

ALASKA LEGISLATURE COMMITTEE FILES 1985-1986 80/2

4206 SLAB HB 63 (FILE 2) - HB 68 1086

are well known because of the hazardous, death-dealing products of combustion."

STATE OF CALIFORNIA

The Supreme Court of California recently enjoined the publication in California of a model plumbing code which would have expanded the use of plastic pipe in California. The Court decided that unless the public was adequately informed about the health hazards of such pipe, that that model code could not be sold in California until a complete environmental impact report, currently about to begin, was completed. How that report would deal with the problem and solution to the problem of combustible, toxic building materials was not clear enough for members of the California Assembly. As a result, on June 29, 1982, Assemblywoman Maxine Waters, a member of the majority leadership, introduced Assembly Concurrent Resolution No. 146 which would direct the development of a standard toxicity test method by the state and require the environmental impact report to include the toxicity of all building materials included in the electrical, plumbing, structural, or any other building code of the state.

On August 31, 1982, the legislature of the state of California passed the resolution with amendments requiring the establishment of tests to determine the fire-gas toxicity and combustibility of materials used in buildings. The measure calls for the Department of Industrial Relations and the State Fire Marshal to review combustion toxicology test methods and to "adopt or adapt the most appropriate existing test method to rate the relative toxicity of all materials intended for use in or as part of high-density occupancy buildings."

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POLYVINYL CHLORIDE FUMES CAUSE LONG-TERM HEALTH PROBLEMS

FOR FIRE SURVIVORS, STUDY SHOWS

Long-term health effects of exposure to polyvinyl chloride fumes from electrical fires can include permanent damage to lungs, heart, vocal cords and other organs, a study of fire survivors discloses in the November, 1981 issue of Journal of Combustion Toxicology.

The study covers survivors of the 1977 fire that claimed 161 lives in the Beverly Hills Supper Club near Cincinnati and the 1975 New York Telephone Company fire, in which 239 fireman required medical attention for toxic gas inhalation. The fires are described as two of the largest polyvinyl chloride electrical fires in the 1970's.

Deborah N. Wallace, president, Public Interest Scientific Consulting Service, reports in the study that four Beverly Hills Supper Club survivors died of severe respiratory impairments several weeks to several months after the fire. Autopsies also revealed kidney damage in three of the four victims, Dr. Wallace reports.

In-depth interviews of eight other survivors showed "a consistent picture... of severe damage to both upper and lower respiratory tract and secondary subsequent infections," Dr. Wallace notes. "Long-term diminution of respiratory disease resistance, headaches, sleep problems, and inability to work constitute present secondary impacts of the respiratory damage....Several interviewees

experienced one or more of the following: irregular heart beat, skin problems, and visual perception impairment. Psychological effects included frequent nightmares, memory lapses, and heavy guilt characteristic of survivor syndrome."

A survey of 113 of the firefighters treated at the scene of the New York Telephone Company blaze covered the first sign of aftereffect injury and symptoms before later medical attention. "By far, the most frequent first symptoms were sore throat, irritated eyes ('burning'), dizziness, aching nostrils, and confusion. Other moderately frequent first symptoms included nausea, chest pains, chest congestion, and headache."

Nearly two-thirds of the firemen complained of persistent or permanent effects, Dr. Wallace reports. "Many men complained of being hoarse from the time of the fire to the present," she adds. "This condition became progressively worse in two men who...were found to have vocal cord lesions...The high prevalence of hoarseness indicates that the vocal cords of many of the men should be watched for growths."

Polyvinyl chloride (PVC) fumes were clearly identified in the Wallace study as the primary cause of death and injury in the two fires. She points out that in the Beverly Hills Supper Club fire, "A total of 161 people died that night without any direct involvement with the flames and long before the carbon monoxide had reached a concentration which affected the rescuers, most of whom wore no respiratory masks, and before any wood was burning in or near the...room."

During the New York Telephone Company fire, "...firefighters were collapsing or running out to the medical vans," Dr. Wallace reports. "Some men in the building depleted their airpacks and had to breathe the undiluted hot, acidic smoke. Some of the men on the outside also suffered from airpack depletion and breathed the dense downwash of smoke from the building."

Both fires have been traced to electrical wiring. An estimated "minimum of 4,000 and a maximum of 8,000 feet of Romex-⁷ insulated cabling containing several PVC-insulated wires in the plenum of the Cabaret Room alone..." where most of the Beverly Hills Supper Club fatalities occurred. "Although the fire was discovered in the Zebra Room about 8:40-8:45 pm, it had been building in the wall undiscovered for about one-two hours. By this time, the process of thermal decomposition which is the initial stage of a polyvinyl chloride fire had already spread through the wiring to the Cabaret Room."

The New York Telephone Company fire began in the main Manhattan switching center cables entering the basement vault. The 490 cables there were clad either in polyethylene plastic or lead sheathing. "The fire remained confined to these apparently, for some time because the heat had to reach about 600° C to ignite the PVC cables leading from the vault to the upper floors," Dr. Wallace recounts. "By the time the alarm was turned on, much thermal decomposition had occurred and the PVC cables were burning.

"The initial fire was extinguished only about 3¼ hours after the alarm was sounded. However, the gases from the decomposition of the PVC cables

accumulated in the vault and burst into flames on contacting the hot wires. The second fire spread rapidly along the cables to the upper floor, and all the burning cables were of the type with each individual wire coated in PVC According to the New York fire department and NYS Public Service Commission inventories of what burned and was available to burn, PVC cable insulation and jacketing constituted over 80% of the fuel. . . . No other cable insulation or jacketing was used in the building itself, and only very small quantities of wood were present on the distribution frames."

The combination of PVC electrical insulation and its ready access to combustion-supporting air thus appear to have magnified the intensity of the two fires. The Beverly Hills Supper Club wiring used reinforced plastic-jacketed wires individually insulated in PVC, and the New York Telephone Company building contained large amounts of PVC-clad wire in open distribution channels. Neither installation had the protection of metal conduit capable of both resisting high heat and blocking access of combustion air that supported the fires.

The Journal of Combustion Toxicology article notes that "by the early-to-mid 1970's, PVC had become a common electric wire insulation and cable jacket because of its electrical properties, flexibility, and high ignition temperature (600° C). Combustion toxicological research of the late 1960's-early 1970's had, however, uncovered a problem with PVC and several other halogenated plastics, namely that the combustion products were extremely toxic compared to those of most natural materials.

"Further research on PVC in the early-to-mid 1970's revealed a special pattern of thermal decomposition, characterized by evolution of anhydrous hydrogen chloride and traces of benzene and toluene from the surface of the plastic at temperatures as low as 100° C. When temperatures reach 250-300° C, the reaction accelerates to the point that significant quantities of HCl are generated. Long before actual ignition temperatures are reached, long before the presence of visible fire, and long before quantities of carbon monoxide become significant, both gaseous and soot-absorbed HCl are generated in high concentrations."

The article also notes that the pattern of decomposition of PVC into HCl varies with a number of factors, including "configuration of many wires vs few; and whether the wire is in metal conduit, PVC conduit, or no conduit."

Dr. Wallace also points out that in addition to combining with water in tissue of the upper respiratory tract (to form hydrochloric acid), "another effect of PVC decomposition products is that they impair perception and behavior. The smoke is extremely dense and drastically reduces visibility, and its irritation of the eyes, skin, respiratory tract, and possibly nervous system provokes disoriented movement, blind groping and incapacitation. The potential for escape from PVC decomposition products is low compared to that of the initial stages of a fire with natural products as fuel."

She uses that "because the decreased potential for escape appears to have contributed to increasing the number of people subjected to relatively lengthy exposure to high concentrations of PVC decomposition and combustion products,

monitoring survivors of wire insulation fires for long-term health effects would be an important contribution to both the field of combustion toxicology and to the body of data on which fire safety decisions are based."

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FIREGAS TOXICITY: THE LEGISLATIVE APPROACH

July 20, 1982, will be well remembered by advocates of greater fire and human safety. In a landmark action, New York Governor Hugh Carey signed a law appropriating \$300,000 to create a system for rating the toxicity of plastics and other materials used in building construction and furnishings.

Although New York state's determination to reduce further fire tragedies is so far the most comprehensive in the nation, it is not merely an isolated occurrence. On the contrary, the apathy which once characterized the attitudes of most citizens and their elected representatives toward fire deaths is being swept aside by action.

From Maine to Oregon, there is growing recognition that America's contemptible fire death rate--8,000 a year, one every hour--is one of the worst among industrialized nations, not because of killer flames, but because of deadly gases. Smoke, not flames, kill over 80% of those who die in fires. And the plastic materials that are integral parts of modern hotel rooms and offices are being accused of increasing the toxic danger.

The expert task force appointed by Governor Carey to study the causes of the December 4, 1980, Stouffers Inn fire in Harrison, New York, reported in February, 1981: "One of the major causes of death in fire tragedies is a direct result of the hazards of petrochemical based and other synthetic construction materials and furnishings."

Recalling 287 deaths in recent tragic fires, including Stouffers, where 26 died, the Beverly Hills Supper Club near Cincinnati, MGM Grand in Las Vegas and the Westchase Hilton in Houston, California state assemblywoman Maxine Waters stated, "Strong evidence developed that decomposing plastics caused the vast majority of the fatalities. I find this intolerable--there are proven methods which can measure the toxic dangers of materials. These methods should be employed before we permit the construction of more toxic gas chambers."

Finally, the word is getting around about polyvinyl chloride, the most pervasive of the synthetic materials.

- o Congressmen Claude Pepper of Florida and Mario Biaggi of New York conducted hearings on the vulnerability of persons in nursing homes to toxic fires, a subject of direct concern to the Select Committee on Aging of the United States House of Representatives. Reportedly, legislation will soon be introduced in the United States Congress to address the danger of toxic building material in health care facilities.
- o The State of New York and the State of California have adopted landmark legislation providing for the prompt, detailed and independent study of toxic gases given off in fire situations by all materials which are now used in the construction of buildings. The New York legislation also provides for the development of performance standards for materials in a fire as a means of combatting this major hazard. Reportedly, legislation will be introduced in

the California legislature next year that will address how to limit the use of materials which are rated as hazardous under the test methods to be adopted pursuant to the California study.

- o A panel appointed by the State of New Mexico's Construction Industries Committee held hearings in April, 1982, to consider whether there was a problem posed by the use of toxic building materials. The New Mexico hearing panel found a problem existed and recommended that plastic materials currently being used in construction ought to be prohibited from use in high density occupancy structures. The full Construction Industries Committee of New Mexico is currently considering the adoption of that recommendation.
- o The City Council of Chicago, after extensive hearings, recently determined to continue its ban on the use of plastic wiring methods and plumbing materials.
- o The City of Tulsa, on the strong recommendation of its Fire Marshall, rejected an application to permit the introduction of a new flexible plastic conduit because of its toxicity in a fire situation.
- o The City of New York not only discontinued use of plastic electrical conduit in the subway system but appropriated \$2,000,000 to remove such existing conduit from the system when it realized the extent of the toxicity problems.
- o The Department of Public Safety of the State of Massachusetts resolved not to permit more plastic behind the walls until a solution to this problem can be found.

Additionally, the state safety officials in such states as Colorado, Ohio, Illinois and Wisconsin are beginning to focus carefully on toxicity and how to address this problem with respect to building materials. Houston, Texas and Cincinnati, Ohio, have recently proposed severe limitations on the use of plastics behind the walls and in the ceilings of high-density occupancy buildings. Departments with safety responsibility in Peoria, Illinois; Nashville, Tennessee; Corpus Christi, Texas; Kokomo, Indiana; Modesto, California and Atlanta, Georgia have held or are considering hearings on the subject of the toxicity of commonly used building materials in a fire.

Legislators and City Councils are not the only public bodies giving consideration to how to deal with the problem of toxicity. Throughout the United States, as a result of the series of tragic deaths in fires, many courts are being asked to rule on these issues. Toxicity was a major element in the litigation which followed the Beverly Hills Supper Club fire. In Des Moines, Iowa, a \$300,000,000 suit is pending against many in the plastics industry as a result of a fire there which claimed ten lives.

In a recent speech, David Miller, lawyer for many of the victims of the Stouffers Inn fire, described the suits arising out of that situation and how plastics and toxicity were a key factor.

In Las Vegas, the federal courts have been asked to rule on the liability of the manufacturers of many of the synthetic products used in the construction of the MGM Grand Hotel. One of the lawyers involved in that case has estimated the damages sought at over a half billion dollars.

At the same time, during the past year organizations such as the Foundation for Fire Safety, the National Fire Protection Association, the Society of Toxicology and the American Chemical Society have continued their studies of the problem. Similarly, the National Bureau of Standards, and various universities and other private and public institutions, have continued to refine their research designed to identify the nature of these lethal gases and to specify ways of measuring the relative toxic danger of various building materials.

Hopefully, these are just early signs of a massive national reaction against senseless fire deaths. Whether they know it or not, Americans today are literally surrounded in homes, hotels and factories by space-age plastic materials that can give off deadly gases. Indeed, modern hotel rooms are showplaces of synthetic technology, from carpets, draperies and upholstery in the rooms, to pipes, cables and ducts inside the walls.

Time was when materials were made of wood, steel and cotton which were much less toxic, but that is true no longer. Developed on a crash schedule in World War II as substitutes for national materials in short supply, plastics were cheaper and more versatile and the petroleum from which they were developed was low-cost, all-American and abundant. Soon their use proliferated, so that today, particularly in the form of polyvinyl chloride, they are present in almost every residence. Now, with vigor, fire safety and health officials are seriously questioning whether yesterday's

miracle has transformed itself into today's monstrous mistake: they are wondering whether in the name of profit and progress, human life somehow got lost.

To be sure, recognition of the lethal and hazardous properties of firegas toxicity did not just emerge overnight. Research began in the early 1970's focusing on PVC, a versatile plastic that is widely used in various types of industrial and consumer applications for airplanes, buildings and homes such as cable insulation, residential siding, electrical fittings and architectural moldings.

Research determined that when PVC decomposes (at a temperature not much hotter than that needed to bake an apple pie) it produces hydrogen chloride, which in combination with other gases, causes the intoxication syndrome and death. Reports Dr. Yves Alarie, noted toxicologist at the University of Pittsburgh:

"The fumes from burning plastics strike victims very quickly . . . with inhalation of smoke, they lose their motor coordination, they lose their sense of perception so they really cannot escape properly. So with some of them you will find them very close to a doorway. That person did not have enough oxygen left in their blood to move."

We believe that what industrial progress did, motivated citizens and legislatures can undo. It's a large task. In recent years, a key contributor to the nation's horrible fire record has been a well-organized effort to weaken building codes, to permit greater amounts of life-threatening synthetic materials to be used in construction. Recently, the National Fire Protection Association, the nation's most prestigious building and fire safety organization, rebuffed high-pressure campaigns

designed to permit the use of more plastic conduit in its National Electrical Code. For its efforts to maintain safety oriented codes in the public interest, NFPA should be acclaimed and supported.

In the wake of recent fire tragedies, 30 states are in the process of reassessing codes. Now is the time to strengthen codes, not weaken them as some interests desire.

The proliferation of plastic materials has coincided for years with widespread inattention and apathy toward the role of building codes, standards, rules and fire fatalities. Sadly, for thousands of fire victims, many codes have not been reviewed for years, some even for several decades. Therefore, codes have fallen behind the state of the art. The state of New York is contemplating a review of the entire code structure every three years to keep pace with advancing research and technology.

In point of fact, although the National Bureau of Standards and the University of Pittsburgh each have developed sophisticated methods for determining the toxicity levels of materials, no organization or government agency responsible for the development of model building codes has yet enforced a toxicity standard. Therefore, numerous toxic products have been authorized for use in buildings, even though research reveals that synthetic materials can be from 10 to 100 times more toxic than wood. Research by the University of Pittsburgh, for example, indicates that five ounces of polyvinyl chloride can emit enough hydrogen chloride gas to kill sleeping people in ten minutes in an average sized bedroom.

Clearly, the nation needs building and fire prevention codes with easily understood minimum toxicity standards and sprinkler requirements in all new structures designed for high density occupancy. Death and serious injury by fire must not be considered inevitable.

For years we have been committed to the voluntary standards system as the best way of developing consistent, safe and technically sound codes for the nation. That system has recently come under tremendous pressure from opposing interests while attempting to come to terms with the toxicity issue. More than ever before participation from public interests are needed to keep the code-making process from being distorted by commercial interests.

Today's codes, both at the state and local level, must address the toxicity issue. Until then, Americans will live--and die--in a nation whose fire death rate is inexcusably the shame of the industrialized world.

Good codes and standards are absolutely essential to fire safety. Now is the time to strengthen codes, to protect human lives--not weaken them to protect profit margins.

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.....FIRES, PLASTICS AND TOXIC GASES
SOME QUESTIONS AND ANSWERS

Q. ARE MODERN BUILDINGS FIRE SAFE?

A. The classic, non-combustible materials used in construction today--steel, concrete, glass--provide a basic structure which is fire safe. Fireproof? No. Factors other than basic construction materials enter into the problems of fire ignition, spread, containment and control.

Q. WHAT ARE SOME OF THESE FACTORS?

A. For one, the materials that are put into the walls and rooms of buildings. We fill our modern buildings with synthetic material products -- wall coverings, furniture, decoration, piping, conduit made of plastics. When plastics burn, they burn hotter and faster than traditional materials. Further, they emit toxic gases when burning. In fact, these poisonous fumes can be released when the temperature of plastic is as low as that of boiling water: it need not be in flames.

Q. WHAT IS THE EFFECT OF THESE TOXIC FUMES?

A. It is important to remember that flames are not the major killer in fires. Toxic gases are. At the MGM Grand fire in Las Vegas, 68 of the 84 people who died in that fire succumbed to toxic fumes, not flames. Furthermore, those victims of poison gases were found more than 20 floors away from the fire. Toxic gases kill. They can kill directly by poisoning the body or indirectly through a condition known as the Intoxication Syndrome.

Q. WHAT IS THE INTOXICATION SYNDROME?

A. The Intoxication Syndrome is a condition so named because some of the symptoms it produces are similar to those resulting from an overindulgence in alcoholic drinks. These

include loss of coordination, dizziness, blurred vision, diminished mental abilities, headaches, nausea and incapacitation. And in a fire situation it can prove fatal. At a time when a person needs all his senses intact to escape from a fire, the Intoxication Syndrome can rob him of the ability to perceive the situation, to see, to breathe, to understand the perils and most of all, to make the proper choices. It can even mask the fact that danger exists.

Q. SPECIFICALLY, WHAT CAUSES THE INTOXICATION SYNDROME?

A. The release of plastic-induced toxic fumes from burning or smoldering plastic. When plastics burn they produce an alarming roster of toxic gases. Hydrogen Chloride, Hydrogen Cyanide, Hydrogen Sulfide, Benzene, Nitrogen Oxides, Carbon Monoxide, and many more.

Q. ARE SOME PLASTICS MORE DANGEROUS THAN OTHERS?

A. In 1976, two medical doctors, Robert F. Dyer and Victor H. Esch, singled out polyvinylchloride as "causing the most serious problem in firefighting today," after a five-year study of firefighters exposed to the material. Polyvinyl chloride (PVC) is widely used in upholstery, wall coverings, siding, cable insulation, window frames and conduit. When PVC burns or smolders it gives off Hydrogen Chloride (HCl), which in combination with other gases, is a prime cause of the Intoxication Syndrome, incapacitating people trapped in fires. Further, when HCl combines with water such as the substances coating the eyes and tongue, it becomes hydrochloric acid, a powerful corrosive substance.

Q. WHAT CAN BE DONE ABOUT THE DANGER OF PLASTIC-INDUCED TOXIC GASES?

A. First, we need to keep building codes strong. There have been efforts recently to allow more plastics into the walls of buildings. In 1981, the National Fire Protection Association, an influential group which promulgates model building codes, defeated two pressure campaigns to permit more PVC

conduit in the walls of commercial buildings in the writing of its National Electrical Code. Many states and localities are now developing new building and fire codes. They must be kept strong, not weakened by plastics.

Second, we need definitive research on toxicity and plastic...research which would lead to the ability to rate the toxicity of building materials.

And finally, until a definitive research study is completed, no further incursion of plastics into construction should be considered.

* * * * *

City to weigh ban on plastic fire risk in future buildings

By Jon Schmitz

The Pittsburgh Press

Pittsburgh City Councilman Ben Woods tomorrow will propose an ordinance to outlaw the use of plastic building materials, which he says are "agents of death" in fires.

Woods' bill would prohibit plastic pipe, insulation and conduit in all commercial construction in the city. Existing buildings would not be affected, and the bill does not apply to residences.

Plastic materials have been blamed in a number of fatal fires, including the November 1980 fire at the MGM Grand Hotel in Las Vegas, which killed 84, and a 1977 inferno at a Kentucky supper club in which 165 perished.

Woods said scientific studies have shown plastics emit lethal quantities of toxic fumes when burned.

The most commonly used plastic building material, polyvinyl chloride, emits 77 different compounds when burned, including hydrogen chloride. When inhaled, hydrogen chloride mixes with moisture in the lungs and throat to form hydrochloric acid.

Studies at the University of Pittsburgh have shown that a few ounces of burning polyvinyl chloride can produce enough toxic fumes to kill everyone in an average-size bedroom within 10 minutes.

Woods said plastics burn faster, produce more dense smoke and fail to trigger smoke alarms until after lethal concentrations of fumes have built up.

His proposal has drawn opposition from the plastics industry, which contends it is "based on erroneous information and falsehoods."

Roy Gottesman, executive director of the Vinyl Institute, said the legislation here and elsewhere is being pushed mainly by plastic's competitors — the manufacturers of iron and steel pipe and conduit.

"Just about everything — wood, paper, cotton, you name it — gives off toxic fumes when burned. There is really no such thing as a non-toxic material," Gottesman said. Banning toxic materials would "eliminate virtually everything that can go into a building," he said.

The Vinyl Institute is a division of the Society of the Plastics Industry Inc., a New York-based trade association which represents 10 major producers of polyvinyl chloride and the raw material from which it is made.

Paul Imhoff, city superintendent of building inspection, said the current building code requires that plastic fixtures be in a fire-resistant enclosure.

Imhoff and Robert Anderson, chief of plumbing inspection for

"(Plastic is) one of the most dangerous materials ever invented in the name of modern civilization."

— Lyle Hall
L.A. fireman

Allegheny County, said plastics were not used extensively in recently constructed skyscrapers Downtown.

The cost of enclosing plastic fixtures in fire-resistant walls makes the use of plastic unfeasible in many larger structures, Anderson said. Plastic plumbing is common in residential construction, he said.

A PAT spokesman confirmed that some polyvinyl chloride is being used in construction of sewers for the new Downtown subway.

Spokesman Mike Scanlon described the use of plastic as "very minimal" and said the authority has stringent fire safety specifications.

At least 35 major cities, including New York, Los Angeles, Chicago, Philadelphia, Detroit, Boston, Dallas, Cleveland, St. Louis and Atlanta have enacted restrictions on plastic building materials, Woods said.

Public outcry forced New York to spend \$1.5 million in 1982 to rip out newly installed plastic electrical tubing in several subway stations.

Investigators have blamed fumes from burning plastics for many of the MGM Grand fatalities. While the fire was contained on the hotel's ground level, 67 persons died between the 20th and 25th floors.

Gottesman, however, said investigators determined the fire was caused by electrical arcing along a metal conduit. Use of plastic conduit, which does not conduct electricity, would have prevented the fire, he said.

"The thing that solves the problem (of fire safety) is early detection of a fire and a quick-acting sprinkler system," Gottesman said. Firefighters, he said, must be properly equipped with self-contained breathing apparatus.

A different view came from Lyle Hall, president of the Los Angeles firefighters union, who last year called plastic "one of the most dangerous materials ever invented in the name of modern civilization."

Woods' bill will be referred to the city's Board of Code Review for a public hearing.

OAKLAND TRIBUNE EASTBAY TODAY

Sunday, August 29, 1982

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EDITORIALS

Fighting the new fire danger

The science of fire holds mysteries that Americans must soon solve if they want their nation dethroned as the fire-death capital of the industrialized world.

The swift passage of Assembly Concurrent Resolution 146 through the Legislature is a good sign that leaders are awaking to the inadequacies of fire protection in the U.S. The resolution, sponsored by Los Angeles Assemblywoman Maxine Waters, directs the departments of Health Services and Industrial Relations to develop a standard toxicity testing method for burning building materials.

As an Emmy-award winning NOVA show on the Public Broadcasting System recently pointed out, current fire codes are largely inadequate in addressing the danger of toxic gases from burning plastics and other new building materials.

Most fire codes are written to deal with the fire dangers of an age of steel, glass and wood. They have stressed the need to keep fires in large buildings from spreading.

But as buildings are filled with new plastic and petroleum-based materials, a new danger — toxic gases from burning materials — has come to the forefront.

Experts know the gases kill. But the codes do not reflect the latest scientific knowledge about when and how fumes become lethal.

California has been spared the tragic fires of recent years, such as the MGM Grand Hotel fire in Las Vegas, which claimed 84 lives. Most of the deaths in that fire occurred 20 floors from the flames. Strong evidence suggests that burning plastics caused many of them.

But such fires could happen here. California permits more plastic materials in construction than many experts consider safe.

Yet, for a variety of reasons, there has been little movement to revise fire codes to bring them up to date.

Writing new codes requires the latest in scientific knowledge, but for many years, the physics and chemistry of fire have been neglected. The National Bureau of Standards has

gan focusing on materials toxicity in the late 1970s only after time revealed that regulations dealing with ignition and combustion could not cope with the dangers of plastics.

Moreover, the agencies that have combined responsibility for fire prevention were ill-equipped to meet the problems of the plastics' age.

Fire departments, already spread thin fighting fires and investigating arson, have few resources to carry out basic research into fire science.

The National Fire Protection Association, which writes and sells fire codes, is first of all a commercial organization. Critics charge that NFPA investigators have been slow to see modern fire dangers because of their interest in protecting the reputation of NFPA's existing codes.

The International Society of Builders writes the Uniform Building Code with little input from fire experts. Since none of the code books is mandatory, there is a subtle pressure to keep them from being too rigorous and thus less likely to be adopted.

Congress in 1974 created the U.S. Fire Administration as a resource bank which collected data, published reports, paid for research, and had planned to train firefighters. But the Reagan administration dissolved it.

The issue of the fire danger of modern materials is further complicated by a battle between the plastics industry and the metal industry for sales of their respective building materials. With all these factors, is it any wonder that there is little hard data on the toxicity of burning building materials?

The Legislature's overwhelming support for the study of the toxicity of burning materials is a step in the right direction. But the real struggle will come when the test results are in, standards are proposed, and attempts are made to write regulations that would make California as fire-safe as the rest of the industrialized world.

Then California will have to make the tough decision whether it would rather regulate or burn.

Concern grows over potential hazards in PVC plastic

Experts trying to set standards for material's toxicity, fire resistance

By Catherine Foster

Special to The Christian Science Monitor

Boston

It's present, to some degree, in almost every American home. Now, fire safety and health officials are increasingly questioning its use.

It's PVC, or polyvinylchloride, and it's been used for 35 years in everything from telephones to automobile bumpers to wallpaper. Inexpensive, lightweight, and versatile, in the last decade it has overtaken steel as the chief ingredient in drains, vents, and underground pipes. The use of some PVC products grew from 30 percent in 1972 to 46 percent in 1980.

But the glamour appears to be wearing off:

- Statewide public hearings were held recently in New Mexico by construction industries to determine whether to ban certain PVC products from the state's electrical code.

- The New York Transit Authority decided last month against further use of PVC electrical tubing in subway stations after health officials warned of the danger posed by burning plastic.

- The Chicago City Council decided against including PVC in the city building code as electrical conduit after

testimony by toxicologists.

As PVC's use has grown so have questions about its safety. Fire-safety experts say that the large quantity of plastics, including PVC, in several major fires — the MGM Grand Hotel in Las Vegas, the Stouffer's Inn in Harrison, N.Y., and the Beverly Hills Supper Club in Southgate, Ky. — contributed to the spread of the fire and to the injuries and deaths. One toxicologist says PVC burns hotter and faster than wood, and produces smoke 20 times as toxic. PVC can smolder for hours at temperatures too low to trigger certain fire detectors, releasing toxic fumes, says Gordon Vickery, director of the Foundation for Fire Safety in Arlington, Va.

Fire-safety officials express concern at the use of PVC in places where fast exits aren't always possible: prisons, high-rises, nursing homes, airplanes, and subways.

Spokesmen for two PVC manufacturers, B. F. Goodrich and Carlon, claim that steel manufacturers have fueled the uproar over the plastic. The spokesmen say steel firms don't want to lose their once-exclusive conduit and tubing markets. A steel industry spokesman denies that steel companies advocate removing all plastics.

Plastics manufacturers assert that PVC is not the only building material that releases toxic fumes when burned.

Michael O'Mara, vice-president of research and development at B. F. Goodrich, claims that "although PVC does release toxic combustion products when it burns, so do other materials. And PVC is no worse."

Several of the major fires, he says, can be attributed to fire-code violations, rather than PVC. In the MGM Grand fire, for example, there was a lack of sprinklers and fire-resistant barriers, according to the National Fire Protection Association (NFPA).

Plastics and steel manufacturers alike call for stricter adherence to fire codes and more testing. One problem: Duplicating actual fire conditions in a laboratory is difficult — there is no way of determining how different elements react with one another, says Rosalind Anderson, of Arthur D. Little Inc., a Boston research firm.

Although the plastics industry and independent labs have conducted toxicity and flammability tests on PVC for the last 10 years, a national test standard has yet to be established that would utilize this research and control the application of PVC. That is changing. The NFPA is examining the toxicity issue and plans to discuss it, for the first time, at this year's annual meeting. The National Bureau of Standards has developed a test for toxicity, which it is now in the process of approving.



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HB

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Bill No. Committee Substitute House Bill No. 64 (L&C) Date March 15, 1985
Title "An Act relating to elevator safety standards." Contact: Robert J. Bacolas
465-4870
Eileen Plate
465-2700

Every three years, the American Society of Mechanical Engineers updates the safety code for elevators and escalators to incorporate technical advances; and in 1984 it revised the 1981 code. House Bill No. 64 provides for the adoption of the 1984 code, but specifically excludes the adoption of one new provision in the 1984 code. This section (111.12) requires installation of a positive device to prevent elevator doors from being opened if the elevator is more than 18 inches from the floor. Such a device could impede evacuation of passengers by emergency personnel in case of a fire or other emergency and, therefore, is not recommended for inclusion in Alaska's minimum elevator standards. Our understanding is that the elevator industry nationwide has petitioned the American Society of Mechanical Engineers to review the implications of this particular provision from this standpoint also.

This bill also provides for adoption of the latest Inspection Manual which is used as a guideline by the Department's elevator inspectors.

Adoption of the latest code and inspection manual will bring Alaska's minimum standards into line with those commonly accepted and used by industry and by political subdivisions in their building inspection programs.

The Department supports Committee Substitute for House Bill No. 64. It will not have a fiscal impact on the Department.

APPROVED:



Jim Robison, Commissioner
Department of Labor

STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF LABOR

P.O. BOX 1149
JUNEAU, ALASKA 99802
PHONE: (907) 465-2700

OFFICE OF THE COMMISSIONER

February 27, 1985

The Honorable Mike Navarre
Chairman, Labor and Commerce Committee
House of Representatives
Pouch V
Juneau, AK 99811

Dear Representative Navarre:

As you requested during the February 21, 1985 hearing on House Bill 64, enclosed are copies of the seven proposals Scott Dicker of Otis Elevator Company provided us with. The specific proposals came from the Municipality of Anchorage, CMW Elevator Company of Anchorage and T.R. Slaton, a consulting electrical engineer from Anchorage.

Also enclosed are the Department's responses to the individual proposals. You will note that the Department concurs with the recommendation in proposal #4, that Section 111.12 of the 1984 Elevator Code not be adopted by the State of Alaska. The following amendments to House Bill 64 are required to achieve this.

Sec. 1, line 13, needs to be amended to read:

safety code in the state. Section 111.12, Restricted Opening of Hoistway Doors and/or Car Doors on Passenger Elevators, and Section 100.1 [100.1a], Inspection and Test Periods of the
100.1

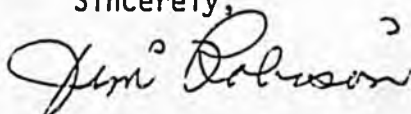
Sec. 1, line 15, needs to be amended to read:

Escalators are [IS] not adopted as a part of the minimum elevator safety

My understanding is that the other concerns expressed in the enclosed proposals have been satisfied.

Thank you for your continued help with this bill.

Sincerely,



Jim Robison
Commissioner

Enclosures

Department of Labor Response
to proposed Amendments to
1984 Elevator Code

Proposal 1:
(Municipality
of Anchorage) Do not Adopt the National Safety Practice for the Inspection of
Elevators and Escalators (Inspector's Manual--ANSI/ASME A17.2
as set out in Section 2 of House Bill 64.

Department's
Response: The A17.2 Inspectors Manual is used by the department as a
guide to assure uniform application of minimum elevator
standards. It is important to continue to include this
provision in the law as it advises the public and industry of
the procedures used by the Department when conducting
inspections.

Proposal 2:
(Municipality
of Anchorage) Amend Section 2000.7A of the Elevator code to provide that the
travel of handicapped elevators should not exceed 6 feet.

Department's
Response: Section 2000.7 of the Elevator code provides that the travel of
a handicapped elevator shall not exceed 12 feet. Since a
handicapped car is required to have key operation and cannot
penetrate a floor, the Department does not believe 12 feet of
travel poses any safety problems.

The Department would point out that the municipality could, by
local ordinance, adopt the more stringent 6 foot maximum if it
wished.

Proposal 3:
(Municipality
of Anchorage) The 1984 ANSI A17.1 Code for Elevators and Escalators should
be adopted.

Department's
Response: The Department concurs. The 1984 code is the latest code, and
the 1981 code now in effect is outdated.

Proposal 4:
(Municipality
of Anchorage) Section 111.12 of the 1984 Elevator code should not be adopted.

Department's
Response: The Department concurs. This provision requires installation
of a positive device to prevent elevator doors from being
opened if the elevator is more than 18 inches from the floor.
This could impede evacuation of passengers by emergency
personnel in case of a fire or other emergency.

Proposal 5: Add a requirement to Section 101.32 of the Elevator Code to provide that access to machine rooms cannot be over the roof of
(Municipality of Anchorage) unless a closed walkway is provided.

Department's Response: The Department has no particular problem with the intent of this proposal. However, here again the municipality could, by local ordinance, adopt the more stringent provision it is seeking. In the interest of minimizing deviations from the Elevator Code, the Department would prefer such a local remedy.

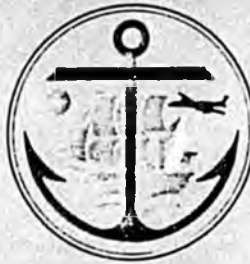
Proposal 6: The Uniform Building Code and Elevator Code contain conflicting provisions in smoke detector requirements.
(T.R. Slaton Consulting Electrical Engineer)

Department's Response: The conflict between the Elevator Code A17.1 and the Uniform Building Code Section 5103.4(D) will not affect the Elevator Code. The Elevator Code would supersede the UBC when there are conflicts between the two codes.

Proposal 7: Amend the Elevator Code to permit the use of mathematical formulas in lieu of test weights.
(CMW Elevator Company)

Department's Response: The Department is opposed to this proposed amendment. The Department has witnessed valve failures when the weight test was administered to the elevator, and the use of the mathematical formula would never have revealed this safety problem. To the department's knowledge, this is not an acceptable practice anywhere else in the United States.

Municipality of Anchorage



POUCH 6-650
ANCHORAGE, ALASKA 99502-0650
(907) 786-8160

TONY KNOWLES,
MAYOR

DEPARTMENT OF PUBLIC WORKS
(3500 East Tudor Road)

February 8, 1985

To Whom It May Concern:

I believe the adoption of ANSI A-17.1-1984 elevator is needed. The Municipality of Anchorage is now in the process of adopting the 1984 Code with a few proposals for local amendments.

However, I don't believe the A-17.2 inspector's manual should be adopted as law. The preface of the manual indicates the following:

PREFACE

This Manual is intended to serve only as a guide for the general use of inspectors. While it is in general based on the rules of the A17.1 Code, it also contains recommendations for the inspection of equipment which is not required to conform to that Code. Reference to the rules of the A17.1 Code are applicable to the 1971 edition including Supplement ANSI A17.1a-1972 thereto. While many legal codes, including additional orders, amendments, changes, or interpretations issued by the enforcement authorities are based upon the A17.1 Code, inspectors should be guided by whatever elevator code is legally in force. Any recommendations made herein apply only insofar as they conform to the legal requirements. It is not intended that this Manual be used as, or in place of a legal elevator code, but rather that it be used in whole or in part as a practical guide to the inspection of elevators, escalators and moving walks.

The terms *Section*, *Rule*, or *Table* refer to the identifying section, rule, or table, in ANSI A17.1-1971. The term *Item* refers to a numbered portion of this Manual.

Michael J. Smith
Michael Smith
Elevator Inspector
Building Safety Division
Department of Public Works

Additional Back Up

#2

FORMS FOR PROPOSALS FOR THE 1985 MUNICIPAL CODE(S)

Proposals are to be received no later than January 31, 1985.

INSTRUCTIONS

Please type or print in BLACK ink. Use separate copy for each proposal. Limit each proposal to a single section or article.

Date 2/7/85 Proposer's name Michael Smith, Telephone No. 786-8322
Elevator Inspector

Address Municipality of Anchorage, Dept. Pub. Works, Bldg. Safety Div., Pouch 6-650
Anchorage, AK 99502-0650 3500 East Tudor Road (Street Address)

PROPOSED CHANGE:

1 - CODE/Amendment identification number PART XX Sec/parag 2000.7A

2 - Proposal (include proposed new wording, or identification of wording to be deleted):

The travel shall not exceed 6 feet

3 - Statement of problem and substantiation for proposal:

12 feet of travel could be used for an elevator. I feel the 12 foot is too high for the type safetys on this type equipment.

#3

FORMS FOR PROPOSALS FOR THE 1985 MUNICIPAL CODE(S)

Proposals are to be received no later than January 31, 1985.

INSTRUCTIONS

Please type or print in BLACK ink. Use separate copy for each proposal. Limit each proposal to a single section or article.

Date 2/7/85 Proposer's name Michael Smith, Telephone No. 786-8322
Elevator Inspector

Address Municipality of Anchorage, Dept. Pub. Works, Bldg. Safety Div., Pouch 6-650
Anchorage, AK 99502-0650 3500 East Tudor Road (Street Address)

PROPOSED CHANGE:

1 - CODE/Amendment identification number _____ Sec/parag _____

2 - Proposal (include proposed new wording, or identification of wording to be deleted):

Adopt 1984 ANSI A-17-1 Code for elevators/escalators.

3 - Statement of problem and substantiation for proposal:

It is latest elevator and escalator code.

#4

FORMS FOR PROPOSALS FOR THE 1985 MUNICIPAL CODE(S)

Proposals are to be received no later than January 31, 1985.

INSTRUCTIONS

Please type or print in BLACK ink. Use separate copy for each proposal. Limit each proposal to a single section or article.

Date 2/7/85 Proposer's name Michael Smith, Telephone No. 786-8322
Elevator Inspector

Address Municipality of Anchorage, Dept. Pub. Works, Bldg. Safety Div., Pouch 6-650
Anchorage, AK 99502-0650 3500 East Tudor Road (Street Address)

PROPOSED CHANGE:

1 - CODE/Amendment identification number PWT 1 Sec/parag 111.12

2 - Proposal (include proposed new wording, or identification of wording to be deleted):

Delete Section 111.12 completely.

3 - Statement of problem and substantiation for proposal:

Passengers would not be able exit the and emergency personnel personnel, fire fighters, etc. would not be able to enter the car.

#5

FORMS FOR PROPOSALS FOR THE 1985 MUNICIPAL CODE(S)

Proposals are to be received no later than January 31, 1985.

INSTRUCTIONS

Please type or print in BLACK ink. Use separate copy for each proposal. Limit each proposal to a single section or article.

Date 2/7/85 Proposer's name Michael Smith, Telephone No. 786-8322
Elevator Inspector

Address Municipality of Anchorage, Dept. Pub. Works, Bldg. Safety Div., Pouch 6-650
Anchorage, AK 99502-0650 3500 East Tudor Road (Street Address)

PROPOSED CHANGE:

1 - CODE/Amendment identification number _____ Sec/parag _____

2 - Proposal (include proposed new wording, or identification of wording to be deleted):

Add to 101.32 requirements for means of access to machine rooms can not be over the roofs or closed walkway out of the weather will be provided.

3 - Statement of problem and substantiation for proposal:

Do to weather conditions in Alaska, roof access is very hazardous.

FINAL DATE FOR RECEIPT OF COMMENTS: _____

Return or
Mail to:

T. G. FLATON, P.E.
CONSULTING ELECTRICAL ENGINEER
3020 MIK AVENUE
ANCHORAGE, AK 99503
(907) 561-0312

Date _____ Name _____ Telephone _____

Address _____

Organization Represented self

1. Comment on: A. Code UBC chap 51, B. Section No. 5103.4(d),
C. Title 23 _____, Amendment No. _____

2. Comment (include proposed wording, or identification of wording to be deleted):

UBC chapter 51 and the elevator code disagree on when lobby smoke detectors are required: any elevator, or three landings or over 25' travel.

The use of toggle non-fused disconnects for elevator car lighting circuits in the machine room, instead of SPST fused switches should be allowed for more convenient maintenance.

3. Statement of Problem and Substantiation for Comment:

suggest deleting 5103.4(d) and leave ANSI Elevator code in effect.

4. This comment is original material.
 This comment is not original material; its source (if known) is as follows: _____

(Note: Original material is considered to be the submitter's own idea based on or as a result of his own experience, thought, or research and, to the best of his knowledge, is not copied from another source.)

I agree to give the Municipality of Anchorage all and full rights, including rights of copyright, in this Comment and I understand that I acquire no rights in any publication of Title 23 in which this Comment in this or another similar or analogous form is used.

T. G. Flaton
Signature

FORMS FOR PROPOSALS FOR THE 1985 MUNICIPAL CODE(S)

Proposals are to be received no later than January 31, 1985.

INSTRUCTIONS

Please type or print in BLACK ink. Use separate copy for each proposal. Limit each proposal to a single section or article.

Date 1/29/85 Proposer's name C/WW Company Telephone No. 278-1732
Address P.O. Box 101433 Anchorage, ALASKA 99510

PROPOSED CHANGE:

- 1 - CODE/Amendment identification number _____ Sec/parag _____
- 2 - Proposal (include proposed new wording, or identification of wording to be deleted):

In lieu of test weights mathematical formula may be used

- 3 - Statement of problem and substantiation for proposal:

Documentation for change has been submitted to ANSI Code con. for adoption.

Offered: 3/8/85
For Today's Calendar

Original sponsor: Rules/Governor

BY THE LABOR AND
COMMERCE COMMITTEE

1 IN THE HOUSE

2

CS FOR HOUSE BILL NO. 64 (L&C)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to elevator safety standards."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 18.60.800(a) is amended to read:

9 (a) Except as provided in this subsection, the 1984 [1981]
10 edition of the American National Standards Institute Safety Code for
11 Elevators and Escalators (ANSI/ASME A17.1) published by the American
12 Society of Mechanical Engineers is adopted as the minimum elevator
13 safety code in the state. Section 111.12, Restricted Opening of
14 Hoistway Doors and/or Car Doors on Passenger Elevators, and section
15 1001.1 [SECTION 1001.1a], Inspection and Test Periods of the American
16 National Standards Institute Safety Code for Elevators and Escalators
17 are [IS] not adopted as a part of the minimum elevator safety code in
18 the state.

19 * Sec. 2. AS 18.60.800(c) is amended to read:

20 (c) Inspections of elevators by the department must [SHALL] be
21 performed in accordance with the procedures set out in the National
22 Safety Practice for the Inspection of Elevators and [,] Escalators
23 [AND MOVING SIDEWALKS] (Inspector's Manual -- ANSI/ASME A17.2) as
24 approved in 1982 [FEBRUARY 15, 1979].

*why
excluded*

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: CS HB 64 (L&C)
 Title: "An Act relating to
 elevator safety standards"
 Sponsor: Governor
 Requestor: House Labor & Commerce
 Date of Request: 03/01/85

FISCAL DETAIL

Agency Affected: Labor
 Program Category Affected: _____
Public Protection
 BRU, Program or Subprogram(s) Affected: _____
Labor Standards & Safety
Mechanical Inspection

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: ¹³ Robert J. Bacolas, Jr.
 Division: Labor Standards & Safety

Phone: 465-4870
 Date: 03/01/85

Approved by Commissioner: ¹³ Jim Robinson
 Agency: Labor

Date: 03/01/85

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

CURRENT STATUS: (S) L&C

DATE		PAGE	ACTION
01/16/85	(H)	38	READ THE FIRST TIME - REFERRAL(S)
01/16/85	(H)	38	GOVERNOR'S TRANSMITTAL LETTER
01/16/85	(H)	38	FISCAL NOTE ZERO
01/21/85	(H)	94	SA WAIVED, L&C REFERRAL ADDED
03/08/85	(H)	538	L&C RPT W/CS, LETTER OF INTENT 7DP
03/08/85	(H)	538	FISCAL NOTE ZERO
03/08/85	(H)	538	RLS TO CALENDAR 3/8/85
03/08/85	(H)	544	READ THE SECOND TIME
03/08/85	(H)	544	CSHB 64(L&C) ADOPTED UNAN CONSENT
03/08/85	(H)	544	ADVANCED TO THIRD READING UNAN CONSENT

HB 64

MEASURE HISTORY

PAGE 02 OF 02

DATE		PAGE	ACTION
03/08/85	(H)	544	READ THE THIRD TIME
03/08/85	(H)	545	PASSED Y31 N1 X5 A3
03/08/85	(H)	545	L&C LETTER OF INTENT ADOPTED
03/08/85	(H)	545	FURNACE NOTICE OF RECONSIDERATION
03/11/85	(H)	566	RECON TAKEN UP - IN THIRD READING
03/11/85	(H)	566	RET TO SECOND FOR AM 1 FLD Y10 N27 X3
03/11/85	(H)	567	PASSED ON RECONSIDERATION Y34 N2 X3 A1
03/11/85	(H)	567	LETTER OF INTENT ADOPTED
03/11/85	(H)	568	TRANSMITTED TO (S)
03/12/85	(S)	516	READ THE FIRST TIME LABOR&COMMERCE RULES

Chairman's Information:

1) CSHB 64 (L&C) "An act relating to elevator safety standards"

- a) Introduced: Rules CS by House L&C
- b) Co-Sponsors:

- 2) INTENT: This legislation was introduced by the Governor for the Department of Labor and updates the safety code for elevators and escalators by providing for the adoption of the 1984 code. One provision of the 1984 code was not adopted in the House Labor and Commerce CS and that provision related to the installation of a device which would prevent elevator doors from being opened if the elevator was more than 18 inches from the floor. Such a device would impede the efforts of emergency personnel in the event of a fire, and this provision was intentionally deleted from the bill.

FISCAL NOTE: 0

Note: The House Labor and Commerce Committee attached a letter of intent which we may wish to adopt.

3) COMMITTEE COMMENTS:

4) PUBLIC HEARINGS:

- a) Sponsor
- b) Public witnesses:

5) BILL ACTION:

- a) Hold in committee?
- b) Assign to sub committee for further review?
- c) Move from Committee?
- d) close public hearings?

6) COMMITTEE ACTION:

- a) amendments?
- b) CS adoption?



RECORDS CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

11/24/89
Date

HB

66

Bill No. House Bill 66

Date January 21, 1985

Title "An Act relating to workers' compensation;
and providing for an effective date."

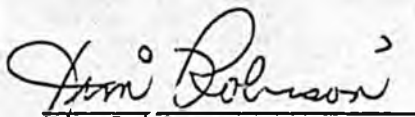
Contact J. L. McClintock
465-2790

The Department of Labor and the Workers' Compensation Board recommends passage of House Bill 66, providing an additional board panel for Southcentral Alaska. This increases the composition of the board from eight lay members to ten lay members.


The additional board panel is required for the Southcentral region in order to expeditiously handle the heavy board hearing load for that area. In the past, it took up to four months for parties to obtain a board hearing in the Anchorage area. By scheduling additional hearing rounds, which more than doubles the days Southcentral board members sit hearings compared to the other panels, we have been able to schedule parties for hearing within 45 to 60 days. However, the lay board members are unable to dedicate that much time to hearings because of their job commitments in the private sector. During the last two years, three Southcentral board members have been forced to resign board positions due to the expanded hearing schedule.

It is critical that an additional board panel be added in Southcentral so that the expanded hearing schedule will be met, allowing the parties to be scheduled for hearing within 45 days.

APPROVED



Jim Robison
Commissioner


- POSITION PAPER -

POSITION PAPER/Department of Labor

STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF LABOR

OFFICE OF THE COMMISSIONER

P.O. BOX 1149
JUNEAU, ALASKA 99802
PHONE: (907) 465-2700

January 30, 1985

The Honorable Fred Zharoff
Chairman
Labor and Commerce Committee
Alaska State Senate
Pouch V
Juneau, AK 99811

Dear Senator Zharoff:

The Department's Workers' Compensation bill, House Bill 66, is presently before your committee.

After this bill passed the House, it came to our attention that it should have carried an immediate effective date instead of the July 1, 1985 date reflected. Accordingly, I would appreciate your assistance in amending Section 2 of House Bill 66 to read:


This Act takes effect immediately in accordance with AS 01.10.070(c).

This will provide immediate relief to our existing board members who are having difficulty dedicating so much time to Workers' Compensation Board hearings.

I apologize for the Department's oversight in this regard.

Thank you for your help.

Sincerely,


for Jim Robison
Commissioner

STATE OF ALASKA

DEPARTMENT OF LABOR

DIVISION OF WORKERS' COMPENSATION

BILL SHEFFIELD, GOVERNOR

1111 WEST 8th, Rm 305
BOX 1149
JUNEAU, ALASKA 99802
PHONE: (907) 465-2790

February 4, 1985

Michael Thill
Professional Assistant
Labor and Commerce
Alaska State Senate
Pouch V
Juneau, AK 99811

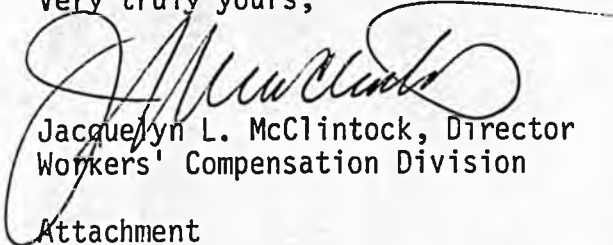
Dear Michael:

Attached are the workload figures you requested on the Alaska Workers' Compensation Board.

Not included in the workload figures are the number of days the full Board meets in two executive sessions per year for three to four days each in Juneau, Anchorage or Fairbanks; the five day training sessions for new Board members; and the part of days Board members spend in reviewing the decisions and orders drafted by the hearing officers and keeping abreast of decisions issued by other Board panels and the Superior and Supreme Courts.

Please contact me if you have further questions.

Very truly yours,


Jacquelyn L. McClintock, Director
Workers' Compensation Division

Attachment

cc: Commissioner Jim Robison

	<u>Total</u>	<u>Southern Panel Juneau, Sitka, Ketchikan</u>	<u>Northern Panel Fairbanks</u>	<u>Southcentral Panel Anchorage</u>
<u>Number of Board Hearing Days</u>				
CY84	122	22	26	74
CY85	141	18	29	94
<u>Number of Cases Scheduled</u>				
FY84	855	104	133	618
* FY85 (6 mos. data)	517	61	83	373
<u>Average Number of Days to Obtain Hearing</u>				
FY84	68.0	42.7	48.6	80.5
* FY85 (6 mos. Data)	60.1	24.8	56.1	66.7
<u>Average Number of Day for Board Decision</u>				
FY84	31.0	51.1	33.0	27.1
* FY85 (6 mos. Data)	27.7	38.5	23.0	28.2

BILL SHEFFIELD,
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

MB 66

January 15, 1985

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the Workers' Compensation Board. This bill establishes an additional Workers' Compensation Board panel for the south-central region to deal with the increased load of hearings held in the Anchorage area. (Currently it takes up to four months to obtain a hearing.) Additionally, the bill proposes to bring the law into conformity with actual practice by stating that the lay members of the board, but not the commissioner of labor or his designee, are subject to confirmation by the legislature. (As a department head, the commissioner is, of course, already subject to confirmation.)

This bill is a high priority for the Department of Labor, and I urge your prompt and favorable consideration of it.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield".

Bill Sheffield
Governor

- GOVERNOR'S TRANSMITTAL LETTER -



Official Business

Alaska State Legislature

Senate

Committee on Labor & Commerce

Pouch V
State Capitol
Juneau, Alaska 99811

Chairman's Information:

- 1) HB 66 "An Act relating to workers' compensation; and providing for an effective date."
 - a) Introduced: Governor
 - b) Co-Sponsors:
- 2) INTENT: To provide for an additional board panel for Southcentral Region to expedite the hearing process for the Workers Comp Board. Increases the composition of the board from 8 lay members to 10 lay members. Additionally, statutory changes are made with regard to the confirmation of board members. Spells out that only the lay members require legislative confirmation.

L&C CS contains an immediate effective date as requested by the Department of Labor.

FISCAL NOTES: \$0 *(IN FY85 Budget; CONTINUATION FY86)*

IMPORTANT: Need a motion to adopt the CS before the committee

BILL HISTORY: 6 Do pass in H (L&C); House Floor: 33y 5nay

3) COMMITTEE COMMENTS:

4) PUBLIC HEARINGS:

- a) Sponsor
- b) Public witnesses:

5) BILL ACTION:

- a) Hold in committee?
- b) Assign to sub committee for further review?
- c) Move from Committee?
- d) close public hearings?

6) COMMITTEE ACTION:

- a) amendments?
- b) CS adoption? (I have a draft CS which provides for an immediate effective date)

SCS HB 66 (L&C)

INTENT: The intent of this legislation is to expedite the Workers' Compensation Board hearing process by creating an additional panel for the Southcentral Region. The bill increases the composition of the Board from 8 lay members to 10 lay members and makes clear that only the lay members require confirmation by the Legislature.

Commission assigned

Funding required is contained within the Department of Labors operating budget and a zero fiscal note accompanies this bill.

The Labor and Commerce CS contains an effective date change which was requested by the Department. The CS provides for an immediate effective date.

Handwritten mark

WORKER'S COMP BOARD:

Administers the workers comp act; sits as judge/jury for irreconcilable disputes between injured worker and insurer.

Receives \$50 per day and standard travel/per diem

Include

- recommend passage by the body -

Move for 2 Sept C.S.

Ford
2/4/85

Original sponsor: Rules/Governor

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2 SENATE CS FOR HOUSE BILL NO. 66 (L&C)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to workers' compensation; and pro-
7 viding for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 23.30.005(a) is amended to read:

10 (a) The Alaska Workers' Compensation Board consists [SHALL
11 CONSIST] of [NINE MEMBERS, INCLUDING] a southern panel of three mem-
12 bers sitting for the first judicial district, a northern panel of
13 three members sitting for the second and fourth judicial districts,
14 two southcentral panels [A SOUTH-CENTRAL PANEL] of three members each
15 sitting for the third judicial district, and one panel of three mem-
16 bers that may sit in any judicial district. Each panel must [SHALL]
17 include the commissioner of labor or the designated representative of
18 the commissioner, a representative of industry, and a representative
19 of labor. The latter two members of each panel shall be appointed by
20 the governor and [. ALL PANEL MEMBERS] are subject to confirmation by
21 a majority of the members of the legislature in joint session.

22 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
23 10.070(c).

24 - SCS HB 66 L&C -

Worker's Compensation

<u>MEMBER</u>	<u>APPT</u>	<u>REAPPT</u>	<u>TERM</u>
Joe H. Butler P.O. Box 704 Anchorage 99510 At Large/Labor	83/03/15		85/07/01
Thomas W. Chandler 1217 Water Street Ketchikan 99901 1st JD/Industry	82/06/18		85/07/01
Elmer Eller 7801 Lotus Drive Anchorage 99501 3rd JD/Industry	85/01/02		85/07/01
Mary A. Pierce 2040 Sturbridge Circle Anchorage 99501 3rd JD/Industry	84/07/31		87/07/01
Delia I. Pruhs P.O. Box 1735 Fairbanks 99707 2/4th JD/Industry	83/08/19		86/07/01
David W. Richards 3112 Wild Meadow Lane Juneau 99801 1st JD/Labor	80/06/06	83/08/19	86/07/01
Jim Robison Labor Juneau 99802 Comm./Designee - Chair	82/12/06		
Jackie S. Russell P.O. Box 4157 Kenai 99611 At Large/Industry	83/03/15		85/07/01
Joe J. Thomas II 879 Vide Way Fairbanks 99701 2/4th JD/Labor	83/08/19	84/07/02	87/07/01

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 66

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to workers' compensation; and pro-
7 viding for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 23.30.005(a) is amended to read:

10 (a) The Alaska Workers' Compensation Board consists [SHALL
11 CONSIST] of [NINE MEMBERS, INCLUDING] a southern panel of three mem-
12 bers sitting for the first judicial district, a northern panel of
13 three members sitting for the second and fourth judicial districts,
14 two southcentral panels [A SOUTH-CENTRAL PANEL] of three members each
15 sitting for the third judicial district, and one panel of three mem-
16 bers that may sit in any judicial district. Each panel must [SHALL]
17 include the commissioner of labor or the designated representative of
18 the commissioner, a representative of industry, and a representative
19 of labor. The latter two members of each panel must [SHALL] be ap-
20 pointed by the governor and [. ALL PANEL MEMBERS] are subject to
21 confirmation by a majority of the members of the legislature in joint
22 session.

23 * Sec. 2. This Act takes effect July 1, 1985.
24
25
26
27
28
29

COMMITTEE COPY

- HB 66 -

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 66
 Title: "An Act relating to workers' compensation."
 Sponsor: Rules Committee
 Requestor: Rules Committee
 Date of Request: December 4, 1984

FISCAL DETAIL

Agency Affected: Labor
 Program Category Affected: Public Protection
 BRU, Program or Subprogram(s) Affected: Workers' Compensation

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
----------------	--	--	--	--	--	--

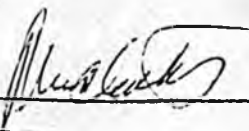
FUNDING: (Thousands of Dollars)

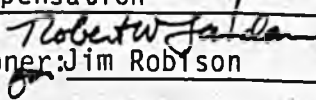
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Jacquelyn L. McClintock  Phone: 465-2790
 Division: Workers' Compensation Date: 12/4/84

Approved by Commissioner: Robert W. Jordan  Date: 12/4/84
 Agency: Labor

LEG:B:5

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

- FISCAL NOTE

7/1/84



RECORDS CERTIFICATION

I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

11/24/89
Date

HB

68

Good

January 28, 1986

The Honorable Richard Shultz
House of Representatives
Juneau, Alaska 99811

Dear Mr. Shultz;

It is my understanding, that you were the sponsor of House Bill # 68, dealing with the Mandatory Insurance Law. I would appreciate a few minutes of your valuable time to relate an incident that occurred recently and the resulting frustrations I encountered.

Last Christmas morning, while returning from my daughter's house, my new Thunderbird was struck by an old beat up Volkswagon, causing \$809.56 in damages. The other driver clearly stated to the investigating trooper "I was driving too fast because I was late for breakfast." However, the trooper did not cite him. Later when I called the trooper to ask why he was not cited, the trooper replied, he would look at the accident reports before making a judgement. At the scene of the accident, the trooper "ran" our cars and licenses, they apparently came back with the correct information or at least the trooper did not indicate anything to the contrary. The trooper then asked if we were both covered by insurance. We both answered to the affirmative.

The next day when I pursued the matter a little more, I found in my investigations, the driver was only licensed to drive a Toyota and had a limited SR 22 license. Also, I found, the owner of the Volkswagon did not have insurance either.

Within the next few days, after making numerous phone calls to various state and insurance people, I was informed that the best way to receive restitution would be to file in small claims court, against the driver and owner. Having done this, I am still stuck with a rusting and damaged car, which used to be my pride and joy. My insurance company will charge a \$200.00 deductible fee if I should decide to file with them. However, I am very mad at the whole system. Why should I be penalized when the owner and the other driver are still driving around free and clear?

Sir, I feel an amendment should be added to House Bill # 68, that would and could prove immediately, to the investigating officer, verification of insurance, to both parties involved in an accident. Such an addition to the law, would alleviate some of the problems and frustrations I have been going through plus it would aid the police and courts, and would make this law, a law more efficient, fair and effective.

Sincerely;

Myke Augustus

Michael (Myke) A. Augustus
4300 Marion Drive
Juneau, Alaska 99801

cc: The Honorable Ben Gnussendorf
The Honorable Don Bennett
The Honorable Bill Ray
The Honorable Jim Duncan
The Honorable Mike Miller
The Honorable Robin Taylor
The Honorable Mitch Abood
The Honorable Virginia Collins
The Honorable Jack Fuller
The Honorable Don Clocksin
file

KCAM TALK

THIS IS REP. DICK SHULTZ SPEAKING TO YOU FROM JUNEAU.

LAST WEEK I MENTIONED I WOULD DISCUSS HB 68 MY ALTERNATE MANDATORY INSURANCE BILL. THIS BILL IS INTRODUCED ONLY AS AN ALTERNATIVE TO THE PRESENT INSURANCE LAW AND IS NOT MEANT TO REPLACE IT.

IT IS MY BELIEF THE DRIVER SHOULD BE INSURED--NOT THE VEHICLE. HB 68 ACCOMPLISHES THIS. I ALSO CONTEND THE DRIVER'S DRIVING RECORD SHOULD DETERMINE THE POLICY PREMIUM--NOT THE AGE OF THE VEHICLE OR WHETHER IT HAS 4 CYLINDERS OR 16 CYLINDERS. FOR EXAMPLE--IF THE INSURANCE RECORDS RATE ME AS A POOR DRIVER AND MY WIFE AS A GOOD DRIVER THEN I DON'T BELIEVE OUR INSURANCE PREMIUMS SHOULD REFLECT A HIGHER RATE FOR BOTH OF US BECAUSE OF MY INEPTNESS. UNDER THIS BILL ONLY I WOULD BE REQUIRED TO PAY THE HIGHER PREMIUM. UNDER THE PRESENT LAW, IF A PERSON HAS NUMEROUS PIECES OF EQUIPMENT BUT ONLY USES IT FOR PART OF THE YEAR ^{YOU} HE ~~OR SHE~~ ARE REQUIRED TO PAY THE FULL PREMIUM. ^{ALWAYS} EVEN IF ONE IS LUCKY ENOUGH TO FIND AN INSURANCE COMPANY WHO WILL ALLOW A WAIVER ON DEAD-LINED EQUIPMENT THE REPORTS NECESSARY FOR THIS ALLOWANCE CAN BE TIME CONSUMING AND VERY TEDIOUS. FOR EXAMPLE--UNDER THE PRESENT LAW IF YOU HAVE A PICK-UP TRUCK THAT IS USED ONLY FOR HAULING YOUR GARBAGE TO THE DUMP ! OR 3 TIMES A MONTH--YOU ARE REQUIRED TO CARRY FULL LIABILITY INSURANCE ON THIS PICK-UP. THIS CAN MAKE YOUR GARBAGE HAULING PRETTY EXPENSIVE . HB 68 IS DESIGNED EXPRESSLY FOR THE FAMILY WHO OWNS A LOT OF VEHICLES THAT MUST BE LICENSED BUT ARE ONLY DRIVEN ON A PART-TIME BASIS.

INSURANCE COMPANIES AND THE STATE OF ALASKA DO NOT SUPPORT THIS BILL. INSURANCE COMPANIES CLAIM IT WILL FORCE THEM TO RAISE THEIR RATES

BECAUSE OF THE NECESSITY ^{AK} OF ADMINISTRATIVE CHANGES. NO ONE LIKES
CHANGES--ESPECIALLY IF THEY THINK IT IS GOING TO COST THEM MONEY.
INSURANCE COMPANIES CAN FORCE YOU ^{US} AS INDIVIDUALS TO ACCEPT THEIR
CHANGES IN POLICY BUT WHEN THE SHOE IS ON THE OTHER FOOT--IT IS AN
ENTIRELY DIFFERENT STORY. LIKEWISE THE STATE HAS PUT A VERY
LARGE FISCAL NOTE ON THIS BILL BECAUSE OF THE MANY ADMINISTRATIVE
CHANGES REQUIRED. THE STATE CLAIMS IT WILL TAKE YEARS TO COMPILE
DATA TO: USE AS A BASIS FOR REGULATING INSURANCE RATES. THE STATE
INSURANCE COMMISSION MAKES THE STATEMENT THEY WOULD HAVE NO REAL WAY
OF DETERMINING WHETHER INSURANCE RATES ARE JUST OR NOT. WELL---
THE REASON I INTRODUCED THIS BILL IS BECAUSE A GREAT MANY
CONSTITUENTS AND I THINK OUR PRESENT INSURANCE RATES ^{As Regulated.} ARE UNJUST.



11/2
signatures

P.S.

Some other ideas from people were —

① each person should show liability insurance when getting / renewing their license to drive.

② do not wait until 1st accident over \$500.00 for insurance, also follow #1

③ motorcyclists should have to pay for only 1/2 year of motorcycle liability because of our short driving season.

④ a wife + husband's driving records should be individually considered — not one penalized for another's poor driving, but each rewarded for good driving. The same for a minor.

REP DICK SMOLTE
 JUNEAU, ALASKA

JANUARY 1985

WE RECENTLY READ A BRIEF BUT INFORMATIVE ARTICLE IN THE NEWSPAPER...

HE AS MEASURE-----INSURE THE DRIVER, NOT THE VEHICLE.

WE WOULD LIKE YOU TO KNOW THAT WE BACK THIS KIND OF INSURANCE, WHEREAS,
 A VEHICLE DRIVER WOULD BUY ONE INSURANCE ON HIMSELF, NO MATTER WHAT
 VEHICLE HE/SHE MAY DRIVE OR OWN.

WE AS RESIDENTS OF THE STATE OF ALASKA STAND STRONG BEHIND THIS MEASURE.

NAME	ADDRESS	AGE	PHONE
1. Harold G. Protzman	6522 Rosewood Anch.	35	349-2161
2. Edwin F. Hubert	1578 PRIMROSE ST	32	276-8475
3. JACK B. Cottrill	3403 DORBRANDT Anch.	35	248-5398
4. David Longoria	3403 DORBRANDT	37	561-9246
5. Tom Miller	1315 Dead End Lane Fort Heidero 94549	42	561-5549
6. John Welch	6532 Primrose Anch AK 99502	35	374-0778
7. THERESA ALVINEZ	440 F 75th AVE	42	276-5990
8. Daryl Martin	4803 Milliken #5	32	245-5131
9. Jennifer Powers-	" " "	25	" "
10. MICHAEL S. HURN	3404 COPE	34	512-5676
1. PAUL HIBBITS	3605 ARCTIC BVD #1792 ANCHAK	36	745-8816
2. Barbara A. Hook	Box 825627 Wasilla, AK	21	745-8816
3. Ron J. May	852 W 72nd	39	349-2932
4. PERRY K. Hubert	1578 PRIMROSE	26	276-8475

REP DICK SMOLTZ

JANUARY 1985

JUNEAU, ALASKA

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WE AS RESIDENTS OF THE STATE OF ALASKA STAND STRONG BEHIND THIS MEASURE.

NAME	ADDRESS	AGE	PHONE
1. <i>[Signature]</i>	Alaska 340 - <i>[Address]</i>	70	513-1497
2. Rosalie Runyan	Box 3-4057 Anch, AK 99501	27	---
3. Pete Velle	3021 DeArman Rd Anchorage, AK 99516	38	345-2874
4. <i>[Signature]</i>	POBX 3-4057 Anch, AK 99501	54	344-2285
5. Dan Wright	Box 104901 Anch AK 99510	34	345-5120
6. Bill Davis	3605 ARCTIC #885 Anch AK 99503	28	522-2161 x885
7. Dale Klee	7853 SPRUCE AVE	44	349 1947
8. Donald Jones	2357 <i>[Address]</i>	40	338-2637
9. Melva Sumner	1317 E 7th Anch AK	48	349 1439
10. <i>[Signature]</i>	POB 874199 Wasilla AK	61	376 485 1275
11. Harrieh Cassidy	801 Airport Hts. #173 Anch, Ak.	64	279-7191
12. Dash Latson	330 N. Price	23	---
13. Lonnie M. Smith	3605 ARCTIC BLVD #885	31	522-2161 ext. 885
14. Dai Rogers	1532 <i>[Address]</i>	24	344-0778

REP DICK SMOLTS
 JUNEAU, ALASKA

JANUARY 1995

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WE AS RESIDENTS OF THE STATE OF ALASKA STAND STRONG BEHIND THIS MEASURE.

NAME	ADDRESS	AGE	PHONE
1. Richard Boyles	3105 Cheechako	42	563-6182
2. Frank Bruch	Eagle Ave	48	694-9575
3. Judy Nelson	E. 46th	33	561-3517
4. William Baiding	2221 Muldoon, #133	52	333-4483
5. Jean Baisley	2221 Muldoon #133	49	333-4483
6. Lloyd W. Wilgo	4000 Coventry Dr	50	562-3281
7. Douglas W. Barabak	2150 Barabak	over 71	—
8. Virginia Braland	2150 Barabak	71	—
9. George Duck	1001 Boniface sp 16 N	42	333-6610
0. Roxell Duck	1001 Boniface sp 16 N	36	333-6610
1. Terry Sulist	2827 E 48th Anch	41	563-6638
2. Teresa Sulist	2827 E 48th Anch	35	563-6638
3. Al T. Dool	947 W 73rd Ave Anch	33	349-3364
4. Jesse Kiss Adams	P.O. Box 381 Crowell, TX		

REP. DICK SMILTZ
JUNEAU, ALASKA

JANUARY 1985

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ITS (S) MEASURE-----INSURE THE DRIVER, NOT THE VEHICLE.

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WE AS RESIDENTS OF THE STATE OF ALASKA STAND STRONG BEHIND THIS MEASURE.

NAME	ADDRESS	AGE	PHONE
Judy Soucy	102 Hinzelman	37	278-4986
Janis Tally	1739 Worene	31	344-4789
3. Blayne Aldrich	2398 Weldon Dr. Anch. AK	49	563-7088
4. Sanford J. Henry	800 W 56th Ave Apt 2	56	563-4145
5. W. L. Kelown	Box 42142 ANCH.	39	274-9279
6. Lawrence Powell	Box 110172 Anch AK 99511	47	349-2457
7. Stan Childs	6711 CUTTY SARK, ANCH	53	243-3755
8. Merrill Powell	Box 110172 Anch 99511	34	349-2457
9. Karen Petrowshek	1410 Richardson 99504	25	337-8532
10. Ronald Brown	13801 Wamsley 99515	46	345-3460
1. Brian K. Rose	P.O. Box 101341 Anch. 99510	28	563-7180
2. Phoebe Rose	P.O. Box 101341 Anch. 99510		563-7180
3. M. Kraus	Box 875315 Wasilla AK	30	
11. Max Oley	9200 Glen haven #1	46	243-0674

REP. DICK SMOLTZ
 JUNEAU, ALASKA

JANUARY 1995

WE RECENTLY READ A BRIEF BUT INFORMATIVE ARTICLE IN THE NEWSPAPER...

HS 69 MEASURE-----INSURE THE DRIVER, NOT THE VEHICLE.

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WE AS RESIDENTS OF THE STATE OF ALASKA STAND STRONG BEHIND THIS MEASURE.

NAME	ADDRESS	AGE	PHONE
1. Zora Smith	7300 DORR SP 477	29	276-2906
2. Michael R. Dunn	635 Chugiak AK	29	653 2758
3. David E. King	4511 Laurel #11	29	563-6698
4. Stan Stone	4800 Cambridge Way	44	562-4058
5. Robert McCall	2007 Patton	27	.
6. Cliff McArthur	636 W. 45th	38	5637870
7. Thomas M. Post	1725 Palmer	34	_____
8. James L. Dunder	2644 W No Lights	28	_____
9. David E. Moshell	4775 SPENARD RD #32	63	248-1897
10. KATHLEEN T. GRASS	7540-A FARMING WAY	38	_____
11. Jennifer J. ...	3541 B. ...	36	243 7635
12. Mike ...	P.O. Bx 644 B. ...	35	278-1717
13. Abraham S. ...	2905 ...	31	243-5360
14. Maxine Mactinez	2701 W. 32nd	22	243-7829

REP DICK SMULTZ
JUNEAU, ALASKA

JANUARY 1995

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THE '93 MEASURE-----INSURE THE DRIVER, NOT THE VEHICLE.

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WE AS RESIDENTS OF THE STATE OF ALASKA STAND STRONG BEHIND THIS MEASURE.

NAME	ADDRESS	AGE	PHONE
1. Alice A. Day	4225 Spencer Rd. #172		
2. Alfred Trumell	2308 W 45 th AVE		
3. Georgia Matthews	511 EST AVE		
4. Susan Bronette	2103 W. 46 th AVE.		
5. Barbara Pelling	3913 Barbara D. Ave		
6. Kenneth Foundation	2221 Muldrow ^H 239	25	337-5779
7. John Kevin J. Antin	9100 Noble Circle	27	248-6624
8. Nancy Turner	3306 Spencer Rd.	29	276-9166
9. Betty Scott	3461 Tudor	4?	345-2401
10. Joseph A. Kelly	6605 Mc Gill Ave	4?	248-4419
William Stone	9030 EMERALD DR	26	248-3140
2. Ronald S. May	6415 LEONARD RD	38	345-5608
3. Theresa Miller	P.O. Box 3434 ⁰⁰ Anchorage 99501	31	
11. Sam Parker	Box 691 FAIRBANKS	43	488-9756

Miss J.L. P...
6522...
Anch. AK 99502
JANUARY 1985

REP. DICK SMOLTS
JUNEAU, ALASKA

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WE AS RESIDENTS OF THE STATE OF ALASKA STAND STRONG BEHIND THIS MEASURE.

NAME	ADDRESS	AGE	PHONE
1. Bob Lemmons	1009 E. Cukh Ave. # C	33	278-3311
2. Mary Ann O'Connell	P.O. Box 1143 Homer, Ak	53	235-6311
3. Patricia C. Mirzole	6503 Rosewood	62	347-7250
4. Carl Redwood	4303 North Star St, Anch Ak	37	561-0645
5. Carol Ann	5637 Simon Anch Ak	40	---
6. Virginia Miller	4515 E 8th Anchorage Ak	45	338-2222
7. K. Buchanan	P.O. Box 87-2046 Wasilla	41	376-4657
8. Kelly March	P.O. Box 722 Girdwood, AK 99587	38	783-2717
9. Ellen O'Malley	2906 W. 29th St Anchorage AK 99503	30	248-4576
10. Margaret Chiles	2348 Success Dr. Anchorage AK 99504	43	327-4510
1. Dominic Schmidt	P.O. Box 4-491 Anch AK 99509	31	3495708
2. Susan Protzman	8701 Blackwood Anchorage AK 99502	27	243-2315
3. Paul C. Cook	2171 West 48th Anch AK	25	562-4512

REP DICK SMULTZ
 JUNEAU, ALASKA

JANUARY 1985

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WE AS RESIDENTS OF THE STATE OF ALASKA STAND STRONG BEHIND THIS MEASURE.

NAME	ADDRESS	AGE	PHONE
JACK MIZE	300 EGAVIK DR #1 ANCHORAGE, 99503	40	562-4491
James Walker	15331 Pallock Dr Anch AK	20	345 9995
William H. Cole	1340 Blackberry	41	243-3645
C. Westfall	PO Box 113056	34	345-3203
Stanley Housbr	2805 W. 3rd St #3	37	561-9017
Tom C. Rechen	1803 Cleveland St.	28	561-2629
J. Scott Montgomery	316 Franklin Box 87-2261	35	338-1873
LEO A. WYATT	WASILLA, ALASKA 99687	42	376 6554
Cannie Geist	1919 E. 7th Anchorage AK	25	344-4396
Pete Casanova	1200 W. Diamond #550 Anch, Alaska 99515	27	349-9904
MARGARET STURGILL	7036 WEINER ANCH AK	32	248-4997
DARRYL R. BROWN	Box 111475 Anchorage AK	30	—
Seam Burnett	PO Box 60997-Fairbanks	30	907-452-6134

REP DICK SMOLTZ
 JUNEAU, ALASKA

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NAME	ADDRESS	AGE	PHONE
1. ⁿ Richard A. Kenney	906 W 20 th Ave Anch AK 98	45	—
2. Mike Paul (Smyth)	4927 W-80TH	55	243/208
3. Charles - Lutwick	3810 CAROLINA DR	75	248-4281
4. Karin Matthews	1550 Astorland Anch Alaska	31	349-2893
5. ...	4403 Spenser Anchorage AK	29	243-4365
6. JOE WELSH	8001 E 3rd AVE #4	34	333-7278
7. Diane Baumgartner	530 Fairbanks St 99501	33	276-4072
8. ...	12730 HACIE ST ANCH.	29	345-5314
9. ...	3521 Telstar Anch AK	25	243-0221
0. ...	1421 E 17 th #4 99501	25	279-5060
1. ...	2730 HALL ST ANCH	26	345-5314
2. Howard Shepherd	328 BENEFIT #24th ANCH	39	—
3. Ken ...	1423 "P" Street, Anch.	41	278-4257

REP DICK DULTZ
 JUNEAU, ALASKA

JANUARY 1995

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NAME	ADDRESS	AGE	PHONE
1. Sharon L. Proetzman	6522 RUSWOOD ST ANCH. AK. 99502	34	349-2161
2. John F. Schmitt	7411 W. BURN #4 ANCH. AK 99502	31	248-9053
3. Ken B. Curtis	6331 AM GARDEN RD ANCH. AK 99502	23	248-3837
4. Dennis J. Clemens	4334 SPENARD RD ANCH. ANCH 99503	33	248-5300
5. Michael A. Bell	4334 SPENARD RD ANCH. AK 99503	31	
6. Pamela C. Clemens	4334 Spenard Rd #1 Anchorage Alaska 99503	25	248-0560
7. Kim W. Haggard	11501 TRAILS END RD. ANCH	41	AKA
8. [Signature]	SR 2586 W. ... ANCH	42	
9. Barry Matheson	4334 Spenard Rd. 99503	41	248-5300
10. D.W. CHERRIE D.C.	3441 ARCTURUS CIRCLE ANCH 99503	45	561-4421
11. Kevin Stanger	9409 Braintown Way #301 ANCH 99503	44	344-7027
12. Thomas E. Stomba	SAME	60	SAME
13. Robert E. Haggard	PO Box 10441 TRBRN AK	25	452-8913
14. [Signature]	110 BERKELEY CT. FISH	27	452-8913

CSHB 68 (L&C): "An Act relating to motor vehicle liability insurance."

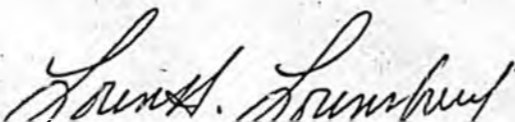
The department is in favor of this legislation, if amended. This legislation offers a third form of automobile insurance that may comply with the provisions of the mandatory automobile insurance law which became effective on January 1, 1985.

Under current law, there are two forms of automobile liability insurance recognized. The first is "owner's" coverage which insures an owner for a specified vehicle or vehicles and anyone operating the specified vehicle with the consent of the owner. Typically, there is also a limited extent of nonowned vehicle coverage extended for temporary replacement vehicles.

The second form is "operators" coverage which covers the insured person's use of nonowned vehicles only. Typically, this coverage is written for a person who does not own a motor vehicle but may be driving nonowned vehicles.

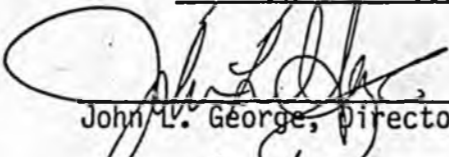
The two available forms can work a financial hardship on persons owning a number of vehicles, where that person is the sole operator of a motor vehicle. For this person and others who wish to avail themselves of the option, a third choice is proposed. This option is called the "personal" policy and it is a combination of the first two forms. This form covers all vehicles operated by only the person named, whether the vehicle operated is owned or not. No vehicles are specified and coverage would not extend to other operators. This kind of coverage will be particularly attractive to the owner and sole operator of a number of vehicles.

During work on the CS, a provision was unintentionally added to the description of the "owner's" coverage. The language on page 1, lines 15-16, "or the use by an insured person of a nonowned motor vehicle" should be removed. Inclusion of this language substantially and unnecessarily broadens that form of coverage.



 Loren H. Lounsbury, Commissioner
 Department of Commerce & Economic
 Development

Date: 2/26/86



 John L. George, Director of Insurance
 Date: 5/25/85



Official Business

Alaska State Legislature

Senate

Committee on Labor & Commerce

Pouch V
 State Capitol
 Juneau, Alaska 99811

CSHB 68 (Rules): Sectional Analysis

Section 1) Requires an "owner's" motor vehicle liability policy to designate the vehicles covered, and the name of the person being insured.

"Operator's" liability policy must insure the policy holder for liability arising from the use of a car which is not owned by the insured.

"Personal" motor vehicle liability policy must insure the named person for liability on owned or unowned vehicle.

All 3 types of motor vehicle liability insurance must provide the following coverage for use in the US and Canada:

- 1) \$50,000 bodily injury/death for one person
 \$100,000 for 2 persons;
- 2) \$25,000 property destruction/per accident

Requires the same coverage limits for 28.22.1' -130 (Uninsured and Underinsured Motorists Coverage)

Policy must state name and address of insured and meet the requirements of 21.42.160-170;

Section 2) If the owner and operator of a vehicle are unknown, payment under the uninsured or underinsured coverage maybe made only where direct contact between motor vehicles has occurred. If one person leaves the scene of an accident, the other person is presumed to be insured if he or she reports the accident to the authorities within 24 hours.

Sections 3 and 4) technical changes to conform with changes made earlier.

Section 5) Definitions

CHAIRMAN'S INFORMATION: CSHB 68 (Rules)

1) BILL TITLE: "An act relating to motor vehicle liability insurance."

a) Introduced: Rep Schultz

b) Co-sponsors:

2) INTENT: This measure expands the two forms of motor vehicle liability insurance currently permitted, and creates a category of "personal" motor vehicle liability insurance. This type of liability insurance would cover all vehicles driven by the person named in the policy, whether the person owned them or not.

FISCAL NOTE: 0

3) ADDITIONAL REFERRALS: Rules

4) PUBLIC HEARINGS:

a) Sponsor:

b) Public Witnesses:

5) BILL ACTION:

a) Hold in committee?

b) Assign to sub committee for further review?

c) Move from committee?

d) Close public hearings?

6) COMMITTEE ACTION?

a) amendments?

b) CS adoption?

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date : _____

REQUEST
 Bill/Resolution No. : CS HB 68 (L&C)
 Title : An Act relating to motor vehicle liability insurance
 Sponsor : Shultz
 Requestor : House Judiciary
 Date of Request : 1-31-86

FISCAL DETAIL
 Agency Affected : Public Safety
 BRU : Motor Vehicles
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

No fiscal impact.

Prepared by : Bill Brown ^{BB} Phone : 465-2650
 Division : Motor Vehicles Date : 1-31-86
 Approved by Commissioner : [Signature] Date : 1/31/86
 Agency : Public Safety

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agencies)

**STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE**

Revision Date: _____

REQUEST

Bill/Resolution No.: CSHB 68 (I&C)
 Title: An Act relating motor
vehicle liability insurance

Sponsor: Labor and Commerce
 Requestor: Labor and Commerce
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Alaska Public Utilities Comm.
 BRU: Commerce and Econ. Dev.

Components: Public Protection
Division of Insurance

EXPENDITURES / REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULLTIME	-0-	-0-	-0-	-0-	-0-	-0-
PARTTIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary.

Prepared by: John L. George, Director
 Division: Alaska Public Utilities Commission

Phone: 465-2515
 Date: February 20, 1986

Approved by Commissioner: John H. Thornberry
 Agency: Commerce and Economic Development

Date: February 20, 1986

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

STATUTES FOR CSHB 68

AS21.42.160 DOCUMENT

CHAPTER = 21.42

SECTION = 21.42.160

TITLE = 21

HEADINGS TITLE 21.

Insurance.

CHAPTER 42.

The Insurance Contract.

CITATION Sec. 21.42.160.

CATCH LINE

CONTENTS OF POLICIES IN GENERAL.

TEXT

(a) Each policy shall specify

(1) the names of the parties of the contract;

(2) the subject of the insurance;

(3) the risks insured against;

(4) the time when the insurance thereunder takes effect

and the period during which the insurance is to continue;

(5) the premium;

(6) the conditions pertaining to the insurance.

(b) If under the policy the exact amount of premium is determinable only at stated intervals or termination of the contract, a statement of the basis and rates upon which the premium is to be determined and paid shall be included.

(c) Subsections (a) and (b) of this section do not apply to surety contracts, or to group insurance policies.

(d) Each policy and annuity contract issued by a domestic insurer, and the forms thereof filed with the director, shall have printed on them an appropriate designating letter or figure, or combination of letters or figures or terms identifying the respective forms of policies or contracts, together with the year of adoption of the form. When a change is made in the form, the designating letters, figures or terms and year of adoption shall be correspondingly changed.

HISTORY

(Sec. 1 ch 120 SLA 1966)

END OF DOCUMENT

AS21.42.170 DOCUMENT

CHAPTER = 21.42

SECTION = 21.42.170

TITLE = 21

HEADINGS TITLE 21.

Insurance.

CHAPTER 42.

The Insurance Contract.

CITATION Sec. 21.42.170.

CATCH LINE

ADDITIONAL POLICY CONTENTS.

TEXT A policy may contain additional provisions not inconsistent with this title that are

(1) required to be inserted by the laws of the insurer's domicile;

(2) necessary, on account of the manner in which the insurer is constituted or operated, in order to state the rights and obligations of the parties to the contract; or

(3) desired by the insurer and neither prohibited by law nor in conflict with any provisions required to be included in it.

HISTORY (Sec. 1 ch 120 SLA 1966)

END OF DOCUMENT

AS28.15.221 DOCUMENT

CHAPTER = 28.15

SECTION = 28.15.221

TITLE = 28

HEADINGS TITLE 28.

Motor Vehicles.

CHAPTER 15.

Drivers' Licenses.

ARTICLE 3.

Point System.

CITATION Sec. 28.15.221.

CATCH LINE

POINT SYSTEM.

TEXT

(a) For the purpose of identifying habitually reckless or negligent drivers and habitual or frequent violators of traffic laws, the commissioner shall adopt regulations establishing a uniform system for the suspension, revocation, limitation or denial of a driver's license or driving privilege by assigning demerit points for convictions for violations of traffic laws which are required to be reported to the department under AS 28.15.191.

(b) The regulations adopted under (a) of this section shall include a designated level of point accumulation which identifies drivers who are habitually reckless or negligent or who are habitual or frequent violators of traffic laws, so as to show a disrespect for traffic laws and a disregard for the safety of other persons. In formulating the point system authorized by this section, the commissioner shall, in the interest of interstate uniformity, provide for suspension, revocation or denial of a driver's license or privilege for an accumulation of 12 or more points as a result of offenses committed during any consecutive 12-month period or 18 or more points as a result of offenses committed during any 24-month period.

HISTORY (Sec. 19 ch 178 SLA 1978)

R0601 * END OF DOCUMENTS IN LIST - ENTER RETURN OR ANOTHER COMMAND.

AS28.20.400 DOCUMENT

CHAPTER = 28.20

SECTION = 28.20.400

TITLE = 28

HEADINGS TITLE 28.

Motor Vehicles.

CHAPTER 20.

Motor Vehicle Safety Responsibility Act.

CITATION Sec. 28.20.400.

CATCH LINE

SELF-INSURERS.

TEXT

(a) A person in whose name more than 25 vehicles are registered in this state may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the department as provided in (b) of this section.

(b) The department may issue a certificate of self-insurance when it is satisfied that the person has and will continue to have ability to pay judgments obtained against the person. The certificate may be issued authorizing a person to act as a self-insurer for either property damage or bodily injury, or both, or within the limits the department prescribes.

(c) Upon not less than 10 days' notice and a hearing pursuant to the notice, the department may upon reasonable grounds cancel a certificate of self-insurance. Failure to pay a judgment within 30 days after judgment becomes final is a reasonable ground for the cancellation of a certificate of self-insurance.

HISTORY (Sec. 42 ch 163 SLA 1959)

R0601 * END OF DOCUMENTS IN LIST - ENTER RETURN OR ANOTHER COMMAND.