

SB

163

<TARGET><BILL>SB 163</BILL><SUBJECT>SB
163</SUBJECT><COMM>HSTA30</COMM></TARGET>

STATE CAPITOL
P.O. Box 110001
Juneau, AK 99811-0001
907-465-3500
fax: 907-465-3532



550 West Seventh Avenue, Suite 1700
Anchorage, AK 99501
907-269-7450
fax 907-269-7461
www.Gov.Alaska.Gov
Governor@Alaska.Gov

Governor Bill Walker
STATE OF ALASKA

January 25, 2018

The Honorable Pete Kelly
President of the Senate
Alaska State Legislature
State Capitol, Room 111
Juneau, AK 99801-1182

Dear President Kelly,

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill relating to the definition of a commercial motor vehicle.

The Department of Transportation and Public Facilities is responsible for the construction and maintenance of the state highway system. With respect to commercial motor vehicles, which use the state highway system, the Department is responsible for establishing weight, use, and size restrictions for vehicles, and for assuring implementation of federal statutes or regulations relating to commercial motor vehicles. In order to assure continued alignment with federal law, the bill would modify the existing definition of a commercial motor vehicle to be consistent with federal law. This bill would add provisions to address school buses and the type of covered farm vehicle not designated as a commercial vehicle. This would ease restrictions on persons who operate farm vehicles by freeing them to drive beyond the current limitation, a 150-mile boundary, and reduce use restrictions. In addition, a school bus used intrastate for the transport of public pre-elementary, elementary, and secondary school students to and from home and school would not be considered a commercial motor vehicle under this bill.

I urge your prompt and favorable consideration of this bill.

Sincerely,


Bill Walker
Governor

Enclosure

Fiscal Note

State of Alaska
2018 Legislative Session

Bill Version:	SB 163
Fiscal Note Number:	1
(S) Publish Date:	1/26/2018

Identifier: DOT-MSCVE-1-25-18
 Title: DEFINITION OF COMMERCIAL MOTOR VEHICLES
 Sponsor: RLS BY REQUEST OF THE GOVERNOR
 Requester: Governor

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)

	FY2019	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2019 Request	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
OPERATING EXPENDITURES	FY 2019	FY 2019					
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

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2018) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2019) 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/comments:

Original version.

Prepared By:	Mike Lesmann	Phone:	(907)465-4772
Division:	Commissioner's Office	Date:	01/25/2018 10:25 AM
Approved By:	Amanda Holland	Date:	01/25/18
Agency:	DOT&PF		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2018 LEGISLATIVE SESSION

Analysis

This proposal recognizes that our current statutory definition of a farm vehicle and a school bus is more restrictive than federal law and not compatible with the Code of Federal Regulations. This proposal reduces the regulatory burden on farming and school bus operations in Alaska. It creates no fiscal impact to the Department of Transportation and Public Facilities.

Provided by the Department of Transportation:

A Covered Farm Vehicle (49 CFR 390.5, 390.39) is a straight truck or articulated vehicle that has a method for law enforcement to identify it as a farm vehicle. It has to be operated by the owner of a farm/ranch, their family member or their employee. It can only be used to transport agricultural commodities, livestock, machinery or supplies to or from a farm/ranch and not used in "for-hire" motor carrier operations. There is one exception for share croppers.

In Alaska, Covered Farm Vehicles/Drivers would be exempt from CDL requirements, driver physical Qualifications and Examination, Hours of Service (Log Books), the CMV safety inspection program, and record keeping requirements statewide. Currently Intrastate farmers are only allowed 150 mile radius from their farm, Interstate already has these exemptions.

CDL benefits-

- Have to provide identification, meet physical qualifications, pass written test (knowledge) , pass the road test (skill), meet minimum requirements for experience and training. Three classes of CDL, A/B/C and these are dependent on Gross Vehicle Weight Rating, Combination Weight Rating, Gross Weight, or type of transportation (HM or Passengers).
- There are Endorsements for HazMat, Tank Vehicles, Passenger Vehicles (16 or more), Double/Triple combinations, and School Bus (16 or more with Dept. Early Education training)
- Each endorsement has specific testing requirements