

SB

63

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 2/9/05

FURTHER:

DATE TURNED
IN TO OFFICE:

REPORTED OUT

MAR 14 2005

SENATE FINANCE
COMMITTEE

14 March 2005

Finance Committee considered

SENATE BILL NO. 63

SB 63 USE SEAT BELT ROAD SIGNS

"An Act relating to road signs encouraging the use of safety belts."

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 Change
 New Title w/ SCR # _____

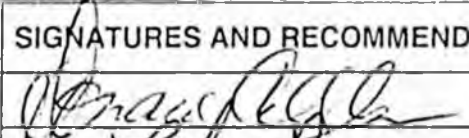

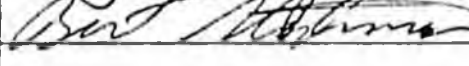
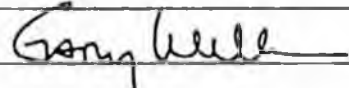

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Ind.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Ind.	Zero	FN#
DOT & PF	2/4/05		*		# 1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
	✓			
	✓			
	✓			
COCHAIR: 	✓			
COCHAIR: 				

FISCAL NOTE

REPORTED OUT

MAR 14 2005

SENATE FINANCE
COMMITTEE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSSB 63(TRA)
 (S) Publish Date: 2/9/05

Revision Date/Time (Note if correction): _____ Dept. Affected: DOT&PF
 Title Road Signs Encouraging Seat Belt RDU Administration & Support
Usage Component Commissioner's Office
 Sponsor Sen. Ben Stevens
 Requester Senate Transportation Component No. 530

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	*	*	*	*	*	*

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

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

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	*	*	*	*	*	*

Estimate of any current year (FY2005) cost: 00

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

It is not known how many signs would be posted and maintained by DOT&PF, however, the average cost of such a sign is \$500.

Prepared by: Nona Wilson Phone 465-3904
 Division: Legislative Liaison, DOT&PF Date/Time 2/4/05 12:08 PM
 Approved by: Mike Barton Date 2/4/2005
 Agency: Commissioner, DOT&PF

Alaska State Legislature
PRESIDENT OF THE SENATE

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SENATOR BEN STEVENS

SPONSOR STATEMENT

SENATE BILL 63

"An Act relating to road signs encouraging the use of safety belts."

The Nathan Kampen Act

Senate Bill 63 would encourage the posting of signs promoting the use of safety belts. The legislation specifically allows the Department of Transportation to erect and maintain signs at the site of a motor vehicle accident where a fatality occurred as a result of a person's failing to use a safety belt.

Title 17 currently only allows Highway Fatality Memorial Signs that do not include a safety belt sign. An average of 55% of the fatalities in motor vehicle accidents in Alaska from 1997-2002 could have been prevented if seatbelts had been used. It is our hope that these postings will reduce the number of fatalities from failure to use a seat belt.

Alaska Traffic Accidents					
	1997	1998	1999	2000	2001
Total Accidents	13,804	13,499	14,691	14,127	15,273
Fatalities	54	53	55	79	69
No Seatbelt	31	28	29	45	39
% that could have survived	57%	53%	53%	57%	57%

Suggested Treatment of Memorial Sign Options

Condition	Treatment
Drunk and Unbuckled:	Applicants Choice - either "Please Don't Drink and Drive" or "Please Buckle Up" (or whatever text you plan to use)
Drunk only	"Please Don't Drink and Drive"
Unbuckled only	"Please Buckle Up" (or whatever text you plan to use)
Neither	"Please Drive Safely"

Key

Unbuckled: One or more of the deceased were unbuckled

Drunk: Drunk Driver Caused Crash

17 AAC 04.003. PURPOSE OF MEMORIAL SIGN PROGRAM. The purpose of the memorial sign program is to (1) provide friends and relatives of persons fatally injured in highway accidents with the opportunity to memorialize them by sponsoring a memorial sign to be erected near the scene of the accident, and (2) combat drunk driving and to increase the public's awareness of the need to drive safely and responsibly.

17 AAC 04.010. APPLICATION PROCEDURE FOR A MEMORIAL SIGN FOR A FATALY INJURED VICTIM OF AN ACCIDENT CAUSED BY A DRUNK DRIVER. Under this section, a person may apply to the department to sponsor a sign memorializing an individual who was fatally injured in a highway accident, in which another driver is alleged to be at fault and alcohol is alleged to be involved. The applicant must complete a memorial sign application furnished by the department.

The applicant must submit the completed application to the department representative stated on the application, and must include with the application (1) the date and location of the highway accident, (2) the name of the driver alleged to be at fault, (3) an affidavit by the applicant that the individual to be memorialized was fatally injured in the highway accident, that the other driver is alleged to be at fault, and that alcohol is alleged to be involved, and (4) the name of the individual who was fatally injured as it should appear on the memorial sign.

17 AAC 04.015. APPLICATION PROCEDURE FOR A MEMORIAL SIGN FOR A DRUNK DRIVER WHO WAS FATALY INJURED IN A HIGHWAY ACCIDENT. A person may apply to the department to sponsor a sign memorializing an individual who was fatally injured in a highway accident in which the fatally injured is alleged to be the driver at fault and alcohol is alleged to be involved. The applicant must complete a memorial sign application furnished by the department.

The applicant must submit the completed application to the department representative specified on the application, and must include with the application (1) the date and location of the highway accident, (2) the name of individual who was fatally injured, (3) an affidavit by the applicant that the individual who was fatally injured is alleged to be the driver at fault and alcohol is alleged to be involved, and (4) the name of each sponsor as it should appear on the memorial sign.

17 AAC 04.020. APPLICATION PROCEDURE FOR A MEMORIAL SIGN FOR AN INDIVIDUAL WHO WAS FATALY INJURED IN A HIGHWAY ACCIDENT THAT DID NOT INVOLVE ALCOHOL. A person may apply to the department to sponsor a sign memorializing an individual who was fatally injured in a highway accident that did not involve alcohol by completing a memorial sign application furnished by the department. The applicant shall submit the completed application along with the (1) date and location of the highway accident, and (2) name of the individual who was fatally injured as it should appear on the memorial sign.

17 AAC 04.025. DEPARTMENT REVIEW OF MEMORIAL SIGN APPLICATION. (a) Within 30 days after the department receives a correctly completed application submitted under 17 AAC 04.010, 17 AAC 04.015, or 17 AAC 04.020 and the department has inspected the proposed site for the memorial sign, the department will send a written decision to the applicant as to whether the proposed sign installation is in compliance with this chapter. (b) A person who has applied for a memorial sign under 17 AAC 04.010, 17 AAC 04.015, or 17 AAC 04.020 may appeal a decision denying an application under 17 AAC 04.05.

17 AAC 04.040. LOCATION, PLACEMENT, AND OWNERSHIP OF MEMORIAL SIGNS. (a) A memorial sign that the department approves under this chapter will be placed in the highway right-of-way, without cost to an applicant, near the location of the accident and facing the oncoming traffic. However, a memorial sign will not be placed nearer than 200 feet from an existing traffic sign or where the memorial sign obscures the visibility of an existing traffic sign. (b) Memorial signs may be placed on a highway right-of-way under the jurisdiction of the department except for a controlled access highway. For purposes of this subsection, controlled access highways include freeways, expressways and ramps and toll ramps of freeways and expressways. (c) The department will furnish, install and retain ownership of a memorial sign.

17 AAC 04.050. WORDING ON MEMORIAL SIGNS. (a) If a memorial sign is applied for under 17 AAC 04.010 and approved by the department under this chapter, the department will install a rectangular sign that reads "PLEASE DON'T DRINK AND DRIVE" and a separate name plaque that reads "IN MEMORY OF (the victim's name)". (b) If a memorial sign is applied for under 17 AAC 04.015 and approved by the department under this chapter, the department will install a rectangular sign that reads "PLEASE DON'T DRINK AND DRIVE" and a separate name plaque that reads "IN MEMORY OF (the victim's name)". (c) If a memorial sign is applied for under 17 AAC 04.020 and approved by the department under this chapter, the department will install a rectangular sign that reads "PLEASE DRIVE SAFELY" and a separate name plaque that reads "IN MEMORY OF (the victim's name)".

17 AAC 04.060. NAME PLAQUE LIMIT ON A SINGLE MEMORIAL SIGN INSTALLATION. No more than three name plaques of victims of sponsors may appear below the memorial sign on a single memorial sign installation.

17 AAC 04.070. TIME ALLOWED FOR MEMORIAL SIGNS IN THE HIGHWAY RIGHT-OF-WAY. Unless it determines that public safety requires removal, the department will keep a memorial sign installation at its designated location for 10 years after the date of its installation. After the 10-year period ends, the department will remove the memorial sign installation.

17 AAC 04.080. MULTIPLE MEMORIAL SIGN APPLICATIONS. (a) If more than one sponsor applies for a memorial sign to be installed near a single accident site, the department will consider the multiple applications in the order in which they are received. (b) If the department approves under this chapter, the application of a memorial sponsor who applies for a memorial sign for a additional victim who was fatally injured as the result of the same or a different highway accident at a single accident site, a memorial sponsor may apply to (1) obtain a name plaque for the memorial sign installation, if the requirements of 17 AAC 04.040 are satisfied, or (2) have a memorial sign installed adjacent to the highway from the first sign installation so that the second sign installation faces the traffic approaching from the opposite direction. (c) For the purposes of this section, "single accident site" means the site of all accidents that occur within a 1,000 feet from each other, regardless of when they occur.

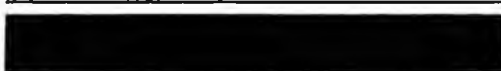
17 AAC 04.090. APPLICATION FILING DEADLINE. (a) A person may file an application under 17 AAC 04.010, 17 AAC 04.015, or 17 AAC 04.020 until January 15, 2003 to memorialize a death on a highway accident that occurred before that date. (b) On or after January 16, 2003, a person may file an application under 17 AAC 04.010, 17 AAC 04.015, or 17 AAC 04.020 to memorialize a death on a highway accident that occurred within the two-year period after the date that the department received the application.



State of Alaska
DOT & PF
Right-of-Way

Memorial Sign Program

Supportive and helpful contacts.
MADD (Mothers Against Drunk Driving)
Anchorage area: 907-562-6890
Juneau area: 907-463-2562
Fairbanks area: _____
Mat-Su area: _____



State of Alaska
Department of Transportation & Public Facilities
More Information:
Anchorage Area 1 800 770 5263
Fairbanks Area 1 800 475 2464
SE Alaska Area 1 800 575 4540
<http://www.dot.state.ak.us/permits/index.html>

In General

Every year, more than 70 people lose their lives on Alaska roads and highways. Frequently, loved ones and friends choose to honor the memory of these individuals by requesting a memorial sign be placed near the site of the crash. The memorial sign may remain for a period of 10 years. An application for a memorial sign is usually made within two years of the time of the crash. DOT&PF will manufacture and erect these signs at no cost to you.

We hope this program will help combat drunken driving and increase the public's awareness of the need to drive safely and responsibly.

Information needed ...

For a sign in the memory of a victim of an accident caused by a drunk driver, the following attachment is required: An affidavit from you that the individual to be memorialized was fatally injured in a the highway accident, that the other driver is alleged to be at fault, and that alcohol is alleged to be involved; the date and location of the highway accident; and the name of the person who was killed as it should appear on the memorial sign.

For a sign sponsored by the family or friends of a fatally injured drunk driver, the following attachment is required: An affidavit from you that the individual who was fatally injured is alleged to be the driver at fault and alcohol is alleged to be involved; the date and location of the highway accident; the name of individual who was fatally injured; the name of each sponsor as it should appear on the memorial sign.

For a sign in the memory of a victim of traffic accident where alcohol is not involved, the following is required: An affidavit from you detailing the date and location of the highway accident; and the name of the person who was killed as it should appear on the memorial sign.

PLEASE KEEP YOURSELF AND OTHERS SAFE! Our foremost concern is that you, our employees, and the traveling public are safe after the memorial sign is placed.

When visiting a memorial sign, you should park safely and completely clear of the travel lanes, even if it means walking some distance.

You can apply online at
<http://www.dot.state.ak.us/permits/index.html>.

More information:

Central Region 1-800-770-5263

Northern Region 1-800-475-2464

Southeast Alaska Area 1-800-575-4540



Types of Memorial Signs:

PLEASE
DON'T
DRINK
AND
DRIVE

1.2 M

PLEASE
DON'T
DRINK
AND
DRIVE

1.2 M

PLEASE
DRIVE
SAFELY

1.2 M

Cheryl Sutton

From: Jeff Turner
Sent: Thursday, February 17, 2005 8:42 AM
To: Phelan Straube; Shannon Straube; Cheryl Sutton
Subject: Letter to the Editor in 2/17/05 edition of the ADN

Why do legislators oppose signs reminding us to wear seat belts?

It seems there may be some confusion over Ben Stevens' Senate Bill 63. This is legislation allowing the erection of a roadside memorial sign encouraging the use of seat belts. In the Daily News article "Buckling up high on legislators to-do list" Feb. 9, it states there are six House members who are opposed to this legislation. A roadside memorial sign program is already available to the public; you know the little blue signs that say "Please Don't Drink and Drive" or "Please Drive Safely" and under the sign it lists the name or names of people who have lost their lives. Why would they oppose something that really isn't going to cost anything and will draw attention to the terrible loss of life due to lack of wearing seat belts?

I lost my youngest son, Nathan Kampen, in a car accident. He was not wearing his seat belt. When I requested a memorial sign saying "Please Buckle Up" or something similar, I was told it was not available. So I presented my problem to Ben Stevens, and he was kind enough to help. I truly see no reason to oppose this legislation. I could always put up one of the other signs available, but my hope is to remind our young people to "Buckle Up."

---- Carol Kampen

SENATE COMMITTEE REPORT

First Committee of Referral

DATE: 1/19/05

FURTHER: Finance

Date of 5-Day Notice: 1/27/05
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 2/8/05

Transportation Committee considered SENATE BILL NO. 63

SB 63 USE SEAT BELT ROAD SIGNS

"An Act relating to road signs encouraging the use of safety belts."

and recommends:

- be replaced with _____ CS SB 63 (TRA _____)
- 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 Change
 New Title w/ SCR # _____

NEW FISCAL NOTE(S):

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
DOT	2/4/05		✓		1

Department	Date	Fiscal	Incet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	No REC	AMEND
French <i>[Signature]</i>	X			
Kerkosh <i>[Signature]</i>	X			
Perrault <i>[Signature]</i>	X			
Condey <i>[Signature]</i>	X			
Huggins <i>[Signature]</i>	X			
CHAIR:				

Cheryl Sutton

From: Jeff Turner
Sent: Thursday, February 17, 2005 8:42 AM
To: Phelan Straube; Shannon Straube; Cheryl Sutton
Subject: Letter to the Editor in 2/17/05 edition of the ADN

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---- Carol Kampen

SENATE FINANCE COMMITTEE

SIGN-IN

SB 63-USE SEAT BELT ROAD SIGNS

✓ NAME: NONA WILSON Subject/Bill No: SB 63
Co./Dept./Title: DOT & PF LEG. LIAISON Phone: 465-3904
Address: 3132 Channel Dr. JNU, 17K STE 300 Zip: 99801
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions