

**HB**

**15**

<TARGET><BILL>HB 15</BILL><SUBJECT>HB  
15</SUBJECT><COMM>HTRA28</COMM></TARGET>

**HOUSE BILL NO. 15**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE KELLER**

**Introduced: 1/7/13**

**Referred: Prefiled**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to commercial motor vehicle requirements."**

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

3 **\* Section 1.** AS 19.10.060(c) is amended to read:

4 (c) Except for requirements relating to a commercial motor vehicle driver's  
5 licensing program under AS 28, the department shall adopt regulations under  
6 AS 44.62 (Administrative Procedure Act) that are necessary to implement  
7 [REQUIREMENTS IMPOSED BY] federal statutes [STATUTE] or regulations  
8 [REGULATION] that relate to commercial motor vehicles [AND THAT ARE  
9 NECESSARY TO AVOID LOSS OR WITHHOLDING OF FEDERAL HIGHWAY  
10 MONEY].

11 **\* Sec. 2.** AS 19.10.300(f)(1) is amended to read:

12 (1) "commercial motor vehicle" means a motor vehicle or a  
13 combination of a motor vehicle and one or more other vehicles

14 (A) used to transport passengers or property for commercial  
15 purposes;

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(B) used upon a land highway or vehicular way; and

(C) that

(i) has a gross vehicle weight rating or gross combination weight rating greater than 26,000 pounds; or

(ii) is designed to transport more than 15 passengers, including the driver; [OR

(iii) IS USED IN THE TRANSPORTATION OF MATERIALS FOUND BY THE UNITED STATES SECRETARY OF TRANSPORTATION TO BE HAZARDOUS FOR PURPOSES OF 49 U.S.C. 5101 - 5128;]

(D) except that the following vehicles meeting the criteria in (A) - (C) of this paragraph are not commercial motor vehicles:

(i) emergency or fire equipment that is necessary to the preservation of life or property;

(ii) farm vehicles that are controlled and operated by a farmer; used to transport agricultural products, farm machinery, or farm supplies to or from that farmer's farm; not used in the operations of a common or contract motor carrier; and used within 150 miles of the farmer's farm; and

(iii) [RECREATIONAL] vehicles used exclusively for purposes other than commercial purposes;

\* Sec. 3. AS 19.10.399(1) is amended to read:

(1) "commercial motor vehicle" means a self-propelled or towed vehicle

(A) used to transport passengers or property for commercial purposes;

(B) used upon a highway or vehicular way; and

(C) that

(i) has a gross vehicle weight rating or gross combination weight rating greater than 10,000 pounds for vehicles used in interstate commerce and 14,000 pounds for vehicles used in

1                    intrastate commerce; or

2                    (ii) is designed to transport more than 15 passengers,  
3 including the driver; [OR

4                    (iii) IS USED IN THE TRANSPORTATION OF  
5 MATERIALS FOUND BY THE UNITED STATES SECRETARY OF  
6 TRANSPORTATION TO BE HAZARDOUS FOR PURPOSES OF 49  
7 U.S.C. 5101 - 5128;]

8                    (D) except that the following vehicles meeting the criteria in  
9 (A) - (C) of this paragraph are not commercial motor vehicles:

10                    (i) emergency or fire equipment that is necessary to the  
11 preservation of life or property;

12                    (ii) farm vehicles that are controlled and operated by a  
13 farmer; used to transport agricultural products, farm machinery, or farm  
14 supplies to or from that farmer's farm; not used in the operations of a  
15 common or contract motor carrier; and used within 150 miles of the  
16 farmer's farm;

17                    (iii) school buses;

18                    (iv) vehicles owned and operated by the federal  
19 government unless the vehicle is used to transport property of the  
20 general public for compensation in competition with other persons who  
21 own or operate a commercial motor vehicle subject to AS 19.10.310 -  
22 19.10.399, and except to the extent that regulation of vehicles operated  
23 by the federal government is permitted by federal law; and

24                    (v) vehicles used exclusively for purposes other than  
25 commercial purposes;

# ALASKA STATE LEGISLATURE

**Interim:**

600 East Railroad Avenue  
Wasilla, Alaska 99654  
Phone (907) 373-1842  
Fax: (907) 373-4729



**Session:**

State Capitol Building  
Juneau, Alaska 99801-1182  
Phone: (907) 465-2186  
Fax: (907) 465-3818

## REPRESENTATIVE WES KELLER DISTRICT 7

### HOUSE BILL 15 SPONSOR STATEMENT

**"An Act relating to commercial motor vehicle requirements."**

Alaska is always on the move. Be it across town or across the state, transportation is extremely important. For the small business owner nearly everything must be moved from somewhere and that is often done by truck. Today's truck laws were written years ago and have not kept up with technology. Today's roads and today's trucks are safer, more reliable and much easier to drive.

House Bill 15 is written to assist these small business owners who need a truck to move their inventory either from the import site, retailer, or wholesaler to their business or job site. These businesses are not in the trucking business but the state treats them that way.

Currently these smaller vehicles are classified as commercial and must have special license plates, unique daily and annual inspections and medical exams all of which costs more.

In any case these extra charges do little to improve safety.

HB 15 changes the current statutory descriptions of commercial vehicles. Many newer modern trucks are designed for safety without extra training. It is unnecessary and burdensome to require these drivers to meet similar requirements as a semi driver hauling big loads across the state. HB 15 gives the owners who use the trucks for work part time an opportunity to use them inside the State of Alaska without unnecessary government harassment.

E-Mail: [Representative.Wes.Keller@akleg.gov](mailto:Representative.Wes.Keller@akleg.gov)  
Call Juneau Toll free: (800) 468-2186  
Website: [www.akrepublicans.org/keller/](http://www.akrepublicans.org/keller/)

# Fiscal Note

State of Alaska  
2013 Legislative Session

Bill Version: HB 15 (A)  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB015-DOA-DMV-2-01-13  
Title: COMMERCIAL MOTOR VEHICLE  
REQUIREMENTS  
Sponsor: KELLER, ISAACSON  
Requester: House Transportation

Department: Department of Administration  
Appropriation: Motor Vehicles  
Allocation: Motor Vehicles  
OMB Component Number: 2348

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2014 Appropriation Requested	Included in Governor's FY2014 Request	Out-Year Cost Estimates					
			FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
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>

**Fund Source (Operating Only)**

None								
<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>

**Positions**

Full-time								
Part-time								
Temporary								

<b>Change in Revenues</b>								
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Estimated SUPPLEMENTAL (FY2013) cost: 0.0

Estimated CAPITAL (FY2014) cost: 0.0

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? no  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

Not applicable, initial version.

Prepared By:	Amy Erickson, Director	Phone:	(907)269-5559
Division	Motor Vehicles	Date:	02/01/2013 09:41 AM
Approved By:	Curtis Thayer, Deputy Commissioner	Date:	02/01/13
	Department of Administration		

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2013 LEGISLATIVE SESSION

BILL NO. HB015

**Analysis**

This bill changes the definition of a commercial motor vehicle in the Department of Transportation and Public Facilities, and is used for enforcement purposes only.

This bill has no impact on the Division of Motor Vehicles.

# Fiscal Note

State of Alaska  
2013 Legislative Session

Bill Version: HB 15 (A)  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB015-DOT-MSCVE-2-2-2013  
Title: COMMERCIAL MOTOR VEHICLE  
REQUIREMENTS  
Sponsor: KELLER, ISAACSON  
Requester: House Transportation Committee

Department: Department of Transportation and Public Facilities  
Appropriation: Administration and Support  
Allocation: Measurement Standards & Commercial Vehicle  
Enforcement  
OMB Component Number: 2332

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2014	Included in	Out-Year Cost Estimates				
	Appropriation	Governor's	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
OPERATING EXPENDITURES	Requested	FY2014					
	FY 2014	Request					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
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>

**Fund Source (Operating Only)**

None							
<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>

**Positions**

Full-time							
Part-time							
Temporary							

<b>Change in Revenues</b>							
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Estimated SUPPLEMENTAL (FY2013) cost: 0.0

Estimated CAPITAL (FY2014) cost: 0.0

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

This is the initial version of the bill
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Prepared By: Connie McKenzie, Legislative Liaison  
Division: Office of the Commissioner  
Approved By: Acting Commissioner Pat Kemp  
Office of the Commissioner

Phone: (907)465-4772  
Date: 02/02/2013 01:45 PM  
Date: 02/02/13

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2013 LEGISLATIVE SESSION

BILL NO. HB015

**Analysis**

This bill will clarify language to put the state in compliance with federal regulations and statutes. It removes language that is duplicative. The bill also clarifies language defining "commercial motor vehicle" and makes changes to the definition by increasing the minimum weight of a vehicle for intrastate carriers to take into consideration that many vehicles made today are heavier and will fall under more onerous regulations intended for commercial motor vehicles.

## Federal Motor Carrier Safety Administration

Commercial Vehicle Information Systems and Networks (CVISN)

### Commercial Motor Vehicle (CMV)

Any self-propelled or towed vehicle used on highways in intrastate or interstate commerce to transport passengers or property:

- if it has a gross vehicle weight rating of 26,001 or more pounds; or
- if it is designed to transport more than 16 passengers, including the driver; or
- if it is used to transport hazardous materials (as defined in 49 U.S.C. App. 1801 et seq.) in quantity requiring placarding under federal regulation [2]

### Commercial Motor Vehicle Safety Act (CMVSA)

Requires all states to meet the same minimum standards for testing and licensing drivers of commercial motor vehicles. The act also mandates uniform penalties and a central reporting system.

Mr. Jim Pound

HB 15 is an excellent choice for Alaska. We use one ton trucks that are over the 10,000 lb. GVWR to pilot equipment to and from job sites. They result in less wear and tear on the highway system than a normal pickup truck due the dual rear wheel putting less PSI on the roadway than single rear wheels.

Roger Boylan  
Norcon Equipment Manager  
6550 A Street  
Office: 907-275-6361  
Fax: 907-275-6303  
Cell: 907-440-2002  
Email: [roger.boylan@norcon.com](mailto:roger.boylan@norcon.com)

**Jim Pound**

**From:** Jerry Ondola [REDACTED]

**Sent:** Tuesday, February 05, 2013 5:25 PM

**To:** Jim Pound

**Subject:** Drug Testing

Jim Pound

Please pass along my support for Representative Wes Keller's initiative for drug testing for those receiving public assistance.

I am a working, lifelong Alaskan, employed in numerous occupations in Alaska, since 1968. Part of MY job retention responsibilities, included NOT using drugs, AND being tested for banned substances, that was my responsibility, to NOT use drugs. I would EXPECT those that require assistance of ANY measure, to accept the responsibilities of taking "MY" money, and making the most of it, I don't GIVE AWAY my money, without expecting something of a positive outcome.

Jerry Ondola  
Wasilla, AK  
[REDACTED]

## Classes

### Light Duty



#### Class 1

The **Class 1** truck (GVWR) ranges from **0 to 6,000 pounds**. Examples of trucks in this class include the Ford Ranger, Dodge Dakota and GMC Canyon.



#### Class 2

The **Class 2** truck (GVWR) ranges from **6,001 to 10,000 pounds**. Examples of vehicles in this class include the Dodge Ram 1500 and the Ford F-150.

Class 2 is subdivided into Class 2a and Class 2b, with class 2a being **6,001 to 8,500 pounds**,

Class 2b being **8,501 to 10,000 pounds**.

Class 2a is commonly referred to as a light duty truck, with class 2b being the lowest heavy-duty class, also called the light heavy-duty class.



#### Class 3

The **Class 3** (GVWR) ranges from **10,001 to 14,000 pounds**. Examples of vehicles in this class include the Dodge Ram 3500, Ford F-350 and the GMC Sierra 3500, both dual rear wheel and single rear wheel.

The Hummer H1 is another example of a single rear wheel Class 3 truck, with a GVWR of 10,300 lbs.

## Medium Duty



**Class 4**

The **Class 4** truck (GVWR) ranges from **14,001 to 16,000 pounds**. Examples of vehicles in this class include select Ford F-450 trucks, Dodge Ram 4500, and the GMC 4500.



**Class 5**

The **Class 5** truck (GVWR) ranges from **16,001 to 19,500 pounds**. Examples of trucks in this class include the International MXT, GMC 5500,<sup>[9]</sup> Dodge Ram 5500, and the Ford F-550



**Class 6**

The **Class 6** truck (GVWR) ranges from **19,501 to 26,000 pounds**. Examples of trucks in this class include the International Durastar, GMC Topkick C6500, and the Ford F-650

## Heavy Duty

**Class 7**

Vehicles in **Class 7** and above require a Class B license to operate in the United States. These include GMC C7500. Their GVWR ranges from **26,001 to 33,000**.



**Class 8**

The **Class 8** truck (GVWR) is anything above **33,000 pounds**. These include all tractor trailer trucks.

Alaska Trucking Association Examples of Vehicles addressed in HB15

Class 3 Vehicles all 14,000 pounds or less Gross Vehicle Weight Rating (GVWR)





## ASSOCIATED GENERAL CONTRACTORS of ALASKA

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8005 Schoon Street • Anchorage, Alaska 99518  
Telephone (907) 561-5354 • Fax (907) 562-6118

3750 Bonita Street • Fairbanks, Alaska 99706  
Telephone (907) 452-1809 • Fax (907) 456-8599

February 1, 2013

Representative Doug Isaacson  
State Capitol, Room 13  
Juneau, AK 99801

Re: HB 15

Dear Representative Isaacson:

On behalf of the Associated General Contractors of Alaska, a construction trade association of over 660 business members, representing the majority of the construction industry in Alaska, thank you for sponsoring HB15.

This proposed legislation would increase the weight threshold of commercial vehicle regulation and registration from the current 10,000 pounds Gross Vehicle Weight Rating (GVWR) to 14,000 pounds GVWR for inspection and safety regulation purposes. Pick-up trucks and small service vans are getting larger and heavier and are going over the current 10,000 GVWR and becoming a commercial vehicle by definition. When light trucks and service vans go over the 10,000 pound GVWR threshold, they become subject to a whole series of Federal regulations that have been adopted into the Alaska Administrative Code.

While these smaller vehicles have become heavier over the past few years, industry advancements are also making them much safer than their lighter, smaller and older counterparts. These vehicles do not need the level of scrutiny of conventional "commercial vehicles" as typically they are operating in a limited geographical area and are not subject to the wear and tear that other larger commercial vehicles experience. This bill would help remove an unnecessary burden for small business owners and contractors.

Thank you for your sponsorship and support of HB 15.

Sincerely,

John MacKinnon  
Executive Director  
Associated General Contractors of Alaska



## ASSOCIATED GENERAL CONTRACTORS of ALASKA

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8005 Schoon Street • Anchorage, Alaska 99518  
Telephone (907) 561-5354 • Fax (907) 562-6118

3750 Bonita Street • Fairbanks, Alaska 99706  
Telephone (907) 452-1809 • Fax (907) 456-8599

February 1, 2013

Representative Wes Keller  
State Capitol, Room 118  
Juneau, AK 99801

Re: HB 15

Dear Representative Keller:

On behalf of the Associated General Contractors of Alaska, a construction trade association of over 660 business members, representing the majority of the construction industry in Alaska, thank you for sponsoring HB15.

This proposed legislation would increase the weight threshold of commercial vehicle regulation and registration from the current 10,000 pounds Gross Vehicle Weight Rating (GVWR) to 14,000 pounds GVWR for inspection and safety regulation purposes. Pick-up trucks and small service vans are getting larger and heavier and are going over the current 10,000 GVWR and becoming a commercial vehicle by definition. When light trucks and service vans go over the 10,000 pound GVWR threshold, they become subject to a whole series of Federal regulations that have been adopted into the Alaska Administrative Code.

While these smaller vehicles have become heavier over the past few years, industry advancements are also making them much safer than their lighter, smaller and older counterparts. These vehicles do not need the level of scrutiny of conventional "commercial vehicles" as typically they are operating in a limited geographical area and are not subject to the wear and tear that other larger commercial vehicles experience. This bill would help remove an unnecessary burden for small business owners and contractors.

Thank you for your sponsorship and support of HB 15.

Sincerely,

John MacKinnon  
Executive Director  
Associated General Contractors of Alaska

# NFIB

The Voice of Small Business®

ALASKA

January 15, 2013

The Honorable Wes Keller  
State Capitol Building  
Juneau, Alaska 99801-1182

RE: House Bill 15

Dear Representative Keller:

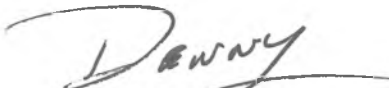
On behalf of the National Federation of Independent Business/Alaska, I wish to respectfully share our support for House Bill 15. The National Federation of Independent Business is the largest small-business advocacy group in Alaska.

HB 15 raises the weight threshold on intra state commercial vehicles from 10,000 lbs to 14,000 pounds for inspection and safety regulation purposes. This will assist small contractors, i.e. lawn care, carpenters, plumbing & heating, small delivery vehicles and pilot cars. As you are aware, pick-up trucks and small step vans are getting larger and heavier and therefore bumping up over the current 10,000 pound limit and becoming by definition a commercial vehicle for inspection and regulation purposes.

Crossing the 10,000 pound threshold causes the driver to obtain a medical certification, complete daily vehicle inspection reports, perform or have performed annual inspections, and submit several other items on the vehicle to the state DOT to be in compliance. Currently, when over the 10,000-pound threshold, these vehicles are subject to Federal regulations that have been adopted into the Alaska Administrative Code. We feel that these vehicles do not need that level of scrutiny as typically they are operating in a limited geographical area and are not subject to the wear and tear that other larger commercial vehicles experience.

Increased regulation makes it more difficult for small businesses to survive. We appreciate your assistance in relieving small businesses from this potential of unnecessary regulation.

Sincerely yours,



Dennis L. DeWitt  
Alaska State Director

Cc: Rep. Peggy Wilson, Chair, House Transportation Committee  
Aves Thompson



# ALASKA AUTO DEALERS ASSOCIATION

P.O. Box 201305, Anchorage, Alaska 99520-1305

The Honorable Wes Keller  
State Capitol Building  
Juneau, Alaska 99801-1182

RE: House Bill 15

Dear Representative Keller:

On behalf of the Alaska Auto Dealers Association, I would like to express our support for House Bill 15.

For the small business owner nearly everything must be moved from somewhere and that is often done by truck. HB 15 raises the weight threshold on intra state commercial vehicles from 10,000 lbs to 14,000 pounds for inspection and safety regulation purposes. This will assist small contractors, i.e. lawn care, carpenters, plumbing & heating, small delivery vehicles and pilot cars. As you are aware, pick-up trucks and small step vans are getting larger and heavier and therefore bumping up over the current 10,000 pound limit and becoming by definition a commercial vehicle for inspection and regulation purposes.

Most one-ton pickup trucks are 14,000 pounds gross vehicle weight. Literally the only difference between a three-quarter ton and one-ton pickup trucks is an extra leaf spring or a dual set of wheels that increase the gross vehicle weight. Otherwise, the vehicles are the same.

Crossing the 10,000 pound threshold causes the driver to obtain a medical certification, complete daily vehicle inspection reports, perform or have performed annual inspections, and submit several other items on the vehicle to the state DOT to be in compliance. Currently, when over the 10,000-pound threshold, these vehicles are subject to Federal regulations that have been adopted into the Alaska Administrative Code. We feel that these vehicles do not need that level of scrutiny as typically they are operating in a limited geographical area and are not subject to the wear and tear that other larger commercial vehicles experience.

As Auto Dealers, we work with many businesses that need larger vehicles but must resort to smaller vehicles that meet their needs in a more limited. Today's truck laws were written years ago and have not kept up with technology. Today's roads and today's trucks are safer, more reliable and much easier to drive.

We thank you for your help in resolving this important issue.

Sincerely,

A handwritten signature in dark ink, appearing to read 'M Martensen', is written over a horizontal line.

Marten Martensen, President  
Alaska Auto Dealers Association

Legislative Testimony House Bill 15

By Michael Moeller, Director of Trucking, CPD Alaska, LLC.

Madam Chair, members of the Transportation Committee,

My name is Mike Moeller; I am Director of Trucking for CPD Alaska, LLC. The petroleum distribution division of Crowley Alaska. We operate across the state delivering petroleum products to customers both on the road system and throughout rural Western Alaska.

I am here today to speak in support of House Bill 15 sponsored by Representatives Keller and Isaccson and co-sponsored by members of this committee including, of course, you Representative Wilson.

As you are all aware, this legislation would update the statutory description of a commercial vehicle, taking into account that modern vehicles are built cleaner and with greater safety considerations for the user than was the case when the original requirements for training and reporting were put into place. Specifically, this legislation changes the definition of a commercial vehicle from one weighing 10,001 or more pounds to a vehicle weighing 14,0001 pounds or greater.

I have included examples of each from our fleet. Under the amended regulation we would no longer be required to have personnel who drive the F350 variety trucks, containing no hazardous materials, certified by the DOT. No doubt you have all seen this type of truck on the highway, it's just a heavy duty pickup truck.

Much like the small businesses who are affected by these regulations, in order to meet the DOT requirements we must transport staff from the far reaches of the state into Anchorage for physicals that are otherwise unnecessary. We also must provide additional equipment and man power to initiate and maintain records for Driver Qualification files for staff that do not deliver petroleum products or drive commercial vehicles in the normal course of their day to day operations.

These transportation and personnel costs weigh heavily into what it costs to run our business in rural parts of the state and those costs, as in any business, are inevitably passed onto to the customer. In areas such as McGrath where Home Heating Fuel has a base cost of \$7.26/ gallon or in Illiamna where it costs \$7.58/gallon our customers would clearly benefit, particularly in the coldest months of the year.

In addition to the onerous requirements placed on organizations such as ours, the regulations as currently written place added strain on the Alaska Commercial Motor Vehicle enforcement resources, which I'm sure we can all agree would be better spent on commercial grade vehicles and licensing than on large pickup trucks which could easily be owned and operated by non-commercially licensed individuals with valid driver's licenses.

On behalf of Crowley, or customers, and staff across the state, I greatly appreciate your consideration and continued support of House Bill 15 this legislation. Thank you for your time.

***Alaska Trucking Association, Inc.***

3443 Minnesota Drive · Anchorage, Alaska 99503 · Phone (907) 276-1149 · Fax (907) 274-1946

[www.aktrucks.org](http://www.aktrucks.org)*The authoritative voice of the trucking industry in Alaska*

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**HB 15 COMMERCIAL MOTOR VEHICLE REQUIREMENTS**

House Transportation Committee

1:00 pm, February 7, 2013

Aves D. Thompson, Executive Director

Alaska Trucking Association

Thank you. Madame Chair and members of the committee, I am Aves Thompson, Executive Director of the Alaska Trucking Association. The Alaska Trucking Association is a state wide organization representing the interests of our nearly 200 member companies from Barrow to Ketchikan. Freight movement represents a large chunk of our economy and impacts all of us each and every day. The simple truth is that "if you got it, a truck brought it."

As vehicles have gotten larger and heavier, many vehicles now fall into the current definition of an intra state commercial motor vehicle that have historically not been considered commercial vehicles such as pickup trucks, small step vans, small trailers, etc. One of the Alaska Trucking Association's legislative priorities is to change the definition of an intra state commercial vehicle to reduce the regulatory burden on small business and HB15 accomplishes that purpose.

***Alaska Trucking Association, Inc.***

3443 Minnesota Drive · Anchorage, Alaska 99503 · Phone (907) 276-1149 · Fax (907) 274-1946

[www.aktrucks.org](http://www.aktrucks.org)*The authoritative voice of the trucking industry in Alaska*

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For purposes of commercial vehicle regulation and inspection, HB15 raises the weight threshold on intra state commercial vehicles from 10,000 pounds, Gross Vehicle Weight Rating (GVWR) to 14,000 pounds GVWR. This change is aimed at small contractors, lawn care, carpenters, plumbing & heating, small delivery vehicles and pilot cars.

- Pick-up trucks and small step vans are getting larger and heavier and are bumping up over the current 10,000 pounds GVWR, becoming, by definition, a commercial vehicle for inspection and safety regulation purposes. Photo examples have been provided.
- Pilot cars are those vehicles that accompany oversize loads to serve as an extension of the warning system for the oversize load and their work is almost always “intra state” and would fall under this legislation.
- Being over 10,000 pounds, causes the driver to obtain a bi-annual medical certification, complete daily vehicle inspection reports, perform or have performed annual inspections, to stop at all open weigh stations and be subject to roadside inspections. The employer must maintain a set of driver qualification files and submit annual updates to the AK DOT&PF to ensure compliance. The employer must also ensure that the driver complies with the rules.

***Alaska Trucking Association, Inc.***

3443 Minnesota Drive · Anchorage, Alaska 99503 · Phone (907) 276-1149 · Fax (907) 274-1946

[www.aktrucks.org](http://www.aktrucks.org)*The authoritative voice of the trucking industry in Alaska*

- 
- When over the 10,000 pound GVWR threshold, these vehicles are subject to Federal regulations that have been adopted into the Alaska Administrative Code.
  - When passed, this bill will exclude these commercial vehicles that are no more than 14,000 pounds GVWR from unnecessary regulation.
  - This change does not change the commercial status of these intra state vehicles for purposes of registration with the Division of Motor Vehicles and therefore there is no fiscal impact on the state.

These vehicles do not need that level of scrutiny as typically they are operating in a limited geographical area and are not subject to the wear and tear that other larger commercial vehicles experience.

On behalf of the Alaska Trucking Association, I urge you to act favorably on this bill.

I will try to answer any questions. Thank you for your attention.

2012 Hearings

# STATE OF ALASKA

DEPARTMENT OF ADMINISTRATION  
DIVISION OF MOTOR VEHICLES

Sean Parnell, GOVERNOR  
Becky Hultberg, Commissioner

Whitney Brewster, Director  
1300 W. Benson Blvd.  
Anchorage, AK 99503  
(907) 269-5559

## Motor Vehicle Registration Tax Collected by DMV on behalf of Municipalities

Tax Office	Amount Collected
Anchorage	\$ 5,334,694.20
Bethel	61,928.00
Bristol Bay	63,989.00
Cordova	38,076.00
Dillingham	28,637.00
Juneau	517,145.00
Kenai	1,478,524.00
Ketchikan	221,384.00
Kodiak	283,412.00
Mat-Su	4,010,668.00
Nenana	10,520.00
Nome	42,236.00
Petersburg	39,877.00
Sitka	108,543.00
Unalaska	48,723.00
Whittier	4,045.00
	\$ 12,292,401.20

AMENDMENT

OFFERED IN THE HOUSE  
TO: HB 15

BY REPRESENTATIVE

- 1 Page 2, line 5:
- 2 Delete "designed"
- 3 Insert "being used [DESIGNED]"

**AMENDMENT**

OFFERED IN THE HOUSE  
TO: HB 15

BY REPRESENTATIVE

- 1 Page 1, line 8, following "vehicles":
- 2       Insert "Regulations adopted under this subsection may not exceed the authority,
- 3 scope, or intent of AS 19.10.300 - 19.10.399 or other state laws"