

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672

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Effect of amendments. — The 1987 amendment, effective June 9, 1987, added subsections (a)(4) and (b).

Sec. 28.10.181. Registration of unique and special vehicles and vehicles used for special purposes. (a) The department shall register unique and special vehicles and vehicles used for special purposes and issue registration plates as provided in this section. Notwithstanding other provisions of this chapter, registration plates issued under this section remain with the person or organization to whom they are issued when vehicle ownership is transferred or title or interest in the vehicle is assigned, except for plates issued under (b), (h) and (i) of this section. Registration plates issued under this section may not be used on, or transferred to, a vehicle other than the vehicle for which the plates are issued without the approval of the department and payment of any required fees and taxes prescribed in AS 28.10.421(d), 28.10.431 and 28.10.441; however, if the plates issued under (c), (f) and (j) of this section are transferred to a vehicle for which the registration fee is more than the fee for the vehicle from which the plates are transferred, the owner shall pay the difference between the two fees. Registration plates issued under this section to which a person is no longer entitled or the transfer of the plates to another vehicle which the department does not approve shall be returned immediately to the department by the person or organization to whom the plates were originally issued.

(b) **Historic vehicles.** The owner of an historic vehicle may make application for special registration under this subsection. The department, when satisfied that the vehicle meets the requirements for historic vehicle registration under regulations adopted by the commissioner, shall register the vehicle and issue two permanent registration plates of distinctive design and color bearing no date. These plates remain with the vehicle as long as it is registered under this subsection. Vehicles qualifying for registration under this subsection shall be issued registration plates numbered in a separate numerical series beginning with "Historic Vehicle No. 1."

(c) **Special request plates.** Upon application by the owner of a passenger vehicle, noncommercial van or pick-up truck, or motor home, the department may design and issue registration plates containing a series of not more than six letters or numbers or combination of letters and numbers as requested by the owner. The department may, in its discretion, disapprove the issuance of registration plates under this subsection when the requested symbols are a duplication of an existing registration or when the symbols are considered unacceptable by the department.

(d) **Vehicles owned by disabled veterans and handicapped persons.** A person who presents to the department written proof that the per-

son is at least 70 per cent disabled or medically handicapped and should be given special consideration by the public with respect to the parking or standing of the person's vehicle in designated spaces, may register one passenger vehicle without charge. The proof required under this subsection may consist of evidence that the person receives at least 70 per cent disability compensation from a government agency at the time of registration or an affidavit signed by a physician licensed to practice medicine in this state. Upon the request of the applicant the department shall issue a specially designed registration plate which displays

(1) recognition of the disabled veteran if the applicant's disability originated from the applicant's service with the armed forces of the United States; or

(2) the standard handicap symbol (the wheelchair logo).

(e) Vehicles owned by the state, municipalities, and charitable organizations of the state. Every certificate of registration and registration plate issued to the state, a municipality or charitable organization of the state is in effect until the vehicle for which the registration certificate and plate were issued is no longer owned and operated by the state, the municipality or the charitable organization of the state or until the department, in its discretion, declares its expiration. The state, municipality or charitable organization of the state shall maintain a current listing of all vehicles registered to it in the order of the registration number assigned to each vehicle, and shall provide a copy of the listing to the department upon request. The listing shall include a description of each vehicle and other identifying information required by the department. Registration plates issued under this subsection shall be of a distinctive design and numbering system. For the purposes of this subsection, "charitable organization" means a non-profit association, corporation, society or other entity organized, incorporated or headquartered in the state for educational, cultural, scientific or other charitable purposes, as prescribed in regulations of the department.

(f) Vehicles owned by elected state officials. The department shall issue special registration plates to each incumbent elected state official for display on noncommercial motor vehicles owned and driven by the official. The department shall number or design the plates so that registration by an elected state official is indicated upon the plates. The registration plates issued under this subsection remain with the owner of the vehicle only during the official's term of office.

(g) Vehicles owned by consular officers of foreign governments. A vehicle owned by a consular officer of a foreign government shall be issued registration plates displaying the title "consular corps" or "cc." However, the commissioner may waive the registration of consular vehicles and the payment of fees and taxes when consistent with international treaties or agreements.

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(h) Vehicles owned by ranchers, farmers, and dairymen. A vehicle not exceeding an unladen total gross weight of 16,000 pounds, owned by a person deriving the person's primary source of livelihood from the operation of a ranch, farm, or dairy where the person resides full-time, and which vehicle is used exclusively to transport the person's own ranch, farm, or dairy products to and from the market or to transport supplies, commodities or equipment to be used on the person's ranch, farm or dairy, may be registered under this subsection and may be issued registration plates of a distinctive design or system of numbering.

(i) Amateur mobile radio station vehicles. A validly licensed amateur radio operator who presents satisfactory proof that the owner holds an unexpired Federal Communications Commission amateur radio operator's license of any renewable class, and who presents satisfactory proof that the vehicle contains or carries an amateur radio transmitter and receiving unit of a type applicable to the license class applied for, and who is permitted by law to operate a fixed station, may register one amateur mobile radio station vehicle for each radio license issued by the federal government and may receive for the vehicle distinctive registration plates instead of regular registration plates. The number on the plates shall be the radio call sign of the owner.

(j) Vehicles owned by dealers. A state-registered and bonded vehicle dealer may apply for dealer registration plates. A plate issued under this subsection may be used only on dealer-owned vehicles during the routine and normal course of the dealer's business, excluding service vehicles, or for transporting an unregistered vehicle from a port of entry to the dealer's facilities or from one dealer to another or, in the case of a house trailer, from the retail facility to a trailer space. If the dealer sells or transfers the vehicle, the dealer plates may be used on the vehicle by the new owner or transferee for a period of not more than five days after the sale or transfer. The department may seize the dealer plates if it has reason to believe that the plates are being used to defeat the purposes of, or are in violation of, this chapter.

(k) Occasional users of highways. The department may issue a license to the owner of a vehicle which is only occasionally used on a highway. The applicant must show to the satisfaction of the department that the vehicle to be licensed under this subsection will travel upon state highways less than five per cent of its total hours of operation. The department may not issue more than two licenses under this subsection to a single person.

(l) Vehicles owned by former prisoners of war. The department, upon receipt of written proof, may issue without charge special registration plates for one noncommercial motor vehicle to a person who has been a prisoner of war during a declared war or other conflict, as determined by the Department of Defense under federal regulations.

The design and color of the prisoner of war plates shall be solely within the discretion of the commissioner.

(m) Special request plates for Alaska National Guard personnel. Upon application by the owner of a passenger vehicle, noncommercial van or pick-up truck, or motor home who presents satisfactory proof of current membership in the Alaska National Guard, the department may design and issue registration plates that identify the vehicle as registered to a member of the Alaska National Guard. The owner shall return the registration plates to the department within 10 days following discharge from the Alaska National Guard. (§ 7 ch 178 SLA 1978; am § 2 ch 54 SLA 1979; am § 1 ch 151 SLA 1984; am § 5 ch 60 SLA 1986)

Effect of amendments. — The 1986 amendment added subsection (m).

Article 2. Title.

Section

201. Title required; exceptions

Sec. 28.10.201. Title required; exceptions. (a) Except as otherwise provided in (b) of this section or in AS 28.10.131 and 28.10.141, every owner of a vehicle subject to registration in this state shall apply for a certificate of title under this chapter.

(b) The owner of a vehicle described in AS 28.10.011 as being exempt from registration and the owner of a snowmobile or off-highway vehicle may not apply for, nor may the department issue, a certificate of title for such a vehicle. However, the department may issue a certificate of title to the owner of a vehicle exempt from registration under AS 28.10.011(3), (6), (7), (11), or (12) only upon application by that owner.

(c) The certificate of title issued may, when there is more than one owner, state the name of each owner in the conjunctive or in the disjunctive in order to indicate that the owners own the vehicle together or in the alternative.

(d) Except for vehicles registered under AS 28.10.131(b) or (c) and 28.10.141, the department may not register a vehicle unless the applicant for registration at the same time applies for and obtains a certificate of title under this chapter, or presents satisfactory evidence that a certificate of title was previously issued to the applicant. The department may not accept the application for the original certificate of registration or title to a vehicle unless the vehicle is in the state at the time of application. However, the department may accept an application for registration and certificate of title for a vehicle which is not in the state when the application is made by a registered and bonded dealer or by a resident of the state when the application is accompa-

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Collateral references. — 7A Am. Jur. 2d, Automobiles and Highway Traffic, §§ 30 to 48. 60 C.J.S., Motor Vehicles, §§ 39 to 41.

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Sec. : 1978.]

Sec. 28.10.271. Transfer of vehicle by owner. (a) When the owner of a registered vehicle transfers or assigns the owner's title or interest in the vehicle, the registration of the vehicle expires; however, the registration plates remain on the vehicle except as otherwise provided in AS 28.10.181.

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(b) The owner shall, at the time of delivery of the vehicle, endorse an assignment and warranty of title to the transferee in the space provided on the certificate of title. The owner shall deliver the certificates of title and registration to the transferee at the time of delivery of the vehicle, except as otherwise provided in AS 28.10.291.

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(c) The owner shall notify the department of the transfer or assignment of the owner's title or interest in the vehicle within 10 days following transfer or assignment. This notification shall constitute a valid transfer under AS 28.10.321 and 28.10.361. The notice form to be provided by the department shall include the following information:

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- (1) name and address of owner;
- (2) name and address of transferee;
- (3) date of transfer or assignment; and
- (4) description and license number of vehicle. (§ 7 ch 178 SLA 1978)

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NOTES TO DECISIONS

Former law construed. — See Harbor Ins. Co. v. United States Fid. & Guar. Co., 350 F. Supp. 723 (D. Alaska, 1972); State Farm Mut. Auto. Ins. Co. v. Clark, 397 F. Supp. 745 (D. Alaska, 1975); Graham v. North River Ins. Co., Sup. Ct. Op. No. 1130 (File No. 1945), 533 P.2d 20 (1975).

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Sec. 28.10.280. Title for vehicles of other state. [Repealed, § 7 ch 178 SLA 1978.]

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Sec. 28.10.281. Transfer to dealer. (a) When the owner of a registered vehicle transfers or assigns the owner's title or interest to a vehicle dealer under AS 28.10.271, the dealer is not required to present the certificates of registration and title to the department as provided in AS 28.10.321 and 28.10.361 until the vehicle is transferred by the dealer.

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(b) A vehicle transferred to a dealer may not be driven unless it is re-registered under this chapter or is driven under dealer registration plates issued under AS 28.10.181(j). (§ 7 ch 178 SLA 1978)

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(b) A person holding a certificate of title to a vehicle whose interest in the vehicle has been extinguished or transferred other than by voluntary transfer shall mail or deliver the certificates of title and registration to the department upon request of the department. The delivery of the certificates of title and registration to the department upon its request does not affect the rights of the person surrendering the certificate of title, and the action of the department in issuing a new certificate of title or registration as provided in this chapter is not conclusive upon the rights of an owner or lienholder named in the surrendered certificate of title. (§ 7 ch 178 SLA 1978)

Sec. 28.10.320. Issuance. [Repealed, § 7 ch 178 SLA 1978.]

Sec. 28.10.321. New owner to secure transfer of registration and new title. (a) Except as provided under AS 28.10.281 and 28.10.291, the new owner shall, within 30 days, present the certificates of title and registration properly endorsed to the department, apply for a new title, and register the vehicle as upon an original registration.

(b) An application for certificates of title and registration shall be accompanied by any required registration fees and taxes, transfer of title and lien fees, and motor freight carrier or bus transportation fees, if any, and by the previous certificates of title and registration, if any. (§ 7 ch 178 SLA 1978)

NOTES TO DECISIONS

Former law construed. — See State Farm Mut. Auto. Ins. Co. v. Clark, 397 F. Supp. 745 (D. Alaska 1975).

Sec. 28.10.330. Delivery. [Repealed, § 7 ch 178 SLA 1978.]

Sec. 28.10.331. Department to issue new certificates of title and registration. The department, upon receipt of the certificate of title properly endorsed, the certificate of registration, the registration plates, if any, the application for new title and registration and all required fees and taxes, shall issue a certificate of title and a certificate of registration to the transferee or the lienholder lawfully entitled to the certificates. (§ 7 ch 178 SLA 1978)

NOTES TO DECISIONS

Former law construed. — See Harbor Dist., C.A. No. 71-3441 (1973); State Farm Ins. Co. v. United States Fid. & Guar. Co., 350 F. Supp. 723 (D. Alaska 1972); Christian v. State, Sup. Ct. Op. No. 921 (File No. 1626), 513 P.2d 604 (1973); Graham v. Black, Superior Court, 3rd Jud. Mut. Auto. Ins. Co. v. Clark, 397 F. Supp. 745 (D. Alaska 1975); Graham v. North River Ins. Co., Sup. Ct. Op. No. 1130 (File No. 1945), 533 P.2d 20 (1975).

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Sec. 28.10.340. Duplicates. [Repealed, § 7 ch 178 SLA 1978.]

Sec. 28.10.341. Duty of lienholder in possession of title to transferred vehicle. Upon request of an owner or transferee, a lienholder in possession of the certificate of title to a transferred vehicle shall, unless the transfer is in breach of a security agreement, deliver the certificate to the transferee. The delivery of the certificate of title does not affect the rights of the lienholder under the lienholder's security agreement. (§ 7 ch 178 SLA 1978)

Sec. 28.10.350. Transfer. [Repealed, § 7 ch 178 SLA 1978.]

Sec. 28.10.351. Dismantling or wrecking vehicle. A person who dismantles, scraps or destroys a registered vehicle shall immediately forward to the department the certificates of title and registration and the registration plates for the vehicle. (§ 7 ch 178 SLA 1978)

Secs. 28.10.355, 28.10.360. Purchase by minor; duty of new owner. [Repealed, § 7 ch 178 SLA 1978.]

Sec. 28.10.361. When transfer effective. A transfer by an owner or dealer is not effective until all applicable provisions of this chapter have been complied with. However, an owner or dealer who has delivered possession of a vehicle to the transferee and has endorsed an assignment and warranty of title on the certificate of title and delivered the certificates of title and registration to the transferee or, in the case of a transfer from a dealer, delivered proof of the sale to the transferee, is not liable as the owner for any liabilities resulting from the driving or movement of the vehicle after the transfer. (§ 7 ch 178 SLA 1978)

Sec. 28.10.370. Issuance. [Repealed, § 7 ch 178 SLA 1978.]

Article 4. Filing Documents Evidencing Liens or Encumbrances.

Section	Section
371. Filing documents evidencing liens or encumbrances	391. Filing and date of notice
381. Provisions for filing and issuance of title	401. Assignment or release by lienholder

Collateral references. — 7A Am. Jur. 2d, Automobiles and Highway Traffic, §§ 31, 39, 46, 48.
60 C.J.S., Motor Vehicles, § 42.

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use, including, but not limited to, a boat trailer, baggage trailer, box trailer, utility trailer or house trailer\$ 5.

(c) The annual registration fees under this subsection are imposed and are based upon the actual unladen weight as established by the manufacturer's advertised weight or upon the actual weight which the owner shall furnish, subject to the approval of the commissioner or the commissioner's representative, for a vehicle, including a motor vehicle pulling a trailer or semi-trailer, used or maintained for the transportation of passengers for hire, excepting taxicabs and buses under (b) of this section, or for the transportation of property for hire or for other commercial use, including a commercial vehicle such as a trailer, semi-trailer, truck, wrecker, tow car, hearse, ambulance, and tractor, as follows:

- (1) up to and including 5,000 pounds\$50;
- (2) more than 5,000 pounds to and including 12,000 pounds\$85;
- (3) more than 12,000 pounds to and including 18,000 pounds ..\$155;
- (4) more than 18,000 pounds\$220.

(d) The special registration fees under this subsection are imposed annually, unless otherwise specified, for:

(1) an historic vehicle (one time only upon initial registration under AS 28.10.181)\$10;

(2) special request plates including those authorized for use by Alaska National Guard personnel only\$30; plus the fee required for that vehicle under (b)(1) or (2) of this section; the fee required by this paragraph shall be collected only on the first issuance and on the replacement of special request plates;

(3) a vehicle owned by a disabled veteran or other handicapped person, and registered under AS 28.10.181 or a resident 65 years of age or older who files a written application for an exemption on a form prescribed by the department none;

(4) a vehicle owned by the state none;

(5) a vehicle owned by an elected state official the fee required for that vehicle under (b) of this section;

(6) a vehicle owned by a consular officer, unless waived under AS 28.10.181\$35;

(7) a vehicle owned by a rancher, farmer, or dairyman and registered under AS 28.10.181\$35;

(8) a snowmobile or off-highway vehicle\$ 5;

(9) an amateur mobile radio station vehicle,

(A) with a transceiver capable of less than 5-band operation the fee required for that vehicle under (b) or (c) of this section;

(B) in recognition of service to the public: a mobile amateur radio station owned by an amateur with general class or higher license, provided the station must be satisfactorily proved capable of operating on at least five bands from 160 through 10 meters, must have an antenna, and must have a power supply and wiring as a permanent

part of the vehicle; the transmitting unit may be removed from the car for service or dry storagenone for a mobile amateur radio station vehicle included in (b)(1) or (2) of this section;

(10) dealer registration plates,

(A) the initial set of plates\$45;

(B) each subsequent set of plates\$25;

(11) a vehicle owned by a municipality or charitable organization meeting the requirements of AS 28.10.181(e)\$ 5;

(12) an occasional use vehicle under AS 28.10.181(k)\$15;

(13) a vehicle owned by a former prisoner of warnone.

(e) A vehicle registered under this section which, by the removal of seats, a camper unit, a canopy or other equipment, may be converted into a vehicle on which the registration fee is computed on a different basis or in a different amount may not be driven or moved with seats, camper unit, canopy or other equipment removed unless the other applicable registration fee is paid. (§ 7 ch 178 SLA 1978; am §§ 4, 5 ch 54 SLA 1979; am § 2 ch 151 SLA 1984; am § 41 ch 21 SLA 1985; am §§ 7 — 9 ch 60 SLA 1986; am § 1 ch 70 SLA 1986)

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Effect of amendments. — The 1985 amendment substituted "AS 28.10.108 and 28.10.111" for "AS 28.10.101 — 28.10.111" at the end of subsection (a).

The first 1986 amendment increased the fees in paragraphs (1) through (5) of subsection (b), increased the fees in subsection (c), and in subsection (d) in paragraph (2) added "including those authorized for use by Alaska National Guard personnel only" and increased the fee, ir

paragraph (3) substituted "files a written application for an exemption on a form prescribed by the department" for "complies with AS 28.10.411(c)," and increased the fees in paragraphs (6), (7) and (10).

The second 1986 amendment of paragraph (3) of subsection (d) made by § 1, ch. 70, SLA 1986 was identical to the amendment made by § 9, ch. 60, SLA 1986, which is already in effect.

Sec. 28.10.423. Emission control inspection program fees. In addition to the annual registration fee specified in AS 28.10.421, a \$1 fee is imposed upon every vehicle required to be inspected under an emission control program established under AS 46.03.210. This fee shall be collected at the same time and in the same manner as the registration fee. (§ 2 ch 56 SLA 1985)

Sec. 28.10.431. Annual motor vehicle registration tax.

(a) There is levied a motor vehicle registration tax within each municipality which elects, by passage of an appropriate ordinance, to come under this section. A municipality shall file a written notice of election with the department and may not rescind the notice for a subsequent fiscal year. The notice must be filed on or before January 1 of the year preceding the year election under this section is to become effective. If a municipality has, before October 15, 1978, levied a motor vehicle registration or ad valorem tax which has been repealed by a vote of the people at any regular or special municipal election, then

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(e) The department shall refund money collected under this section, less five per cent as collection costs, to a municipality for which the money was collected, as determined by (1) the address of residence of an individual required to pay the tax, or (2) the situs of the vehicle if the vehicle is not owned by an individual; the tax situs is the location at which the motor vehicle is usually, normally, or regularly kept or used. For the first year in which the tax is levied within a municipality, the department may retain actual costs of collection of the tax within the municipality as determined by the department.

(f) Money received by an organized borough under this section shall be allocated by the borough by ordinance for city, area outside city, and service area purposes within the borough.

(g) Payment of the registration tax is in lieu of all local use taxes and ad valorem taxes on motor vehicles subject to the tax. A municipality which elects to come under the provisions of this section may not levy use or ad valorem taxes on motor vehicles subject to the registration tax during a fiscal year in which the election is in effect.

(h) A vehicle owned by a former prisoner of war exempted from registration fees under AS 28.10.421(d)(13) is subject to a motor vehicle registration tax under this section. (§ 7 ch 178 SLA 1978; am § 3 ch 151 SLA 1984)

Effect of amendments. — The 1984 amendment added subsection (h).
Collateral references. — Validity of statutes imposing license tax on automobiles as affected by constitutional provisions in relation to taxation, 5 ALR 759, 126 ALR 1419.

Sec. 28.10.440. Dismantled vehicle. [Repealed, § 7 ch 178 SLA 1978.]

Sec. 28.10.441. Schedule of other fees and charges. The following fees and charges are imposed by the department for the stated services which it provides:

- (1) title fee (including transfer of title) \$ 5;
 - (2) lien filing fee \$ 5;
 - (3) replacement of any registration plate set, including special request plates \$ 5;
 - (4) duplicate of original certificate of title \$ 5;
 - (5) duplicate of certificate of registration \$ 2;
 - (6) temporary preregistration permit issued under AS 28.10.031 none;
 - (7) special transport permit issued under AS 28.10.151 . . . \$ 5;
 - (8) special permit for vehicle used for transport of disabled or handicapped person as provided in AS 28.10.21 none.
- (§ 7 ch 178 SLA 1978)

Revisor's notes. — AS 28.10-215, repealed in 1978. Present similar provisions referred to in (8) of this section, was provisions may be found in AS 28.10.495.

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the department to carry out the purposes of this section. (§ 7 ch 178 SLA 1978; am § 3 ch 151 SLA 1984; am § 48 ch 138 SLA 1986)

Effect of amendments. — The 1986 amendment added subsection (i).

Sec. 28.10.441. Schedule of other fees and charges.

Revisor's notes. — AS 28.10.215, repealed in 1978. Present similar provisions referred to in (8) of this section, was repealed in AS 28.10.495.

Article 7. General Provisions.

<p>Section 495. Parking permit for vehicle transporting disabled person</p>	<p>Section 502. Towing and storage lien</p>
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Sec. 28.10.495. Parking permit for vehicle transporting disabled person. (a) Upon application by a disabled or medically handicapped person; the department shall issue to the applicant, without charge, a special permit bearing the control number of the applicant. The permit issued under this section, when displayed in the front windshield of a parked or standing vehicle, shall provide for special consideration by the public with respect to the parking or standing in designated spaces of a vehicle which is being used for the transportation of the disabled or medically handicapped person.

(b) A person is not entitled to use the special permit provided for in (a) of this section except when providing transportation for the disabled or handicapped person with respect to whom the permit was issued. Upon the death of the disabled or handicapped person, the special permit shall be returned to the department.

(c) Proof of disablement or medical handicap, for the purpose of this section, shall be provided as specified in AS 28.10.181(d). (§ 24 ch 178 SLA 1978; am § 1 ch 11 SLA 1980; am § 1 ch 11 SLA 1987)

Effect of amendments. — The 1987 amendment added the last sentence of subsection (b).

Sec. 28.10.502. Towing and storage lien. (a) A person engaged in the business of towing motor vehicles, who tows, transports or stores a motor vehicle, has a possessory lien on the vehicle. This lien attaches when the person acts under a contract with the owner or at the direction of a public officer acting lawfully or a person entitled to possession of the property upon which the motor vehicle is parked without consent. The lien remains in effect while the motor vehicle is in the possession of the person, and the vehicle may be sold, as pro-

Article 6. Registration and Title Violations.

Section
 451. Unlawful to violate provisions requiring registration and title
 461. Driving vehicle without evidence of registration
 471. Driving vehicle when registration suspended or revoked or permit expired

Section
 481. Improper use of evidence of registration or certificate of title
 491. Felonies relating to title, registration, identification number, and removal and representation of vehicles
 493. Misdemeanors relating to transfers

Collateral references. — 7A Am. Jur. 2d, Automobiles and Highway Traffic, §§ 92 to 95.

60 C.J.S., Motor Vehicles, §§ 133 to 135; 61A C.J.S. Motor Vehicles, § 714(4). Civil rights and liabilities as affected by

failure to comply with regulations as to registration of automobile, 16 ALR 1108, 35 ALR 62, 38 ALR 1038, 43 ALR 1153, 54 ALR 374, 58 ALR 532, 61 ALR 1190, 78 ALR 1028, 87 ALR 1469, 111 ALR 1258, 163 ALR 1375.

Sec. 28.10.450. Failure to endorse and deliver. [Repealed, § 7 ch 178 SLA 1978.]

Sec. 28.10.451. Unlawful to violate provisions requiring registration and title. A person may not wilfully attempt to defeat the provisions of this chapter or wilfully fail to title or register a vehicle as required by this chapter, or otherwise wilfully fail to comply with the requirements of this chapter. (§ 7 ch 178 SLA 1978)

Sec. 28.10.460. Required insurance. [Repealed, § 7 ch 178 SLA 1978.]

Sec. 28.10.461. Driving vehicle without evidence of registration. Except as otherwise expressly permitted in this chapter, a person may not drive or move, nor may an owner knowingly permit to be driven or moved, on a highway or vehicular way or area, a vehicle required to be registered under this chapter unless valid registration plates, decals or permits for the current registration period are attached to and displayed on the vehicle in the manner required by this chapter, and unless a valid certificate of registration for the current registration period is carried, as required by this chapter, in the vehicle and is available for inspection by a peace officer or an authorized representative of the department. (§ 7 ch 178 SLA 1978)

Collateral references. — Lack of proper automobile registration as evidence of operator's negligence, 73 ALR 162, 29 ALR2d 963.

Validity and construction of statute

making it a criminal offense for the operator of a motor vehicle not to carry or display his vehicle registration certificate, 6 ALR3d 506.

Sec. 28.10.470. Filing liens. [Repealed, § 7 ch 178 SLA 1978.]

Sec. 28.10.471. Driving vehicle when registration suspended or revoked or permit expired. A person may not drive or move, nor may an owner knowingly permit to be driven or moved, on a highway

or vehicle has been

Cited in No. 181 780 (1982)

Sec.

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SB 410 cont'd

Senator Duncan moved for the adoption of Amendment No. 1 and asked unanimous consent. Senator Coghill objected.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 410(Resources) and pending Amendment No. 1 be held in second reading for tomorrow's calendar. Without objection, CS FOR SENATE BILL NO. 410(Resources) will be on the February 25 calendar.

SB 3

SENATE BILL NO. 3 "An Act relating to motor vehicle registration and registration plates" was read the second time.

Senator Halford moved and asked unanimous consent for the adoption of the Finance Committee Substitute offered on page 2327. Without objection, CS FOR SENATE BILL NO. 3(Finance) "An Act relating to motor vehicle registration and registration plates; and providing for an effective date" was adopted.

CS FOR SENATE BILL NO. 3(Finance) was read the second time.

Senator Halford moved and asked unanimous consent that CS FOR SENATE BILL NO. 3(Finance) be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 3(Finance) was read the third time.

The question being: Shall CS FOR SENATE BILL NO. 3(Finance) "An Act relating to motor vehicle registration and registration plates; and providing for an effective date" pass the Senate? The roll was taken with the following result:

CSSB 3 FIN JRD

Yeas: 18 Abood, Binkley, Coghill, Duncan,
Falks, Fanning, Fischer, Halford,
Hensley, Jones, Josephson, Kelly,
Kerttula, Rodey, Sturgulowski,
Szymanski, Uehling, Zharoff

Nays: 0

Excused: 2 Eliason, Fahrenkamp

SB 3 cont'd

and so, CS FOR SENATE BILL NO. 3(Finance) passed the Senate.

Senator Halford moved and asked unanimous consent that the vote on the passage of the bill be considered the vote on the effective date clause. Without objection, it was so ordered.

CS FOR SENATE BILL NO. 3(Finance) was referred to the Secretary for engrossment.

SECOND READING OF SENATE RESOLUTIONS

SJR 61

SENATE JOINT RESOLUTION NO. 61 "Requesting the Government of the United States to reassert jurisdiction over Wrangel Island, Herald Island, Henrietta Island, Jeannette Island, and Bennett Island together with the surrounding outer continental shelf within the American waters of the Chukchi Sea and the East Siberian Seas and to pay the State of Alaska compensation for damages from their loss" was read the second time.

Senator Halford moved and asked unanimous consent that SENATE JOINT RESOLUTION NO. 61 be considered engrossed, advanced to third reading and placed on final passage. Without objection, it was so ordered.

SENATE JOINT RESOLUTION NO. 61 was read the third time.

The question being: Shall SENATE JOINT RESOLUTION NO. 61 "Requesting the Government of the United States to reassert jurisdiction over Wrangel Island, Herald Island, Henrietta Island, Jeannette Island, and Bennett Island together with the surrounding outer continental shelf within the American waters of the Chukchi Sea and the East Siberian Seas and to pay the State of Alaska compensation for damages from their loss" pass the Senate? The roll was taken with the following result:

SCR 40

The Finance Committee considered SENATE CONCURRENT RESOLUTION NO. 40 "Relating to the revision of Title 2 of the Alaska Statutes" and a majority of the committee recommended the Transportation Committee Substitute offered on page 2205 be adopted and do pass. The report was signed by Senator Halford, Co-chairman and concurred in by Senators Duncan, Zharoff, Uehling and Binkley.

Zero fiscal note published today from Senate Finance Committee.

SENATE CONCURRENT RESOLUTION NO. 40 was referred to the Rules Committee.

SJR 64

The Labor and Commerce Committee considered SENATE JOINT RESOLUTION NO. 64 "Relating to resident hire on United States Department of Defense projects at Anchitka Island, Shemya Island, and Adak" and a majority of the committee recommended do pass. The report was signed by Senator Kelly, Chairman and concurred in by Senators Szymanski and Fahrenkamp.

Zero fiscal note published today from Senate Labor and Commerce Committee.

SENATE JOINT RESOLUTION NO. 64 was referred to the Rules Committee.

SB 3

The Finance Committee considered SENATE BILL NO. 3 "An Act relating to motor vehicle registration and registration plates" and a majority of the committee recommended it be replaced with

CS FOR SENATE BILL NO. 3(Finance), entitled:

"An Act relating to motor vehicle registration and registration plates; and providing for an effective date."

and do pass. The report was signed by Senator Halford, Co-chairman and concurred in by Senators Duncan, Zharoff, Binkley and Uehling.

SB 3 cont'd

Fiscal note published today from Department of Public Safety.

SENATE BILL NO. 3 was referred to the Rules Committee.

HCR 33

The Community and Regional Affairs Committee considered HOUSE CONCURRENT RESOLUTION NO. 33 "Relating to annexations recommended by the Local Boundary Commission" and recommended it be replaced with

SENATE CS FOR HOUSE CONCURRENT RESOLUTION NO. 33(C&RA)

Senator Sturgulewski, Chairman and Senator Halford signed "do pass." Senators Zharoff and Szymanski signed "no recommendation."

Zero fiscal note published today from Department of Community and Regional Affairs.

HOUSE CONCURRENT RESOLUTION NO. 33 was referred to the Rules Committee.

HCR 38

The Resources Committee considered CS FOR HOUSE CONCURRENT RESOLUTION NO. 38(Resources) "Requesting the Pacific Salmon Commission to increase Alaska's chinook salmon quota" and a majority of the committee recommended do pass. The report was signed by Senator Coghill, Chairman and concurred in by Senators Sturgulewski, Zharoff, Duncan and Fischer.

HOUSE CONCURRENT RESOLUTION NO. 38 was referred to the Rules Committee.

HB 93

The Community and Regional Affairs Committee considered CS FOR HOUSE BILL NO. 93(Finance) an "An Act establishing six Recreation rivers; and providing for an effective date" and recommended it be replaced with

SJR 36 cont'd

and do pass. The report was signed by Senator Jones, Chairman and concurred in by Senators Abood, Coghill, Fahrenkamp and Kelly.

Zero fiscal note with analysis published today from Department of Transportation and Public Facilities.

SENATE JOINT RESOLUTION NO. 36 was referred to the Rules Committee.

SB 3

The Transportation Committee considered SENATE BILL NO. 3 (motor vehicle registration and registration plates) and recommended it be replaced with

CS FOR SENATE BILL NO. 3 (TRSP), entitled:
" Act relating to motor vehicle registration and registration plates; increasing fees for driver's licenses, permits, and identification cards; and providing for an effective date."

and do pass. The report was signed by Senator Jones, Chairman and concurred in by Senators Coghill, Abood, Kelly and Fahrenkamp.

Revised fiscal note published today from Department of Public Safety.

SENATE BILL NO. 3 was referred to the Finance Committee.

SB 51

The Finance Committee considered SENATE BILL NO. 51 (alcohol) and a majority of the committee recommended do pass. The report was signed by Senator Binkley, Co-chairman and concurred in by Senators Duncan, Bennett, Uehling and Fischer.

SENATE BILL NO. 51 was referred to the Rules Committee.

SB 155

The Community and Regional Affairs Committee considered SENATE BILL NO. 155 (change, relocation, or removal of utility facilities incident to the construction of road or other projects by a municipality) and recommended it be replaced with

SCR 24 cont'd

CS FOR SENATE CONCURRENT RESOLUTION NO. 24 (L&C)

Senator Kelly, Chairman and Senator Eliason signed "do pass". Senator Szymanski signed "no recommendation".

Zero fiscal note published today from the Senate Labor and Commerce Committee.

SENATE CONCURRENT RESOLUTION NO. 24 was referred to the Rules Committee.

SJR 32

The Labor and Commerce Committee considered SENATE JOINT RESOLUTION NO. 32 (importation and sale of salmon reared in TBT-treated aquaculture pens). Senator Kelly, Chairman and Senator Eliason signed "do pass". Senator Szymanski signed "no recommendation".

Zero fiscal note published today from the Senate Labor and Commerce Committee.

SENATE JOINT RESOLUTION NO. 32 was referred to the Rules Committee.

SB 3

The State Affairs Committee considered SENATE BILL NO. 3 (motor vehicle registration and registration plates) and recommended it be replaced with

CS FOR SENATE BILL NO. 3 (SA), entitled:
"An Act relating to forfeiture of motor
vehicle registration and registration plates."

and do pass. The report was signed by Senator Abood, Chairman and concurred in by Senators Faiks, Josephson, Uehling and Hensley.

Fiscal note published today from the Department of Public Safety.

SENATE BILL NO. 3 was referred to the Transportation Committee.

Alaska State Legislature



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1024 WEST SIXTH AVENUE
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WHILE IN SESSION
POUCH V
JUNEAU, ALASKA 99811
(907) 465-4747

CHAIRMAN
STATE AFFAIRS
MEMBER
BUDGET & AUDIT
TRANSPORTATION

Senator Mitch Abood
SENATE DISTRICT G-A

DATE: 17 MARCH 1988
TO: MEMBERS OF THE HOUSE TRANSPORTATION COMMITTEE
FROM: Senator Mitch Abood
RE: Summary of changes to CSSB 3 (Finance)

The following is a summary of the various versions of Senate Bill 3 and the reasons for those changes:

SB 3 "An Act relating to motor vehicle registration and registration plates."
=====

- Authorizes the Department of Public Safety to design and issue special registration plates.
- Requires surrendering, to the court, registration and registration plates of a motor vehicle for:
 - a. a second conviction within a five year period or a third conviction within a ten year period, for driving while intoxicated or refusal to submit to a chemical test of breath.
 - b. driving a motor vehicle when that person's driver's license has been revoked and the revocation was imposed under AS 28.15.181(a) (5)
- Requires a person who has surrendered his plates to identify to the court all persons of his household who are 17 years of age or older to be included in the record of conviction.
- Requires the Department to provide each named person notification that the described persons driver's license has been revoked and the consequences of letting him drive without a valid driver's license.

- Allow transfer of ownership of the vehicle with the permission of the court.

In Senate Bill 3, I was attempting to reach the drunk drivers who have a problem with alcohol. Those that continue to drink and drive even after their driver's license has been revoked for DWI or for any other reason.

Senate Bill 3 would allow the State to, in some cases, forfeit the motor vehicle registration and license plates of a drunk driver in cases where that driver had a record of prior DWI's or refusing the breath test.

CSSB 3(State Affairs) "An Act relating to motor vehicle registration and registration plates."
=====

- Authorizes the Department of Public Safety to design and issue special registration plates (no change from Senate Bill 3)

- Requires surrendering registration and registration plates to the court for the above offenses. The plates will be transmitted to the department. (Instead of leaving them with the court)

- Requires a person who has surrendered his plates to identify to the court all persons of his household who are 17 (instead of 16) years of age or older. (This bill also takes the names of persons in the household out of the conviction record).

- Requires the department to provide each named person notification that the described persons driver's license has been revoked and the consequences of letting him drive without a valid driver's license. (No Change)

- Allows transfer of ownership of the vehicle with the permission of the department (instead of the court).

The above amendments were made as a result of suggestions and discussions by -

Mothers Against Drunk Drivers, the Department of Public Safety and further discussions by the committee.

CSSB 3 (Transportation)

=====
In addition to existing language:

- Increases by \$2 the fee for acquiring a driver's license, motorcycle license, instruction permit, school bus driver's permit, or state identification card.
- Requires the department to issue one registration plate, instead of the existing requirement of two plates.
- When one registration plate is issued, it shall be attached to the rear of the vehicle for which issued.
- Adds effective dates.

CSSB 3 (Finance) :

- =====
- All sections are deleted except those dealing with requiring the Department of Public Safety to issue one registration plated, instead of the existing requirement of two plates.

After several discussions with the Department of Public Safety, we learned that information gathered from Minnesota, which has a similar program contained overstatements about the success rate of the program and the evidence of the program's effectiveness.

As you can see from the attached correspondence from Mr. Dulany of the Division of Motor Vehicles, I felt it best to follow the Department's suggestions on this program.

I have been assured by the Department of Public Safety, that no fee increase is necessary to run their existing program nor for the issuance of one license plates. With that, I chose not to increase the fee for driver's licenses or permits at a time of economic hardship our State is battling.

Alaska State Legislature

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Senator Mitch Abood
SENATE DISTRICT G-A

CHAIRMAN
STATE AFFAIRS
MAJORITY WHIP

MEMBER
TRANSPORTATION
COMMITTEE ON COMMITTEES
LEGISLATIVE COUNCIL
INTERNATIONAL TRADE

DATE: 04 FEBRUARY 1988
TO: THE HONORABLE RICK HALFORD
CO-CHAIRMAN, SENATE FINANCE COMMITTEE
FROM: Senator Mitch Abood 
RE: CS SB 3 ()

Please find attached a draft of a committee substitute for SB 3 which I would like the Senate Finance Committee to consider.

CS SB 3 () deletes all sections of CS SB 3 (Transportation) except those dealing with requiring the Department of Public Safety to issue one registration plate, instead of the existing requirement of two plates.

After several discussions with the Department of Public Safety, we learned that information gathered from Minnesota, which has a similar program, contained overstatements about the success rate of the program. Also, I understand the evidence of that program's effectiveness was misleading.

As you can see from the attached correspondence from Mr. Dulany of the Division of Motor Vehicles, I felt it best to follow the Department's suggestion on this program.

I have been assured by the Department of Public Safety, that no fee increase is necessary to run their existing program, nor for the issuance of one license plate. With that, I chose not to increase the fee for driver's licenses or permits at a time when our State is experiencing economic hardship.

Should you have any questions or concerns, please contact me at 4714 or 4747. If for some reason I am not available,

please speak with Rhonda Cargill on my staff who has been working with me on this proposed legislation.

Thank you for your consideration of this matter.

MA/rmc

attachments

STATE OF ALASKA

STEVE COWPER, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

5700 EAST TUDOR ROAD
ANCHORAGE, ALASKA 99507-1225
PHONE: (907) 269-5551

December 10, 1987

The Honorable Mitch Abood
Alaska State Legislature
3111 C Street, Suite 535
Anchorage, Alaska 99503

Dear Senator Abood:

As we discussed, I am very interested in insuring passage of those sections of Senate Bill 3 that allow for the issuance and use of a single rear license plate on motor vehicles. The resultant savings are critical to the viability of our 1989 capitol budget request.

There are technical problems in the sections requiring forfeiture of registrations and license plates, but I am more concerned about the effectiveness of a program of this type. I have had several telephone conversations with contacts in Minnesota and feel that the Minnesota representatives testifying before your committee on a similar program in their state rather overstated the success of the Minnesota program. There is no evidence of the program's effectiveness.

Ray Lewis, Research Consultant with the Minnesota Criminal Justice System DWI Task Force, has attempted to evaluate the Minnesota program on the basis of four or five years worth of data provided by the judicial practices in two counties. Mr. Lewis stated that the forfeiture of registrations and plates was only marginally effective with "...not a whole lot of deterrence in recidivism, but some lower frequency of driving during the license action..." for those in the study group. One judge indicated to Mr. Lewis that the forfeitures caught the attention of everyone the first year with some effectiveness, but DWI's went back up to previous levels in the second and subsequent years.

With 15,000 repeat offenders eligible for registration/plate forfeiture in 1986, from a total of 42,000 DWI convictions, only 123 special license plates were issued according to the Minnesota Violations Section. Nearly 4 million vehicles were registered in Minnesota during that year.

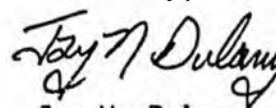
According to some testimony in the committee hearing on SB-3 the special license plate alone is sufficient probable cause for a police officer to stop the vehicle for further investigation. A Special Assistant Attorney General in Minnesota's Office of the Attorney General says that is untrue. There must be evidence of wrongdoing. According to several Alaska District Court judges the license plate alone is certainly insufficient to justify an investigatory stop.

The Alaska judges with whom I spoke were also uniformly opposed to provisions of the bill that required the surrender of the registration/plates to the court. If indeed at all enforceable, the provision would likely require additional appearances in court by defendants and subsequent additional warrants for those not appearing. One judge was concerned with the names of innocent family members becoming a part of the public record in a criminal proceeding. Another indicated that a significant portion of third offenders are driving vehicles belonging to others. While the court administration had little comment on the bill, had judges been asked to comment you would have been given a much clearer picture of the problems.

As I stated when we met on this issue, the passage of the one license plate provision is imperative. I wish it were in a separate bill. I would like to discuss this with you again at your convenience.

If you still want to pursue the registration/plate forfeiture I will insure that the appropriate people from this division work closely with you to iron out the technical problems.

Sincerely,


Jay N. Dulany
Director

cc: Commissioner English

SB

4

Alaska State Legislature



House of Representatives

Committee on Transportation

Rep. Bette Cato, Chairman

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4858

March 25, 1987

FOR TODAY'S MEETING YOU HAVE:

A FOLDER ON CS SB 4 THAT INCLUDES:

- * a copy of the committee substitute for SB 4 from State Affairs
- * a copy of the House Committee Substitute for CS SB 4 from State Affairs
- * a zero fiscal note from DOT/PF
- * an excerpt from the statutes impacted by CS SB 4
- * background information and a sectional analysis from Sen. Fahrenkamp's office
- * a copy of the House Committee Report from House State Affairs
- * a letter from the Fairbanks North Star Borough Mayor
- * a letter from Mr. Lawrence G. Wilson

A

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: February 2, 1987
 Revision Date: February 13, 1987
 Title: An Act relating to Outdoor Advertising
 Sponsor: _____
 Requestor: Fahrenkamp

Bill Version: CS for Senate Bill No.
 Publish Date: _____
 Agency Affected: Transportation & Public Facilities
 BRU: _____
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
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						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

There is no fiscal impact to the Department.

Prepared by: Milton W. Lentz *2/13/87*
 Division: Engineering & Operations Standards

Phone: 465-2985
 Date: 2/13/87

Approved by Commissioner: *Ralph S. Williams*
 Agency: Transportation & Public Facilities

Date: 2/17/87

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)
 - Senate Secretary

MWA

Alaska Statutes

Title 19. Highways and Ferries.

Editor's notes. — Section 9, Executive Order No. 39 (1977) provides: "(a) The Department of Transportation and Public Facilities is vested with the duties and powers formerly held by the Department of Public Works relating to planning, construction, maintenance and operation of transportation facilities, including state ferries, airports and water and harbor facilities, and for design and construction of buildings and appurtenant structures, and specifically including all powers and duties formerly held by the Department of Public Works under AS 02, AS 30.05, AS 30.15, AS 35, AS 41.20 and AS 44.65.

"(b) The Department of Transportation

and Public Facilities is vested with the duties and powers formerly held by the Department of Highways relating to planning, construction, maintenance and operation of state transportation facilities including state highways, roads, bridges, traffic signs and signals, the supervision and maintenance of state automotive and mechanical equipment, the control of outdoor advertising visible from state highways and all other duties and powers of the Department of Highways, and specifically including powers and duties formerly held by the Department of Highways under AS 19, AS 28.01, AS 28.05, and AS 44.57 [repealed]."

Chapter

- 05. Administration (§§ 19.05.010 — 19.05.140)
- 10. State Highway System (§§ 19.10.010 — 19.10.260)
- 15. Financial Provisions (§§ 19.15.010 — 19.15.040)
- 17. Littering (Repealed)
- 20. Cooperation by and with the State (§§ 19.20.010 — 19.20.090)
- 22. Landscaping and Scenic Enhancement (§§ 19.22.010 — 19.22.030)
- 25. Protection and Use of State Highways and Roads (§§ 19.25.010 — 19.25.250)
- 27. Junk Yards (§§ 19.27.010 — 19.27.140)
- 30. Access Roads (§§ 19.30.010 — 19.30.251)
- 35. Relocation Assistance (Repealed)
- 40. James Dalton Highway (§§ 19.40.010 — 19.40.210)
- 45. Miscellaneous Provisions (§§ 19.45.001 — 19.45.015)
- 60. Ferry Terminal Facilities (§§ 19.60.010 — 19.60.070)
- 65. Alaska Marine Highway System (§§ 19.65.010, 19.65.020)

Chapter 05. Administration.

Article

- 1. Department of Transportation and Public Facilities (§§ 19.05.010 — 19.05.070)
- 2. Acquisition of Property (§§ 19.05.080 — 19.05.122)
- 3. General Provisions (§§ 19.05.125 — 19.05.150)

Legislative history reports. — For report on ch. 233, SLA 1968 (HCSCSB 144 am FCC), see 1968 House Journal, p. 815.

Collateral references. — 40 Am. Jur. 2d, Highways, Streets and Bridges, §§ 273-336.

40 C.J.S., Highways, §§ 217, 232. Billboards and other outdoor advertising signs as civil nuisance. 38 ALR3d 647.

Sec. 19.25.090. Outdoor advertising prohibited. Except as provided in AS 19.25.105, all outdoor advertising is prohibited. (§ 3 ch 59 SLA 1949; am § 1 ch 86 SLA 1953; am § 2 ch 155 SLA 1970)

Sec. 19.25.100. Rural signs.

Repealed by § 14 ch 155 SLA 1970.

Editor's notes. — The repealed section derived from § 4, ch. 59, SLA 1949; § 1, ch. 86, SLA 1953; § 9, art. VII, title II, ch. 152, SLA 1957.

Sec. 19.25.105. Limitations of outdoor advertising signs, displays and devices. (a) No outdoor advertising may be erected or maintained within 660 feet of the nearest edge of the right-of-way and visible from the main-traveled way of the interstate, primary, or secondary highways in this state except the following:

(1) directional and other official signs and notices which include, but are not limited to, signs and notices pertaining to natural wonders, scenic and historic attractions, which are required or authorized by law, and which shall conform to federal standards for interstate and primary systems;

(2) signs, displays and devices advertising the sale or lease of property upon which they are located or advertising activities conducted on the property;

(3) signs determined by the state, subject to concurrence of the United States Department of Transportation, to be landmark signs, including signs on farm structures, or natural surfaces, of historic or artistic significance, the preservation of which would be consistent with the provisions of this chapter;

(4) directional signs and notices pertaining to schools.

(b) Repealed by § 21 ch 94 SLA 1980.

(c) No outdoor advertising may be erected or maintained beyond 660 feet of the nearest edge of the right-of-way of the main traveled way of the interstate primary or secondary highways in this state with the purpose of their message being read from that travel way except those outdoor advertising signs, displays or devices allowed under (a) of this section. (§ 3 ch 155 SLA 1970; am §§ 1, 2 ch 195 SLA 1975; am § 1 ch 30 SLA 1980; am § 21 ch 94 SLA 1980)

Effect of amendments. — The first 1980 amendment added paragraph (4) of subsection (a). The second 1980 amendment repealed subsection (b).

CSSB 4 An Act relating to outdoor advertising by Senator Fahrenkamp

Background

Commercial advertising is commonly found on the sides of buses and on bus shelters and bus benches along bus routes within municipal right of ways. Typically, an advertising firm will supply the benches and shelters at no cost to the municipality in return for the privilege of placing them at bus stops and along bus routes and selling advertising space on them. In this manner a public need and convenience is fulfilled at no cost to government.

However, under existing state law, DOT/PF cannot allow such transit related advertisement to be placed near state right of ways along interstate, primary, and secondary highways. There are strict state and federal restrictions on advertising along roadways, dating back to the federal Beautification Act and the Federal Aid Highway Act. The Federal Highway Administration is responsible for enforcing the laws and regulations pertaining to outdoor advertising. The Highway Administration has approved bench and shelter advertising along federal aid highways in those states that authorize it. FHWA recognized that this form of advertising is an attractive fiscal proposition for local governments and in the interest of promoting mass transit as a way of making it more convenient and thus more appealing.

Purpose

CSSB 4 amends AS 19.25.105 LIMITATIONS ON OUTDOOR ADVERTISING to include a new exception to allow advertising along state right-of-ways on bus benches and bus shelters. Current law does not make an exception for this form of advertising.

Sectional Analysis

Section 19.25.105 LIMITATIONS ON OUTDOOR ADVERTISING Subsection (a) is reworded to state the limitation in a more clear manner.

Subsection (a)(5) is added to allow "advertising on bus benches or bus shelters if the state determines that the advertising conforms to state and federal standards for interstate and highway systems." Standards will be set by DOT/PF to insure conformity with federal requirements so no federal funding would be in jeopardy.

Provided by Senator Fahrenkamp's Office 3/11/87

HOUSE COMMITTEE REPORT

(7)

Date referred: 3/2/87

FURTHER REFERRALS: Transportation

DATE: 3-13-87

The State Affairs Committee has considered CSSB 4(SA)
"An Act relating to outdoor advertising."

RECOMMENDS:

- HCS* replace with CS SB 4 ^(SA) ~~(SA)~~ the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

SIGNING OTHER RECOMMENDATIONS:

[Signature]

Chairman's signature



Fairbanks North Star Borough

Mayor: Juanita Helms

February 3, 1987

Senator Mitch Abood
Chairman
Senate State Affairs Committee
Room 423, Capitol Building
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

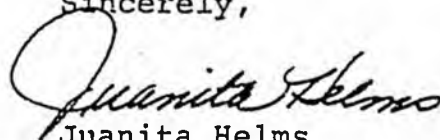
Dear Senator Abood:

I support and urge the Alaska State Legislature to pass SB4, "An Act Relating to Outdoor Advertising".

A private enterprise is presently providing bus benches and bus shelters to the residents of the borough who use public transportation. This is a service used and appreciated by bus riders borough-wide. It is also a service that the borough government would not be able to provide.

I whole-heartedly support the concept of the public and private sectors collaborating to provide additional services to the public and additional opportunities for private enterprise to be successful. Passage of SB4 will allow this collaboration to continue.

Sincerely,


Juanita Helms
Borough Mayor

Lawrence G. Wilson
P.O. Box 876485
Wasilla, AK 99687

To: House State Affairs Committee

Re: Senate Bill #4

In reference to Senate Bill No. 4 relating to outdoor advertising, it seems very ironic to me that we hear from our Governor and legislators how important it is for us to develop alaskan owned and operated businesses, especially tourism related businesses, and then we hear of a bill which appears to be designed to stifle the single most important source of revenue producing advertising for these businesses.

There are numerous, off the road, attractions, recreational opportunities, and services that the highway traveler can take advantage of, if they are aware of their existence.

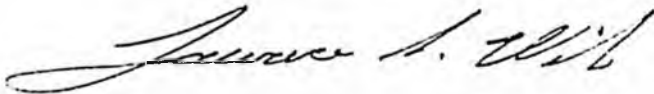
This bill will seriously damage existing lodges, campgrounds, RV parks, restaurants, recreational areas, guides, charter operators, resorts, gas stations etc. that are a little off the beaten path and rely in large part on highway advertising.

The expansion, development, and survival of alaskan owned businesses, particularly in tourism, which brings in outside revenue to the state should be promoted and supported by the state government.

In this light, a bill making state right of ways and highway easements available to alaskan businesses for the purpose of advertising would be more logical, appropriate, and consistent with state policy.

I don't think that the full implications of this bill have been considered. In my opinion, the passage of this bill would be a direct attack on the small alaskan business person.

Sincerely,



Lawrence G. Wilson

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

H. TRANS.

3-25-87

1:30 p.m.

HOUSE COMMITTEE REPORT

(7)

Date referred: 3/16/87

FURTHER REFERRALS:

DATE: March 25, 1987

The Transportation Committee has considered CSSB 4(SA)

"An Act relating to outdoor advertising."

RECOMMENDS:

- replace with HCS CSSB 4(SA) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

Mike Miller

David Springer

Wm. J. ...

Ch. L. ...

Bette Cato

SIGNING OTHER RECOMMENDATIONS:

Bette Cato
Chairman's signature

SB

17

Alaska State Legislature

House of Representatives

Committee on Transportation



Rep. Bette Cato, Chairman

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4858

May 8, 1987

COMMITTEE CALENDAR:

- HB 213: "An Act relating to allocation of federal-aid highway funds; and providing for an effective date."
- HB 280: "An Act relating to taxation of watercraft motor fuel."
- CSSB 17: "An Act relating to unlawful possession and vandalism of official traffic control devices, disregard of a highway obstruction, and damages to highway."

FOR THIS MEETING YOU HAVE:

A folder on HB 213 that includes:

- * a copy of the committee substitute for HB 213
- * a sectional analysis
- * a letter of intent
- * a fiscal note on CSHB 213 from DOT/PF
- * a copy of HB 213
- * a fiscal note & position paper on HB 213 from DOT/PF
- * information from the six-year capital plan
- * a classification of road miles within Alaska
- * a letter from the Ass't. Division Administrator of the Federal Highway Administration
- * a report on HB 213 from Rep. Hoffman
- * minutes from the 4/13, 4/15 & 5/4 public hearings of HB 213

A folder on HB 280 that includes:

- * a copy of HB 280
- * a fiscal note from the Dept. of Revenue
- * a position paper on the Senate companion bill
- * a discussion on the watercraft motor fuel tax
- * a resolution from the Anchorage Chamber of Commerce
- * written testimony from two witnesses

A folder on CSSB 17 that includes:

- * a copy of CSSB 17
- * a fiscal note and position paper from the Dept. of Public Safety
- * a memorandum and sectional analysis from Sen. Faiks
- * a copy of the statutes impacted by CSSB 17

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: CSSB 17 (Trsp)

Publish Date: _____

REQUEST

Revision Date: _____

Title: "An Act relating to vandalism of official traffic control devices.."

Sponsor: Sen. Faiks

Requestor: House Transportation

Agency Affected: Public Safety

BRU: Alaska State Troopers

Components: Detachments & CIB

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0
CAPITAL		0	0	0	0	0
REVENUE						

FUNDING:: (Thousands of Dollars)

GENERAL FUNDS		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME		0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

Prepared by: Francis C. Allan

Division: Alaska State Troopers

Phone: 269-5691

Date: 4/08/87

Approved by Commissioner: William R. Nix

Agency: Public Safety

Date: 4/8/87

Distribution (by preparer):

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

page ____ of ____

Jack
4/8/87

BILL NO: CSSB 17 (Trsp)

DATE: 4/08/87

TITLE: "An Act relating to unlawful possession and vandalism of official traffic control devices, disregard of a highway obstruction, and damage to highways."

CONTACT: James Vaden
Deputy Commissioner

APR 14 1987

DEPARTMENT OF PUBLIC SAFETY

This bill groups these types of offenses in one area of statutes, clarifies penalties, and provides a mechanism for forfeiture of firearms and other personal property, except a motor vehicle, used in aid of a violation.

Provides penalties and/or forfeiture of property relating to unlawful possession and vandalism of official traffic control devices, disregard of erected highway obstructions, and damages to highways.

Sec. 11.46.460 provides authority to arrest or charge an individual who disregards traffic control devices and/or detours through construction zones, closed roadways, and barricaded traffic lanes.

Sec. 11.46.462 appears to be redundant to AS 11.46.190 "Theft by Receiving." However, this may be necessary to clarify forfeitures under Sec. 11.46.487 - 489 of this bill.

Sec. 11.46.484(a)(7) provides penalties for theft or vandalism of traffic control devices, etc.

Sec. 11.46.487 would allow for stiff penalties to be applied to individuals who knowingly violate the law. This would provide the Court with a mechanism to forfeit the instrumentalities of the offense to the State.

The Department of Public Safety supports this legislation.

William R. Nix

William R. Nix
Acting Commissioner

Alaska State Legislature



PRESIDENT
907-465-3755

JAN FAIKS
POST OFFICE BOX V
JUNEAU, ALASKA 99811

Senate

April 10, 1987

MEMORANDUM

TO: Representative Bette Cato, Chairman
House Transportation Committee

FROM: Senator Jan Faiks
President of the Senate

SUBJECT: Background to Senate Bill 17
An Act relating to vandalism of official
traffic control devices and damages to highways
and roads.

Senate Bill 17 has been referred to the House Transportation Committee for consideration. This bill expands the current statutes relating to vandalism of official traffic control devices and damages to highways and roads.

Safety on our highways and roads has long been of prime concern to all Alaskans. In recent years, the increase in the number of vehicles on our roads, along with an increase in major highway construction projects has lead to an alarming rate of accidents.

Vandalism to traffic signs, barricades, warning lights, and other safety devices contributes greatly to the deaths, personal injuries, and property damages suffered each year on our highways, roads, waterways, and other public and private property. The intent of this legislation is to provide criminal sanctions for vandalism to and theft of traffic control devices which have been utilized to protect or warn of dangers to real or personal property.

Senate Bill 17 strengthens the current provisions found in AS 19.25.30-40 by incorporating language of the Model Statute on Vandalism as developed by the American Traffic Safety Services Association. The criminal sanctions specified by this bill

OUT OF SESSION

6060 YUKON DRIVE ANCHORAGE, ALASKA 99516 907-274-6611

conform with those currently provided under the Alaska Statutes.

Since filing, and upon further review of this bill, various concerns were raised, which the CS from the Senate Transportation Committee effectively answers. The particular provisions of that CS are as follows:

Section 1. DISREGARD OF A HIGHWAY OBSTRUCTION/UNLAWFUL POSSESSION OF OFFICIAL TRAFFIC CONTROL DEVICE. AS 11.46 is amended by adding new sections (11.46.460 - 11.46.462) which provide criminal sanctions for the disregard of a highway obstruction or the unlawful possession of official traffic control devices by any person who neither has the right to do so nor a reasonable ground to believe that he does. Disregard of a highway obstruction is a class A misdemeanor (up to one year in prison and \$5,000 fine). Unlawful possession of official traffic control is punishable by not less than \$100 for the first offense, and not less than \$300 for subsequent offenses.

Section 2. CRIMINAL MISCHIEF IN THE 3RD DEGREE. AS 11.46.484(a) is amended by adding a new section (7) which creates the crime of criminal mischief in the third degree for a person who knowingly removes, destroys, or otherwise tampers with an official traffic control device or damages work upon a highway under construction. Section (1) of this statute as presently enacted would cover those situations in which damage is done to the traffic control devices utilized by private persons to protect their property or warn others of possible dangers.

Section 3. FORFEITURE OF PROPERTY UPON CONVICTION. Amends AS 11.46 by adding a new section, 11.46.489, which provides for forfeiture to the state, upon conviction, of firearms and other personal property, excluding motor vehicles, which are used to aid the commission of these acts.

Section 4. DEFINITIONS. Adds new definitions to AS 11.46.490, including "highway", "motor vehicle", "official traffic control device", and "traffic control device".

Section 5. DAMAGES TO STATE HIGHWAYS AND ROADS. AS 19.25.040 presently requires the commissioner of administration to separately account for money deposited in the general fund that is derived from damages to property related to state-owned highways and roads that are recovered from vehicle owners, drivers, or insurance companies. Such related property includes bridges, overpasses, signal poles, street lights and poles, traffic signals, guardrails, or fences.

SB 17 expands AS 19.25.040 to include "other person" in the class of persons from whom damages to property may be recovered. Additionally, it replaces the phrase "traffic signals" with the broader term "traffic control devices". The purpose of these amendments is to increase the amount of money deposited in the general fund for damages to state highways and roads.

Section 6. Repeals AS 19.25.030, which is provided for in Section 1 and Section 2 of this bill. This is the language which makes it a crime to disregard a highway obstruction or to unlawfully possess an official traffic control device.

I would appreciate the committee's consideration of this legislation at its earliest convenience. Should you need any additional information, please let me know.

Thank you.

Alaska Statutes

Title 11. Criminal Law.

Chapter

- 41. Offenses Against the Person (§§ 11.41.443, 11.41.445)
- 46. Offenses Against Property (§§ 11.46.200, 11.46.480, 11.46.484, 11.46.630, 11.46.740, 11.46.985, 11.46.990)
- 51. Offenses Against the Family (§§ 11.51.125, 11.51.130)
- 56. Offenses Against Public Administration (§§ 11.56.340, 11.56.350, 11.56.805, 11.56.810, 11.56.815, 11.56.820)
- 61. Offenses Against Public Order (§ 11.61.125)
- 71. Controlled Substances (§§ 11.71.030 — 11.71.070, 11.71.120, 11.71.305, 11.71.900)
- 81. General Provisions (§§ 11.81.250, 11.81.410, 11.81.900)

Chapter 16. Parties to Crime.

Sec. 11.16.100. Legal accountability based upon conduct.

NOTES TO DECISIONS

Cited in Dailey v. State, Ct. App. Op.
No. 329 (File No. 7128), 675 P.2d 657
(1984).

Sec. 11.16.110. Legal accountability based upon the conduct of another: Complicity.

NOTES TO DECISIONS

Cited in Dailey v. State, Ct. App. Op.
No. 329 (File No. 7128), 675 P.2d 657
(1984).

Sec. 11.16.120. Exemptions to legal accountability for conduct of another.

NOTES TO DECISIONS

Quoted in Kott v. State, Sup. Ct. Op.
No. 2774 (File No. 5570), 678 P.2d 386
(1984).

Revisor's notes. — Minor word amendment added paragraph (4) to sub- changes were made in the section in 1984. section (a) and added subsection (c).
Effect of amendments. — The 1984

Sec. 11.46.482. Criminal mischief in the second degree.

NOTES TO DECISIONS

Conviction and sentence upheld. —
See *Andrejko v. State*, Ct. App. Op. No. 444 (File No. A-205), 695 P.2d 246 (1985).

Sec. 11.46.484. Criminal mischief in the third degree. (a) A person commits the crime of criminal mischief in the third degree if, having no right to do so or any reasonable ground to believe the person has such a right

(1) with intent to damage property of another, the person damages property of another in an amount of \$50 or more but less than \$500;

(2) the person drives, tows away, or takes the propelled vehicle of another;

(3) having custody of a propelled vehicle under a written agreement with the owner of the vehicle that includes an agreement to return the vehicle to the owner at a specified time, the person knowingly retains or withholds possession of the vehicle without the consent of the owner for so long a period beyond the time specified as to render the retention or possession of the vehicle an unreasonable deviation from the agreement;

(4) the person tampers with a fire protection device in a building that is a public place;

(5) the person knowingly accesses a computer, computer system, computer program, computer network, or any part of a computer system or network; or

(6) the person uses a device to descramble an electronic signal that has been scrambled to prevent unauthorized receipt or viewing of the signal unless the device is used only to descramble signals received directly from a satellite or unless the person owned the device before September 18, 1984.

(b) Except as provided in (c) of this section, criminal mischief in the third degree is a class A misdemeanor.

(c) A person convicted under (a)(2) of this section is guilty of a class C felony if, within the preceding seven years, the person was convicted under

(1) the provisions of (a)(2) of this section;

(2) former AS 28.35.010;

(3) the provisions of AS 11.46.482(a)(4);

(4) an offense involving the theft of a propelled vehicle under AS 11.46.120 — 11.46.140; or

Alaska Statutes

Title 19. Highways and Ferries.

Chapter

- 05. Administration (§§ 19.05.020, 19.05.040, 19.05.046, 19.05.080)
- 10. State Highway System (§§ 19.10.060, 19.10.070, 19.10.072, 19.10.160 — 19.10.210)
- 20. Cooperation by and with the State (§ 19.20.015)
- 25. Protection and Use of State Highways and Roads (§§ 19.25.020, 19.25.040, 19.25.200)
- 30. Access Roads (§§ 19.30.070, 19.30.080, 19.30.127, 19.30.131, 19.30.141, 19.30.161, 19.30.241, 19.30.260 — 19.30.320)
- 40. James Dalton Highway (§§ 19.40.020, 19.40.100, 19.40.200, 19.40.210)
- 45. Miscellaneous Provisions (§ 19.45.001)
- 60. Ferry Terminal Facilities (§ 19.60.010, 19.60.070)
- 65. Alaska Marine Highway System (§ 19.65.010)

Chapter 05. Administration.

Article

- 1. Department of Transportation and Public Facilities (§§ 19.05.020, 19.05.040, 19.05.046)
- 2. Acquisition of Property (§ 19.05.080)

Article 1. Department of Transportation and Public Facilities.

Section

- 20. Regulations
- 40. Powers of department

Section

- 46. Accounting and disposition of receipts from nonstate entities

Sec. 19.05.020. Regulations [Effective July 1, 1987]. The department shall adopt regulations necessary to carry out the purpose of AS 19.05 — AS 19.25. The regulations may not conflict with AS 36.30 (State Procurement Code) or regulations adopted by the Department of Administration to implement that chapter. (§ 1 art III title I ch 152 SLA 1957; am § 10 ch 106 SLA 1986)

Effect of amendments. — The 1986 amendment, effective July 1, 1987, added the second sentence.

(1) by the department as a cost of highway construction, if the utility facility is installed or authorized under a utility permit or a regulation after the effective date of this Act and is installed in the location specified in the permit;

(2) by the department as a cost of highway construction, if the facility was installed before the effective date of this Act under a utility permit issued on or after July 1, 1960, and is in the location specified in the permit;

(3) by the department as a cost of highway construction, if the utility facility was installed before July 1, 1960, or before the road became part of the state highway system;

(4) by the department as a cost of highway construction, if the utility permit that requires the utility to pay the relocation cost was issued more than five years before the contract for the highway construction project was first advertised;

(5) by the utility in all other cases, unless the commissioner finds it is in the public interest for the cost to be paid by the department.

(d) If requested by a municipality, the department shall implement this chapter by requiring to the maximum extent possible location underground of electric power transmission lines within the municipality. (§§ 2, 3 ch 57 SLA 1961; am § 4 ch 106 SLA 1977; am § 3 ch 142 SLA 1986)

Effect of amendments. — The 1986 amendment, effective June 11, 1986, in subsection (c) deleted "by the state" following "construction to be paid" and substituted the language beginning "as fol-

lows:" for "notwithstanding the terms or provisions of any existing permit, agreement, regulation or statute to the contrary."

Article 2. Damages and Obstructions.

Section

40. Damages to state highways and roads

Sec. 19.25.040. Damages to state highways and roads. The commissioner of administration shall separately account for money deposited in the general fund that is derived from damages that are recovered from vehicle owners, drivers, or insurance companies for damage to property related to state-owned roads and highways, including bridges, overpasses, signal poles, street lights and poles, traffic signals, guardrails, or fences. The annual estimated balance in the account may be used by the legislature to make appropriations to the department for the purpose of repairing the damage. (§ 40 ch 138 SLA 1986)

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lations prescribed by the department and if authorized by a written permit issued by the department. (§ 8 art VII title II ch 152 SLA 1957; am § 3 ch 106 SLA 1977)

Effect of amendments. — The 1977 amendment rewrote this section. 2d, Highways, Streets and Bridges, §§ 218-234.
Collateral references. — 39 Am. Jur. 40 C.J.S., Highways, §§ 232, 233.

Sec. 19.25.020. Relocation of utilities incident to highway projects. (a) If, incident to the construction of a highway project, the department determines and orders that a utility facility located across, along, over, under, or within a state right-of-way must be changed, relocated or removed, the utility owning or maintaining the facility shall change, relocate or remove it in accordance with the order. The order shall provide a reasonable time period for compliance.

(b) If the utility facility is not changed, relocated or removed in accordance with the order, the facility becomes an unauthorized encroachment and may be disposed of in accordance with AS 19.25.240 — 19.25.250. In addition, the owner of the facility shall indemnify the state for any amount for which the state may be liable to a contractor by reason of the encroachment.

(c) The cost of change, relocation, or removal necessitated by highway construction is a cost of highway construction to be paid by the state in accordance with AS 19.45.001(4), notwithstanding the terms or provisions of any existing permit, agreement, regulation or statute to the contrary.

(d) If requested by a municipality, the department shall implement this chapter by requiring to the maximum extent possible location underground of electric power transmission lines within the municipality. (§§ 2, 3 ch 57 SLA 1961; am § 4 ch 106 SLA 1977)

Revisor's notes. — A reference to AS 19.45.001(4) was substituted for a reference to AS 19.05.130(4) in subsection (c) to conform to the renumbering of that section by the revisor of statutes under AS 01.05.031.

Effect of amendments. — The 1977 amendment rewrote this section.

Opinions of attorney general. — This section is constitutional. 1961 Op. Att'y Gen., No. 12.

Article 2. Damages and Obstructions.

Section

30. Damages to obstructions, signs, and construction

Sec. 19.25.030. Damages to obstructions, signs, and construction. The driver or owner, or both, of a vehicle, self-propelling or otherwise, which passes through, over or around an obstruction placed under authority of AS 19.10.100, or a person who opens, removes or defaces an obstruction or warning sign without written permission

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from the engineer in charge of the highway or the work on the highway, or a person who wilfully, knowingly, or maliciously damages the work under construction, is guilty of a misdemeanor. (§ 8 art IV title II ch 152 SLA 1957)

Collateral references. — 40 Am. Jur. 2d, Highways, Streets and Bridges, §§ 604-610.
40 C.J.S., Highways, §§ 248-282.
60 C.J.S., Motor Vehicles, §§ 655, 714.
Liability for damaging highway or

bridge by nature or weight of vehicles or loads transported over it. 5 ALR 768.
Construction and application of statute or ordinance designed to prevent the use of vehicles or equipment thereof injurious to the highway. 135 ALR 550.

Article 3. Outdoor Advertising.

Section	Section
80. Purpose	140. Compensation for removal of advertising
90. Outdoor advertising prohibited	150. Unlawful advertising
100. [Repealed]	160. Definitions
105. Limitations of outdoor advertising signs, displays and devices	170. Agreements with the United States; regulations
110. [Obsolete]	180. Interpretation
120. [Obsolete]	
130. Penalty for violation	

Sec. 19.25.080. Purpose. The purposes of AS 19.25.080 — 19.25.180 are

(1) to protect the public safety and the welfare of persons using the highways of the state by having outdoor advertising signs, displays and devices along the highways controlled;

(2) to prevent unreasonable distraction of operators of motor vehicles; to prevent confusion with regard to traffic lights, signs or signals or otherwise interfere with the effectiveness of traffic regulations, and to promote the safety, convenience and enjoyment of travel on, and protection of the public investment in highways in this state; to preserve and enhance the natural scenic beauty or aesthetic features of the highways and adjacent areas; and to attract tourists;

(3) to regulate outdoor advertising signs, displays and devices in areas adjacent to the rights-of-way of the interstate, primary and secondary systems within this state in accordance with this chapter and the regulations adopted under this chapter;

(4) to provide that outdoor advertising signs, displays and devices which are not in conformity with the requirements of this chapter are a public nuisance;

(5) to provide a statutory basis for regulation of outdoor advertising signs, displays and devices consistent with the public policy relating to areas adjacent to a highway of the interstate or primary systems declared by Congress in Title 23, United States Code, "Highways." (§ 1 ch 59 SLA 1949; am § 1 ch 86 SLA 1953; am § 2 ch 233 SLA 1968; am § 1 ch 155 SLA 1970)

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

H. TRANS.

5-8-87

1:30 p.m.

HOUSE COMMITTEE REPORT

Date referred: 4/8/87

FURTHER REFERRALS: Judiciary

DATE: May 8, 1987

The Transportation Committee has considered CSSB 17 (Trsp)

"An Act relating to unlawful possession and vandalism of official traffic control devices, disregard of a highway obstruction, and damages to highways."

RECOMMENDS:

- replace with _____ the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

Mike M. Rep

G. W. G. Lander

Heinrich Sprungel

Wm. J. ...

Bill ...

Bitte ...

SIGNING OTHER RECOMMENDATIONS:

Bitte ...

 Chairman's signature



Official Business

COMMITTEE:

House Transportation Committee

DATE: May 8, 1987

SIGN-IN

Subject of meeting:

- HB 213: Allocation of Federal Highway Funds
- *HB 280: Taxation of Watercraft Motor Fuel
- CSSB 17: Vandalism of Traffic Control Devices

NAME Please include title ADDRESS Please use full address. Please include zip. PHONE REPRESENTING DO YOU WANT TO TESTIFY?

NAME <small>Please include title</small>	ADDRESS <small>Please use full address. Please include zip.</small>	PHONE	REPRESENTING	DO YOU WANT TO TESTIFY?
Carl H. Meyer Chief of Audit Appeals	Dept. of Revenue P.O. Box 5A	465-2343	DOR	Available for HB 280 Questions
Alexis Gabay Staff Attorney	Ken. Faiks — CSSB 17	465-4523	Senator Faiks	Yes
Jon Scribner	DOT & PF Pouch 2 JNU	465-3906	DOT & PF	if questions yes

*indicates first public hearing

S B

25

Alaska State Legislature

House of Representatives

Committee on Transportation



Rep. Bette Cato, Chairman

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4855

May 11, 1987

COMMITTEE CALENDAR:

HB 213: "An Act relating to allocation of federal-aid highway funds; and providing for an effective date."

SB 25am: "An Act providing a special assessment for private airports open for public use; and providing for an effective date."

CSSB 125am: "An Act relating to the Alaska Marine Transportation Advisory Board."

FOR THIS MEETING YOU HAVE:

A folder on HB 213 that includes:

- * a copy of the committee substitute for HB 213
- * a sectional analysis
- * a letter of intent
- * a fiscal note on CSHB 213 from DOT/PF
- * a copy of HB 213
- * a fiscal note & position paper on HB 213 from DOT/PF
- * information from the six-year capital plan
- * a classification of road miles within Alaska
- * a letter from the Ass't. Division Administrator of the Federal Highway Administration
- * a report on HB 213 from Rep. Hoffman
- * minutes from the 4/13, 4/15 & 5/4 public hearings of HB 213

A folder on SB 25am that includes.

- * a copy of SB 25 am
- * a fiscal note from the DOT/PF
- * minutes from the House Comm & Regional Affairs public hearing on SB 25am
- * two letters of support
- * an editorial from the Daily News Miner

A folder on CSSB 125am that includes:

- * a copy of CSSB 125am
- * a memorandum from Sen. Duncan
- * a fiscal note & position paper from DOT/PF
- * two newspaper articles
- * an excerpt from the statutes effected by CSSB 125 am

No 25

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: SB 25
Publish Date: 2-4

REQUEST: _____
Revision Date: Original
Title: Special Assessment for private airports open for public use...
Sponsor: Bennett
Requestor: Senator Jones

Agency Affected: DOT&PF
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
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						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

This Bill will not impact DOT&PF. All duties, authorities and responsibilities rest with the municipality and the owner of the airport.

Prepared by: Ron B. Lind Phone: 465-2171
Division: Plans, Programs and Budget Date: _____

Approved by Commissioner: [Signature] Date: 1/30/87
Agency: Department of Transportation and Public Facilities

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)
 - Senate Secretary

METRO COMPANY

Box 257

FAIRBANKS, ALASKA 99701

April 28, 1987

MAY 1 1987

Honorable Bette Cato, Chairman
House Transportation Committee
P.O. Box V
Juneau, Alaska. 99811


Dear Representative Cato:

As you are no doubt aware, SB 25 for Airport Tax Relief has passed the Senate.

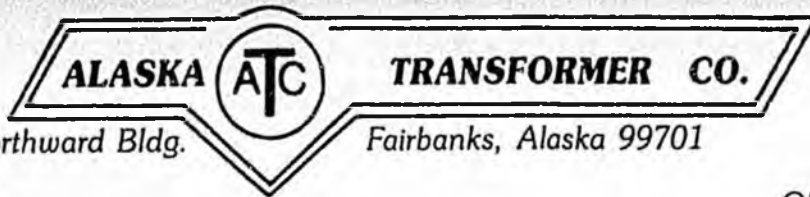
From our experience, there is no money to be made in the smaller, private air strips. On the surface some may look quite active and prosperous, but rarely is it real. We may seem to be coming from a selfish position, but in truth it is because we appreciate the fact that private airstrips are available, and that we have been able to enjoy their facilities. Our road system will take some time yet to serve where air travel now must.

Please, if you would, incorporate SB 25 for early consideration.

Respectfully yours,


Harvey W. Marlin
Partner

jan



Clyde Sherman, President
Charles Parliment, Vice-President

Office: (907) 456-4446
Plant: (907) 488-3001

~~APR 27 1987~~

April 24, 1987

The Honorable Bette Cato
Chairman
House Transportation Committee
Post Office Box V
Juneau, Alaska 99811

Dear Bette:

I have received a communication from Charles L. Gray, President and General Manager of the Daily News Miner; and am glad to have a report on the progress on SB 25.

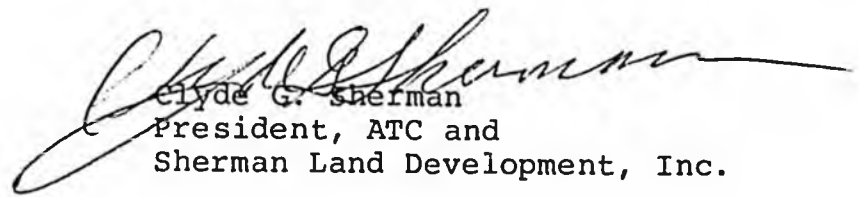
I would like to ask you to schedule this bill for quick action. Alaskans need this bill. We air field owners have land tied up in air parks--land with runways which are, and will continue to be, very valuable to the community in future years. This land is now classified as residential, and is being assessed at residential tax rates--valuations of \$10,000 and over per acre. Taxes are so high every air field owner is tempted to sell the ground off in building lots.

With this type of pressure, there will be fewer and fewer small airstrips left in the urban areas.

RUPA

Would you please give whatever relief is possible by having this bill scheduled for action as quickly as is possible?

Sincerely,


Clyde G. Sherman
President, ATC and
Sherman Land Development, Inc.

CGS:lr

An Alaska Based Manufacturing Corp.
Plant Location: Mile 6 Richardson Hwy.

Editorial Opinion and Comment of



Daily News - Miner

"Independent In All Things . . . Neutral In None"

Other opinions expressed on this page do not necessarily reflect those of the Daily News-Miner.



Airfield options

Private airports face an uncertain future in urbanizing areas such as Fairbanks.

Because these airports require lots of land in comparison to the income they can earn, property taxes can threaten their very existence.

A bill being introduced in the legislature by Sen. Don Bennett (R-Fairbanks) would allow local governments to give a property tax break to private airports that are open to the public. Rather than a break, it would be more of a just tax considering their value to the communities they serve. At present, state law prohibits municipalities like the Fairbanks North Star Borough from offering such tax breaks except to farmland.

Private airports make an important contribution to Alaska aviation. Among other things, they help draw light planes away from major government-run airports that serve airliners and other heavy aircraft. Anything that separates small planes from their bigger brothers increases the safety and convenience of all air travelers.

In addition, they reduce the need to expand government-run airports, reducing the demands on the public purse.

Bennett's bill would not require tax relief for private airports; it would only allow such relief. The choice would be up to the local government, just as it should be. And the tax break could be extended only to private airports open to the public.

This bill would cost the state nothing while providing an important and useful option to local government in Alaska. We hope it passes.

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907.465.3800

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

HC+RA	3-23-87	3:00 p.m.
H. TRANS	5-11-87	1:30 p.m.

HOUSE COMMITTEE REPORT

(7)

Date referred: 3/25/87

FURTHER REFERRALS:

DATE: May 11, 1987

The Transportation Committee has considered SB 25 am

"An Act providing a special assessment for private airports open for public use; and providing for an effective date."

RECOMMENDS:

- replace with _____ the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published 2/4/87
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

[Signature]
M. Miller
[Signature]
[Signature]
[Signature]
[Signature]

SIGNING OTHER RECOMMENDATIONS:

[Signature]
[Signature]

[Signature]
Chairman's signature

S B

118

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

House Transportation:

5/15/87

Alaska State Legislature

House of Representatives

Committee on Transportation

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4858

Rep. Bette Cato, Chairman



May 15, 1987

COMMITTEE CALENDAR:

HCR 9: Relating to the expeditious redesign and reconstruction of Hyer Road in the Matanuska-Susitna Borough.

SB 118: "An Act relating to access to public buildings and facilities by the physically handicapped, aged, and infirm."

FOR THIS MEETING YOU HAVE:

A folder on HCR 9 that includes:

- * a copy of HCR 9
- * a fiscal note from DOT/PF
- * letters of support
- * a resolution from the Mat-Su Borough
- * letters from DOT/PF
- * a petition concerning Hyer Road

A folder on SB 118 that includes:

- * copy of SB 118
- * a fiscal note and position paper from DOT/PF
- * a letter from Gov. Cowper to Sen. Faiks

Statutes

STATE OF ALASKA 1987 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : SB 118
 Title: An Act Relating to Access to Public Buildings and Facilities by the Physically Handicapped, Aged, and Infirm.
 Sponsor: Governor's Office
 Requestor: Dept. of Transportation
 Date of Request: September 5, 1986

FISCAL DETAIL

Agency Affected: DOT&PF
 BRU: _____
 Components: Design, Construction, and Technical Services Units

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
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						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

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

POSITIONS :

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

Requested changes only clarify present language and do not add to or delete from existing statutory requirements.

Prepared by: John J. Simpson, Director Phone: 465-2951
 Division: Engineering & Operations Standards Date: _____

Approved by Commissioner: R. J. Knapp Date: 11/19/86
 Agency: Dept. of Transportation & Public Facilities

Distribution (by Agency preparing fiscal note):

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



Dept. of Transportation & Public Facilities

Position Paper

BILL NO: SB 118

APPROVED: R. J. Knapp
Commissioner

TITLE: An Act Relating to Access to Public Buildings and Facilities by the Physically Handicapped, Aged and Infirm.

DATE: 11-18-86

The Department requests that the proposed language modifications be supported for the following reasons.

1. Modifications to AS 35.10.015(a) would allow the use of the "Uniform Federal Accessibility Standards" (UFAS) on all projects. Currently we administer "state" projects under the "American Standard Specifications" (ANSI) document and "federal" projects under UFAS.
2. Additional language to AS 35.10.015(e) would allow the Department to establish design parameters for specific facilities not identified in either the UFAS or ANSI codes. Presently designers working on these types of facilities have no guidelines other than applying the "inappropriate" requirements presented in the adopted codes.

All parties involved will benefit from the changes in that (1) the Department will only have to administer a single code, (2) designers will consistently know the "code" which is applicable to their project, (3) the handicapped community will receive uniformity in their built environment, and (4) the public at large will benefit from a more effective administration of accessibility requirements. These changes will not increase or diminish the already existing requirements for handicapped access to public buildings or facilities.

STEVE COWPER
GOVERNOR

eb 118

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 9, 1987

The Honorable Jan Faiks
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Senator Faiks:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to access to public buildings and facilities by the physically handicapped, aged, and infirm. This bill will give the Department of Transportation and Public Facilities greater flexibility in developing standards for particular facilities for which there currently are no standards.

Federal law and regulations, and the publication entitled "American Standard Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped" are presently used to determine standards for many public buildings and facilities. Section 1 of the bill will provide the department with greater flexibility in this area by allowing it to choose the best and most applicable standards from the several now in existence. For example, the federal government in 49 Federal Register 31528 (August 7, 1984) has published standards which are comparable to and in many ways more comprehensive than those found in the "American Standard Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped."

In addition, there are public facilities for which standards have not been developed. It is the intent of sec. 2 of this bill to direct the Department of Transportation and Public Facilities to develop standards for unique public facilities in the State of Alaska for which there currently are no standards, e.g. for ski lifts, hiking trails, and boat harbors.

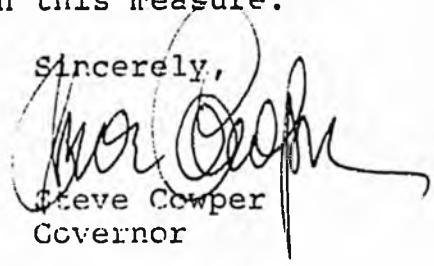
SK 118

Hon. Jan Faiks

Page 2

In short, this bill will clarify and broaden the authority of the Department of Transportation and Public Facilities to provide access to and use of public buildings and facilities by the physically handicapped, aged, and infirm. I urge your favorable action on this measure.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steve Cowper", with a long, sweeping flourish extending to the right.

Steve Cowper
Governor

Alaska Statutes

Title 35. Public Buildings, Works, and Improvements.

Chapter

- 05. Administration (§§ 35.05.010, 35.05.020, 35.05.040)
- 10. Public Works (§§ 35.10.015, 35.10.135, 35.10.195, 35.10.210 — 35.10.270)
- 15. Construction Procedures (§§ 35.15.010 — 35.15.050, 35.15.080, 35.15.090, 35.15.120)
- 20. Acquisition and Disposition of Property (§ 35.20.010)
- 25. General Provisions (§ 35.25.020)
- 40. Names of Public Works (§§ 35.40.001, 35.40.005, 35.40.010, 35.40.015, 35.40.020, 35.40.025)

Chapter 05. Administration.

Section	Section
10. Planning and construction	40. Powers of department
20. Regulations	

Sec. 35.05.010. Planning and construction [Effective July 1, 1987]. The department is responsible for the planning and construction of public works except as provided for court facilities in AS 22.05.025. Contracts for planning and construction of public works are governed by AS 36.30 (State Procurement Code). (§ 1 art III title I ch 152 SLA 1957; am § 2 ch 160 SLA 1980; am § 31 ch 106 SLA 1986)

Effect of amendments. — The 1986 amendment, effective July 1, 1987, added the last sentence.

Editor's notes. — Section 3, ch. 160, SLA 1980, as amended by § 2, ch. 70, SLA 1982, provided that the amendment made by § 2, ch. 160, SLA 1980 terminated June 30, 1984. Section 3, ch. 160, SLA 1980, as amended by § 2, ch. 70, SLA 1982, was repealed by § 3, ch. 78, SLA 1984.

Sec. 35.05.020. Regulations [Effective July 1, 1987]. The department shall adopt regulations that it considers necessary to carry out the purpose of this title. The regulations may not conflict with AS 36.30 (State Procurement Code) or the regulations adopted by the Department of Administration under that chapter. (§ 1 art III title I ch 152 SLA 1957; am § 32 ch 106 SLA 1986)

Chapter 10. Public Works.

Article

1. Public Works Planning and Construction (§ 35.10.015)
3. Financial Provisions (§ 35.10.135)
5. Public Facility Procurement Policy (§ 35.10.195)
6. Utilities and Encroachments in Public Facilities (§§ 35.10.210 — 35.10.270)

Article 1. Public Works Planning and Construction.

Section

15. Architectural barrier regulations; enforcement

Sec. 35.10.015. Architectural barrier regulations; enforcement. (a) The department shall prepare, promulgate and enforce regulations governing the construction of public buildings and facilities by or for the state, including the University of Alaska, and its political subdivisions, whether financed in whole or in part by federal funds, to ensure that the public buildings and facilities are accessible to, and usable by, the physically handicapped, aged or infirm. The regulations of the department shall conform to a standard comparable to the applicable provisions of federal law or regulation and to the publication entitled "American Standard Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped" and any amendments to this publication as approved by the American Standards Association, Incorporated, under the sponsorship of the National Society for Crippled Children and Adults and the President's Committee on Employment of the Physically Handicapped.

(b) The department shall develop and maintain an inventory of all public buildings and facilities with respect to their compliance with the regulations adopted under (a) of this section. The department shall make an annual report to the governor and the legislature describing work performed in the preceding calendar year to upgrade public buildings and facilities to conform with the regulations. In addition, the department shall develop cost estimates and recommended priorities for the upgrading of public buildings and facilities that do not conform with the regulations adopted under (a) of this section and shall include these estimates and the recommended priorities in the annual report to the governor and the legislature.

(c) In this section, "public facilities" includes vessels owned by the state and operated by the division of marine transportation of the department as a part of the Alaska marine highway system. All ferries owned or operated by the state shall be equipped with elevators or other passenger lifting equipment, ramps, or other facilities and devices to ensure that these vessels are accessible to and usable by physically handicapped, aged or infirm passengers. In this subsection, "accessible to and usable by" means that a physically handicapped,

aged or infirm passenger can board, disembark and move between decks and about the public areas aboard a state ferry with personal comfort and with safety to himself, other passengers and members of the crew.

(d) After June 25, 1976, no ferry may be constructed, lengthened, completely renovated, or purchased for use or entered into service by the division of marine transportation of the Department of Transportation and Public Facilities as a part of the Alaska marine highway system that does not include adequate facilities and devices to ensure that the vessel is accessible to and usable by physically handicapped, aged or infirm passengers. Some staterooms and all restrooms, indoor passageways, outdoor weather decks, and other public areas aboard the vessel shall be so designed and constructed as to permit access and use by physically handicapped, aged or infirm passengers, including but not limited to those persons occupying a wheelchair.

(e) After June 25, 1976, no public building or facility in the state may be planned, designed, financed, constructed, opened to public use, or otherwise placed in operation unless it meets the standards established under this section. (§ 1 ch 119 SLA 1966; am § 1 ch 48 SLA 1972; am §§ 1 — 4 ch 249 SLA 1976; am E.O. No. 39, § 11 (1977))

Article 3. Financial Provisions.

Section

135. Public facility planning fund

Sec. 35.10.135. Public facility planning fund. There is established within the Office of the Governor, office of management and budget a public facility planning fund. The fund is a capital fund and consists of (1) money appropriated by the legislature, (2) money reimbursed to it from the proceeds of the sales of general obligation bonds and revenue bonds issued for projects and (3) money reimbursed to it from appropriations for any projects for which money from the fund has been spent. The fund is available for expenditure, on a reimbursable basis, only for the purposes of providing working capital for facility program planning and for facility procurement planning as specified in this chapter. All expenditures from the fund are subject to an independent audit which shall be made annually and reported to the governor and the legislature. (§ 1 ch 57 SLA 1973; am § 1 ch 58 SLA 1976; am § 28 ch 63 SLA 1983)

Effect of amendments. — The 1983 amendment substituted "office of management and budget" for "division of budget and management."

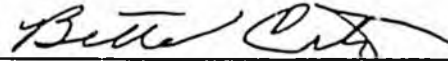
May 15, 1987

SENATE BILL 118

LETTER OF INTENT - HOUSE TRANSPORTATION COMMITTEE

It is the intent of the House Transportation Committee in passing SB 118 out of committee that the construction standards established by the state of Alaska for facilities not covered by federal standards will in no way diminish the Legislature's intent to provide accessibility for the handicapped, aged and infirm to all state facilities.

A state facility is defined as any structure constructed or operated with state or federal funds.



Chairman
House Transportation Committee

HOUSE COMMITTEE REPORT

(7)

Date referred: 5/13/87

FURTHER REFERRALS:

DATE: May 15, 1987

The Transportation Committee has considered SB 118

"An Act relating to access to public buildings and facilities by the physically handicapped, aged, and infirm."

RECOMMENDS:

- replace with _____ the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: Trsp letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

Butte Cats

Keith Halden

Wayne

Butte Cats

 Chairman's signature

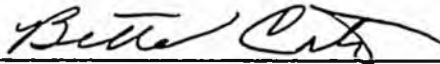
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Chairman
House Transportation Committee