

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672

6184 HOUSE TRANSPORTATION

588

and other public facilities which also require "access" to or across ARRC lands. In addition to the 359 road crossing permits mentioned above, ARRC issues scores of utility permits affecting its right-of-way and terminal yards.

Until the legislative review process is completed, ARRC will be effectively prevented from issuing any permits. There is insufficient time to comply with the bills' legislative review period this year, and, hence, no form permit could be issued until March 20, 1990, at the very earliest. While the bills refer to "standardized" agreements, it is impossible to devise a "non-standardized" contract for interim use. Over the years, crossing agreement terms and conditions have become quite clear and generally uniform. Simply changing a few words in each paragraph will not comply with the spirit, or indeed the letter, of this legislation. The public may be seriously inconvenienced depending upon the extent of community development plans. Important state highway projects could also be seriously delayed.

d. Public vs. Private Crossings. The bills also make no distinction between public and private crossings. Of a total 359 crossings, forty-eight are private residential and commercial crossings. There is no prudent reason to offer concessions to private individuals and businesses which may be impressed upon ARRC in new local government crossing permits. Conferring unsupportable benefits on private interests may also contravene the railroad's enabling legislation. See AS 42.40.300. To the extent they impair private contract rights, SB 223 and HB 224 may also violate constitutional guarantees.

e. One-Year Renegotiation Deadline. The legislation requires all preexisting permits to be renegotiated within a year of completion of legislative review of a new standard crossing agreement form. Since all federal ARR and state ARRC permits are based on a standard form, all existing crossing permits must be renegotiated within a narrow time frame. Additional real estate personnel must be hired and trained as ARRC attempts to meet the one-year deadline. Costs also include engineering and legal reviews and administrative expenses. Some permit holders may refuse to renegotiate or will delay in hopes of gaining more favorable terms as the deadline approaches. The scheme underestimates the time and resources which must be committed to a good faith attempt to satisfy its requirements.

f. Federal Constraints. The state's legislature has previously agreed with federal authorities that all revenues generated by the railroad shall be retained and managed by the railroad for railroad and related purposes. 45 U.S.C. §1207(a)(5). Accordingly, ARRC has been chartered as a

quasi-private business directed to expend its revenues on a self-sustaining basis under the watchful eye of a group of experienced business leaders selected by the governor. SB 233 and HB 234 hope to frustrate and possibly violate those constraints by usurping the rail board's oversight responsibilities. If the legislature requires ARRC to assume crossing maintenance costs and liabilities as a part of a new crossing agreement form, it will have effectively managed significant railroad revenues and committed them to municipal, as opposed to, railroad purposes in contravention of its earlier promise and federal law.

IV. Conclusion.

This legislation will create serious and unwarranted administrative difficulties for the railroad corporation. It also unjustifiably, and perhaps illegally, interferes with the sound management of ARRC operations and resources by an appointed Board of Directors. The heart of the dispute concerns municipal unhappiness with preexisting commitments to accept crossing maintenance costs and liabilities. In response, ARRC has already helped develop a statewide policy to more effectively administer crossing development and maintenance needs, standardized annual signal maintenance fees, waived annual permit fees, and recently invited the state Ombudsman to review its railroad/highway crossing permit process with an eye toward further solutions. Hence, legislative intervention is unnecessary, inconsistent with ARRC's original mission, and usurps the good faith negotiations which have previously led to the execution of valid and reasonable grade crossing agreements.

8161L

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: SB 233
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Alaska Railroad Corporation
Title: Relating to Standardized
Crossing Permit Agreements BRU: _____
Sponsor: Sen. Coghill Components: _____
Requester: DCED

EXPENDITURES / REVENUES : (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	\$10.0	\$110.0				
TRAVEL						
CONTRACTUAL						
SUPPLIES		1				
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	\$10.0	\$111.0				

*ARRC operates on a calendar fiscal year.

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

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

FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER ARRC	\$10.0	\$111.0				
TOTAL						

POSITIONS:

FULL-TIME		1				
PART-TIME		1				
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

This fiscal note is for informational purposes only, as the Alaska Railroad is not subject to the Executive Budget Act.

(CONTINUED - NEXT PAGE)

Prepared by: Larry D. Wood
Division: Alaska Railroad Corporation

Phone: 265-2461
Date: 4-10-89

Approved by Commissioner: Larry Merculieff
Agency: Department of Commerce & Economic Development

Phone: 465-2500
Date: 4/11/89

Distribution (by preparer):

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

page 1 of 2

STATE OF ALASKA LEGISLATIVE SESSION

FISCAL NOTE

ANALYSIS:

The legislation requires the Alaska Railroad Corporation (ARRC) to develop a new railroad crossing permit form by January 20, 1990. Development of a new form will cost approximately \$8,000 to \$10,000. The existing form will be revised by real estate staff and reviewed by attorneys. Revision costs will vary sharply if public comments are to be solicited as a result of an extensive hearing process. Once the form is authorized by legislative action or inaction, the bill next requires renegotiation of all railroad crossing permit agreements. There are approximately 273 crossings under permit to federal, state, university and private entities which would be affected by this requirement. Existing agreements have been negotiated over the course of many years and involve many different permittees. Consequently, a real estate leasing specialist position would be added to commit full-time personnel resources to the enormous task of renegotiating all of these agreements within a 12-month period. The engineering department will commit the equivalent of one-half man year of time to various levels of internal review, comment, and analysis. The estimate includes the expenses associated to an additional leasing specialist position and associated benefits, legal and engineering review, and printing, word processing, and supply costs.

The estimate does not include any other expenses which may be assessed against the ARRC after a new form is prepared. For example, if, as a result of legislative review, ARRC is required to pay for signal maintenance costs under revised permit terms, such costs will accrue at the rate of approximately \$3,700 per signalized crossing. Sight triangle, sign, and road surface maintenance costs are additional expenses associated with grade crossing which also have previously been the financial responsibility of requesting agencies. Finally, the shifting of grade crossing liabilities to ARRC will add less ascertainable, but certainly significant, costs to the other burdens imposed by this legislation.



News Release

No. 79

April 4, 1989

For Immediate Release

Contact: Vivian Hamilton (907) 265-2675

or: Ombudsman 's Office (800) 478-4970

Ombudsman To Review Railroad/Highway Crossing Issues

The Alaska Railroad Corporation has asked the state ombudsman to review its railroad/highway crossing permit process in an attempt to resolve differences between the railroad and local communities regarding crossing liability and crossing maintenance costs.

"The ombudsman is an impartial third party who can review both sides of the issue objectively and suggest solutions that might be acceptable to all of us," explained Frank Turpin, railroad president and CEO.

Recently several Railbelt communities have expressed concerns about accepting liability for railroad/highway crossings in their communities and about what they consider high maintenance costs for crossings and automatic crossing signals.

It is the railroad's position that all costs relating to highway crossings on the railroad right-of-way should be the responsibility of the road owner.

There are 359 crossings along the Alaska Railroad, the majority of which are public crossings permitted to local, state or federal

(more)

ADD ONE--Railroad Seeks Ombudsman Review

governmental agencies. The railroad's crossing permits require road owners to have liability insurance or be self-insured to cover crossings. Some communities have argued that crossing liability should be the responsibility of the railroad.

Of the 359 crossings, 76 have signals which are inspected weekly by a specialized maintenance team. The cost for signal maintenance is billed to the signal owners. In addition, any maintenance required for crossing upkeep is charged to the road owner. Some communities have argued that the cost of maintenance for crossings and automatic signals should be borne by the railroad.

The Alaska Railroad is a state-owned corporation which is operated as a for-profit business without state funding. In 1988 the railroad reported \$58 million in revenue and a net income of \$5.8 million, which is being reinvested in capital improvements during 1989.

###

RAILROAD/HIGHWAY CROSSING PERMITS IN ALASKA

	Number of <u>Crossings</u>	Number with <u>Signals</u>
DOT/PF	106	48
Anchorage	55	16
Fairbanks	20	0
Other Local Gov't	33	3
Alaska Railroad	27	2
Military	19	5
University of Alaska Fairbanks	2	0
Other State/Federal Agencies	9	1
Private/Commercial	48	1
Unpermitted	<u>40</u>	<u>0</u>
TOTAL	359	76

Effect of amendments. — The 1987 amendment inserted "rotor" in paragraph (3).

***Chapter 40. Alaska Railroad Corporation.**

Article

1. Establishment and Organization (§§ 42.40.010 — 42.40.060)
2. Management (§§ 42.40.100 — 42.40.120)
3. Administrative Provisions (§§ 42.40.150 — 42.40.230)
4. Powers and Duties (§§ 42.40.250 — 42.40.310)
5. Corporation Property (§§ 42.40.350 — 42.40.450)
6. Financial Provisions (§§ 42.40.500 — 42.40.540)
7. Bonds (§§ 42.40.600 — 42.40.700)
8. Personnel and Labor Relations (§§ 42.40.705 — 42.40.890)
9. General Provisions (§§ 42.40.900 -- 42.40.990)

Cross references. — For legislative findings and purpose in enacting this chapter, see § 1, ch. 153, SLA 1984 in the Temporary and Special Acts; for special reports required, see § 3, ch. 153, SLA 1984 in the Temporary and Special Acts.

Legislative history reports. — For legislative letter of intent relating to ch. 153, SLA 1984 (SCS CSHB 512 (Fin) am S), see 1984 Senate Journal, p. 3221.

Article 1. Establishment and Organization.

Section

10. Establishment of the corporation
20. Board of directors
30. Term of office

Section

40. Vacancies
50. Compensation and expenses
60. Board officers

Sec. 42.40.010. Establishment of the corporation. There is established the Alaska Railroad Corporation. The corporation is a public corporation and is an instrumentality of the state within the Department of Commerce and Economic Development. The corporation has a legal existence independent of and separate from the state. The continued operation of the Alaska Railroad by the corporation as provided in this chapter is considered an essential government function of the state. (§ 2 ch 153 SLA 1984)

Sec. 42.40.020. Board of directors. (a) The powers of the corporation are vested in the board of directors. The board consists of the commissioner of commerce and economic development, the commissioner of transportation and public facilities, and five members appointed by the governor. The five appointed members must be registered voters in the state except as provided in (1) and (2) of this subsection. Except for the commissioners and the member appointed under (5) of this section, a member may not be a state officer or employee. Appointed members shall have the following qualifications:

Sec. 42.40.300. Use of corporation assets. The corporation shall apply all money, property, other assets, and credit of the corporation toward activities authorized by this chapter. The corporation may not issue shares of stock, pay dividends, make private distributions of assets, make loans to board members or employees, or engage in business for private benefit. The use of money, property, another asset, or credit of the corporation for a purpose not authorized by law by a person having the possession or control of it is prohibited. (§ 2 ch 153 SLA 1984)

Sec. 42.40.310. Indemnification. (a) The corporation may defend and indemnify a current or former member of the board, employee, or agent of the corporation against all costs, expenses, judgments, and liabilities, including attorney's fees, incurred by or imposed upon that person in connection with a civil or criminal action in which the person is involved by affiliation with the corporation, if the person acted in good faith on behalf of the corporation and within the scope of official duties or powers.

(b) The corporation may purchase insurance to protect and hold personally harmless its employees, agents, and board members from an action, claim, or proceeding arising out of the performance, purported performance, or failure of performance, in good faith, of duties for, or employment with, the corporation and to hold them harmless from expenses connected with the defense, settlement, or monetary judgments from that action, claim, or proceeding. The purchase of insurance is discretionary with the board and insurance is not considered to be compensation to the insured person. (§ 2 ch 153 SLA 1984)

Article 5. Corporation Property.

Section	Section
350. Land	400. Vacation of easements
355. Prohibition	410. Federal land
360. Request for land	420. Public use of railroad land
370. Conveyance of land	430. Acquisition of government property
380. Use of state land	435. Exchange of land
385. Eminent domain	440. Use of pesticides and herbicides
390. Land use rules	450. Adverse possession

★ **Sec. 42.40.350. Land.** (a) The corporation shall receive from the United States and, in its own name, take title to all rail property transferred under 45 U.S.C. 1201 — 1214 (Alaska Railroad Transfer Act of 1982). All land that is transferred or acquired by the corporation is designated as follows:

- (1) railroad rights-of-way are railroad utility corridors;
- (2) land outside railroad utility corridors is rail land.

(b) Railroad utility corridors shall be of a width at least 100 feet on both sides of the centerline of the extended main or branch line, unless

the corporation does not own or control sufficient land to allow a corridor of that width. Railroad utility corridors may be surveyed by the metes and bounds method. The corporation may not convey its entire interest in land within a utility corridor except as provided in AS 42.40.285, 42.40.370(d) and 42.40.400. However, the corporation may lease, subject to AS 42.40.285 and (d) of this section, grant easements in or permits for, or otherwise authorize use of portions of a utility corridor for transportation, communication, and transmission purposes and support functions associated with those purposes, and for commercial and other uses authorized under this chapter if the use does not restrict other parallel uses of the utility corridor.

(c) The corporation may lease, subject to AS 42.40.285 and (d) of this section, grant easements in or permits for, or otherwise authorize use of portions of rail land. However, the corporation may not convey its entire interest in rail land except as provided in AS 42.40.285, 42.40.370(d) and 42.40.400.

(d) A lease or disposal of land approved by the legislature under AS 42.40.285 by the corporation to a party other than the state shall be made at fair market value as determined by a qualified appraiser or by competitive bid. (§ 2 ch 153 SLA 1984)

Sec. 42.40.355. Prohibition. Notwithstanding any other provision in AS 42.40, the state-owned railroad as defined under 45 U.S.C. 1202(14) may not apply for a right-of-way across, or exercise eminent domain in, the western (Kobuk River) unit of the Gates of the Arctic National Preserve under 16 U.S.C. 410hh(4)(b)-(e). (§ 2 ch 153 SLA 1984)

Sec. 42.40.360. Request for land. (a) The board may nominate federal land it determines may be useful for present or future railroad purposes for selection under the Alaska Statehood Act (P.L. 85 — 508, 72 Stat. 339), as amended, and request the commissioner of natural resources to select the land for the state through the federal land selection process.

(b) The board may identify and request the commissioner of natural resources to convey land necessary or useful for present or future railroad purposes owned by or tentatively approved for transfer to the state, including land not contiguous with a railroad utility corridor or rail land. The request must include a statement of and justification for the present or future railroad use. Upon receipt of a request, the commissioner shall temporarily reserve the land identified in the request for railroad purposes and defer disposal or lease of that land under other laws to a party other than the corporation. The temporary reservation of land is subject to valid existing rights and remains in effect for 180 days. (§ 2 ch 153 SLA 1984)

Article 3. Effect of Statutes.**Section**

70. Time statutes become law and take effect

Sec. 01.10.070. Time statutes become law and take effect.

(a) All bills passed by the legislature become law upon the governor's signature or upon the governor's veto being overridden or, when the governor allows a bill to become law without signature, on the day after expiration of the period allowed for gubernatorial action by art. II, § 17 of the Alaska Constitution. Acts become effective 90 days after becoming law, unless the legislature, by concurrence of two-thirds of the membership of each house, provides for another effective date.

(b) The actual effective date of an Act having no effective-date provision is determined by starting with the day after it is signed by the governor or the day after the governor's veto is overridden or the day after expiration of the period allowed for gubernatorial action by art. II, § 17 of the Alaska Constitution, and counting 90 calendar days, the Act becoming effective at 12:01 a.m., Alaska Standard Time on the 90th day.

(c) The actual effective date and time of an Act having an immediate-effective-date provision is 12:01 a.m., Alaska Standard Time, on the day after it is signed by the governor or on the day after the governor's veto is overridden or on the day after expiration of the period allowed for gubernatorial action by art. II, § 17 of the Alaska Constitution.

(d) An Act which specifies a definite effective date becomes effective at 12:01 a.m. Alaska Standard Time on the date specified.

(e) When the governor allows a bill to become law without signature, the governor shall give written notice of that fact to the legislature. The date of this notice has no effect upon the date the bill becomes law nor upon the date the Act takes effect.

(f) In this section

(1) "Act" means a bill which has become law;

(2) "bill" means a legislative document proposing an Act;

(3) "becomes effective" means becomes applicable; "effective date" does not mean date of enactment (or date of becoming law), although the two will coincide when a bill which has an immediate effective-date provision is allowed to become law without the governor's signature;

(4) "becomes law" means is enacted; "enactment" occurs when any one of the following takes place:

(A) a bill which is passed by the legislature is signed by the governor;

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Relating to Standardized
Crossing Permit Agreements
Sponsor: _____ Rep. Miller
Requester: DCED

Agency Affected: Alaska Railroad Corporation
BRU: _____
Components: _____

EXPENDITURES / REVENUES : (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	\$10.0	\$110.0				
TRAVEL						
CONTRACTUAL						
SUPPLIES		1				
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	\$10.0	\$111.0				

*ARRC operates on a calendar fiscal year.

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER ARRC	\$10.0	\$111.0				
TOTAL						

POSITIONS:

FULL-TIME		1				
PART-TIME		1				
TEMPORARY						

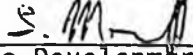
ANALYSIS: (Attach a separate page if necessary.)

This fiscal note is for informational purposes only, as the Alaska Railroad is not subject to the Executive Budget Act.

(CONTINUED - NEXT PAGE)

Prepared by: Larry D. Wood
Division: Alaska Railroad Corporation

Phone: 265-2461
Date: 4-10-89

Approved by Commissioner: Larry Merculieff 
Agency: Department of Commerce & Economic Development

Phone: 465-2500
Date: _____

Distribution (by preparer):

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

STATE OF ALASKA LEGISLATIVE SESSION

FISCAL NOTE

ANALYSIS:

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HB

247

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
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JUNEAU, ALASKA 99811
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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

HB 247

House Transportation

1/1/89

APRIL 4, 1989

COMMITTEE CALENDAR

FOR THIS MEETING, YOU HAVE BEEN GIVEN:

Folder #1

HB 247:

- #1: HB 247
 - #2: Amendment #1
 - #3: Fiscal Note/Department of Public Safety
 - #4: Statues
- ** Sponsor Back-up/Computer List located on table **.

HOUSE COMMITTEE REPORT

(5)

Date Referred: March 23, 1989

FURTHER REFERRALS: FINANCE

Date of Committee Action: _____

The TRANSPORTATION Committee considered:

HB 247

HOUSE BILL NO. 247

[SPECIAL LICENSE PLATES & FEES]

"An Act relating to special license plates' and special license plate fees, and registration fees."

RECOMMENDATIONS:

- [] be replaced with CS HB 247 Transportation [] the same title
[] have 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):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- [] fiscal impact \$ 15.2 million
[] zero fiscal note
[] zero with analysis

- [] fiscal note(s)
[] zero fiscal note(s)
[] zero fn/analysis

SIGNING DO PASS:

SIGNING:
(Check appropriate column)

Barry
Better Cars

	Do Not Pass	No Rec	Amend
<u>Bill Huds</u>			<u>Needs amendment</u>
<u>Drew J. Herman</u>	<input checked="" type="checkbox"/>		<u>Needs amendment</u>

Better Cars
Chairman's Signature

4/4/09

HB 247

8:37

Rep Foster

Reel Vehicle

Bill from Dept. MTA Vehicle
Dept of Public Safety

Release & Increases.

Retired Fiscal + 3,000

Medical S Buses transportation 142m decrease

Men. Vehicles - decrease from 20m
Increase Fuel charitable, Historical Vehicle owner

032

Rep Foster assume

~~increase~~ Charitable Organ. Reg Fee

044

053

Hobson about charitable Organ.

Bill

50% Religious non profit, Salvation
Army, Boy Scouts

070 Cote

Ben

Tax exempt non profit.

080

Foster 2,000

106

Rep asked about list.

170 Ben

Bill

132 - Ben

Wendy Milder - FINN. Comm.

Bill pt hbr Comm
Tracy Rivers

164 Ben

176 Cate

185 Ann

195 Ben What the Bill is Doing

200 Foster

206 Cate - 280m if 65 & Jan pd. Fees

218 Bill Ben - Truck Cap \$ 63m income

Nets \$ 6000 Increase

\$ 390m
Hun. Dec'd - \$15m gross of biggest income

Historical Vehicle \$ 2,000

Leg. 2000

Paul Baker, Prison of Wash

242 Helen Current Reg. Fee \$ 35

if we moved to CO what have we
that boy. 200m passage Chs.

Felt that the increase in Chs

289 Wendy -

300 Bill Helen Here is AK worked in Reg. station
Bill Feb at office.

314 Elimate Charlotte.

444 Lema - Tech Lab. Possible.

448 - Cuts

456 - Review Laiseu -

9:11 

Rep Lema - took back-up
get back ~~later~~ today

500



Representative Bette Cato, Chair House Transportation Committee

SUBJECT OF MEETING:
HB: 247

DATE: *4/4/89*

PLACE: *#17*

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
<i>Bill Brown</i>	<i>DMV</i>	<i>P.O. BOX 1 Juneau</i>	<i>99801</i>		<i>465-4335</i>	<i>Y</i>	<i>N</i>	<i>Available to Answer Questions</i>
						<i>Y</i>	<i>N</i>	
						<i>Y</i>	<i>N</i>	
						<i>Y</i>	<i>N</i>	
						<i>Y</i>	<i>N</i>	
						<i>Y</i>	<i>N</i>	
						<i>Y</i>	<i>N</i>	
						<i>Y</i>	<i>N</i>	
						<i>Y</i>	<i>N</i>	
						<i>Y</i>	<i>N</i>	
						<i>Y</i>	<i>N</i>	

A M E N D M E N T

OFFERED IN THE HOUSE

BY LARSON

TO: HB 247

Page 5, after line 11:

Insert a new bill section to read:

"* Sec. 5. AS 28.10.411(f) is repealed."

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Public Safety
 Title: Special license plates and BRU: Motor Vehicles
fees
 Sponsor: House Finance Component: Field Services
 Requestor: House Transportation

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
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-
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REVENUE	-0-	3.1	3.1	3.1	3.1	3.1
---------	-----	-----	-----	-----	-----	-----

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	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

ANALYSIS: (Attach a separate page if necessary)

The adoption of HB 247 will have little effect on revenue collected. The section requiring owners of vehicles who currently pay little or no fees to pay regular fees is offset by sections reducing fees for some owners who now pay regular fees, and eliminating fees for municipalities.

The elimination of the \$5.00 fee for vehicles owned by charitable organizations would increase revenue by approximately \$79,295. The elimination of exempt status for other categories would increase revenue by approximately \$86,380. The total additional revenue estimated to be collected would be \$165,675.

Prepared by: George Gaguzis
 Division: Motor Vehicles

Phone: 269-5574
 Date: 03/31/89

3/31/89

Approved by Commissioner: Arthur English
 Agency: Department of Public Safety

Date: 03/31/89

The gains in revenue would be offset by the elimination of fees currently collected for school buses owned by private businesses transporting students to public schools in the amount of \$141,780, and municipal owned vehicles in the amount of \$20,790. Thus, the total loss in revenue is estimated to be \$162,570.

The result is an estimated net gain of revenue totaling \$3,105 annually.

On page 3, lines 24 through 27, it appears the intent is to remove the current senior citizen exemption. If that is the intent, this amendment by itself would not accomplish that task, since AS 28.10.411(f) would still allow for the exemption. Therefore, this fiscal note does not include additional revenue the State would receive if the senior citizen exemption is removed. That increase would be approximately \$280,000 annually.

Fiscal note based on assumption effective date will be July 1, 1989.

shall conduct a hearing de novo. The decision of the department suspending, revoking, canceling, limiting, restricting or denying a license, registration, title, permit or privilege is stayed and does not take effect during the pendency of an appeal. (§ 6 ch 178 SLA 1978; am § 2 ch 60 SLA 1986)

Effect of amendments. — The 1986 amendment in subsection (c) inserted "registration, or title."

Article 4. Disposition of Certain Vehicle and Traffic Offenses.

Section

151. Citations for scheduled vehicle and traffic offenses

Sec. 28.05.151. Citations for scheduled vehicle and traffic offenses. The supreme court shall determine by rule or order those motor vehicle and traffic offenses, except for offenses subject to a scheduled municipal fine, that are amenable to disposition without court appearance and shall establish a scheduled amount of bail, not to exceed fines prescribed by law, for each offense. A municipality shall determine by ordinance the municipal motor vehicle and traffic offenses that may be disposed without court appearance and shall establish a fine schedule for each offense. (§ 6 ch 178 SLA 1978; am § 8 ch 76 SLA 1987)

Effect of amendments. — The 1987 amendment, effective January 1, 1988, re-wrote this section.

Chapter 10. Vehicle Registration and Title.

Article

- 1. Registration (§§ 28.10.011, 28.10.021, 28.10.041, 28.10.051, 28.10.101 — 28.10.151, 28.10.165, 28.10.181)
- 2. Title (§ 28.10.201)
- 3. Transfer of Vehicle (§ 28.10.321)
- 5. Fees and Charges (§§ 28.10.411 — 28.10.441)
- 7. General Provisions (§§ 28.10.495, 28.10.502)

Article 1. Registration.

Section

- 11. Vehicles subject to registration
- 21. Application for registration
- 41. Grounds for refusing registration
- 51. Department may suspend or revoke registration
- 101. [Repealed]
- 105. [Repealed]

Section

- 107. [Repealed]
- 108. Registration procedures
- 111. Renewal of registration
- 121. Vehicles of nonresidents
- 131. Vehicles previously registered in other jurisdictions
- 141. Interstate use of vehicles

Sec. 28.10.151. Vehicles transported under special permits.

(a) When moved or driven under a special permit to be designed and issued by the department, the registration required by this chapter is not required of

- (1) a vehicle under construction and which is not completed;
- (2) a vehicle while being moved from one place to another for the purpose of inspection, weighing, or meeting other requirements of the department;
- (3) a vehicle while being moved or driven from one location to another for the purpose of rebuilding, dismantling, or permanently removing the vehicle from the highways and vehicular ways and areas of the state; or
- (4) an unladen commercial vehicle making a single continuous trip by a noncircular route for a period of time not exceeding 10 days.

(b) A special permit issued under this section shall be prominently displayed. (§ 7 ch 178 SLA 1978; am §§ 6, 7 ch 45 SLA 1987)

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

Sec. 28.10.165. Souvenir winter olympics plate. The department may issue a souvenir Winter Olympics commemorative license plate. A person may not attach a souvenir plate to a motor vehicle in the manner described in AS 28.10.171 for attachment of registration plates. The department shall charge a fee of \$30 for each plate issued under this section. The commissioner of administration shall separately account for fees received under this section that the department deposits in the general fund. The legislature may appropriate the annual estimated balance in the account to the Alabama sports fund established under AS 05.35.150. (§ 2 ch 24 SLA 1988)

Cross references. — For legislative intent regarding appropriation of proceeds from sale of Winter Olympics plates, see sec. 1, ch. 24, SLA 1988 in the Temporary

and Special Acts; for approval of design of plates, see sec. 9, ch. 24, SLA 1988 in the Temporary and Special Acts.

— **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, motorcycle, noncommercial van or pick-up truck, or motor home, the department shall 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 person 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) organization portion of certificate the state or unit state. obtain a registration of the a description required section purpose: profit corporate of department

(f) issue special for the of registration. The owner

(g) vehicle issued. However, vehicle international

(h) not exempt by a passenger operator and work ranch supply farm issuing.

(i) technician holds radio

(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.

(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 sat-

isfactory 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 Pearl Harbor survivors and former prisoners of war. The department, upon receipt of written proof, shall issue without charge special registration plates for one noncommercial motor vehicle to a person who was on active military duty in Pearl Harbor on December 7, 1941, or 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 Pearl Harbor survivor or 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.

(n) Special request Winter Olympics commemorative plates. The department shall issue registration plates commemorating the Winter

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Olympics upon application by the owner of a passenger vehicle, non-commercial van or pick-up truck, or motor home. (§ 7 ch 178 SLA 1978; am § 2 ch 54 SLA 1979; am § 1 ch 151 SLA 1984; am § 5 ch 60 SLA 1986; am §§ 3 — 5 ch 24 SLA 1988)

Cross references. — For approval of design of plates authorized under (n) of this section, see sec. 9, ch. 24, SLA 1988 in the Temporary and Special Acts.

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

The 1988 amendment, in the first sentence in subsection (c), inserted "motorcycle" and substituted "shall" for "may"; in

subsection (l), inserted "Pearl Harbor survivors and" in the catchline and "Pearl Harbor survivor or" in the second sentence and, in the first sentence, substituted "shall" for "may" and inserted "was on active military duty in Pearl Harbor on December 7, 1941, or who"; and added subsection (n).

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 accompanied by a manufacturer's statement of origin, or in the case of a used vehicle, when the application is accompanied by a certificate of title

issued in another jurisdiction. (§ 7 ch 178 SLA 1978; am § 2 ch 99 SLA 1983; am § 84 ch 6 SLA 1984; am § 8 ch 45 SLA 1987)

Effect of amendments. — The 1987 amendment in subsection (d) inserted "or (c)" in the first sentence and deleted "and a certificate of inspection by a peace officer of that jurisdiction stating that the vehicle has been determined to be the vehicle described in the certificate of title and that the vehicle has not been reported stolen" at the end of the section.

Sec. 28.10.261. Evidence.

NOTES TO DECISIONS

Applied in *Keltner v. Curtis*, Sup. Ct. Op. No. 2913 (File No. S-162), 695 P.2d 1076 (1985).

Article 3. Transfer of Vehicle.

Section

321. New owner to secure transfer of registration and new title

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 by the previous certificates of title and registration, if any. (§ 7 ch 178 SLA 1978; am § 40 ch 21 SLA 1985)

Effect of amendments. — The 1985 amendment deleted "and motor freight carrier or bus transportation fees, if any," following "lien fees" in subsection (b).

Article 5. Fees and Charges.

Section

411. Registration fees levied

421. Registration fee rates

423. Emission control inspection program fees

Section

431. Annual motor vehicle registration tax

441. Schedule of other fees and charges

Sec. 28.10.411. Registration fees levied. (a) For every year during any part of which a vehicle is subject to registration under this chapter, a registration fee shall be paid to the department at the time of original registration and at each annual renewal of registration after that time.

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- (b) *[Repealed, 1983 Initiative Proposal No. 2, § 6.]*
- (c) *[Repealed, § 6 ch 70 SLA 1986.]*
- (d) *[Repealed, § 41 ch 37 SLA 1986.]*
- (e) *[Repealed, § 3 ch 89 SLA 1987.]*

(f) A resident 65 years of age or older on January 1 of the year the vehicle is registered is entitled to an exemption from the registration fee required under this section for one motor vehicle subject to registration under AS 28.10.421(b)(1), (2), (5), or (6). An exemption may not be granted except upon written application for the exemption on a form prescribed by the department. (§ 7 ch 178 SLA 1978; am 1983 Initiative Proposal No. 2, § 6; am § 85 ch 6 SLA 1984; am § 41 ch 37 SLA 1986; am § 6 ch 60 SLA 1986; am § 6 ch 70 SLA 1986; am § 3 ch 89 SLA 1987)

Effect of amendments. — The 1985 amendment repealed subsection (b), concerning payment of motor carrier fees.

The first 1986 amendment repealed subsection (d), concerning payments by the Department of Community and Regional Affairs.

The second 1986 amendment added subsection (f).

The third 1986 amendment repealed subsection (c), concerning exemption for residents 65 years of age or older.

The 1987 amendment repealed subsection (e), concerning inclusion of state park and camp ground fees in registration fees.

— **Sec. 28.10.421. Registration fee rates.** (a) Unless otherwise provided by law, the fees prescribed in this section shall be paid to the department at the times provided under AS 28.10.108 and 28.10.111.

(b) The annual registration fees under this subsection are imposed within the following classifications for:

- (1) a passenger vehicle or motor home not used or maintained for the transportation of persons or property for hire or for other commercial use \$35;
- (2) a pick-up truck or a van not exceeding 6,000 pounds unladen weight and not used or maintained for the transportation of persons or property for hire or for other commercial use \$40;
- (3) a taxicab \$70;
- (4) a motor bus with a seating capacity for 20 or more persons and used exclusively for commercial purposes in the transporting of visitors or tourists \$85;
- (5) a motorcycle or a motor-driven cycle \$20;
- (6) a two- or four-wheeled trailer not used or maintained for the transportation of persons or property for hire or for other commercial 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;

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(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 Pearl Harbor survivor or a former prisoner of war none;
 (14) special request Winter Olympics commemorative plates\$ 70 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; the commissioner of administration shall separately account for the fees received under this paragraph that the department deposits in the general fund; the annual estimated balance in the account may be appropriated by the legislature to the Alaska sports fund established under AS 05.35.150.

(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.

(f) In addition to the fees imposed under (b) and (d) of this section, the following special annual registration fee is imposed upon renewal of registration for a passenger vehicle, motor home, pick-up truck, or a van with special request Winter Olympics commemorative plates\$30; the commissioner of administration shall separately account for the fees received under this subsection that the department deposits in the general fund; the annual estimated balance in the account may be appropriated by the legislature to the Alaska sports fund established under AS 05.35.150, (§ 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; am §§ 6 — 8 ch 24 SLA 1988)

Cross references. — For legislative intent regarding appropriation of proceeds from sale of Winter Olympics plates, see sec. 1, ch. 24, SLA 1988 in the Temporary and Special Acts.

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 para-

graph (2) added "including those authorized for use by Alaska National Guard personnel only" and increased the fee, in 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.

Comparison of fees to register motor vehicles in different states. These are the basic fees, and do not include all add-ons such as Driver Education Fee, taxes, etc. The first column is for regular passenger vehicle, and second column is the highest commercial vehicle fee. Generally commercial vehicle fees vary considerably based on weight of vehicle.

STATE	PASS. VEH.	LARGEST COMM. VEH.
AL	\$23	\$845
AK	35	220
AZ	8 + tax	918
AR	25	650
CA	22	660
CO	9 +	38 + \$2/100#
CT	31	1.70 per 100#
DE	20	20 + \$2.60/500#
DC	45	484
FL	27	983
GA	8	700
HI	11 +	515
IL	48	2,200
IN	13	1,036
IA	40¢/100# + 1% value	1,695
KS	17	1,476
KY	14	840
LA	8	60¢per 100#
ME	20	870
MD	27	10.75 per 1000#
MA	12	20 + \$7 per 1000#
MI	32	2,388
MN	35 +	1,760
MS	15	1,512
MO	51	1,719
MT	8 +	1,653 +
NE	17	85 + \$25 per 2000#
NV	15	4 per 1000#, min. \$30
NH	29	74¢ per 100#
NJ	28	54 + \$9.50 per 1000#
NM	29	151
NY	75¢ per 100#	2.50 per 500#
NC	20	1.15 per 100#
ND	70	1,769
OH	35	3.25 per 100#
OK	15 + 1.25% of value	1,098
OR	20	130 + \$% per 2000#
PA	24	1,125
RI	12	405
SC	12	834
SD	30	250 +
TN	21	1,301
TX	50	25 + 99¢ per 100#
UT	12	560
VT	36	16 per 1000#
VA	25	18 + \$15 per 1000#
WA	28 +	1,089
WV	30	78 + \$10 per 1000#
WI	25	1,700
WY	15	1.5 mills per 2000#

4-11-89

Wendy

Following are the number of vehicles in the specific categories
CSHB 247(Trans) raised the fees for, and what the estimated
increase in revenue would be for each category:

Historic vehicle - 14 new annually, \$500

Disabled veteran - 168 vehicles, \$5,880

Handicapped person - 1,805 vehicles, \$63,175

Person 65 years or older - 8,000 vehicles, \$280,000

Farm Vehicle - 471 vehicles, \$8,000

Amateur radio - 404 vehicles, \$15,000

Charitable organization - 2,414 vehicles*, \$80,000

Pearl Harbor survivor - 27 vehicles, \$970

Prisoner of War - 38 vehicles, \$1,380

* A breakdown of the charitable organization vehicles is as
follows:

897 passenger cars

3 motorcycles

268 trailers

1,052 trucks or vans

194 buses

Bill
Bill
465-4335

<u>DESCRIPTION</u>	<u>CURRENT LAW</u>	<u>HB 247</u>	<u>CS HB 247 (Trans)</u>
Historic vehicle	one time fee - \$10	annual registration fee one time fee - \$10	annual reg. fee one time \$10 fee
Special request plates National Guard plates	annual registration fee one time fee - \$20 plate replacement fee	annual registration fee one time fee - \$30 plate replacement fee	annual reg. fee one time \$30 fee plate replacement fee
Disabled veteran handicapped person person 65 years or older	No charge	annual registration fee	annual reg. fee
a vehicle owned by state	No charge	No charge	No charge
a vehicle owned by state or municipal official	Annual registration fee	Annual registration fee \$30 annual plate fee	Annual reg. fee
a vehicle owned by consular official	\$35 annual fee (unless reciprocity)	\$35 annual fee (unless reciprocity)	Annual reg. fee (unless reciprocity)
a vehicle owned by a rancher, farmer, dairyman	\$30 annual fee	\$35 annual fee	Annual reg. fee
a snowmobile or off-highway vehicle	\$5 annual fee	\$5 annual fee	\$5 annual fee
An amateur mobile radio station vehicle with transceiver capable of less than 5 band	Annual registration fee	Annual registration fee	Annual reg. fee
public amateur radio station with at least five bands	No Charge	Annual registration fee	Annual reg. fee

Dealer plates initial set	\$45 annual fee	\$45 annual fee	\$45 annual fee
each subsequent set	\$25 annual fee	\$25 annual fee	\$25 annual fee
a vehicle owned by a municipality	\$5 annual fee	No charge	\$5 annual fee
a vehicle owned by charitable organizations	No charge	Annual registration fee	Annual reg. fee
Occasional use vehicle	\$15 annual fee	\$15 annual fee	\$15 annual fee
vehicle owned by Pearl Harbor survivor or POW	No charge	Annual registration fee	Annual reg. fee
Winter Olympics plates	Not in current statutes	Annual registration fee \$70 one time fee	Annual reg. fee \$70 one time fee

A M E N D M E N T

OFFERED IN THE HOUSE

BY LARSON

TO: HB 247

Page 5, after line 11:

Insert a new bill section to read:

"* Sec. 5. AS 28.10.411(f) is repealed."

4-11-89

Wendy

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Amateur radio - 404 vehicles, \$15,000

Charitable organization - 2,414 vehicles*, \$80,000

Pearl Harbor survivor - 27 vehicles, \$970

Prisoner of War - 38 vehicles, \$1,380

* A breakdown of the charitable organization vehicles is as
follows:

897 passenger cards

3 motorcycles

268 trailers

1,052 trucks or vans

194 buses

Bill
Bill

465-4335

APR 06 1989

STATE OF ALASKA
THE LEGISLATURE

POUCHY STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 6, 1989

SUBJECT: Vehicles exempt from fees - CSHB 247(Trsp)
TO: Representative Bette Cato
FROM: Michael F. Ford *M. F.*
Legislative Counsel

You have asked who would still be receiving an exemption from payment of the standard motor vehicle registration fee, assuming that CSHB 247(Trsp) is enacted into law. Under sec. 2 of CSHB 247(Trsp), the only vehicles that would not be paying the applicable registration fee imposed under AS 28.10.421(b) or (c), are those belonging to the state (AS 28.10.421(d)(4)), a vehicle owned by a consular officer, if waived under AS 28.10.181 (AS 28.10.421(d)(6)), a snowmobile or off-highway vehicle (AS 28.10.421(d)(8)), a vehicle owned by a municipality that meets the requirements of AS 28.10.181(k) (AS 28.10.421(d)(11)), and an occasional use vehicle that meets the requirements of AS 28.10.181(k) (AS 28.10.421(d)(12)).

Please contact me if you have further questions.

MFF:mi:kb
wkmi3/097



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

P.O. Box Y, State Capitol
Juneau, Alaska 99811-3100
Mail Stop 3100
(907) 465-3991

September 1, 1988

MEMORANDUM

TO: Representative Kay Wallis

FROM: Sandi Depue *SDM*
Administrative Officer

RE: Motor Vehicle Registration Fees and Receipt Allocation: Alaska and
Other States
Research Request 89.038

You asked how program receipts for motor vehicle registration are allocated in Alaska, Hawaii, Idaho, Montana, Oregon, Washington and Wyoming. You also wanted to know the registration fee structure in those states.

Most motor vehicle registration program receipts in Alaska go to the General Fund. The majority of revenue collected for vehicle registration in the other six states I surveyed is dedicated revenue. In most cases it goes to highway fund accounts, back to counties and cities as a form of personal property tax, and to registration division accounts to pay for overhead and administration. Table 1 (attached) summarizes vehicle registration fee structures and program receipt allocation in each of the surveyed states. The balance of this memorandum describes the fee structure and receipt allocation in each state.

Alaska

According to Gary Gaguzis, Finance Officer, Alaska Department of Public Safety, all program receipts collected for motor vehicle registration in Alaska, except the motor vehicle registration tax, are put into the General Fund. The motor vehicle registration tax is collected for municipalities that have a personal property tax on motor vehicles and is held in a trust fund for the municipalities (less about a five percent state administrative fee). The motor vehicle registration tax ranges from \$5 to about \$30, depending on the age of the vehicle. In recent years, total annual receipts for vehicle registration have been approximately \$23 million. Of the \$23 million, city motor vehicle registration tax has been approximately \$5 million, which left a deposit of approximately \$18 million into the General Fund.

- 32.5% - allocated to local jurisdictions (counties, cities, and highway districts)²
- 6.0% - allocated to the Department of Law Enforcement
- 6.5% - allocated to the Department of Transportation for construction, maintenance and administration costs.

Of the value-based recreational vehicle fee, \$1.50 goes to the county where the vehicle was registered to cover administrative costs, \$3.50 is deposited into the State Recreational Vehicle Account, 50 percent of the balance is returned to the county where the vehicle was registered, and the remaining 50 percent is allocated to the State Recreational Vehicle Account. Every vehicle registered in the State of Idaho is charged a \$0.75 emergency medical services fee which is allocated to the Department of Health and Welfare for emergency medical services training and equipment.

Montana

In Montana, registration fees are collected at the county level and remitted with a report to the state. Registration charges include a fee of 1.5 percent of the "Free on Board" or window sticker price for new cars or two percent (counties may charge 2.5 percent if they desire) of the average vehicle trade-in price (blue book estimate) on used cars. They also include a plate fee based on weight (2,850 pounds or less - \$8.00, over 2,850 pounds - \$13.00); a gross vehicle weight fee on trucks and other vehicles licensed to haul; a \$2.00 junk vehicle fee and a \$0.50 weed control fee. The average vehicle trade-in price fee and the weed fee are county receipts that are not returned to the state. "Free on Board" fees and Gross Vehicle Weight Fees are allocated to the Gross Vehicle Weight Division of the Department of Highways and are used for highway construction, maintenance, repair and administrative costs. The plate fee

²Distribution to local jurisdictions is based on the following formula:

30% divided among cities based on population

70% to counties as follows:

- 10% divided equally among all counties
- 45% distributed on the basis of improved road mileage
- 45% distributed based on the number of motor vehicle registrations per county

Receipts from the basic renewal fee and the combined licensing fee are allocated as follows:

<u>Allocated To:</u>	<u>-----Percent Allocated From-----</u>	
	<u>Basic Renewal Fee</u>	<u>Combined Licensing Fee</u>
Washington State Patrol	73%	55%
Motor Vehicle Fund (DOT Administration)	20%	42%
Washington State Ferry System	7%	3%

Receipts from the offroad vehicle renewal fee are allocated to an outdoor recreation account.

Wyoming

Both state fees and county fees are collected on vehicle registrations. The state charges a basic renewal fee of \$15 for passenger cars, motor homes, light pickup trucks, and house trailers, and \$5 for motorcycles and all terrain vehicles (ATVs). A fee based on weight is charged for trucks, recreational vehicles and other types of trailers (i.e., boat trailers) to a maximum of \$60. State receipts are allocated to the Highway Department to pay for highway construction, maintenance, and repairs and to pay for enforcement of traffic laws.

The counties collect a fee based on three percent of a specific percentage of factory cost of a vehicle.³ A listing of how much the county collects follows:

<u>Age of Vehicle</u>	<u>County Collects</u>
New car	3% of 60% of factory price
1 year old	3% of 50% of factory price
2 years old	3% of 40% of factory price
3 years old	3% of 30% of factory price
4 years old	3% of 20% of factory price
5 years or older	3% of 15% of factory price

** *** **

I hope you find this information useful. If you have any questions or need further research, let me know.

Attachment

³Factory cost equals 90 percent of manufacturers suggested retail price.

TABLE 1
MOTOR VEHICLE REGISTRATION FEES IN OTHER STATES

STATE		AMOUNT	ALLOCATION
HAWAII	State Fees		
	Registration Fee	\$10.00/vehicle	HI DOT Highway Fund
	Weight Tax	Based on vehicle weight	HI DOT Highway Fund
	County Fees		
	Weight Tax	Based on vehicle weight	County Highway Fund
	Highway Beautification Fee	\$1.00/vehicle	Highway Beautification Revolving Fund
	Emblem Fee	\$0.50/vehicle	County General Fund
IDAHO	Registration Fees	Based on age or weight of vehicle	32.5% to Local Jurisdictions 6.0% to Dept. of Law Enforcement 61.5% to DOT
	Emergency Medical Services Fee	\$0.75/vehicle	Dept. of Health & Welfare
	Recreational Vehicle Fee	Based on value of vehicle	\$3.50 to State Rec. Vehicle Acct. \$1.50 to county where registered 50% of balance to State Rec. Vehicle Acct. Remaining 50% of balance to county where registered
MONTANA	State Fees		
	Registration Fee	1.5% of sticker price of new automobiles	Dept. of Highways
	Gross Vehicle Weight Fee (on trucks and hauling vehicles)	Based on weight	Dept. of Highways
	Annual Plate Fee	\$8.00 - \$13.00	Motor Vehicles Revolving Acct.
	Junk Vehicle Fee	\$2.00/vehicle	Dept. of Health
	County Fees		
	Trade-in Price Fee	2% to 2.5% of average trade-in value	County
	Weed Fee	\$0.50/vehicle	County for highway weed control
OREGON	Renewal Fees	Passenger Cars-\$10.00/year	State Highway Fund
		Motorcycles-\$6.00/2 years	State Highway Fund
	Trucks, Trailers - Based on weight	State Highway Fund	
	Recreational vehicles - Based on length	State Highway Fund	
	ATVs, Snowmobiles-\$10.00/year	ATV/Snowmobile Fund within State Highway Fund	

TABLE 1 (Continued)
 MOTOR VEHICLE REGISTRATION FEES IN OTHER STATES

STATE		AMOUNT	ALLOCATION
WASHINGTON	Motor Vehicle Excise Tax Fee (MVET)	2.454% of vehicle value 1% of vehicle value for recreational vehicles	Majority to General Fund 17% to Counties and Cities Surtaxes within MVET to: Washington State Ferry System and DOT Motor Vehicle Fund
	Basic Renewal Fee	\$23.75 - renewal \$27.75 - first time registration	73% to Washington State Patrol 20% to DOT Motor Vehicle Fund 7% to WA State Ferry System
		Offroad vehicles-\$5.00/year	Outdoor Recreation Account
	Combined Licensing Fee (Includes Basic Renewal Fee)	Based on weight (\$32.50 minimum, \$1,090.00 maximum)	55% to Washington State Patrol 42% to DOT Motor Vehicle Fund 3% to WA State Ferry System
WYOMING	State Fees		
	Basic Renewal Fee	Passenger Cars-\$15.00/year Motorcycles & ATVs-\$5.00/year House Trailers-\$15/year All Others-Based on weight \$2.00 minimum, \$60.00 maximum	Highway Department
	County Fees		
	Fee in lieu of personal property tax	3% of x% of factory price of vehicle (x% depends on age of vehicle)	County where vehicle registered

Prepared by the House Research Agency, August 1988 (89.038).

HB

269

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
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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

4B 269

House Transportation

4/20/89

- 443 Mitt Barker
 Dept. Comm. Dept of Rev.
- 473 Colo - 55 Second Cost/Per Vehicle
- 481 Bill Cost per ~~Per~~ Day
- 484 Mitt
- 493 Helen - Is this an easy Bond to Float
 495 Mitt First Toll Bond issued by State
 Bond on one project. No demonstration elements
 there is risk involved. Possible
- 506 Hicky - Discount Urban Projection.
 Mitt.
- 526 Helen - 2/3% Sub Tax
 530 Mitt Code - State Bond issued Perch.
- 535 Tom - Supports buddy Rd. Up hill battle.
- 546 Colo -
- 554 Hicky 4 into 3 in favor of Rd Day on top
 of year
- 558 Ben Oct. Nov. the people who favor them.
 all support.
- 572 - Colo - See the Nations Corp. developing
- 575 - Helen
- 585 First Model I/A
 5:00
- 585 9:22

4/20

- H13 269 -
Copper River Highway

Letter

OK - Wendy Muller

155 Hobson - \$1 mill bridge are you able to use it over

164 Mark Bridge is open now, but plans would be to replace one pier on bridge.

186 Hobson - Demonstration Funds - checked with Sen. Steen to see if it qualifies for?

195 Wendy - all funds possible have been explored.

202 Mark - Special all funds & options have been explored
Congressions Single Appropriation.

212 Foster - Animals - the do you build Access Glacier
Concern of Nature

229 Hobson - Fenwick's Winds

*235 Mark Hedley - Comm DOTIF: Cost is accurate. Dept. would support Rev. Ford's. Only ^{feasible} way Pioneer Route, then upgrade. ^{Feasible} Fed. ~~and~~ is costly. Feasibility study will be completed in July or early Aug.

Continuation of Right-of-Way

73 North - Historical Soc. - Environmental Documents

327 Lab

Any potential Economic activities: type of Access
Finke's Holding in Private Homes: ? on marketing
Sport Fishing
Possible Political for O.I. Development
Profit to Community - Quaker Farms, Co.

328 Bon

312 Mark

Hills

Mark

302

Hills

Mark

371 Bill

377 Mark

387 Mark

374 Mark

405 Mark

415 Helen

430 Mark

435 Helen

2.4^m belt Retention, (Market Second 600 1.2 yr. good)
This group Papal/Whales Farm
Mark ~~150 m~~ 135 m
Don Seasonal
374 Mark - 30 year paper out 20-yr.
374 Mark Co. in area that would be interested
Cooperation in No-Support Rd. Land R of Way
issued Resolved
Tourism will be Strong
Friend

Like Melting Intake.

Written Testimony

April 20, 1989

Wendy Mulder.

RECOMMENDATIONS

The Northern Region of the Alaska Department of Transportation and Public Facilities (ADOT&PF) recommends completing the Copper River Highway initially as a pioneer road to Chitina leaving open the option of a secondary highway on the Chitina, Tiekel or Tasnuna routes. In preparation, ADOT&PF recommends maintenance on the portions of the Copper River Highway north of the Million Dollar Bridge that has been converted to roadway and seeking Legislative funding to do so as part of the FY 1990 budget. This would add Mileposts 49 to 72 and Mileposts 112 to 131 to the maintenance system. Additional operating funds would be required to perform this maintenance which would be at a level considerably below normal maintenance standards.

It is further recommended that the Department of Transportation and Public Facilities in conjunction with the appropriate experts from the Department of Revenue perform an in depth analysis of the toll road concept and the cost and feasibility of obtaining some form of bonding for construction. This analysis should begin as soon as possible to be able to provide the Governor and the Legislature with the data necessary to make funding decisions.

Additional coordination with the Federal Highway Administration to positively determine whether or not the cost of constructing the Copper River Highway as a pioneer access road could be eligible at a later date when upgraded to secondary standards. This work should also be done prior to the next Legislative session.

1988 PUBLIC INVOLVEMENT

The Alaska Department of Transportation and Public Facilities held meetings in the following places:

<u>Date</u>	<u>City</u>	<u>Location</u>	<u>Time</u>
5/3/88	Cordova	Cordova Public Library Meeting Room	7:00 p.m.
5/5/88	Anchorage	Loussac Library Public Conference Room	7:00 p.m.
5/11/88	Chitina	Chitina Village Hall	2:30 p.m.
5/11/88	Kenny Lake	Kenny Lake Community Hall	7:00 p.m.
5/12/88	Valdez	City Council Chambers	7:00 p.m.
5/17/88		DOT&PF Conference Room 600 University Avenue	7:00 p.m.

The purpose of these meetings was to gather public comment and opinion on whether or not the State should recommend completing the Copper River Highway.

Attendance*

Cordova	141
Chitina	32
Kenny Lake	30
Valdez	13
Anchorage	41
Fairbanks	8

*Compiled from head counts, address cards submitted at the meetings and sign-in sheets.

The meetings were conducted by Michael Tinker, Environmental Coordinator for the Northern Region. The first meeting was held in Cordova. An introduction was given by Mayor Erling Johansen with a follow-up by Mike Tinker. After the opening remarks, Joan Jackson of Cordova was given 20 minutes to present the position of those opposing the project and Scott Novak was given 20 minutes to present the position of those supporting the road. After these prepared remarks, everyone was given a chance to formally testify. Those who wished to speak were asked by Mayor Johansen to sign-up as either for the project, against the project or neutral. The for and against testimony was alternated and each speaker was given three minutes. Forty-eight people testified. Upon completion of the testimony, people were asked to fill out an address card, an ADOT&PF questionnaire and a questionnaire from Mayor Johansen. The meeting was then opened to questions. The meeting lasted four hours.

At the other meetings, an introduction was given by Mike Tinker and the meeting was opened for questions. After the question period, everyone was asked to fill out an ADOT&PF questionnaire and an address card. The people were then given a chance to formally testify. All of the meetings were recorded but not transcribed.

RESULTS

Two hundred forty-five people filled out the questionnaires. Table I shows the results of the ADOT&PF survey. The results are broken down by community and by those supporting or opposing the project.

69% of 245 respondents favor building the Copper River Highway. 31% oppose construction.

In Cordova the 133 respondents were more evenly split with 52% favoring and 48% opposed. A separate survey taken at the Cordova meeting shows that the percentages for and against the project are the same inside and outside the Cordova City limits (Eyak Precinct).

The questionnaires asked people what the most important issues are with respect to building the highway. The survey found that the most important issues to those supporting the road are:

- 1) Recreational opportunities.
- 2) Economic benefits.
- 3) Support by the terminal community.

The least important issues to the road supporters are:

- 1) Adverse impacts to natural resources.
- 2) Cost of the project.
- 3) Effects on rural residents.

On the other hand, the most important issues to those opposing the road are:

- 1) Adverse impacts to natural resources.
- 2) Cost of the project.
- 3) Support by the terminal community.

The least important issues to those opposed to the road were found to be:

- 1) Recreational opportunities.
- 2) Support by other Alaskan communities.
- 3) Economic benefits from the project.

Both groups feel that support by the terminal community is an important issue. However, the groups are diametrically opposed on the issues of recreational opportunities, economic benefits versus cost of the project and adverse impacts to the natural resources. The pro-road people feel that Cordova's economy would benefit and would like more access to recreational areas. The anti-road people do not think the economic benefits of the road are important. They feel it is important to protect natural resources by preventing additional access. They also feel that State and Federal money could be better spent elsewhere.

Participants were also asked whether the initial construction of the highway should be a pioneer access road or a secondary highway. The pioneer access road concept was heavily favored, 125 to 48. They were also asked whether they favored a toll road. 123 people were against the toll versus 80 favoring the toll road. The toll road concept was slightly favored within the pro-road group (59 are against the toll road and 22 would favor the toll road only if it is the only way to get the road built.)

TABLE I

RESULTS OF QUESTIONNAIRE FILLED OUT AT PUBLIC MEETINGS (5/68- 245 Respondents)

	<u>Cordova</u>	<u>Valdez</u>	<u>Anchorage</u>	<u>Chitina</u>	<u>Kenny Lake</u>	<u>Fairbanks</u>	<u>Totals</u>
Do you support building the Copper River Highway?	69(S)* 64(O)* 52%(S)48%(O)	11(S) 0(O) 100%(S) -	37(S) 3(O) 93%(S) 7%(O)	22(S) 3(O) 88%(S)12%(O)	23(S) 5(O) 82%(S) 18%(O)	6(S) 2(O) 75%(S) 25%(O)	168(S) 77(O) 69%(S) 31%(O)
Do you support building pioneer access road first?	50(S) -	9(S) -	27(S) 1(O)	18(S) 1(O)	14(S) -	5(S) -	125
Do you support building a secondary road first?	13(S) 10(O)	2(S) -	10(S) -	3(S) 1(O)	8(S) -	1(S) -	48
Do you want a toll road?	50(S) -	1(S) -	12(S) -	10(S) 1(O)	6(S) -	- -	80 79(S) 1(O)
Are you against a toll road?	11(S) 55(O)	10(S) -	11(S) 3(O)	8(S) 1(O)	13(S) 3(O)	6(S) 2(O)	123 59(S) 64(O)
Do you want a toll road only if its the only way to get a toll road?	4(S) -	- -	10(S) -	4(S) -	4(S) -	- -	22

ISSUES SELECTED AS MOST IMPORTANT

	<u>Valdez</u>	<u>Anchorage</u>	<u>Chitina</u>	<u>Kenny Lake</u>	<u>Fairbanks</u>	<u>Cordova</u>	<u>Outside Cordova</u>	<u>Totals</u>	<u>Totals (S & O)</u>	<u>Ranking</u>
Support by Terminal Community	4(S)0(O)	14(S) 1(O)	12(S) 0(O)	17(S) 2(O)	1(S) 1(O)	34(S)38(O)	48(S) 4(O)	82(S) 42(O)	124	1
Cost of Project	2 0	12 3	6 1	7 5	1 2	14 43	28 11	42 54	96	4
Economic Benefits	4 0	19 1	9 0	15 0	5 1	34 4	52 2	86 6	92	5
Land Owner Support	1 0	17 2	13 0	8 3	1 1	11 12	40 6	51 18	69	9
Alaska Legislature Support	4 0	11 1	13 0	12 0	3 0	37 9	43 1	80 10	90	6
Other Alaskan Communities Support	2 0	9 2	10 0	7 0	2 0	26 2	30 2	56 4	60	10
Adverse Impact on Natural Resources	1 0	6 2	4 1	5 4	0 2	14 47	16 9	30 56	86	8
Recreational Opportunities	5 0	25 0	11 0	16 0	4 0	34 4	61 0	95 4	99	3
Effects on Rural Residents	2 0	10 3	11 1	9 3	1 2	13 30	36 9	49 39	88	7
Public Safety	8 0	15 0	11 1	14 2	1 0	28 20	49 3	77 23	100	2

* SUPPORT (S) OPPOSED (O)

APPENDIX A

SUMMARY OF INPUT, NATIVE CORPORATION COMMENT,
PUBLIC COMMENT AND PREVIOUS PUBLIC OPINION POLL

APPENDIX A

This project has the support of the Cities of Cordova, Valdez and Seward, the Legislature, several statewide organizations, and the communities in the project area. The following are resolutions of support by these groups for the Copper River Highway:

Fairbanks Chamber of Commerce	-----	6/07/88
City of Cordova	Resolution #88-33	5/16/88
City of Seward	Resolution #88-039	4/11/88
Alaska Conference of Mayors	Resolution #88-23	3/24/88
City of Valdez	Resolution #8810	3/07/88
Kenny Lake Community League	-----	2/26/88
Alaska House Concurrent Resolution (tollroad)	Resolution #46	2/15/88
The Alaska Municipal League	Resolution #88-28	11/23/87
City of Cordova	Resolution #87-75	11/02/87
City of Cordova	Resolution #84-55	12/06/84
Alaska Visitors Association	-----	9/27/84
City of Cordova (Million Dollar Bridge)	Resolution #82-18	6/07/82
City of Valdez	Resolution #8231	5/25/82
Valdez Chamber of Commerce	Resolution #82-8	5/21/82
Senate Concurrent Resolution	Resolution #50	1974

Legislative Support

The Alaska State Legislature has shown support for the Copper River Highway several times. In 1974, the Senate passed a concurrent resolution supporting the reconstruction of the Copper River Highway. In 1986 the Legislature allotted the Copper River Highway Reconnaissance project \$300,000. An Alaskan House Concurrent Resolution (HCR 46) directing the Governor to build a toll road was introduced in early 1988 and passed unanimously by both the House and Senate.

Local Support

With one exception, the completion of the Copper River Highway has been consistently supported by the local government and the Chambers of Commerce of Cordova and Valdez. The following is a summary of letters and resolutions from the two cities:

- In 1964, the Cordova City Council passed a resolution supporting the extension of the Copper River Highway.

- There is a May 15, 1973 letter from the City of Valdez favoring the completion of the Copper River Highway.
- There is a May 24, 1973 letter from the City of Cordova supporting the Copper River Highway.
- In 1974, the Alaska State Senate passed concurrent resolution supporting the reconstruction of the Copper River Highway.
- In 1975, the Cordova City Council and the Cordova Chamber of Commerce both adopted resolutions supporting "the expeditious completion of the Tasnuna Route of the Copper River Highway."
- On January 24, 1978 the Cordova Chamber of Commerce adopted a resolution on D-2 lands which opposed "designation of the Copper River as a wild or scenic river unless the Copper River Highway is specifically provided for."
- On April 28, 1982, Valdez Planning and Zoning Commission adopted a resolution in favor of completing the Copper River Highway along the Tasnuna route.
- On May 21, 1982, Valdez Chamber of Commerce adopted a resolution supporting the completion of the Copper River Highway.
- On May 25, 1982, the Valdez City Council adopted a resolution in favor of completing the Copper River Highway.
- On June 7, 1982, the Cordova City Council passed a resolution urging construction of a replacement for the Million Dollar Bridge.
- On November 23, 1982, the City of Cordova sent a letter to the Governor opposing completion of the Copper River Highway because of a straw poll.
- A June 8, 1984 letter from the Cordova Chamber of Commerce strongly supported completion of the Copper River Highway.
- In the fall of 1984, the Alaska Resource Development Council endorsed construction of an overland highway linking Cordova with the rest of the state.
- On September 27, 1984, the Alaska Visitors Association passed a resolution urging prompt construction of a road link between Cordova and the Alaska road system.
- On December 6, 1984, the City of Cordova supported the completion of the Copper River Highway.

- January, 1988, completion of the Copper River Highway was recommended by the Greater Fairbanks Chamber of Commerce in their document Interior Transportation Needs.
- In addition to resolutions from the City of Cordova, Valdez, Seward and the Kenny Lake Community League, the series of public meetings held by ADOT&PF in May 1988 has shown that the project has the support of the communities in the project area. These communities have indicated that they want a road, would like to start with a pioneer access road and prefer the Chitina Route. Table I (page 35) summarizes the questionnaires taken at these meetings.

Native Corporation Support

Since 1980, the Alaska Department of Transportation and Public Facilities has record of the Native Corporations consistently supporting a land link out of Cordova. The following summarizes these support letters:

- January 16, 1980, a letter from Chugach Alaska Corporation to DOT&PF supported the completion of the Copper River Highway.
- October 8, 1982, a letter from Chugach Alaska Corporation to DOT&PF again supported completion of the Copper River Highway.
- October 11, 1982, in a letter to BLM, AHTNA supported completion of the Copper River Highway along the railroad bed to Chitina.
- October 13, 1982, in a letter to DOT&PF, The Tatitlek Corporation supported the completion of the Copper River Highway via the Tasnuna Route.
- November 29, 1982 in a letter to DOT&PF, the Eyak Corporation supported the completion of the Copper River Highway.
- September 8, 1987 in a letter to Marla Jean Adkins, the Chugach Alaska Corporation again supported completion of the Copper River Highway.

Public Polls

Since the early 1970's various votes and polls have been held in the area to ascertain public desires concerning completion of the Copper River Highway. The following is a summary of the polls and votes known to us:

- * - A 1974 poll by the Cordova Times in which only registered voters in Cordova were allowed to participate showed that out of 351 respondents, 250 wanted the Copper River Highway built, 74 were against it, and 18 were disqualified (we assume 9 had no opinion).

- In 1975, Alaska Consultants, Inc. of Anchorage surveyed 100 Cordova households to determine community characteristics and attitudes for a comprehensive planning program for Cordova. As part of the survey they were asked if they favor the completion of the Copper River Highway. 57 households said yes, 38 households said no, 5 were undecided.
- In June, 1975 at a public meeting in Cordova held by ADOT&PF a poll was taken; 14 favored the Wood Canyon Route, 2 the Tasnuna route, 15 opposed the road and 4 had no preference.
- * - In 1977, Alternatives for Cordova questionnaires were distributed. Out of 600 respondents, 68% were in favor of completing the Copper River Highway and 32% were opposed.
- * - In the summer of 1977, questionnaires were distributed for the Prince William Sound Transportation Study input. Out of 153 respondents, 96 favored completion of the Copper River Highway, 53 were opposed and 4 did not respond.
- On April 14, 1982 at a public hearing in Valdez one person testified against completion of the Copper River Highway and one testified for completion.
- On April 15, 1982 a straw vote at a public hearing in Cordova 36 people opposed completion of the Copper River Highway, 25 people supported completion and 3 were undecided.
- In August 1982 a straw opinion poll in the Cordova and Eyak precincts resulted in 425 against completion of the highway and 304 for completion.
- On October 9, 1986 a vote within the municipal boundaries of Cordova resulted in 304 for completion of the highway and 202 against. Of those that voted, 196 preferred the Wood Canyon route, 45 the Tasnuna route, 45 the coastal route and 31 the Tiekel route.
- The April 1, 1987 edition of the Copper Valley Views reported "that 92% of Edgerton Highway residents support the road".

*These items were derived from an August 1978 editorial in the Cordova Times and have not been verified.

APPENDIX B
HISTORY OF THE COPPER RIVER
AND NORTHWEST RAILROAD

APPENDIX B

History of the Copper River and Northwest Railroad

The following history of the Copper River and Northwest Railroad was written by the Office of Statewide Cultural Program, Alaska Division of Parks and included in the Report of Archeological and Historical Investigations Along the Copper River, Tanuna to Chitina published in July 1975.

"A great vein of copper was discovered in August 1900 by Jack Smith and Clarence Warner on the Kennicott River. Smith and Warner had discovered one of the richest copper deposits of all time.

These copper claims were eventually bought out by the Alaska Syndicate, a working partnership between J.P. Morgan and the Guggenheim brothers formed in the spring of 1906. After buying the bonanza copper claims, the Syndicate made plans to build a railroad from tidewater to the Kennicott to transport the copper ore.

At that time, the Syndicate owned the largest shipping company in the north, the Alaska Steamship Company; the Northwestern Fishing Company, and the Northwestern Commercial Company. The Syndicate also ran gold dredges all over Alaska and the Yukon and owned almost every ore smelter on the west coast of the United States that could take Alaskan ore. The Syndicate affiliate which eventually ran the Bonanza claims was the Kennicott Copper Corporation, now one of the largest industrial firms in America.

The Syndicate was never really as powerful as its critics believed, however many people claimed that the Guggenheims had an economic headlock on the district of Alaska. This supposed monopoly of the Guggenheims in Alaska ran counter to political and social fancies of the early 1900's. Politics at the turn of the century was marked by increased public awareness of the need to conserve natural resources, and by the efforts of the Federal government to regulate big business and to "bust" the trusts. This combination of conservation and trust-busting met the Guggenheims head-on in their efforts to build a railroad from tidewater to their copper mines. To the people of Alaska, the railroad to the Bonanza would be more than just an ore train carrying copper bound for Syndicate smelters in Tacoma, which is what the conservationists and trust-busters saw in the Guggenheim railroad scheme.

To Alaskans, the word railroad meant prosperity. At the turn of the century, it appeared that a railroad successfully built to the Kennicott would be extended to Fairbanks and possibly Eagle on the Yukon River. Most Alaskans believed that the terminus of the railroad would become "Alaska's New York City", shipping freight, passengers, and prosperity to Fairbanks, "The Chicago of Alaska."

Seward, Haines, Valdez, Cordova, and Katalla all had visions of railroads to the Interior, but only routes from Valdez, Cordova and Katalla proposed to tap the Kennicott Bonanza. Each terminus supposedly had crucial advantages over the others. Valdez had a good harbor and was reported to be the farthest north year round, ice-free port of North America; the route from Cordova had a very level grade up the Copper and Chitina River Valleys to the Kennicott; Katalla had readily available coal resources to fuel locomotives and smelt ore.

The Syndicate originally picked Valdez, established supply point of the Copper River Valley, as terminus of their railroad. Later because of the nearby Bering River Coal Fields, a decision was made to build instead from Katalla. But, President Theodore Roosevelt's 1906 withdrawal of Alaskan coal lands from entry, and the subsequent Ballenger-Pinchot, Taft-Roosevelt dispute, over supposed coal frauds, temporarily put the Syndicate out of the coal business. With the closure of the coal lands, and later destruction of the Katalla breakwater by a storm, the Guggenheims decided to build from Cordova, and possibly construct a branch line to the Bering coal lands --as soon as the coal issue was settled. The Syndicate bought the Cordova route that Mike Heney had laid out in 1906, before he ran out of money. The end result of all this political haggling was that Katalla became a forgotten ghost town, Valdez was reduced to being the terminus of a mud trail, and Cordova got its own railroad.

To Cordova and its citizens the railroad itself was their Bonanza Mine; it provided a stable economic base for the town and insured that Cordova would have a future. President Eccles of the Copper River and Northwestern Railroad told the Cordova Daily Alaskan in 1909 exactly what the people of Cordova wanted to hear: "As to Cordova: This town should steadily grow to be the main gateway for the Interior, and this means much, for it is the Interior that must produce the wealth..." (Cordova Daily Alaskan, July 29, 1909: 4)

The construction of the Copper River and Northwestern Railway spanned five years from 1906 to 1911, though most of the work was done from 1908-1911. In November of 1908, the railhead was at Abercrombie Canyon, Mile 51 on the railroad. By December of 1909, one year later, the crews had pushed the rails as far as the Tiekel River, Mile 101 on the railroad. The crews did some of the heaviest rock blasting and digging on the railroad between Tiekel and Chitina in the spring and summer of 1910. For almost 30 miles from the Tiekel River, through Wood Canyon to the Chitina River, the crews literally carved the railroad grade out of the walls of the Copper River Canyon. At Mile 100, John Dahlberg and Company fired 17.5 tons of "Black Powder" and 60 cases of dynamite on

one blast which removed \$4,000 worth of rock from their station (Cordova Daily Alaskan, 9/2/09: 12/2/10) On May 16, 1910, the "Million Dollar Bridge" at Milepost 49, between Miles and Childs Glaciers was finished. The Million Dollar Bridge was the keystone of the Copper River and Northwestern Railway. It's completion was vital to the success of the railroad, as the structure was the only way to cross the Miles and Childs Glaciers, which had stopped Lieutenant Abercrombie's ascent of the Copper River in 1884.

With a big construction push in the summer of 1910, the railhead reached Chitina in September. On November 1, the Government Trail from Chitina to Willow Creek on the Valdez-Fairbanks Trail, was ready for traffic. Within the month, the mail contract for the Interior was transferred from Valdez to Cordova. The railroad hauled the mail from Cordova to Chitina, where it was transferred to horse drawn stages for the trip to Fairbanks. Chitina, where the "team meets the steam", and the "trails meet the rails", had every hope of becoming a key supply point for the Interior, and a major station on a possible Cordova-Chitina-Fairbanks railway, (CDA 3/39/10 p 1; 11/1/10 p. 10) Work continued on the railroad line from Chitina to the Kennicott through the winter of 1910-1911. The last spike was finally driven on March 29, 1911. It was a copper spike, not gold.

The Copper River and Northwestern Railway shipped approximately \$200,000,000 worth of copper and silver ore between 1911 and 1938. The highest grade ore in the Bonanza claims, however, was worked out in the 1930's. When the Company's efforts to find a new Bonanza failed, the Kennicott Copper Corporation decided to close the railroad down. On Friday afternoon, November 11, 1938, the last regular train to run on the Copper River and Northwestern Railway pulled into the station at Cordova. One year later, the railroad was officially abandoned. (CDT, November 11, 1938).

The Copper River and Northwestern Railway was shut down when the richest ores of the Kennicott claims were worked out in the late 1930's. The railroad was really doomed to extinction however, on April 10, 1915, the day President Wilson picked the Seward-Fairbanks route for the Government Railroad. Wilson decided not to build a Chitina-Fairbanks railroad to connect with the Copper River and Northwestern Railroad to Cordova, and he also turned down the Guggenheim's offer to sell the Copper River and Northwestern to the federal government. With the construction of the Alaska Railroad, the Copper River and Northwestern Railroads became the Kennicott Copper Corporation's private ore train, shipping copper destined for smelters in the United States.

During World War II, army units were stationed along the railroad grade as a defense measure. After the war, proposals were made for the conversion of the railroad grade to a highway. In 1953, Congress appropriated over half a million dollars for the construction of a road from Cordova to the Richardson Highway over the old railroad grade. By the time of the Alaska Earthquake of 1964, conversion was complete to Milepost 59. The earthquake however, severely damaged many bridges along the line and disrupted the grade at a number of different locations.

APPENDIX C

SUMMARY OF PREVIOUS FEDERAL-AID
SYSTEM HIGHWAY DEVELOPMENT

APPENDIX C

COPPER RIVER HIGHWAY
AS-BUILT HISTORY

YEAR	PROJECT NUMBER	MILEPOST	DESCRIPTION	AMOUNT
1957	14-04-002-166	23-39	Convert R.R. to Hwy.	\$ 2,685,000
1958	S-0851(1)	39-50	Grading, Clear Creek Bridge	\$ 1,000,000
1959	32-A5	9-13	Bridges & Drainage (EST)	\$ 500,000
1959	S-0851(12)	49-75	Preliminary Engineering	\$ 450,000
1960	S-0851(9)	28,32,35	RipRap Slope Repair	\$ 125,000
1960	S-0851(8)	5-8	Grading & Drainage	\$ 149,000
1961	S-0851(22)	113-124	Preliminary Engineering	\$ 228,000
1961	S-0851(27)	75-113	Preliminary Engineering	\$ 20,000
1961	S-0851(24)	15-18	Preliminary Engineering	\$ 85,000
1961	S-0851(23)	MP 39	Preliminary Engineering	\$ 10,000
1961	S-0851(14)	13-15	Grading, Drainage & Bridge	\$ 431,000
1962	X5102	MP 35	Bridge Repair	\$ 40,000
1962	S-0851(13)	MP 49	Bridge Repair	\$ 4,000
1962	S-0851(20)	50-59	Million Doliar Bridge to Allen River	\$ 1,300,000
1963	S-0851(30)	1-5	Grading & Drainage	\$ 835,000
1964	ERF0-5	1-13	Emergency Bridge Repair	\$ 129,000
1965	ERF0-3(1)	6-13	Grading, Drainage & Bridges	\$ 1,169,000
1965	S-0851(18)	0-1	Preliminary Engineering	\$ 700,000
1966	S-0851(18)	0-1	Cordova City Streets	\$ 1,735,000
1967	S-0851(19)	1-13	Cordova to Airport Paving	\$ 501,000
1968	S-0851(28)	15-18	Grading, Drainage & Bridge	\$ 779,000
1968	S-0851(31)	12-14	Airport Bypass	\$ 453,000
1972	ER-38(1)	25-28	Grading, Drainage & Bridges	\$ 7,150,000
1973	X52450	28-72	Emergency Road & Bridge Repair	\$ 431,000
1975	RS-0851(37)	1-13	Cordova to Airport Paving	\$ 1,175,000
1975	ER-40(1)	MP 49	Million Dollar Bridge Repair	\$ 692,000
1977	RS-0851(36) & ER-39(1)	26-38	Grading, Drainage & Bridges	\$ 7,896,000
1978	ER-40(2)	38-42	Grading & Drainage	\$ 1,250,000
1982	RS-0851(39)	28-33	Grading & Drainage	\$ 1,630,000
1987	B-63852	18-27	Grading, Drainage & Bridge	\$ 1,866,000
1988	RS-0851(41)	MP 37	Bridge Repair, #342	\$ 2,426,000
				\$37,834,000

NOTE:

1. Other costs have been incurred converting the railroad grade to highway use prior to 1957 of which no record can be found. There are records of the work being done, but no costs.
2. While some preliminary engineering design and field work are shown this is not a complete list of these costs either, due to lack of records.
3. These projects are in addition to normal annual maintenance costs.

APPENDIX D

SUMMARY OF COST ESTIMATES FOR
BUILDING THE COPPER RIVER HIGHWAY

APPENDIX D

Cost Estimate

The cost to open the road from Mile 49 on the Copper River Highway to the rest of Alaska road system has been estimated for the four alternatives.

COST ESTIMATE TO OPEN A SEASONAL ROAD

	<u>Road Construction Cost</u>	<u>Maintenance Camp and Maintenance Equipment Needed</u>	<u>Total Cost To Open A Seasonal Road</u>
<u>Pioneer Access</u>			
Pioneer Access Road (82 Miles) Mile 49 to Chitina	\$15,000,000	\$2,135,000	\$17,135,000
<u>Federal-aid Secondary Highway</u>			
Wood Canyon Route (82 Miles) Mile 49 to Chitina	\$90,000,000	\$2,135,000	\$92,135,000
Tasnuna Route (64 Miles) Mile 49 to Richardson Highway	\$75,000,000	\$2,135,000	\$77,135,000
Tiekel Canyon Route (67 Miles) Mile 49 to Richardson Highway	\$70,000,000	\$2,135,000	\$72,135,000

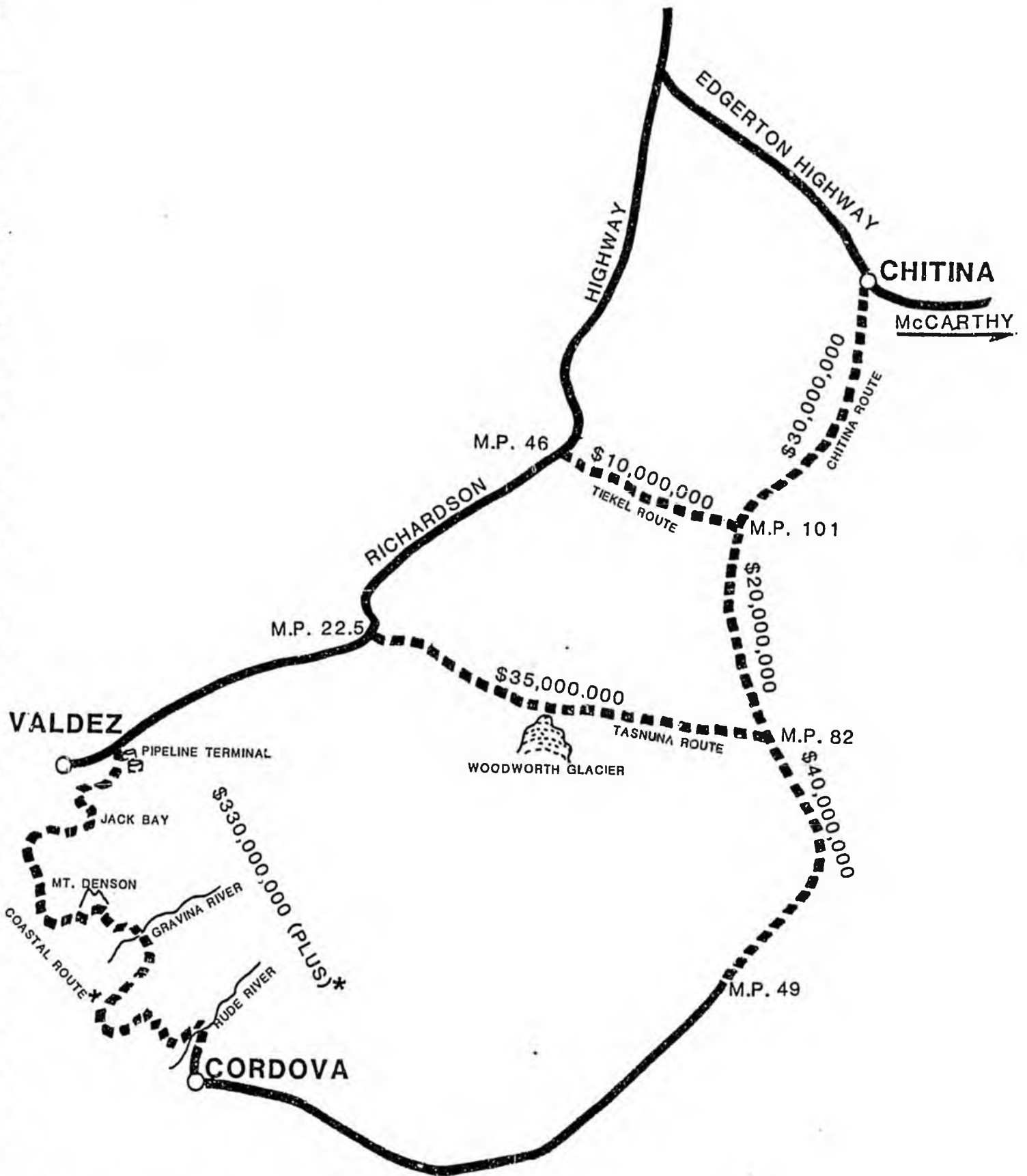
COST ESTIMATE TO OPEN A YEAR-ROUND ROAD

	<u>Road Construction Cost</u>	<u>Maintenance Camp and Maintenance Equipment Needed</u>	<u>Total Cost To Open A Year- Round Road</u>
<u>Pioneer Access</u>			
Pioneer Access Road (62 Miles) Mile 49 to Chitina	\$15,000,000	\$ 3,255,000	\$ 18,255,000
<u>Federal-aid Secondary Highway</u>			
Wood Canyon Route (82 Miles) Mile 49 to Chitina	\$90,000,000	\$ 3,255,000	\$ 93,255,000
Tasnuna Route (64 Miles) Mile 49 to Richardson Highway	\$75,000,000	\$ 3,255,000	\$ 78,255,000
Tiekel Canyon Route (67 Miles) Mile 49 to Richardson Highway	\$70,000,000	\$ 3,255,000	\$ 73,255,000

The yearly maintenance costs have also been estimated.

YEARLY MAINTENANCE COST ESTIMATE

	<u>Yearly Seasonal Maintenance Cost</u>	<u>Yearly Year-Round Maintenance Cost</u>
Pioneer Access	\$ 600,000	\$1,200,000
Federal-aid Secondary Highway (Tasnuna, Tiekel or Wood Canyon Routes)	\$ 800,000	\$1,600,000



*See Appendix E

FEDERAL AID SECONDARY HIGHWAY
COST ESTIMATES BY SEGMENT

STATE OF ALASKA 1988 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: HCR 44

Publish Date: _____

REQUEST

Revision Date: _____
 Title: House Concurrent Resolution 44
Relating to a Copper River Toll Road
 Sponsor: Cato
 Requestor: Cato

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

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		*	*	*	*	*
CAPITAL		*	*	*	*	*
REVENUE		*	*	*	*	*

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		*	*	*	*	*

POSITIONS:

FULL-TIME		*	*	*	*	*
PART-TIME		*	*	*	*	*
TEMPORARY						

ANALYSIS: The use of a toll authority is not established procedure in the department. The assumptions expressed in this analysis represent the department's initial reactions to this concept and may need modification to more accurately reflect the opportunity costs of money, the pay back terms and other financial assumptions. In addition, federal aid funds for construction may have to be re-paid prior to establishing a toll.

* See attached page, typewritten analysis dated 2-26-88.

Prepared by: David W. Truax/Lynn J. Harnisch

Phone: 474-2431/451-2210

Division: DOT&PF Regional Director, Northern Region

Date: 2-25-88

Approved by Commissioner: Mark S. Hickey *MSH*

Date: 2-29-88

Agency: DOT&PF

Distribution (by preparer):

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

ASSUMPTIONS

A) Toll Checkpoint

- 1) One toll checkpoint would be needed to collect tolls.
- 2) Checkpoint costs were based on similar costs for a checkpoint on the Dalton Highway.
- 3) A checkpoint for year-round occupancy would be more expensive as it would require additional insulation, permanent utilities systems, larger living quarters, etc.

B) Pioneer Road

- 1) Would be 18 ft. wide, screened gravel surface and have trestle-type bridges. These bridges are based on a railroad design and are structurally more than adequate for any highway freight vehicle. The cost for this work assumes that 18 ft. wide road could be constructed so that it was safe and maintainable and that only minimal reconstruction on the existing railbed would be necessary. Should any of these parameters be forced to change, during the course of actual design, the cost could increase substantially. Cost increases would depend on the type of changes that were necessary.

C) Federal Aid Secondary

- 1) Would be 28 ft. wide, crushed gravel surface and have standard bridges. The cost is based on current construction costs for typical gravel surface Federal Aid secondary roads. Assumes construction of access road from the Million Dollar Bridge, Mile Post 49, to the Richardson Highway.

D) Copper River Bridge

- 1) To keep per vehicle tolls to a minimum, it was assumed that the estimated \$7,500,000 to construct a bridge across the Copper River, adjacent to the Million Dollar Bridge, would be done with Federal discretionary bridge funds. Therefore, this particular cost does not appear in the overall capital costs. If discretionary funding cannot be obtained the \$7,500,000 construction cost would have to be added to the total capital cost of the project. This would increase the per vehicle toll for capital costs payoff by \$7.00 for seasonal and \$4.00 for year-round.

E) Maintenance Station

- 1) In order to distribute the added mileage evenly, one additional station would be needed in the Tasnuna River area and additional equipment would be needed at the Chitina Station.

2) Facilities requirements to meet seasonal needs:

- 2,400 sq.ft. shop
- Generator building with two generators
- 4 each trailer pads for 14x70 trailers (employees usually furnish their own trailers)

3) Facilities requirements to meet year-round needs (in addition to above building needs):

- 2 trailer pads for 14X70 trailers
- Utilities and water system
- Sand shed 2,000 sq.ft.
- 2,000 sq.ft. work/storage building

F) Maintenance Equipment

1) Seasonal (either type road):

a) New Tasnuna Station

- Motor graders CAT 14 Type (2)
- 8 Yd. Dump Truck (1)
- Loader 4 yd. type (1)
- Dozer D-8 type
- 4WD 3/4 ton pickups (2)
- Low tractor trailer

b) The mileage this road would add to the existing system would be slightly more than a new station should handle. Therefore, some additional equipment would be needed at the existing Chitina Station to cover the extra northernmost portion of the additional mileage. This additional equipment would also be used on other State-maintained roads in the Chitina area.

c) Chitina Station (additional equipment):

- Motor grader CAT 14 type (1)
- Loader 4 yd. type (1)
- Dump Truck 8 yd. type (1)

2) Year-round (in addition to season equipment needs) [either type road]

a) Tasnuna Station:

- Truck-type rotary snowblower 2200 tph (2)
- 4x4 Oshkosh with V-nose plow, belly blade and wing (2)
- Sander

G) Building and equipment needs are based on:

1) Historical information from old railroad records, which show that a substantial maintenance effort was required to keep the alignment open and in good repair at all times of the year.

- 2) Personal on-site observations of slide and erosion activity by DOT&PF maintenance staff and other individuals at various times of the year.
- 3) Traffic projections. A pioneer road, if built, will be heavily used. The one lane road will not be able to handle the volume of traffic very long. By building and staffing an adequate camp, maintenance forces can gradually make many of the upgrades that will be required by the traffic volume as funding becomes available and as time allows.

H) Maintenance Costs - Manpower Needs

1) Seasonal

a) Tasnuna Station (New Positions):

- 1 WG 52 Foreman
- 2 WG 53 Operations
- 1 WG 53 Operator/Mechanic

b) Chitina Station:

- 2 WG 53 Operators

2) Year Round

a) Tasnuna Station:

- above 4 positions @ full time
- plus 1 additional WG 53 operator and 1 additional WG 54 Operator

I) Toll Program Administration

- 1) Based on estimates of manpower needs for similar checkpoint program on Dalton Highway at \$7,000 per month for a staff of 3.
- 2) Accounting support assumes accounting clerk, range 9, part-time.

J) Average Annual Traffic

- 1) Based on historical traffic generating data for similar sized communities, future growth patterns as demonstrated in the draft Cordova Comprehensive Plan and the area's location relative to major population centers and recreational/resource opportunities. This resulted in an average daily traffic count forecast of 375 vehicles a day, or 11,250 a month based on a 30-day month.
- 2) The average monthly traffic count for a year-round rate will be less than a seasonal route. This is because the year-round average takes in a seven-month period where historic traffic declines by approximately 60% from the five-month summer period.

K) Capital Costs

- 1) Capital costs for check point construction, maintenance equipment, maintenance station construction, and Pioneer Road would all have to be funded initially from General Funds or Obligation Bonds.
- 2) Capital costs for constructing the Federal-Aid Secondary Road would be split about 91% Federal and 9% State General Fund match.
- 3) Costs for Pioneer Road construction may be recoverable from the FHWA upon upgrade of this road to Federal Highway Secondary standards. However this recovered cost would come from federal obligation authority which could otherwise be used on other projects.

L) Toll charges for private vehicles may be able to be lessened by charging on the basis of vehicle gross weight. This would increase the cost to truck traffic, but assumably increase shipping costs as well. Because we have no way to determine gross weight at this time, such a charge schedule would have to wait until traffic data could be collected on the road, so that a determination could be made as to whether or not actual truck traffic was substantial enough to invoke such a schedule. An annual reassessment of toll charges could be done if changes in traffic level, maintenance costs, and/or toll program costs change.

M) Analysis does not include "cost of money."

FISCAL NOTE ANALYSIS OF

HCR 46-COPPER RIVER HIGHWAY TOLL ROAD

COSTS	SEASONAL		YEAR-ROUND	
	PIONEER RD	FED. AID RD.	PIONEER RD.	FED. AID RD
Capital (Total)	\$17,185,000	\$92,185,000	\$18,405,000	\$93,405,000
Toll Check Pt.	50,000	50,000	150,000	150,000
Rd. Construction	15,000,000	90,000,000	15,000,000	90,000,000
Maint. Station	730,000	730,000	1,120,000	1,120,000
Maint. Equipment	1,405,000	1,405,000	2,135,000	2,135,000
Maintenance (Total)	600,000	800,000	1,200,000	1,600,000
Toll Prog. Admin. (Total)	50,000	50,000	120,000	120,000

-57-

REVENUES	CAPITAL COSTS		MAINTENANCE COSTS		TOLL PROG. COSTS	
	SEASONAL	YEAR-ROUND	SEASONAL	YEAR-ROUND	SEASONAL	YEAR-ROUND
Pioneer Road	\$17,185,000	\$18,405,000	\$ 600,000	\$ 1,200,000	\$50,000	\$120,000
Pay Back Basis	20 yrs.	20 yrs.	Annually	Annually	Annually	Annually
Annual Pay Back	846,250	920,250	600,000	1,200,000	50,000	120,000
Average Annual Traffic	56,250	135,000	56,250	135,000	56,250	135,000
Per Vehicle Toll	\$15.00	\$7.00	\$11.00	\$9.00	\$.90	\$.90
Federal Aid Road	\$92,185,000	\$93,405,000	\$ 800,000	\$ 1,600,000	\$50,000	\$120,000
Pay Back Basis	20 yrs.	20 yrs.	Annually	Annually	Annually	Annually
Annual Pay Back	4,612,750	4,670,250	800,000	1,600,000	50,000	120,000
Average Annual Traffic	56,250	135,000	56,250	135,000	56,250	135,000
Per Vehicle Toll	\$82.00	\$35.00	\$14.00	\$12.00	\$.90	\$.90

1 IN THE HOUSE

BY CATO

2

HOUSE CONCURRENT RESOLUTION NO. 46

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

Relating to a Copper River toll road.

6

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

7

WHEREAS there is currently no road to Cordova; and

8

WHEREAS the residents of Cordova very much want to be connected by

9

road to other points in the state; and

10

WHEREAS a road to Cordova would stimulate economic development and

11

encourage tourism in the area; and

12

WHEREAS the availability of both state and federal funding for road

13

construction has decreased; and

14

WHEREAS the state has authority under AS 37.15.720 to construct and

15

maintain toll roads;

16

BE IT RESOLVED by the Alaska State Legislature that the Governor is

17

respectfully requested to direct the Department of Transportation and

18

Public Facilities to construct a toll road along the Copper River via

19

Chitina to Cordova.

APPENDIX E
HIGHWAY RIGHT-OF-WAY

APPENDIX E

HIGHWAY RIGHT-OF-WAY

Another issue for the Copper River Highway Project is right-of-way. The Department's Attorney General (AG) in Fairbanks has evaluated the court settlement restrictions and the right-of-way documents. It was the AG's opinion in 1988 that the State of Alaska has title to at least 200 feet of right-of-way along the railroad bed from the ocean dock at the port in Cordova north to Chitina. This right-of-way was transferred to the State of Alaska by Quitclaim Deed in 1959. The highway was described in the Deed as a Federal-aid Secondary, Class "A" Highway.

Prior to 1959, the Department of the Interior Order Number 2665 (1951) and the 1956 amendment gave the Copper River Highway 300 feet of right-of-way.

In summary, the right-of-way exists for at least one of the possible highway routes, the requirements of the Court Settlement have been met and some type of highway could be built with the approval and support of the Administration, Legislature, the City of Cordova and its residents. No highway survey is available and minor sections of the railroad embankment have been eroded by the river. A 1988 aerial reconnaissance revealed that erosion by the Copper River has not taken the entire right-of-way at any location. A railroad centerline survey is available so the right-of-way can be reestablished. Minor right-of-way revisions may be necessary to establish an "out of the water" alignment instead of filling to above high water elevations.

APPENDIX F
SUMMARY OF THE ALTERNATIVE ROUTES

APPENDIX F

Summary of the Alternative Routes

Six alternatives were initially considered.

- 1) Tasnuna Route (113 Miles)
- 2) Wood Canyon Route-Chitina Route (131 Miles)
- 3) Tiekel Route (116 Miles)
- 4) Coastal Route (165 Miles)
- 5) Coastal Route with Tunnels (63 Miles)
- 6) No-Build

The coastal route and the coastal route with tunnels have been eliminated from further study because of their high costs, \$332,000,000 and \$887,000,000, respectively. The cost of the coastal route is 3½ times as much as the cost of finishing the road on either the Wood Canyon, Tasnuna or Tiekel routes. The cost of the Coastal Route with tunnels is almost 10 times as much.

Alternative Route Descriptions

The three alternative routes to be discussed here are common to Milepost 82 of the Copper River Highway. It is at that point that the route descriptions will begin.

Tasnuna Route

The Tasnuna Route does not cross the Tasnuna River at Milepost 82, but rather continues along the steep slopes adjacent to the south side of the river. At Milepost 83.3 the route changes from sidehill construction to a fill section on the outwash plain of the Schwann Glacier. Alignment still lies on the southerly side of the Tasnuna River, and is on a long tangent. Two bridges are required at the Schwann Glacier stream near Milepost 89, in conjunction with approximately ¾ mile of diking to control the streams. That alignment is very nearly in the middle of the valley, adjacent to an exposed rock ridge. The Tasnuna River is crossed at Milepost 99.5, and from this point, begins a cut-and-fill section as the roadway begins the ascent to Marshall Pass. Construction to the top of the pass is sidehill cut and fill in rock, with the alignment lying generally to the north side of the valley. In traversing the benches and ridges in ascent, the estimated grade approaches 8%; however, this would probably be reduced somewhat with an accurate survey. For several miles after crossing the summit of Marshall Pass, the construction is primarily fill. From Mile 108 to the connection with the Richardson Highway at Mile 113.2, construction is of sidehill cut and fill, with good alignment, but grades of six to eight percent.

Wood Canyon Route

For the Wood Canyon Route, construction to the Tasnuna River crossing at Mile 82 continues along the steep slopes bordering the west bank of the Copper River. After crossing the floodplain of the Tasnuna River Valley, the proposed route could either follow the railroad bed or leave the river bank temporarily, and climb to a small valley parallel to the Copper River, behind a high rock ridge. Going up and around the railroad bed would avoid a major slide area but would require new right-of-way. Past this segment the route is adjacent to the Copper River, following, essentially, the old railroad alignment. Only two relatively small streams are encountered which require bridges. The route remains at the base of the mountains, which here have a natural slope of approximately 2:1 to 1:1.

Construction consists of sidehill cut and fill at the base of a number of talus slopes and alluvial fans. As the route nears the Tiekel River at Milepost 100.7, the adjacent slopes become so steep as to nearly force the route into the river. In several instances, rock fills in the river or blasting into the mountain are required.

The river crossing at the Tiekel River is located at essentially the same place as the old railroad trestle. The proposed route continues along the base of near-vertical slopes. At Milepost 115, the proposed alignment could avoid a steep area by leaving the river and climbing to a low ridge, approximately 500 feet above the water but new right-of-way would be required. This alternative line would follow this hilltop route for approximately five miles before rejoining the railroad alignment at Milepost 120.1 along the river. Past this the line again is located at the foot of steep slopes, and consists of a series of rock cuts and fills as it approaches the lower end of Wood Canyon. Through the Wood Canyon area, the roadway is generally located on the old railroad alignment, and is 75 to 100 feet above the river. Construction is often full bench cuts with wide ditch sections. Slopes are nearly vertical, both above and below the proposed roadway. After leaving the Canyon, the alignment continues along the river, with construction being much the same as encountered previously. At O'Brien Creek (Mile 127.9), the roadway turns away from the river and lies on a relatively flat valley floor for the remainder of the way to Chitina, at Mile 130.6.

Tiekel Route

The Tiekel route description is common with the Wood Canyon Route description from Milepost 82 to Milepost 100. Therefore the following description will be limited to the approximately 16 miles of proposed roadway from Mile 100 to the connection with the Richardson Highway at Milepost 46, of the Richardson Highway.