

**SB**

**59**

**SENATE COMMITTEE REPORT  
First Committee of Referral**

DATE: 1/21/09

FURTHER: Judiciary

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: \_\_\_\_\_

Transportation Committee considered SENATE BILL NO. 59

SB 59 LOW-SPEED MOTOR VEHICLES

"An Act relating to the operation of low-speed vehicles."

and recommends:

- be replaced with  SCS or  CS CSSB (TRA) (\_\_\_\_\_)
- adopt previous  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

<b>SENATE BILL:</b>	
<input checked="" type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<b>HOUSE BILL:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet	Zero	FN#
DOT	2/13			V	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
<i>K. Muen</i>	Moyer	X			
<i>Betty D. and</i>	DAVIS	X			
<i>Joe Packman</i>	MENARD ROSKVAN	X			
CHAIR: <i>Robert G. ...</i>	KOOKESH	X			

26-LS0280VP  
Luckhaupt  
2/24/09

**CS FOR SENATE BILL NO. 59( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-SIXTH LEGISLATURE - FIRST SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): SENATOR STEDMAN**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the operation of low-speed vehicles."**

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

3 **\* Section 1.** AS 28.15.261(b) is repealed and reenacted to read:

4 (b) The operator of a low-speed vehicle may not operate that vehicle on a  
5 highway

6 (1) within a municipality that has a maximum speed limit of more than

7 (A) 35 miles an hour, and may cross a highway that has a  
8 maximum speed limit of more than 35 miles an hour if the crossing is made at  
9 the intersection with a highway that is authorized for low-speed vehicles;

10 (B) 45 miles an hour, and may cross a highway that has a  
11 maximum speed limit of more than 45 miles an hour if the crossing is made at  
12 the intersection with a highway that is authorized for low-speed vehicles, if the  
13 municipality

14 (i) has a population of less than 25,000;

15 (ii) is not connected by road to Anchorage or Fairbanks;

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and

(iii) has passed an ordinance allowing for the operation of low-speed vehicles as provided in this subparagraph;

(2) connected by road to Anchorage or Fairbanks in the unorganized borough that has a maximum speed limit of more than 35 miles an hour, and may cross a highway that has a maximum speed limit of more than 35 miles an hour if the crossing is made at the intersection with a highway that is authorized for low-speed vehicles;

(3) not connected by road to Anchorage or Fairbanks in the unorganized borough that has a maximum speed limit of more than 45 miles an hour, and may cross a highway that has a maximum speed limit of more than 45 miles an hour if the crossing is made at the intersection with a highway that is authorized for low-speed vehicles.

26-LS0280\S  
Luckhaupt  
2/18/09

**CS FOR SENATE BILL NO. 59( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-SIXTH LEGISLATURE - FIRST SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): SENATOR STEDMAN**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the operation of low-speed vehicles."**

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

3 **\* Section 1.** AS 28.35.261(b) is amended to read:

4 (b) The operator of a low-speed vehicle may not operate that vehicle on a  
5 highway within a municipality that has a maximum speed of more than 35 miles an  
6 hour. Notwithstanding this subsection, the operator of a low-speed vehicle may cross a  
7 highway that has a maximum speed limit of more than 35 miles an hour if the crossing  
8 is made at the intersection with a highway that is authorized for low-speed vehicles.

9 **\* Sec. 2.** AS 28.35.261 is amended by adding a new subsection to read:

10 (d) Notwithstanding (b) of this section, the operator of a low-speed vehicle  
11 may operate that vehicle on a highway that has a maximum speed of 45 miles an hour  
12 or less and may cross a highway that has a maximum speed limit of more than 45  
13 miles an hour if the crossing is made at the intersection with a highway that is  
14 authorized for low-speed vehicles in

15 (1) areas of the state outside of municipalities; or

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(2) a municipality

(A) with a population of less than 25,000;

(B) that is not connected by road to Anchorage or Fairbanks;

and

(C) that has passed an ordinance allowing for the operation of  
low-speed vehicles as provided in this subsection.

# FISCAL NOTE

**STATE OF ALASKA**  
**2009 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: \_\_\_\_\_  
 () Publish Date: \_\_\_\_\_

Identifier (file name): SB59-DOT-SDE-2-13-09  
 Title: Medium Speed Motor Vehicles  
 Sponsor: Sen. Stedman  
 Requester: S. TRA  
 Dept. Affected: DOT&PF  
 RDU: Design and  
 Component: Design and Construction  
Statewide Design and Engineering  
 Component Number: 2357

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

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

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
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>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								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<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>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2009) cost: \_\_\_\_\_

**POSITIONS**

Full-time								
Part-time								
Temporary								

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

There will be no fiscal impact to the Department of Transportation and Public Facilities.

Prepared by: Mary Siroky, Legislative Liaison  
 Division: Department of Transportation and Public Facilities  
 Approved by: Nancy Slagle, Admin Director  
Department of Transportation and Public Facilities

Phone 465-4772  
 Date/Time 2/13/09 4:30 AM  
 Date 2/13/2009

# FISCAL NOTE

**STATE OF ALASKA**  
**2009 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB 59  
 () Publish Date: \_\_\_\_\_

Identifier (file name): SB059-DOA-DMV-02-16-09  
 Title: "An Act Relating to the operation of low-speed vehicles."  
 Sponsor: SEN Stedman  
 Requester: S (TRA)  
 Dept. Affected: Administration  
 RDU: Motor Vehicles  
 Component: Division of Motor Vehicles  
 Component Number: 2348

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

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

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
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>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES ( )</b>								
-------------------------------	--	--	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
1156 Receipt Supported Services								
<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>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2009) cost: 0.0

**POSITIONS**

Full-time								
Part-time								
Temporary								

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

Low speed vehicles are defined as those vehicles with a minimum speed of 20 mph and a maximum speed of 25 mph. Because this bill addresses the maximum speed of the roadway on which a low speed vehicle can operate and does not change the definition of a low speed vehicle, this bill does not fiscally impact the Division of Motor Vehicles.

Prepared by: Whitney Brewster  
 Division: Motor Vehicles  
 Approved by: Kevin Brooks  
Deputy Commissioner

Phone 907-269-5559  
 Date/Time 2/15/09 4:30 PM  
 Date 2/16/2009

# FISCAL NOTE

STATE OF ALASKA  
2009 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: SB 059(TRA)  
( ) Publish Date: \_\_\_\_\_

Identifier (file name): SB059(TRA)-DPS-DET-02-13-09 Public Safety  
Title "An Act relating to the operation of low-speed vehicles." RDU Alaska State Troopers  
Sponsor Senator Stedman Component AST Detachments  
Requester Senate Transportation Component Number 2325

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

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

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>		0.0	0.0	0.0	0.0	0.0	0.0	0.0

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

	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<b>TOTAL</b>		0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2009) cost: 0.0

**POSITIONS**

	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Full-time							
Part-time							
Temporary							

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

This bill amends AS 28.35.261(b) by allowing low-speed vehicle operation on highways with posted speed limits up to 45 miles per hour. This is an increase from the current 35 mph limit.

Passage of this legislation will have no fiscal impact on the department.

Prepared by: Lt. Rodney Dial  
Division Alaska State Troopers  
Approved by: Joseph Masters, Commissioner  
Department of Public Safety

Phone 907-247-4480  
Date/Time 2/16/09 3:47 PM  
Date \_\_\_\_\_

# ALASKA STATE LEGISLATURE

SESSION

State Capitol, Rm 516  
Juneau, Alaska 99801-1182  
(907) 465-3873 Phone  
(907) 465-3922 Fax  
(877) 463-3873 Toll Free  
Senator\_Bert\_Stedman@legis.state.ak.us



INTERIM

50 Front Street  
Suite 203  
Ketchikan, AK 99901-6442  
Phone (907) 225-8088  
Fax (907) 225-0713

**SENATOR BERT K. STEDMAN**

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## MEMORANDUM

**TO: Senator Albert Kookesh, Chairman  
Senate Transportation Committee**

**CC: Senator Linda Menard  
Senator Bert Stedman**

**FROM: Weston Eiler, Legislative Aide**

**DATE: February 24, 2009**

**RE: Senate Bill 59 - Hearing Questions Follow-Up**

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Senator Stedman would like to follow-up on questions raised during the February 17<sup>th</sup> Senate Transportation Committee hearing on Senate Bill 59. Committee members raised questions regarding the number of low-speed vehicles in Alaska and comparative policy examples with the State of Kentucky.

According to the Alaska Division of Motor Vehicles there are approximately 20 low-speed vehicles currently registered in Alaska. Additionally, there are another 20 low-speed vehicles for sale by dealers in communities such as Petersburg.

In August of 2008, Kentucky Governor Steve Beshear signed an executive order authorizing the use of low-speed electric vehicles on roads with speed limits of 45 miles per hour. The order was in response to high fuel prices and followed a finding by the governor's transportation cabinet that low-speed vehicles could operate safely on state highways. State officials estimate there are 50 low-speed vehicles operating in Kentucky. The Kentucky State Legislature is currently considering legislation that would codify the executive order. The brief time span since the issuance of the executive order has limited Kentucky from generating statistics on the order's effect on safety; but state transportation officials describe expanding the jurisdiction of low-speed vehicles as a productive action.

The attached documentation details the State of Kentucky's policies. Please feel free to contact our office if you have any questions.

KY Agencies KY Services

 Search

# GOVERNOR STEVE BESHEAR

COMMONWEALTH OF KENTUCKY



Governor Steve Beshear Press Release

## Governor Steve Beshear's Communications Office

### Gov. Beshear signs executive order allowing electric cars

**Press Release Date:** Tuesday, August 05, 2008

**Contact Information:** Jay Blanton  
502-564-2611

#### Order will give Kentuckians a new way to save on fuel costs

FRANKFORT, Ky. – Gov. Steve Beshear today signed an executive order directing the Transportation Cabinet to immediately develop and implement an emergency regulation authorizing the use of low-speed electric vehicles on Kentucky's roadways.

"Kentuckians, like all Americans, are hard hit by record-high gas prices," Gov. Beshear said at a news conference announcing the order. "These tough times call for creative solutions, and I believe allowing Kentuckians the option of using an electric vehicle is one of those solutions. Electric vehicles may help ease the burden on the pocketbooks of hard-working Kentucky families, as well as reduce their carbon footprint."

"In addition, my administration will also aggressively pursue any economic development opportunities to recruit manufacturers and the jobs that come with this growing field," the Governor added.

Following a recent review of low-speed electric vehicles ordered by the Governor, the Transportation Cabinet reported that under certain conditions, such vehicles can operate safely on Kentucky's highways.

"We're in favor of new and innovative transportation technologies," Transportation Secretary Joe Prather said. "We will work diligently to develop and implement standards to ensure safe operation of these vehicles on Kentucky roads."

The executive order calls on Secretary Prather to immediately develop and implement the standards for authorizing the use of Low Speed Electric Vehicles upon Kentucky's roadways; defines a low-speed electric vehicle; and identifies rules under which a person may operate these vehicles.

The executive order also calls on Secretary Prather to report to the Governor by Dec. 1, 2008, any recommendations for legislation, additional regulation, or other policy and procedures needed to facilitate the safe use of low speed electric vehicles in Kentucky.

In addition, the Cabinet for Economic Development and other state and local agencies are currently engaged in

efforts designed to retain and recruit major manufacturers of low-speed electric vehicles.

###

[View a copy of the Executive Order \(150KB PDF\)](#)  
[Listen to audio from the Press Conference \(1MB MP3\)](#)

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STEVEN L. BESHEAR  
GOVERNOR

EXECUTIVE ORDER

Secretary of State  
Frankfort  
Kentucky

2008-824  
August 5, 2008

RELATING TO LOW-SPEED ELECTRIC VEHICLES

WHEREAS, gasoline and diesel prices are at record highs, with the average price for a gallon of gas now hovering near \$4.00 nationwide – the highest ever if adjusted for inflation, and oil is regularly trading over \$120.00 a barrel; and

WHEREAS, a *USA Today*/Gallup poll showed that Americans are driving fewer miles, a decline not seen since 1979, despite increases in population, households, drivers and vehicles; and

WHEREAS, families throughout the nation are feeling the pinch, with 60 percent of Americans trimming other expenses to pay for rising fuel costs and even more changing their driving habits to save money on fuel; and

WHEREAS, I recently directed the Kentucky Transportation Cabinet (“Cabinet”) to investigate the ramifications of allowing low-speed electric vehicles to operate on Kentucky’s highways, including any safety or other issues; and

WHEREAS, the Cabinet has advised me that under the conditions set out below, such vehicles can operate safely on Kentucky’s highways; and

WHEREAS, the Cabinet for Economic Development and other state and local agencies are currently engaged in efforts designed to retain and recruit major manufacturers of low-speed electric vehicles which ultimately impact the state’s economy in a significant way; and

WHEREAS, allowing the use of such vehicles will provide Kentuckians a way to save energy costs and at the same time reduce their carbon footprints:



STEVEN L. BESHEAR  
GOVERNOR

EXECUTIVE ORDER

Secretary of State  
Frankfort  
Kentucky

2008-824  
August 5, 2008

NOW THEREFORE, I, Steven L. Beshear, Governor of the Commonwealth of Kentucky, by virtue of the power and authority vested in me by the Constitution and laws of Kentucky, and KRS 12.029, do hereby ORDER and DIRECT the following:

- I. The Secretary of the Transportation Cabinet shall immediately develop and implement the following standards by emergency regulation for authorizing the use of Low Speed Electric Vehicles upon Kentucky's highways:
  - A. Low-speed electric vehicle means a motor vehicle that:
    - (1) Is designed to operate at a speed of not more than fifty (50) miles per hour;
    - (2) Is self-propelled using an electric motor;
    - (3) Is three (3) or four (4) wheeled;
    - (4) Meets or exceeds the federal motor vehicle safety standards for low-speed vehicles set forth in 49 C.F.R. sec. 571.500; and
    - (5) Displays a seventeen (17) character vehicle identification number that meets the requirements set forth in 49 C.F.R. pt. 565.
    - (6) A person may operate a low-speed electric vehicle on a highway in this state if:
      - (i) The posted speed limit of the highway is forty-five (45) miles per hour or less;
      - (ii) The operator of a low-speed electric vehicle does not cross a roadway at an at-grade intersection where the roadway being crossed has a posted speed limit of more than forty-five (45) miles per hour unless the intersection is equipped with an electronic traffic signal;
      - (iii) The operator has a valid operator's license in his or her possession; and
      - (iv) The low-speed electric vehicle has not been modified to increase its speed above its original standard manufactured limit.



STEVEN L. BESHEAR  
GOVERNOR

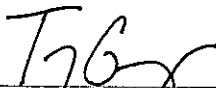
EXECUTIVE ORDER

2008-824  
August 5, 2008

Secretary of State  
Frankfort  
Kentucky

- B. A low-speed electric vehicle operating on a highway shall be insured in compliance with KRS 304.39-080 by the owner or operator, and the proof of insurance shall be inside the vehicle at all times of operation on a highway.
  - C. A low-speed electric vehicle operating on a highway is considered to be a motor vehicle as defined in KRS 186.010(4) and shall be titled in accordance with KRS Chapter 186A and registered as a motor vehicle in accordance with KRS 186.050(3)(a).
  - D. An operator of a low-speed electric vehicle operating on a highway shall comply with the traffic regulations of KRS Chapter 189 and shall be subject to the provisions of KRS Chapter 189A.
2. The Secretary of the Transportation Cabinet shall report to me, no later than December 1, 2008, any recommendations for legislation, additional regulation, or other policy and procedures, to facilitate the safe use of low speed electric vehicles in Kentucky.
  3. The Transportation Cabinet, the Department of Revenue and the Department of Insurance shall take all necessary steps to implement this order.

  
STEVEN L. BESHEAR, GOVERNOR  
Commonwealth of Kentucky

  
TREY GRAYSON  
Secretary of State