises when the inspection expires and the registration is current. This creates a disconnect between the dates on the license plate and the certificate of inspection, and reduces the ability to enforce proper registration. CS HB 81(STA) limits changes so that the emission inspection and the vehicle registration renewal date may be synchronized.

The same loopholes exist for title transfers. Before a title can be transferred for a 1987 or older vehicle, it must have an inspection dated within 12 months. When the title is transferred, often the registration is still current. When the new emission test is done for a title transfer, the vehicle has an inspection decal that is good for two years, but a registration that will expire in less than two years. CS HB 81(STA) removes the requirement for yearly tests and synchronizes registration and emission inspections tests for all vehicles, regardless of age.

Enforcement of emission programs is an area of concern. The authority to enforce emission programs through registration renewal is within the Department of Administration. The entities responsible for administering the emission control programs, such as the Department of Environmental Conservation (DEC) and municipalities, do not have a direct mechanism to insure that vehicles are properly registered and meet emission program requirements. CS HB 81(STA) extends the authority to enforce emission inspection requirements through proper registration to DEC and the municipalities that require such programs.

DEC has found that the current fine for a program violation is not a reasonable deterrent for egregious offenders. A \$200 fine seems manageable when costly repairs may provide an economic incentive to evade the program. Under Section 5, the fine is raised to an amount not to exceed \$500.

A consumer protection measure has been inserted into CS HB 81(STA) in an effort to assist Alaskans who are shopping for used automobiles. CS HB 81(STA) specifies that the used vehicle must display a valid emissions inspection decal, have a valid record of emissions inspection with the DMV, or have a certificate of inspection that shows non-compliance with program requirements. Consumers can feel comfortable seeing the decal and knowing the vehicle has met program requirements.

CS HB 81(STA) is a comprehensive clean-up act. The provisions will close loopholes in current emission programs and requirements, extend authority to those entities who oversee emission programs, provide an increased deterrent for those individuals who choose to evade emission programs, and protect Alaskans who are looking to buy used vehicles.

Last Updated: April 30, 2003

Email: Representative_Kevin_Meyer@legis.state.ak.us • Toll Free: (866) 465-4945

Session: State Capitol, Juneau, Alaska 99801-1182 • Phone: (907) 465-4945 Fax: (907) 465-3476

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FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 81
 (H) Publish Date: 3/31/03

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title An act relating to motor vehicle BRU Motor Vehicles
emissions; and providing..... Component _____
 Sponsor Representative Meyer
 Requester (H) TRA Component No. 2348

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
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 (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill will have no fiscal impact on DMV for implementation. The bill removes the requirement for redundant emission inspections relating to ownership changes. DMV will still require emission inspections prior to registration as it has in the past.

Prepared by: Charles R. Hosack
 Division: Motor Vehicles
 Approved by: Mike Miller, Commissioner
 Agency: Department of Administration

Phone 269-5559
 Date/Time 3/24/03
 Date 3/31/2003

REPRESENTATIVE KEVIN MEYER

HOUSE DISTRICT 30

Sectional Analysis

CS HB 81(STA)

“An Act relating to motor vehicle emissions and to inspection decals and fines relating to motor vehicle emissions; and providing for an effective date.”

Section 1: Repeals the requirement that alternatively fueled vehicles are exempt from meeting emissions requirements in order to be registered.

Section 2: Provides that a motor vehicle registration period cannot extend beyond the expiration of any applicable emissions inspection certificate.

Section 3: Amends provisions that specify when an emissions certificate is required if the ownership of a vehicle is transferred. Provides that all vehicles, regardless of the year manufactured, must have an emissions inspection that is two years old or younger in order for a title transfer to occur.

Section 4: Amends provisions relating to commercial sales of used motor vehicles. Specifies that the inspection decal must be displayed on the windshield of the vehicle, the inspection records must be on file with the Department of Administration, or, if the vehicle is not in compliance with program requirements, then the certificate of inspection needs to be on file with the commercial dealer. These requirements are to be met when a vehicle is sold and is intended to be used in an area with an emissions inspection program.

Section 5: Increases the fine for violating emissions requirements to an amount not to exceed \$500.

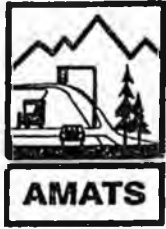
Section 6: Repeals language relating to suspension or cancellation of a motor vehicle's registration for failure to meet emissions requirements.

Section 7: Creates authority for a department or municipality that enforces a pollution control program to determine if a vehicle is properly registered.

Section 8: Increases the fine for failing to display an emissions inspection decal to an amount not to exceed \$500.

Section 9: Effective date.

Last Updated: April 29, 2003



Anchorage
Metropolitan
Area
Transportation
Solutions

MUNICIPALITY OF ANCHORAGE
Traffic Department
Transportation Planning Division
Permit Center, 4700 S. Bragaw Street, 2nd Floor
P.O. Box 196650, Anchorage, AK 99519-6650
Voice (907) 343-7991 Facsimile (907) 343-7998
E-mail: armstrongjj@ci.anchorage.ak.us

March 20, 2003

Representative Kevin Meyer
State Capitol
Juneau, AK 99801-1182

Dear Representative Meyer:

The Anchorage Metropolitan Area Transportation Solutions (AMATS) Policy Committee is offering this letter of support for House Bill 81, "An Act relating to motor vehicle emissions; and providing for an effective date." HB 81 streamlines motor vehicle emission statutes to provide relief from motor vehicle emission inspections and improve compliance with enforcement efforts.

The motor vehicle emissions program is one of Anchorage's key programs to maintain its air quality and allow continued progress in our transportation planning and construction. As Anchorage moves from improving its air quality into maintaining its air quality, the motor vehicle emission program must operate as efficiently as possible.

Your proposed bill will not only assist Anchorage in ensuring its enforcement efforts are productive but it will also assist in protecting its citizens from extraneous emission testing. Transportation planning and ensuring air quality conformity are the fundamental responsibilities of AMATS. Any bill, such as yours, that assists our mission is greatly appreciated.

Sincerely,

David R. Eberle, (Chair)
Regional Director
Alaska Department of Transportation and Public Facilities

George P. Wuerch
Mayor
Municipality of Anchorage

Tom Chapple
Director of Air & Water Quality
Alaska Department of Environmental Conservation

Dick Traini
Chair
Anchorage Municipal Assembly

Doug Van Etten
Member
Anchorage Municipal Assembly



Fairbanks North Star Borough

809 Pioneer Road

P.O. Box 71267

Fairbanks, Alaska 99707-1267

907/459-1000

March 17, 2003

Representative Keven Meyer
State Capitol
Juneau, Alaska 99801-1182

Re: House Bill 81

Dear Representative Meyer,

Thank you for the opportunity to comment on House Bill 81. The Fairbanks I/M Program supports legislation that streamlines the motor vehicle inspection process and registration renewals with retention of program integrity. H.B. 81 is certainly focused in this direction and therefore, the FNSB I/M Program is in support of this bill. To further simplify the proposed amendments I would like to offer the following suggestion.

I have reviewed the proposed amendments and have comment regarding the proposed changes to AS 28.10.271. This statute addresses change of ownership requirements. AS 28.10.271 contains an amendment that reads, "(ii) has a certificate of inspection, but the certificate shows that the vehicle is not in compliance with program requirements". An individual that has a non-complying vehicle (or complying vehicle) and wishes to transfer ownership can do so under AS 28.10.271(d) (2) (A) or (B) without the certificate of inspection. Therefore, I do not believe this amendment is needed.

Thank you for your work on this legislation. Our office has been serving motorists since 1985 and we have experienced many regulatory changes, which affect those consumers. Therefore, we are very pleased to see proposed amendments that will in effect, simplify the vehicle registration renewal process. Please call me at 459-1005 at your earliest convenience so I may concisely confer my thoughts.

Sincerely,

Glenn E. Miller
FNSB I/M Program Manager

Cc:
David Leone, Special Assistant to the Mayor
Mayor Boyles, FNSB
Linda Anderson, Govt. Consultant

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MAR 24 2003

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REPRESENTATIVE MEYER

HB 81

WE URGE THE PASSAGE OF THIS BILL. THE DUPLICATION OF I/M'S IS
 TREMENDOUS.

THANK YOU SO MUCH FOR BRINGING THIS BILL FORWARD AND WE URGE
 THE PASSAGE OF HB 81

THANK YOU,

JOHN P IMMEL
 DEALER

