

SB

163

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

SENATE COMMITTEE REPORT

DATE: 3/7/18

FURTHER: RULES
 DATE TURNED
 IN TO OFFICE: 3/14/18

State Affairs Committee considered SENATE BILL NO. 163

SB 163-DEFINITION OF COMMERCIAL MOTOR VEHICLES

"An Act relating to commercial motor vehicles."

and recommends:

- be replaced with CS SB 163 (STA) Same Title [] New Title
 adopt previous CS _____ (_____) [] Same Title [] New Title
 attached amendment(s)
 adopt _____ Letter of Intent
 further referral to _____ Committee

Dept Abbr.	
ADM	LWF
CED	LAW
COR	LEG
EED	MVA
DEC	DNR
DFG	DPS
GOV	REV
DHS	DOT
AJS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
DOT			✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	NO REC	AMEND
	Wilson			✓	
	Giessel	✓			
	Cophitt	✓			
	EGAN	✓			
CHAIR:	Meyer	✓			

SB 163 DEFINITION OF COMMERCIAL MOTOR VEHICLES

Rules by Request of the Governor

What Does This Bill Do?

If passed, this legislation would remove two types of vehicles from the definition of commercial vehicles 1) covered farm vehicles used to transport produce and livestock and 2) school buses. Additionally, this bill would allow the covered farm vehicles to transport small amounts of hazardous material without a placard. This bill is being promoted by the Department of Transportation. According to DOT, this would align Alaska State Statute with current federal law.

Potential Issues:

Not sure what the problem or the opposition is, but I imagine DOT will let us know or it may come out in public testimony.

Legislative History

This bill was heard twice in the Senate Transportation Committee, it moved out March 6th there was 1 Due Pass (Egan), 1 No Rec (Stedman), and 1 Amend (Wilson). Not present: Bishop & MacKinnon. The companion bill has its first hearing today.

Fiscal Impact:

Zero

= Placard
- School BUS

QUESTIONS:

- How does this affect tour buses or converted school buses?
- Does this apply to public transportation systems?
- Would vehicles used as shuttles for churches, special education students, or the elderly, would that also be exempt and considered a school bus?
- What is the cost of obtaining a placard?
- What are the instances where the covered farm vehicle would need to go beyond 150 miles?
- There is a zero fiscal note but I am wondering, by bringing Alaska law into compliance with the Code of Federal Regulations, are there any federal funds tied to this?



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Transportation and
Public Facilities**

OFFICE OF THE COMMISSIONER
Marc Luiken, Commissioner

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January 29, 2018

Honorable Bert Stedman
Alaska State Senate
Alaska State Capitol, Rm 30
Juneau, AK 99801-1182

Dear Senator Stedman,

I respectfully request that Senate Bill 163 be scheduled for consideration in the Senate Transportation Committee at your earliest convenience.

SB 163 proposes to align Alaska's current definition of commercial motor vehicle to federal law, adding provisions to address when farm vehicles and school buses are *not* considered commercial motor vehicles. This proposal would ease restrictions on persons who operate farm vehicles by freeing them to drive beyond the current, statutorily limited 150-mile boundary. Additionally, a school bus used intrastate for the transport of Alaska's school children to and from home and school would *not* be considered a commercial motor vehicle under this proposal.

Included with this hearing request is a copy of SB 163 and appropriate support materials. If you have any questions, please contact my staff, Mike Lesmann, at 465-4772.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marc Luiken".

Marc Luiken
Commissioner

cc: Mike Lesmann, Legislative Liaison

Enclosures

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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,

A handwritten signature in blue ink that reads "Bill Walker".

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