

HB

378

<TARGET><BILL>HB 378</BILL><SUBJECT>HB
378</SUBJECT><COMM>HTRA28</COMM></TARGET>

28-LS1541\O
Strasbaugh
3/26/14

CS FOR HOUSE BILL NO. 378(TRA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE HOUSE TRANSPORTATION COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE TRANSPORTATION COMMITTEE BY REQUEST

A BILL
FOR AN ACT ENTITLED

1 **"An Act relating to motor vehicle registration; relating to drivers' licenses; relating to**
2 **instruction permits; relating to commercial motor vehicles and commercial motor**
3 **carriers; and providing for an effective date."**

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

5 *** Section 1. AS 28.10.041(a) is amended to read:**

- 6 (a) The department may refuse to register a vehicle if
- 7 (1) the application contains a false or fraudulent statement;
- 8 (2) the applicant fails to furnish information required by the
- 9 department;
- 10 (3) the applicant is not entitled to the issuance of a certificate of title or
- 11 registration under this chapter;
- 12 (4) the vehicle is determined to be mechanically unsafe to be driven or
- 13 moved on a highway, vehicular way or area, or other public property in the state;
- 14 (5) the department has reasonable grounds to believe that the vehicle

1 was stolen or fraudulently acquired or that the granting of registration would be a
2 fraud against the rightful owner or other person having a valid lien on [UPON] the
3 vehicle;

4 (6) the registration of the vehicle has been suspended or revoked for
5 any reason under the laws of the state;

6 (7) the required fees or taxes have not been paid;

7 (8) the vehicle or applicant fails to comply with this chapter or
8 regulations implementing this section;

9 (9) the vehicle is without a certificate of inspection required under
10 AS 19.10.310;

11 (10) except for a vehicle to be registered under AS 28.10.152, the
12 vehicle is subject to a state-approved emission inspection program adopted under
13 AS 46.14.400 or 46.14.510, and the vehicle does not meet the standards of that
14 program;

15 (11) the applicant fails to certify to the department the existence of a
16 motor vehicle liability policy that complies with AS 28.22.101 for the vehicle being
17 registered unless the owner of the vehicle qualifies as a self-insurer under
18 AS 28.20.400 or is exempted from obtaining liability insurance under AS 28.22.011;

19 **(12) the applicant is a commercial motor carrier prohibited from**
20 **operating by a federal agency.**

21 * Sec. 2. AS 28.10.051(a) is amended to read:

22 (a) The department may suspend or revoke the registration of a vehicle, the
23 certificate of registration or registration plates for a vehicle, or a special permit when

24 (1) the department determines that the registration or certificate, plate,
25 or permit was fraudulently procured or erroneously issued;

26 (2) the department determines that a registered vehicle is mechanically
27 unsafe to be driven or moved on a highway, vehicular way or area, or other public
28 property in this state and the vehicle has been seized or impounded under
29 AS 28.05.091;

30 (3) a registered vehicle has been scrapped, dismantled, or destroyed
31 beyond repair;

1 (4) the department determines that a required fee or tax has not been
2 paid and the fee or tax is not paid upon reasonable notice and demand;

3 (5) a registration plate, permit, or certificate is knowingly displayed on
4 [UPON] a vehicle other than the vehicle for which issued;

5 (6) the department determines that the owner of a vehicle has
6 committed an offense under this chapter involving the registration or the certificate,
7 plate, or permit to be suspended or revoked;

8 (7) the vehicle has been reported to the department as stolen or
9 unlawfully converted;

10 (8) the department is otherwise required to do so under the laws of this
11 state;

12 (9) the department determines that the vehicle owner has violated the
13 requirements of AS 28.10.146 or 28.10.147;

14 (10) the department determines that a repair to a commercial motor
15 vehicle, ordered by the Department of Transportation and Public Facilities or the
16 Department of Public Safety under regulations adopted under AS 19, was not
17 completed after the owner or operator represented to the Department of Transportation
18 and Public Facilities, the Department of Public Safety, or the Department of
19 Administration that the repair had been completed; [OR]

20 (11) the owner or operator of a commercial motor vehicle has placed a
21 commercial motor vehicle back in service after it has been placed out of service by the
22 Department of Transportation and Public Facilities or the Department of Public Safety
23 without having it reinspected as required under regulations adopted under AS 19;

24 (12) the owner or operator is a commercial motor carrier
25 prohibited from operating by a federal agency; or

26 (13) the commercial motor vehicle is subject to an out-of-service
27 order issued by a state or federal agency.

28 * Sec. 3. AS 28.10.411(f) is amended to read:

29 (f) A resident 65 years of age or older on January 1 of the year the vehicle is
30 registered or a resident with a disability that limits or impairs the ability to walk and
31 who provides proof of that disability as provided in 23 C.F.R. 1235.2 is entitled to an

1 exemption from the registration fee required under this section for one vehicle subject
2 to registration under AS 28.10.421(b)(1)(A), (b)(4), or (b)(5) [AS 28.10.421(b)(1),
3 (2), (5), OR (6)]. An exemption may not be granted except upon written application
4 for the exemption on a form prescribed by the department.

5 * Sec. 4. AS 28.10.421(b) is repealed and reenacted to read:

6 (b) The biennial registration fees under this subsection are imposed within the
7 following classifications for

8 (1) a vehicle not exceeding 10,000 pounds unladen weight as
9 established by the manufacturer's advertised weight or on the actual weight, which the
10 owner shall furnish, subject to the approval of the commissioner or the commissioner's
11 representative that is a

12 (A) passenger vehicle, low-speed vehicle, pick-up truck, truck,
13 or van not used or maintained for the transportation of persons or property for
14 hire or for other commercial use and not registered in the name of a company
15 or business \$100;

16 (B) a taxicab \$160;

17 (2) a motor home not used or maintained for the transportation of
18 persons or property for hire or for other commercial use and not registered in the name
19 of a company or business \$100;

20 (3) a motor bus with a seating capacity of

21 (A) less than 20 persons and used exclusively for commercial
22 purposes in the transporting of visitors or tourists \$100;

23 (B) 20 or more persons and used exclusively for commercial
24 purposes in the transporting of visitors or tourists \$300;

25 (4) a motorcycle or a motor-driven cycle \$60.

26 (5) a trailer not used or maintained for the transportation of persons or
27 property for hire or for other commercial use, including a boat trailer, baggage trailer,
28 box trailer, utility trailer, house trailer, travel trailer, or trailer rented or offered for rent
29 \$30;

30 * Sec. 5. AS 28.10.421(c) is amended to read:

31 (c) The biennial registration fees under this subsection are imposed for a

1 vehicle not subject to registration under (b) of this section and are based on
 2 [UPON] the actual unladen weight as established by the manufacturer's advertised
 3 weight or on [UPON] the actual weight, which the owner shall furnish, subject to the
 4 approval of the commissioner or the commissioner's representative, [FOR A
 5 VEHICLE, INCLUDING A LOW-SPEED VEHICLE AND A MOTOR VEHICLE
 6 PULLING A TRAILER OR SEMI-TRAILER, THAT IS REGISTERED IN THE
 7 NAME OF A COMPANY OR BUSINESS, OR IS USED OR MAINTAINED FOR
 8 THE TRANSPORTATION OF PASSENGERS FOR HIRE, EXCEPTING
 9 TAXICABS AND BUSES UNDER (b) OF THIS SECTION, OR FOR THE
 10 TRANSPORTATION OF PROPERTY FOR HIRE OR FOR OTHER
 11 COMMERCIAL PURPOSES, INCLUDING A LOW-SPEED VEHICLE, TRUCK,
 12 WRECKER, TOW CAR, HEARSE, AMBULANCE, AND TRACTOR,] as follows:

- 13 (1) up to and including 5,000 pounds \$180;
- 14 (2) more than 5,000 pounds to and including 12,000 pounds \$268;
- 15 (3) more than 12,000 pounds to and including 18,000 pounds ... \$516;
- 16 (4) more than 18,000 pounds \$662.

17 * Sec. 6. AS 28.10.421(d)(8) is amended to read:

18 (8) an amateur mobile radio station vehicle,

19 (A) with a transceiver capable of less than 5-band operation

20 the fee
 21 required for that vehicle under (b) or (c) of this section;

22 (B) in recognition of service to the public a mobile amateur
 23 radio station owned by an amateur with general class or higher license,
 24 provided the station must be satisfactorily proved capable of operating on at
 25 least five bands from 160 through 10 meters, must have an antenna, and must
 26 have a power supply and wiring as a permanent part of the vehicle; the
 27 transmitting unit may be removed from the car for service or dry storage

28 none
 29 for a mobile amateur radio station vehicle included in (b)(1)(A) [(b)(1) OR (2)]
 30 of this section;

31 * Sec. 7. AS 28.10.431(b) is amended to read:

(b) The biennial tax is levied upon motor vehicles subject to the registration fee under AS 28.10.411 and 28.10.421 and is based on [UPON] the age of vehicles as determined by model year in the first year of the biennial period, according to the following schedule:

		Tax According to Age of Vehicle							
		Since Model Year:							
		1st	2nd	3rd	4th	5th	6th	7th	8th or over
Motor Vehicle									
(1)	motorcycle	\$ 17	\$ 15	\$ 13	\$ 10	\$ 7	\$ 5	\$ 4	\$ 4
(2)	vehicles specified in <u>AS 28.10.421(b)(1)(A)</u> or (3)(A) [AS 28.10.421(b)(1)]	121	99	77	55	39	28	19	16
(3)	vehicles specified in <u>AS 28.10.421(b)(1)(B)</u> [AS 28.10.421(b)(3)]	121	99	77	55	39	28	19	16
(4)	vehicles specified in AS 28.10.421(c)(1)-(4)								
	5,000 pounds or less	121	99	77	55	39	28	19	16
	5,001-12,000 pounds	198	154	121	99	77	55	33	22
	12,001-18,000 pounds	447	392	348	304	260	227	205	194
	18,001 pounds or over	546	469	403	348	304	260	216	194
(5)	vehicles specified in <u>AS 28.10.421(b)(3)(B)</u> [AS 28.10.421(b)(4)]	198	154	121	99	77	55	33	22
(6)	vehicles specified in <u>AS 28.10.421(b)(5)</u> [AS 28.10.421(b)(6)]	17	15	13	10	7	5	4	4
(7)	vehicles specified	121	99	77	55	39	28	19	16

1 in AS 28.10.421(d)(8)
 2 (8) [VEHICLES 121 99 77 55 39 28 19 16
 3 SPECIFIED IN
 4 AS 28.10.421(b)(2)
 5 (9)] vehicles eligible 88
 6 for dealer
 7 plates under
 8 AS 28.10.421(d)(9).

9 * Sec. 8. AS 28.15.051(a) is amended to read:

10 (a) Except as provided in (b) of this section, a person who is at least 14 years
 11 of age may apply to the department for a noncommercial [AN] instruction permit.
 12 The department may, after the applicant has successfully passed all parts of the
 13 examination under AS 28.15.081 other than the driving test, issue to the applicant an
 14 instruction permit. The permit allows a person, while having the permit in the person's
 15 immediate possession, to drive a specified noncommercial type or class of motor
 16 vehicle on a highway or vehicular way or area for a period not to exceed two years.
 17 The permittee shall be accompanied by a person at least 21 years of age who has been
 18 licensed at least one year to drive the type or class of vehicle being used, who is
 19 capable of exercising control over the vehicle and who occupies a seat beside the
 20 driver, or who accompanies and immediately supervises the driver when the permittee
 21 drives a motorcycle. An instruction permit may be renewed one time. Once a license is
 22 issued to drive a specified type or class of motor vehicle, a driver is not eligible to
 23 obtain an instructional permit for that specified type or class of motor vehicle unless
 24 five years have passed since the expiration of the license.

25 * Sec. 9. AS 28.15.051 is amended by adding a new subsection to read:

26 (f) A person who is at least 18 years of age may apply to the department for a
 27 commercial instruction permit. The department may, after the applicant has
 28 successfully passed all parts of the examination under AS 28.15.081 other than the
 29 driving test, issue to the applicant a commercial instruction permit. The permit allows
 30 a person, while having the permit in the person's immediate possession, to drive a
 31 specified commercial type or class of motor vehicle on a highway or vehicular way or

1 area for a period not to exceed 180 days. The permittee shall be accompanied by a
 2 person at least 21 years of age who has been licensed at least one year to drive the type
 3 or class of vehicle being used, who is capable of exercising control over the wheel,
 4 and who occupies a seat beside the driver. A commercial instruction permit may be
 5 renewed one time for a period of 180 days. Once a license is issued to drive a
 6 specified type or class of motor vehicle, a driver is not eligible to obtain a commercial
 7 instructional permit for that specified type or class of motor vehicle unless

8 (1) five years have passed since the expiration of the previous license;
 9 or

10 (2) the commercial instruction permit is obtained for the purpose of
 11 adding an endorsement to a current class of commercial license.

12 * Sec. 10. AS 28.33.140(a) is amended to read:

13 (a) In addition to any court action or administrative action in this or any other
 14 jurisdiction, conviction of a person who holds or is required to have a commercial
 15 driver's license or commercial instruction permit of any of the following offenses is
 16 grounds for immediate disqualification from driving a commercial motor vehicle for
 17 the periods set out in this section:

18 (1) operating a commercial motor vehicle while under the influence of
 19 an alcoholic beverage, inhalant, or controlled substance in violation of AS 28.33.030;

20 (2) refusal to submit to a chemical test in violation of AS 28.35.032;

21 (3) operating a motor vehicle while under the influence of an alcoholic
 22 beverage, inhalant, or controlled substance in violation of AS 28.35.030;

23 (4) leaving the scene of an accident in violation of AS 28.35.060, or
 24 failing to file, or providing false information in, an accident report in violation of
 25 AS 28.35.110;

26 (5) a felony under state or federal law that was facilitated because the
 27 person used a motor vehicle;

28 (6) a serious traffic violation;

29 (7) taking one of the following actions [DRIVING AFTER BEING
 30 PLACED OUT OF SERVICE] in violation of regulations adopted under
 31 AS 19.10.060(c) or AS 28.05.011;

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- (A) driving after being placed out of service: or
- (B) operating a commercial vehicle that has been placed out of service:

(8) operating a commercial motor vehicle in violation of a federal or state statute or regulation, or a local law or ordinance, relating to railroad-highway grade crossings;

(9) operating a commercial motor vehicle while the driver's commercial motor vehicle license is suspended, revoked, or canceled, or the driver is disqualified;

(10) causing a fatality through the negligent operation, or operation in violation of a felony criminal law, of a commercial motor vehicle.

* Sec. 11. AS 28.33.140(m) is amended to read:

(m) A person who violates the standards for operating a commercial motor vehicle or who knowingly operates a commercial motor vehicle that has been placed out of service as set out by the department in regulation is subject to civil penalties established by the department in regulation. An employer who knowingly allows an employee to drive in violation of an out-of-service order or in violation of a railroad-highway grade crossing is subject to civil penalties as described in 49 U.S.C. 521(b) as established by the department in regulation. The department may adopt regulations under AS 44.62 to implement this subsection. The regulations adopted under this subsection must be substantially similar to any applicable federal regulations. In this subsection, "knowingly [,]" has the meaning given in AS 11.81.900.

* Sec. 12. AS 28.33.190(16) is amended to read:

(16) "serious traffic violation" means

- (A) speeding 15 miles per hour or more above the posted limit;
- (B) reckless or negligent driving, in violation of AS 28.35.400 or 28.35.410 or an ordinance with substantially similar elements;
- (C) violation of a provision of this title, or a regulation adopted under this title, relating to improper lane changes or following too closely, or an ordinance with substantially similar elements;

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(D) violation of a law or ordinance relating to traffic control, which was determined by the court by a preponderance of the evidence to have been a factor in causing physical injury to a person;

(E) driving a commercial motor vehicle without obtaining a license to drive a commercial motor vehicle;

(F) driving a commercial motor vehicle without a license to drive a commercial motor vehicle in the driver's possession; however, if an individual provides proof to the department by the date that the individual was required to appear in court or pay any fine for that violation that the individual held a valid license to drive a commercial motor vehicle on the date the citation was issued, the driving may not be considered as a serious traffic violation under this paragraph; [OR]

(G) driving a commercial motor vehicle without the proper class of license to drive a commercial motor vehicle and any required endorsements for the specific vehicle group being operated, or for the passengers or type of cargo being transported; or

(H) driving a commercial motor vehicle in violation of AS 28.35.161.

* Sec. 13. AS 28.90.990(a) is amended by adding a new paragraph to read:

(31) "commercial motor carrier" means a person that provides transportation for compensation, or that provides a vehicle to a person or entity that provides transportation for compensation, including the person's agents, officers, representatives, employees responsible for hiring, supervising, training, assigning, or dispatching of drivers, and employees overseeing the safety, installation, inspection, and maintenance of motor vehicle equipment and accessories.

* Sec. 14. Sections 1, 2, and 8 - 13 of this Act take effect immediately under AS 01.10.070(c).

* Sec. 15. Sections 3 - 7 of this Act take effect January 1, 2015.

HOUSE BILL NO. 378

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY THE HOUSE TRANSPORTATION COMMITTEE BY REQUEST

Introduced: 3/19/14
Referred:

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to motor vehicle registration; relating to drivers' licenses; relating to
2 instruction permits; relating to commercial motor vehicles and commercial motor
3 carriers; and providing for an effective date."

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

5 * **Section 1.** AS 28.10.041(a) is amended to read:

- 6 (a) The department may refuse to register a vehicle if
- 7 (1) the application contains a false or fraudulent statement;
 - 8 (2) the applicant fails to furnish information required by the
9 department;
 - 10 (3) the applicant is not entitled to the issuance of a certificate of title or
11 registration under this chapter;
 - 12 (4) the vehicle is determined to be mechanically unsafe to be driven or
13 moved on a highway, vehicular way or area, or other public property in the state;
 - 14 (5) the department has reasonable grounds to believe that the vehicle

1 was stolen or fraudulently acquired or that the granting of registration would be a
 2 fraud against the rightful owner or other person having a valid lien on [UPON] the
 3 vehicle;

4 (6) the registration of the vehicle has been suspended or revoked for
 5 any reason under the laws of the state;

6 (7) the required fees or taxes have not been paid;

7 (8) the vehicle or applicant fails to comply with this chapter or
 8 regulations implementing this section;

9 (9) the vehicle is without a certificate of inspection required under
 10 AS 19.10.310;

11 (10) except for a vehicle to be registered under AS 28.10.152, the
 12 vehicle is subject to a state-approved emission inspection program adopted under
 13 AS 46.14.400 or 46.14.510, and the vehicle does not meet the standards of that
 14 program;

15 (11) the applicant fails to certify to the department the existence of a
 16 motor vehicle liability policy that complies with AS 28.22.101 for the vehicle being
 17 registered unless the owner of the vehicle qualifies as a self-insurer under
 18 AS 28.20.400 or is exempted from obtaining liability insurance under AS 28.22.011;

19 **(12) the applicant is a commercial motor carrier prohibited from**
 20 **operating by a federal agency.**

21 * **Sec. 2.** AS 28.10.051(a) is amended to read:

22 (a) The department may suspend or revoke the registration of a vehicle, the
 23 certificate of registration or registration plates for a vehicle, or a special permit when

24 (1) the department determines that the registration or certificate, plate,
 25 or permit was fraudulently procured or erroneously issued;

26 (2) the department determines that a registered vehicle is mechanically
 27 unsafe to be driven or moved on a highway, vehicular way or area, or other public
 28 property in this state and the vehicle has been seized or impounded under
 29 AS 28.05.091;

30 (3) a registered vehicle has been scrapped, dismantled, or destroyed
 31 beyond repair;

1 (4) the department determines that a required fee or tax has not been
2 paid and the fee or tax is not paid upon reasonable notice and demand;

3 (5) a registration plate, permit, or certificate is knowingly displayed on
4 [UPON] a vehicle other than the vehicle for which issued;

5 (6) the department determines that the owner of a vehicle has
6 committed an offense under this chapter involving the registration or the certificate,
7 plate, or permit to be suspended or revoked;

8 (7) the vehicle has been reported to the department as stolen or
9 unlawfully converted;

10 (8) the department is otherwise required to do so under the laws of this
11 state;

12 (9) the department determines that the vehicle owner has violated the
13 requirements of AS 28.10.146 or 28.10.147;

14 (10) the department determines that a repair to a commercial motor
15 vehicle, ordered by the Department of Transportation and Public Facilities or the
16 Department of Public Safety under regulations adopted under AS 19, was not
17 completed after the owner or operator represented to the Department of Transportation
18 and Public Facilities, the Department of Public Safety, or the Department of
19 Administration that the repair had been completed; [OR]

20 (11) the owner or operator of a commercial motor vehicle has placed a
21 commercial motor vehicle back in service after it has been placed out of service by the
22 Department of Transportation and Public Facilities or the Department of Public Safety
23 without having it reinspected as required under regulations adopted under AS 19;

24 **(12) the owner or operator is a commercial motor carrier**
25 **prohibited from operating by a federal agency; or**

26 **(13) the commercial motor vehicle is subject to an out-of-service**
27 **order issued by a state or federal agency.**

28 * Sec. 3. AS 28.10.411(f) is amended to read:

29 (f) A resident 65 years of age or older on January 1 of the year the vehicle is
30 registered or a resident with a disability that limits or impairs the ability to walk and
31 who provides proof of that disability as provided in 23 C.F.R. 1235.2 is entitled to an

1 exemption from the registration fee required under this section for one vehicle subject
2 to registration under AS 28.10.421(b)(1)(A), (b)(1)(C), or (b)(4) [AS 28.10.421(b)(1),
3 (2), (5), OR (6)]. An exemption may not be granted except upon written application
4 for the exemption on a form prescribed by the department.

5 * **Sec. 4.** AS 28.10.421(b) is repealed and reenacted to read:

6 (b) The biennial registration fees under this subsection are imposed within the
7 following classifications for

8 (1) a vehicle not exceeding 10,000 pounds unladen weight as
9 established by the manufacturer's advertised weight or on the actual weight, which the
10 owner shall furnish, subject to the approval of the commissioner or the commissioner's
11 representative that is a

12 (A) passenger vehicle, low-speed vehicle, pick-up truck, truck,
13 or van not used or maintained for the transportation of persons or property for
14 hire or for other commercial use and not registered in the name of a company
15 or business \$100;

16 (B) a taxicab \$160;

17 (C) a trailer not used or maintained for the transportation of
18 persons or property for hire or for other commercial use, including a boat
19 trailer, baggage trailer, box trailer, utility trailer, house trailer, travel trailer, or
20 trailer rented or offered for rent \$30;

21 (2) a motor home \$100;

22 (3) a motor bus with a seating capacity of
23 (A) less than 20 persons and used exclusively for commercial
24 purposes in the transporting of visitors or tourists \$100;

25 (B) 20 or more persons and used exclusively for commercial
26 purposes in the transporting of visitors or tourists \$300;

27 (4) a motorcycle or a motor-driven cycle \$60.

28 * **Sec. 5.** AS 28.10.421(c) is amended to read:

29 (c) The biennial registration fees under this subsection are imposed for a
30 vehicle not subject to registration under (b) of this section and are based on
31 [UPON] the actual unladen weight as established by the manufacturer's advertised

1 weight or on [UPON] the actual weight, which the owner shall furnish, subject to the
2 approval of the commissioner or the commissioner's representative, [FOR A
3 VEHICLE, INCLUDING A LOW-SPEED VEHICLE AND A MOTOR VEHICLE
4 PULLING A TRAILER OR SEMI-TRAILER, THAT IS REGISTERED IN THE
5 NAME OF A COMPANY OR BUSINESS, OR IS USED OR MAINTAINED FOR
6 THE TRANSPORTATION OF PASSENGERS FOR HIRE, EXCEPTING
7 TAXICABS AND BUSES UNDER (b) OF THIS SECTION, OR FOR THE
8 TRANSPORTATION OF PROPERTY FOR HIRE OR FOR OTHER
9 COMMERCIAL PURPOSES, INCLUDING A LOW-SPEED VEHICLE, TRUCK,
10 WRECKER, TOW CAR, HEARSE, AMBULANCE, AND TRACTOR,] as follows:

- 11 (1) up to and including 5,000 pounds\$180;
- 12 (2) more than 5,000 pounds to and including 12,000 pounds\$268;
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19 required for that vehicle under (b) or (c) of this section;

20 (B) in recognition of service to the public a mobile amateur
21 radio station owned by an amateur with general class or higher license,
22 provided the station must be satisfactorily proved capable of operating on at
23 least five bands from 160 through 10 meters, must have an antenna, and must
24 have a power supply and wiring as a permanent part of the vehicle; the
25 transmitting unit may be removed from the car for service or dry storage
26 none
27 for a mobile amateur radio station vehicle included in (b)(1)(A) [(b)(1) OR (2)]
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30 (b) The biennial tax is levied upon motor vehicles subject to the registration
31 fee under AS 28.10.411 and 28.10.421 and is based on [UPON] the age of vehicles as

1 determined by model year in the first year of the biennial period, according to the
 2 following schedule:

		Tax According to Age of Vehicle Since Model Year:							
		1st	2nd	3rd	4th	5th	6th	7th	8th or over
8	Motor Vehicle								
9	(1) motorcycle	\$ 17	\$ 15	\$ 13	\$ 10	\$ 7	\$ 5	\$ 4	\$ 4
10	(2) vehicles specified in	121	99	77	55	39	28	19	16
11	<u>AS 28.10.421(b)(1)(A)</u>								
12	<u>or (3)(A)</u>								
13	[AS 28.10.421(b)(1)]								
14	(3) vehicles specified in	121	99	77	55	39	28	19	16
15	<u>AS 28.10.421(b)(1)(B)</u>								
16	[AS 28.10.421(b)(3)]								
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18	in AS 28.10.421(c)(1)-(4)								
19	5,000 pounds or less	121	99	77	55	39	28	19	16
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23	(5) vehicles specified in	198	154	121	99	77	55	33	22
24	<u>AS 28.10.421(b)(3)(B)</u>								
25	[AS 28.10.421(b)(4)]								
26	(6) vehicles specified in	17	15	13	10	7	5	4	4
27	<u>AS 28.10.421(b)(1)(C)</u>								
28	[AS 28.10.421(b)(6)]								
29	(7) vehicles specified	121	99	77	55	39	28	19	16
30	in AS 28.10.421(d)(8)								
31	(8) [VEHICLES	121	99	77	55	39	28	19	16

1 SPECIFIED IN
 2 AS 28.10.421(b)(2)
 3 (9)] vehicles eligible 88
 4 for dealer
 5 plates under
 6 AS 28.10.421(d)(9).

7 * **Sec. 8.** AS 28.15.051(a) is amended to read:

8 (a) Except as provided in (b) of this section, a person who is at least 14 years
 9 of age may apply to the department for a noncommercial [AN] instruction permit.
 10 The department may, after the applicant has successfully passed all parts of the
 11 examination under AS 28.15.081 other than the driving test, issue to the applicant an
 12 instruction permit. The permit allows a person, while having the permit in the person's
 13 immediate possession, to drive a specified noncommercial type or class of motor
 14 vehicle on a highway or vehicular way or area for a period not to exceed two years.
 15 The permittee shall be accompanied by a person at least 21 years of age who has been
 16 licensed at least one year to drive the type or class of vehicle being used, who is
 17 capable of exercising control over the vehicle and who occupies a seat beside the
 18 driver, or who accompanies and immediately supervises the driver when the permittee
 19 drives a motorcycle. An instruction permit may be renewed one time. Once a license is
 20 issued to drive a specified type or class of motor vehicle, a driver is not eligible to
 21 obtain an instructional permit for that specified type or class of motor vehicle unless
 22 five years have passed since the expiration of the license.

23 * **Sec. 9.** AS 28.15.051 is amended by adding a new subsection to read:

24 (f) A person who is at least 18 years of age may apply to the department for a
 25 commercial instruction permit. The department may, after the applicant has
 26 successfully passed all parts of the examination under AS 28.15.081 other than the
 27 driving test, issue to the applicant a commercial instruction permit. The permit allows
 28 a person, while having the permit in the person's immediate possession, to drive a
 29 specified commercial type or class of motor vehicle on a highway or vehicular way or
 30 area for a period not to exceed 180 days. A commercial instruction permit may be
 31 renewed one time for a period of 180 days. Once a license is issued to drive a

1 specified type or class of motor vehicle, a driver is not eligible to obtain a commercial
2 instructional permit for that specified type or class of motor vehicle unless

3 (1) five years have passed since the expiration of the previous license;

4 or

5 (2) the commercial instructional permit is obtained for the purpose of
6 adding an endorsement to a current class of commercial license.

7 * **Sec. 10.** AS 28.33.140(a) is amended to read:

8 (a) In addition to any court action or administrative action in this or any other
9 jurisdiction, conviction of a person who holds or is required to have a commercial
10 driver's license **or commercial instruction permit** of any of the following offenses is
11 grounds for immediate disqualification from driving a commercial motor vehicle for
12 the periods set out in this section:

13 (1) operating a commercial motor vehicle while under the influence of
14 an alcoholic beverage, inhalant, or controlled substance in violation of AS 28.33.030;

15 (2) refusal to submit to a chemical test in violation of AS 28.35.032;

16 (3) operating a motor vehicle while under the influence of an alcoholic
17 beverage, inhalant, or controlled substance in violation of AS 28.35.030;

18 (4) leaving the scene of an accident in violation of AS 28.35.060, or
19 failing to file, or providing false information in, an accident report in violation of
20 AS 28.35.110;

21 (5) a felony under state or federal law that was facilitated because the
22 person used a motor vehicle;

23 (6) a serious traffic violation;

24 (7) driving after being placed out of service, **operating a commercial**
25 **vehicle that has been placed out of service, or operating a commercial vehicle**
26 **belonging to a commercial motor carrier that has been placed out of service** in
27 violation of regulations adopted under AS 19.10.060(c) or AS 28.05.011;

28 (8) operating a commercial motor vehicle in violation of a federal or
29 state statute or regulation, or a local law or ordinance, relating to railroad-highway
30 grade crossings;

31 (9) operating a commercial motor vehicle while the driver's

1 commercial motor vehicle license is suspended, revoked, or canceled, or the driver is
2 disqualified;

3 (10) causing a fatality through the negligent operation, or operation in
4 violation of a felony criminal law, of a commercial motor vehicle.

5 * **Sec. 11.** AS 28.33.140(m) is amended to read:

6 (m) A person who violates the standards for operating a commercial motor
7 vehicle or who operates a commercial motor vehicle that has been placed out of
8 service as set out by the department in regulation is subject to civil penalties
9 established by the department in regulation. An employer who knowingly allows an
10 employee to drive in violation of an out-of-service order or in violation of a railroad-
11 highway grade crossing is subject to civil penalties as described in 49 U.S.C. 521(b) as
12 established by the department in regulation. The department may adopt regulations
13 under AS 44.62 to implement this subsection. The regulations adopted under this
14 subsection must be substantially similar to any applicable federal regulations. In this
15 subsection, "knowingly [,]" has the meaning given in AS 11.81.900.

16 * **Sec. 12.** AS 28.33.190(16) is amended to read:

17 (16) "serious traffic violation" means

18 (A) speeding 15 miles per hour or more above the posted limit;

19 (B) reckless or negligent driving, in violation of AS 28.35.400
20 or 28.35.410 or an ordinance with substantially similar elements;

21 (C) violation of a provision of this title, or a regulation adopted
22 under this title, relating to improper lane changes or following too closely, or
23 an ordinance with substantially similar elements;

24 (D) violation of a law or ordinance relating to traffic control,
25 which was determined by the court by a preponderance of the evidence to have
26 been a factor in causing physical injury to a person;

27 (E) driving a commercial motor vehicle without obtaining a
28 license to drive a commercial motor vehicle;

29 (F) driving a commercial motor vehicle without a license to
30 drive a commercial motor vehicle in the driver's possession; however, if an
31 individual provides proof to the department by the date that the individual was

1 required to appear in court or pay any fine for that violation that the individual
 2 held a valid license to drive a commercial motor vehicle on the date the
 3 citation was issued, the driving may not be considered as a serious traffic
 4 violation under this paragraph; [OR]

5 (G) driving a commercial motor vehicle without the proper
 6 class of license to drive a commercial motor vehicle and any required
 7 endorsements for the specific vehicle group being operated, or for the
 8 passengers or type of cargo being transported; or

9 (H) driving a commercial motor vehicle in violation of
 10 AS 28.35.161.

11 * **Sec. 13.** AS 28.90.990(a) is amended by adding a new paragraph to read:

12 (31) "commercial motor carrier" means a person that provides
 13 transportation for compensation, or that provides a vehicle to a person or entity that
 14 provides transportation for compensation, including the person's agents, officers,
 15 representatives, employees responsible for hiring, supervising, training, assigning, or
 16 dispatching of drivers, and employees overseeing the safety, installation, inspection,
 17 and maintenance of motor vehicle equipment and accessories.

18 * **Sec. 14.** Sections 1, 2, and 8 - 13 of this Act take effect immediately under
 19 AS 01.10.070(c).

20 * **Sec. 15.** Sections 3 - 7 of this Act take effect January 1, 2015.

ALASKA STATE LEGISLATURE



Interim:
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Wrangell, AK 99929
Phone: (907) 874-3088
Fax: (907) 874-3055

Session:
State Capitol, Room 406
Juneau, AK 99801-1182
Phone: (907) 465-3824
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Fax: (907) 465-3175

HOUSE TRANSPORTATION COMMITTEE Representative Peggy Wilson, Chair HOUSE DISTRICT 33

Sponsor Statement HB 378

“An Act relating to motor vehicle registration, relating to drivers’ licenses; relating to instruction permits; relating to commercial motor vehicles and commercial motor carriers; and providing for an effective date.”

HB 378 will make the roads a safer place for all Alaskans by allowing the Division of Motor Vehicles (DMV) to refuse to register or revoke a registration for a motor carrier or commercial vehicle that does not meet federal safety standards.

Additionally, a commercial driver license (CDL) permit will be disqualified in the same manner as a commercial license if the driver is operating out of service or is convicted for crimes that include driving under the influence, refusal to submit to a chemical test, manslaughter, or negligent homicide resulting from driving a motor vehicle or for the commission of a felony using a motor vehicle. Texting while driving will also be made a serious traffic violation by which CDL operators could lose their license or permit for a period of time.

HB 378 also adds additional safety-related improvements to the commercial permitting requirements to comply with federal mandates, which include raising the age to obtain an instruction permit for a commercial driver from 17 to 18 years of age, and limiting the period of validity and ability to renew the commercial permit for a period of 180 days instead of two years. A five year timeframe is added that will allow a person to apply for an instructional permit after they have been issued a certain class of license.

Additionally, HB 378 contains clarifying language for registration fees charged for vehicles over 10,000 pounds used for personal use and in an individual’s name. This clarification makes it clear that vehicles with an empty weight over 10,000 pounds (except motor homes used for personal use) will be charged the same as commercial vehicles of the same weight.

If HB 378 is not passed **this session** Alaska will be out of compliance with federal regulations. Non-compliance could result in the federal government decertifying Alaska’s CDL program. The decertification would jeopardize Alaska’s federal highway funding. DOT reports that based on 2014 apportionments, this could mean a loss of up to \$34M in federal dollars.

ALASKA STATE LEGISLATURE



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House Transportation Committee Representative Peggy Wilson District 33

Sectional Analysis HB 378, Driver Licensing

***Section 1:** Amends AS 28.10.041(a)

This section allows DMV the ability to refuse to register a vehicle if the owner has failed to comply with the reporting requirements of 49 CFR 396, and placed out of service by the U.S. Department of Transportation Federal Motor Carrier Administration (FMCSA).

***Section 2:** Amends AS 28.10.051(a)

This section is amended to allow the DMV to suspend or revoke the registration of a vehicle if the carrier has been issued a federal out of service order by the FMCSA pursuant to 49 CFR 386.

***Section 3:** Amends AS 28.10.411(f)

This section is amended to clarify that free vehicle registration for residents 65 years or older or disabled applies to noncommercial vehicles that weigh less than 10,000 pounds, including a passenger vehicle, low speed vehicle, pick-up truck, truck or van, trailer, or motorcycle.

***Section 4:** Amends AS 28.10.421(b)

This section is repealed and reenacted in conjunction with the modification of AS 28.10.411(f) above to clarify fees for noncommercial vehicles that weigh less than 10,000 pounds. The fees do not change; the section is reconfigured for clarity.

***Section 5:** Amends AS 28.10.421(c)

This section is amended to establish that fees for vehicles except for passenger, low speed, pick-up trucks, trucks or vans, trailers, and motorcycles are based on the weight of the vehicle regardless of whether the vehicle is commercial or noncommercial.

***Section 6:** Amends AS 28.10.421(d)(8)

This section is amended to clarify that no registration fees are charged for amateur mobile radio station vehicles so long as they are a passenger vehicle, low speed vehicle, pick-up truck, truck or van, trailer, or motorcycle.

ALASKA STATE LEGISLATURE



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House Transportation Committee Representative Peggy Wilson District 33

***Section 7:** Amends AS 28.10.431(b)

This section is amended to specify the biennial motor vehicle registration taxes (MVRT) for vehicles under 10,000 pounds including passenger vehicles, low speed vehicles, pick-up trucks, trucks or vans, trailers, and motorcycles, motor buses used commercially for transporting tourists, taxicabs, and trailers.

***Section 8:** Amends AS 28.15.051(a)

This section is amended to allow the DMV to issue a noncommercial instruction permit to drive noncommercial vehicles. It also allows a person to obtain an instructional permit for a certain class of license once five years have passed. DMV currently has no mechanism to allow a person who has been issued a license the ability to revert back to an instructional permit if more training is required.

***Section 9:** Amends AS 28.15.051 and adds a new subsection

A section is added to meet federal compliance with 49 CFR 383.71, which will require an applicant for a commercial instruction permit be at least 18 years of age. The current age for a commercial instruction permit is 17. Additionally, the statute is modified to allow for federal compliance with 49 CFR 383.25 by limiting the validity of the instruction permit to no more than 180 days, and a one-time renewal for no more than 180 days. This is a change from the existing 2- year period currently allowed. Furthermore, a 5-year timeframe is added to allow a person to apply for an instructional permit after they have been issued a certain class of license. DMV currently has no means to allow a person who has been issued a license the ability to revert back to an instruction permit.

***Section 10:** Amends AS 28.33.140(a)

This section is amended to allow a commercial driver license permit to be disqualified in the same manner as a commercial driver license if the driver is convicted for crimes including driving under the influence, refusal to submit to a chemical test, leaving the scene of an accident, failing to file, or providing false information following a crash, driving after being placed out of service, operating a commercial vehicle that has been placed out of service, or operating a commercial vehicle belonging to a commercial carrier that has been placed out of service.

***Section 11:** Amends AS 28.33.140(m)

This section is amended to comply with 49 CFR 384.222, which makes operating a vehicle that has been placed out of service subject to civil penalties.

ALASKA STATE LEGISLATURE



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House Transportation Committee Representative Peggy Wilson District 33

***Section 12:** Amends AS 28.33.190(16)

This section is amended to comply with 49 CFR 392.80 that adds texting to the list of serious traffic violations for which a CDL license or permit holder could be disqualified.

***Section 13:** Adds a new paragraph to AS 28.90.990

Defines "commercial motor carrier."

***Section 14:** Effective date

Sections 1, 2, and 8-13 relating to federal compliance will take effect at 12:01 A.M. Alaska Standard Time the day after it is signed by the governor.

***Section 15:** Effective date

Sections 3-7 relating to fees take effect January 1, 2015.

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: HB 378
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB378-DOT-MSCVE-3-19-14
Title: DRIVER LICENSING
Sponsor: TRANSPORTATION
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)

	FY2015 Appropriation Requested	Included in Governor's FY2015 Request	Out-Year Cost Estimates					
			FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

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:

Initial Version.

Prepared By: <u>Connie McKenzie, Special Assistant</u>	Phone: <u>(907)465-4772</u>
Division: <u>Office of the Commissioner</u>	Date: <u>03/19/2014 02:00 PM</u>
Approved By: <u>Mary Siroky, Director</u>	Date: <u>03/19/14</u>
Agency: <u>Administrative Services</u>	

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. HB378

Analysis

This bill takes measures to bring the state into compliance with federal regulations. Without the statutory changes regarding federal out of service orders and CDL requirements, the state does not meet the July 2015 deadline to be in compliance which could lead to the loss or withholding of federal highway dollars under 49 USC § 31314.

The sanction is set initially at 4% of both the National Highway Performance Program and Surface Transportation Program apportionments and then increases to 8% in the second and subsequent years of non-compliance. Based on 2014 apportionments this sanction could amount to a loss in federal highway funds to the state of approximately \$17 million at 4% and \$34 million at 8%. Under federal law, these funds cannot be re-appropriated to a separate program and would be lost to the state.

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: HB 378
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB378-DOA-DMV-03-19-2014
Title: DRIVER LICENSING
Sponsor: TRANSPORTATION
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)

	FY2015	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2015 Request	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
OPERATING EXPENDITURES	FY 2015	FY 2015					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? **Yes**
If yes, by what date are the regulations to be adopted, amended or repealed? **07/01/15**

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By:	Amy Erickson, Director	Phone:	(907)269-5574
Division:	Motor Vehicles	Date:	03/19/2014 03:27 PM
Approved By:	Curtis Thayer, Commissioner	Date:	03/19/14
Agency:	Department of Administration		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. HB 378

Analysis

HB 378 will bring the State of Alaska into compliance with federal regulations and mandates that go into effect July 2015, which include:

- Expanding the definition of an "out of service order" to include the driver, carrier, and commercial vehicle;
- Allowing DMV to refuse to register a vehicle if the owner is prohibited from operating by state or federal authorities;
- Requiring that commercial instruction permit applicants be 18 years old, and instruction permits will be valid for 180 days with a renewal option of 180 days;
- Clarifying that instruction permits may not be issued for more than two years and may be renewed one time;
- Providing that DMV may issue a permit to someone that already held that class of license if more than 5 years have passed;
- Clarifying registration fees and motor vehicle taxes on noncommercial vehicles;
- Permitting DMV to disqualify a commercial instruction permit or license for certain offenses;
- Adding texting to the list of serious traffic violations for which a CDL license or permit holder could be disqualified.

This bill has no fiscal impact on DMV, but with passage, puts the state in compliance with federal regulations and ensures continued distribution of federal highway funds. Therefore, a zero fiscal note is submitted.

Alaska Trucking Association, Inc.

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www.aktrucks.org

The authoritative voice of the trucking industry in Alaska

Comments on CSHB378

Aves Thompson, Executive Director

Alaska Trucking Association

March 26, 2014

*This relates to Ver N - we have modified
and now we are on Ver O.*

1. Line 1, page 9
The word knowingly is not required here as the driver must be personally served with his/her out of service order.
2. Line 2, page 9
The word knowingly is not required here as the driver of the vehicle would be present at the time of the out of service order. Another driver picking up the vehicle would be alerted by the sign on the vehicle or by being notified by his/her employer.
3. Line 4, page 9
We suggest inserting the word "**knowingly**" after (C) and before "operating... It is possible that a driver on a cross country or even cross state trip not be aware that his/her employer, the motor carrier, had been placed out of service by a federal agency. The driver should not lose his/her driving privileges in this context.
4. Line 1, page 9, why is the word "driving" used when the other paragraphs in this section use the word "operating" ?
5. Line 16, page 9
The word "knowingly" is used in this context ostensibly to protect both the driver and the employer from civil penalties in this and other offenses in paragraph (m). It seems that the same protections should protect a driver in line 4, page 9 from being disqualified from his/her commercial driver's license for six months. Losing your livelihood and your ability to pursue your profession for six months is very likely to be a much more severe penalty than a civil penalty assessed by the department.

On the subject of compliance with the feds on the CDL program in HB378, the following is pretty clear about the consequences. Although the sanctions have never been applied by FMCSA, there is always a first time. **The consequences of decertification of the CDL program are very severe. Issuance of new CDL's would stop immediately and all CDL's would be invalid upon their expiration date.** The federal highway dollars are important but DMV must be able to issue valid CDL's.

With these changes, the Alaska Trucking Association supports HB378 and urges favorable consideration.



If you got it, a truck brought it...

Fiscal Note

State of Alaska
2014 Legislative Session

Bill Version: HB 378
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB378 DOA-DMV-04-15-14
Title: MOTOR VEHICLES: REGISTRATION,
COMMERCIAL
Sponsor: TRANSPORTATION
Requester: Senate Finance

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)

	FY2015	Included in	Out-Year Cost Estimates				
	Appropriation	Governor's	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Requested	FY 2015	FY 2015					
OPERATING EXPENDITURES							
Personal Services							
Travel							
Services	11.4						
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	11.4	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

1005 GF/Prgm	11.4						
Total	11.4	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues	(100.0)			(100.0)	(100.0)	(100.0)	(100.0)
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Estimated SUPPLEMENTAL (FY2014) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2015) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? **Yes**
If yes, by what date are the regulations to be adopted, amended or repealed? **07/01/15**

Why this fiscal note differs from previous version:

Senate Finance revised this previously zero fiscal note to include the waiver of vehicle registration fees for active members of the Alaska National Guard. \$11.4 GF/PR authority is requested in the services line and will cover programming fees to the DMV ALVIN database in order to identify motor vehicles or motorcycles registered to Alaska National Guard members and allow the agency to account for the fee exemption waiver.

Prepared By: Co-Chair Senator Kelly Phone: (907)465-3753
Senate Finance Committee Date: 04/14/2014
Co-Chair Senator Meyer
Senate Finance Committee

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2014 LEGISLATIVE SESSION

BILL NO. HB 378

Analysis

HB 378 will bring the State of Alaska into compliance with federal regulations and mandates that go into effect July 2015, which include:

- Expanding the definition of an "out of service order" to include the driver, carrier, and commercial vehicle;
- Allowing DMV to refuse to register a vehicle if the owner is prohibited from operating by state or federal authorities;
- Requiring that commercial instruction permit applicants be 18 years old, and instruction permits will be valid for 180 days with a renewal option of 180 days;
- Clarifying that instruction permits may not be issued for more than two years and may be renewed one time;
- Providing that DMV may issue a permit to someone that already held that class of license if more than 5 years have passed;
- Clarifying registration fees and motor vehicle taxes on noncommercial vehicles;
- Permitting DMV to disqualify a commercial instruction permit or license for certain offenses;
- Adding texting to the list of serious traffic violations for which a CDL license or permit holder could be disqualified.

National Guard ID & Vehicle Fees

Additionally, HB378 will entitle current members of the Alaska National Guard free vehicle registration for a passenger vehicle or motorcycle.

Programming Costs:

The DMV ALVIN database will require programming to add a field to identify the motor vehicles or motorcycles registered to Alaska National Guard members and allow the department to account for the fee exemption waiver.

Estimated contract hours: 80

Cost per hour: \$143

Total contract cost: \$11,440

Revenue loss is projected to result in approximately (\$100.0) per fiscal year.