

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672
7325 HOUSE TRANSPORTATION

203

DETAIL

		FY92	FY93+
100	PERSONAL SERVICES		
	One Clerk Typist III Part-time	7.6	15.3
200	TRAVEL		
	4 additional trips per year	1.2	2.4
	2 to Juneau, 2 to Fairbanks	2 trips	4 trips
300	CONTRACTUAL		
	Postage and Tolls	.6	.6
400	COMMODITIES		
	Normal office supplies	.1	.1
500	EQUIPMENT		
	1 Desk	1.0	
	1 Chair	.3	
	1 File Cabinet	.3	
	TOTAL:	11.1	18.4

Position Title Clerk Typist III		No. of Positions 1	Range/Step 8A	Barg. Unit GGU	
Time Status PPT	Staff Months 6 months	Location Anchorage		Election District	
Type of Expenditure		Justification			
Amount		<p>This legislation will require action against the driving privileges of an estimated additional 500 individuals arrested for DWI. This position will prepare files for administrative hearings; verify prior DWI convictions by obtaining certified records from other states; enter license actions on the individual's driving record; send notice of time and location of the administrative hearing; assist in the correspondence concerning license actions; prepare and send a temporary license to the individual pending the administrative hearing.</p>			
1	2				3
Salary*	5.3				////////////////////////////////////
Benefits*	2.3				////////////////////////////////////
Premium Pay (Included in Above)	////////////////////////////////////				////////////////////////////////////
Other	////////////////////////////////////				////////////////////////////////////
Total Personal Services	////////////////////////////////////				7.6
Travel					-0-
Contractual					.6
Commodities					.1
Equipment		1.6			
Other		-0-			
Total Cost		9.9			
Funding Source for Total Cost					
Federal Receipts	1002				
G.F. Match	1003				
General Fund	1004				
Program Receipts/GF	1005				
I-A Receipts	1007				
CIP Receipts	1061				
Other					
<p>* Personal Services Salary and Benefits Costs are from PACS calculations.</p> <p>Salary and benefits are based on six months of FY 92.</p>					

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
 BRU Division of Motor Vehicles
 COMPONENT Driver Services

Page 4 of 4
 Revised Date

FY 92

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. H.B. 102

Revision Date: _____ Department Affected: Corrections
 Title: "An Act relating to the offense of operating a motor vehicle...while intoxicated..." BRU: Statewide Operations
 Component: All Institutions
 Sponsor: Rep. Donley
 Requestor: Rep. Donley COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
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-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: No significant impact on Department operations.

ANALYSIS: (Attach a separate page if necessary.)

See attached page.

Prepared By: Tom Sutton, Director Phone: 465-3376
 Division: Administrative Services Date: 03-19-91
 Approved by Commissioner: _____
 Agency: Department of Corrections Date: 03-19-91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

Fiscal note Dept of Corrections

Department of Corrections
Division of Administrative Services

House Bill No. 102, lowers the blood alcohol level for drunk driving from .10 percent to .08 percent.

The Department contacted three police departments, Anchorage, Fairbanks and Juneau. We asked each Department if data was available for us to determine the blood alcohol level of those who have been charged for drunk driving. Fairbanks and Anchorage police departments did not have that information readily available. However, for both cities, the staff stated it would be their best estimate that there would be few instances where the blood level would fall within the .08 to .10 percentage rate.

Fortunately, the Juneau Police department was able to provide us with records for testing on the intoximeter for the entire year of 1990. Our review of 148 charged with a DWI provided us with the following information:

Average Blood Alcohol Level	=	.1998
Blood Alcohol Level below .100	=	2
Blood Alcohol Level above .100	=	146
Blood Alcohol Level between .080 - .100%	=	0
Blood Alcohol Level between .050 - .080	=	2

The Department of Corrections reviewed its own records relative to DWI offenders and found the following admission rates and sentenced offenders in our institutions:

Calendar Year	1986	1987	1988	1989	1990
Admissions for DWI (A)	3536	3686	3603	3539	4033
Sentenced for DWI	3560	3081	2603	2584	2544

(A) Admission into facilities relates to those who are in an unsentenced status.

Considering the zero frequency rate of the number of offenders whose test results fall into .08 and .10; and the declining impact of sentenced DWI offenders into our system, it is my opinion that HB 102 will not have a significant fiscal impact upon the Department.

REPRESENTATIVE DAVE DONLEY

ALASKA STATE LEGISLATURE
DISTRICT ELEVEN • SPENARD
SEAT A

3111 "C" STREET, SUITE 450
ANCHORAGE, ALASKA 99503
(907) 561-7629 (FAX) 562-4376



ALASKA: ELDING • RENTZEN • BIRCHWOOD • CHESTER CREEK • HEATHER MEADOWS • LINCOLN PARK • MIDTOWN • NORTHSTAR
NORTHWOOD • RUMBLE • ROOSEVELT PARK • SPENARD • THOMPSON • TURNAGAIN • WINDEMERE • WOODLAND PARK

SPONSOR STATEMENT

House Bill 102 reduces the legal definition of intoxication for the crime of driving while intoxicated from .10% to .08% blood alcohol content. This means that it would be illegal for a person to be in control of a motor vehicle with a blood alcohol level of .08% or greater.

Four states have already lowered their legal definition of intoxication to .08%: California, Oregon, Utah, and Maine. All of Canada has a .08% blood alcohol threshold. All European nations prohibit driving with a .08% or lower blood alcohol level. (.08% results from 4 drinks in an hour's time for the average-size adult.)

Scientific evidence persuasively establishes that the risk of a driver being involved in a serious or fatal crash increases as the alcohol concentration in the body increases. Many studies have shown that measurable impairment to operate a motor vehicle begins in most drivers at or below .05% percent blood alcohol level, and that all drivers are impaired at a blood alcohol level of .08%.

Setting the allowable blood alcohol level at .08% will greatly increase the probability of obtaining convictions for drunk driving. Because the law will increase the certainty of conviction, it will also be more effective than current law in deterring drunk driving and in reducing the number of alcohol-related crashes. In fact, after Maine reduced its legal blood alcohol level to .08%, the percentage of alcohol-related motor vehicle fatalities decreased significantly.



P.C.

Sponsor statement

463-5661



STATE OF ALASKA

DEPARTMENT OF LAW

CRIMINAL DIVISION

WALTER J. HICKEL, GOVERNOR

REPLY TO

CRIMINAL DIVISION CENTRAL OFFICE
P.O. BOX KC
JUNEAU, ALASKA 99811-0310
PHONE: (907) 465-3428

OFFICE OF SPECIAL PROSECUTIONS
AND APPEALS
103' WEST 4TH AVENUE, SUITE 318
ANCHORAGE, ALASKA 99501-5993
PHONE: (907) 279-7424

February 26, 1991

The Honorable Dave Donley, Chair
House Judiciary Committee
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

Re: HB 102 (Reducing Necessary BAC for DWI Offenses)

Dear Representative Donley:

By letter dated January 31, 1991, you have asked whether we believe there are any problems with the above-referenced bill and whether we support it or not. Please be advised that we support this legislation and are not aware of any legal problems with it.

Alcohol-related offenses continue to dominate the dockets of our state courts. Any law that restricts alcohol consumption or penalizes its abuse will help make Alaska a safer place to live.

Thank you for the opportunity to comment on this bill. If you have any further questions that we may be able to answer, please do not hesitate to call upon us.

Very truly yours,

CHARLES E. COLE
ATTORNEY GENERAL

By: Margot O. Knuth
Margot O. Knuth
Assistant Attorney General

MOK:mm-026

**DEPARTMENT OF COMMERCE &
ECONOMIC DEVELOPMENT**

P. O. BOX D
JUNEAU, ALASKA 99811-0800
PHONE: (907) 465-2515

DIVISION OF INSURANCE

March 19, 1991

Honorable Dave Donley
Chairman, House Judiciary Committee
Alaska House of Representatives
P. O. Box V
Juneau, Alaska 99811

Dear Representative Donley:

Re: HB 102
Blood Alcohol Concentration

You have asked for our opinion concerning the proposal to revise the blood alcohol concentration measure of impairment from the current 0.10% to 0.08%. We have reviewed comments by John Krizay, author of the book "The Fifty Million Dollar Drain," in which he notes that with the current BAC level of 0.10%, an average driver is six to seven times more likely to have an accident if driving. He also notes that at 0.15% the ratio is 25 to 1. He further notes that the American Medical Association recommends a much lower level contending that even professional drivers display signs of impairment at levels of 0.05% and 0.06%. The evidence suggests that the 0.10% level is an inadequate measure of impairment. Your efforts to address a more appropriate level of impairment has our support.

Very truly yours,



David J. Walsh
Director

910319 06 DD1

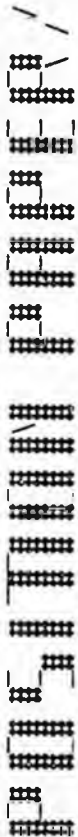
BILL NO: HB 102

DATE: 3/20/91

TITLE: An Act relating to the offense of operating a motor vehicle, aircraft, or watercraft while intoxicated. . .

CONTACT: Gayle A. Horetski
Deputy Commissioner
465-4322

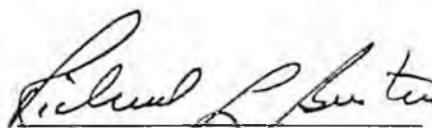
DEPARTMENT OF
PUBLIC SAFETY



This bill would amend Alaska's DWI law to lower the prohibited breath or blood alcohol level from .10 to .08. The Alaska State Troopers and local police agencies would enforce the law through enhanced detection and arrest efforts. The bill also requires the Department of Public Safety, Division of Motor Vehicles (DMV), and the courts to revoke the driver's license or driving privileges of individuals arrested or convicted of DWI at an alcohol concentration level of .08 percent.

The effect of the adoption of a .08 alcohol level is difficult to predict, and will depend to a great extent upon the level of enforcement of the new law. The State of California adopted such a change effective January 1, 1990; the number of DWI arrests in that state increased 13.6 percent in the first year of enforcement. Maine adopted a similar law in 1988; the number of DWI arrests increased 20 percent in 1989, the first full year the law was in effect. Oregon adopted a .08 law in 1983. The arrest rate went up slightly in 1984, then declined for several years. As of 1989 (the latest year for which we have statistics), the number of DWI arrests is about two percent higher in Oregon than it was in 1983. In the first year of enforcement of Utah's .08 law, there was a 30% increase in the number of DWI arrests. For purposes of estimating fiscal, administrative, and enforcement impact, the Department of Public Safety estimates that there will be approximately 10 percent more DWI arrests statewide after the .08 law takes effect.

The department supports HB 102. This bill has the potential to reduce alcohol-related traffic accidents in general, and particularly alcohol-related traffic deaths. It also promotes the safety of the motoring public. In order to be effective, however, the new law must be accompanied by concerted enforcement and public education efforts. Adequate funding for these efforts is essential.


Richard L. Burton
Commissioner

3 Fiscal notes - Dept Public Safety



National Transportation Safety Board

Washington, D.C. 20594

Office of the Chairman

March 6, 1991

Honorable Dave Donely
Chairman, House Judiciary Committee
Alaska State Legislature
P.O. Box V
Juneau, Alaska 99811

Dear Chairman Donely:

It is my understanding that the House Judiciary Committee is considering legislation to lower the blood alcohol concentration (BAC) at which a driver is presumed to be intoxicated from 0.10 percent to 0.08 percent. I would like to offer my strong support and share with you the conclusions of the National Transportation Safety Board based on its research and accident investigation experience.

Considerable research demonstrates measurable adverse effects of alcohol on performance, even at low BACs. Degradation of performance at a BAC as low as 0.035 percent was shown in a Coast Guard study completed in 1975 (CGD-134-75). This finding is supported by research completed in 1950 by K. Bjerver and L. Goldberg, documenting that the impairment threshold of expert drivers' driving ability is at BACs. of 0.035 to 0.040 percent. This study concluded that performance decrements were significant when the BAC was around 0.035 percent ("Effects of Alcohol Ingestion on Driving Ability: Results of Practical Road Tests and Laboratory Experiments," Quarterly Journal, Studies on Alcohol, Vol. 11, No. 1, 1950). In yet another study by Goldberg, "Alkohol och Trafiksrisker" (published in 1970 in Sweden), it was shown that in an emergency, a BAC of 0.02 to 0.04 percent can have a critical effect. Goldberg found detrimental effects and performance impairment in subjects with BAC of 0.02 to 0.04 percent.

The 1977 study by H. Laurell, "Effects of Small Doses of Alcohol on Driver Performance in Emergency Traffic Situations," found effects on driver performance at BACs below 0.05 percent, studied in two contexts: (1) in a critical car-driving situation involving emergency braking and evasive maneuvers, and (2) in a "surprise" situation that followed the first situation and involved the sudden appearance of a human-shaped obstacle blocking the roadway. Overall, detrimental effects of alcohol at an average BAC as low as 0.042 percent were found.

Other studies substantiate performance impairment at very low BACs. For example, in an article published in 1970, "Alcohol Disturbance of Visual Acuity for Moving Objects," H. Honneger stated that the ability to distinguish close, but separated, moving objects seems to be consistently impaired at BACs sometimes as low as 0.03 percent. C. E. Billings and R. L. Wicks, in a

- letters of support -

Honorable Dave Donely

page 2

report prepared for the FAA ("Effects of Alcohol on Pilot Performance during Instrument Flight," FAA-AM-72-4), stated that the ability to divide attention between tasks can be impaired at very low BACs (0.02 percent). Earlier (1964) findings by O. Gruner *et. al.*, also concluded that very low BACs impair the ability to divide attention between tasks. Further studies (H. Franks *et. al.*, "The Relationship Between Alcohol Dosage and Performance Decrement in Humans," *Journal of Studies on Alcohol*, 1976) indicate that the ability to stand upright without swaying begins to decrease significantly at a BAC as low as 0.04 percent.

The American Medical Association and the National Safety Council's Committee on Tests for Intoxication, have developed a table that places the effects of a BAC of 0.03 percent in the "euphoria" range. The behavioral symptoms of this level of intoxication include increased self-confidence, decreased inhibitions, loss of efficiency in finer performance tests, and diminution of attention, judgment, and control. These symptoms were expressly characterized as not compatible with the safe operation of motor vehicles.

Further, a 1985 study by Dr. Herbert Moskowitz shows evidence of impairment on divided attention and information processing tasks beginning at a BAC as low as 0.015 percent. At a 1987 international conference, Dr. Moskowitz reported on an exhaustive review of research on low BAC effects he conducted for the National Highway Traffic Safety Administration. Based on this review of more than 200 research articles, Dr. Moskowitz stated that there is no lower limit or threshold concentration below which alcohol is not impairing to some aspect of human behavior.

Additional research completed in late 1987 by the National Academy of Sciences provided further information on the effects of low levels of alcohol. In enacting the Commercial Motor Vehicle Safety Act of 1986, the Congress requested the Academy to study the effect of various alcohol levels on the performance of truck drivers. The Academy's Transportation Research Board brought together a group of nationally recognized experts on the effects of alcohol, who concluded that "performance of driving related tasks decreases at any BAC above zero and crash risk increases sharply as BAC rises." The National Academy of Sciences recommended, and Federal Highway Administration regulations established, 0.04 BAC as the level at which commercial drivers would have an illegal alcohol level. Any alcohol ingestion can result in the commercial driver being put out of service for 24 hours. The Safety Board has recommended that States enact legislation setting 0.01 percent as the functional equivalent of a zero BAC for commercial drivers.

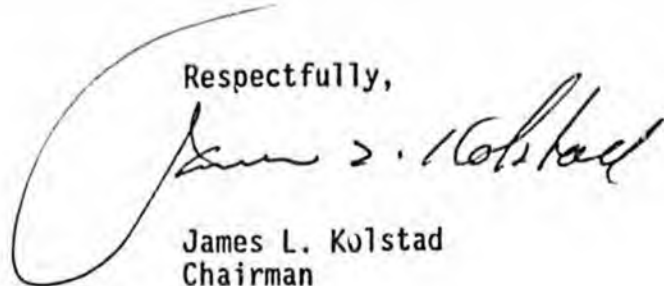
Similarly, Federal regulations prohibit aircraft crews from ingesting alcohol in the eight hours prior to flight operations and they may not have an alcohol level of 0.04 percent or above. The Safety Board has recommended that the alcohol level for air crews be the lowest level that can be reliably measured.

Honorable Dave Donely
page 3

When combined with the impairing effects of other potential stressors found in highway operations, such as complex traffic response demands, fatigue, vibration and noise, the presence of alcohol even at very low blood alcohol concentrations must be considered a clear and definite risk to safe highway operations. Therefore, legislation to lower the definition of intoxication to 0.08 percent would be a most moderate step.

Please let us know if there is any way we can be of additional assistance.

Respectfully,

A handwritten signature in cursive script, appearing to read "James L. Kulstad". The signature is written in dark ink and is positioned above the printed name and title.

James L. Kulstad
Chairman

MOTHERS AGAINST DRUNK DRIVING

TO: Fairbanks Chamber of Commerce
P.O. Box 72704
Fairbanks, AK 99707

FROM: Feri-Ann Mallory
Mothers Against Drunk Driving
200 Woodridge, #10
Fairbanks, AK 99709

DATE: February 24, 1991

SUBJ: News Release - For Immediate Release

House Bill 100

The Fairbanks Chapter of Mothers Against Drunk Driving announced its support for House Bill 100 introduced by Representative Dave Conley, D-Anchorage. This bill, designed to lower the blood alcohol standard for driving while intoxicated, is seen as a crucial link in the defense against DWI in Alaska.

Elenn MacInnes, President of the Fairbanks Chapter of MADD said that passage of this bill will help deter drunken driving by making convictions easier to obtain and cases harder to lose through technicalities.

The bill would lower the per se standard for intoxicated driving from the current .17 to .08, a level at which it has been proved virtually everyone suffers dangerous driving impairment. At the current state .15, low enforcement officials find it frustrating to arrest drivers with BACs of near .10 because convictions are difficult to obtain at such levels. However, experience in Oregon since passage of .08 per se there has shown that under the lower standard, both arrests and convictions have gone up, especially at .10 - .14 levels.

"Passage of this bill will make the state BAC legal limit more closely coincide with actual impairment and make Alaska highways safer," said Elenn MacInnes.

MAILING ADDRESS:
733 West 4th Avenue, Box 821
Anchorage, AK 99501

(907) 258-MADD

BUSINESS ADDRESS
733 West 4th Avenue, Suite 304
Anchorage, AK 99501

February 25, 1991

Representative Dave Donley
P.O.Box V
Juneau, Alaska 99811

Dear Representative Donley:

The Anchorage Chapter of Mothers Against Drunk Driving is pleased to support HB 102. As you know, a driver with a blood alcohol level of .08 is six times more likely to have an accident than a driver with a blood alcohol level of zero.

In 1989 there were a total of twenty traffic fatalities in Anchorage; six of those were alcohol-related. That same year there were a total of 371 alcohol-related traffic accidents which did not result in fatalities. By lowering the legal blood alcohol level to .08, we hope both of these statistics could be lowered significantly.

Nationwide, the chances of being a victim of a handgun-related crime are one in five; the chances of being a victim of an alcohol-related traffic accident are one in two, according to the National Highway Traffic Safety Administration.

Every 23 minutes, someone in the United States dies because of a drunk driver. Within the last decade, over 250,000 Americans have died because of drunk drivers. This is more than five times the number of U.S. combat deaths in Vietnam. Clearly, drunk driving is one of the major causes of accidental death in this country. MADD commends you in your efforts to reduce the impact of drunk driving here in Alaska.

A major issue in conjunction with this legislative change would be to provide a monetary incentive to municipalities to change their ordinances to conform with state law by increasing municipal assistance enough to cover the increased costs of the bill. I don't believe the costs would greatly increase, but I know, for example, that the municipality of Anchorage needs additional prosecutors now, and this change would only make that need more acute.

We urge the passage of this bill with the appropriate resources to ensure its enforcement.

Sincerely,

Susan Humphrey-Barnett / by lsr
Susan Humphrey-Barnett, President
Anchorage Chapter MADD

MODIFYING
ATTITUDES
TOWARDS
DRIVING AND
DRINKING



ALASKA STATE MEDICAL ASSOCIATION

4107 Laurel Street • Anchorage, Alaska 99508-5334 • (907) 562-2662

March 18, 1991

Honorable Dave Donley
Alaska State Legislature
P.O. Box V (MS 3100)
Juneau, Alaska 99811

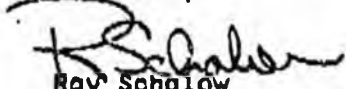
Dear Representative Donley:

The Alaska State Medical Association strongly supports your efforts in addressing the serious matter of alcohol-related accidents and fatalities through House Bill 102.

It is our belief that imposing a more restrictive legal limit on alcohol consumption for drivers does reduce the number accidents and fatalities. We applaud your efforts in reducing the amount of blood alcohol to 0.08 percent by weight of alcohol in the blood. The Alaska State Medical Association had drafted legislation to reduce the percentage to 0.05 and was prepared to introduce this legislation when your bill appeared.

If we can be a resource or assist you in any manner, please do not hesitate to call.

Sincerely,



Ray Schalow
Executive Director

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Blood Alcohol Concentration and Driving

American College of
Emergency Physicians
Dallas, Texas

[This position statement was approved by the Board of Directors on June 6, 1988. American College of Emergency Physicians: Blood alcohol concentration and driving. *Ann Emerg Med* November 1988;17:1252.]

Address for reprints: American College of
Emergency Physicians, PO Box 619911
Dallas, Texas 75261-9911

BLOOD ALCOHOL CONCENTRATION AND DRIVING

Epidemiologic and experimental data persuasively establish that the risk of a driver being involved in a serious or fatal crash increases as the alcohol concentration in the body increases, that measurable impairment to operate a motor vehicle begins in most drivers at or below .05 g/dL, and that all drivers are impaired at a blood alcohol concentration (BAC) of .08 g/dL.

It is therefore the position of the American College of Emergency Physicians that a BAC of .05 g/dL be considered as presumptive evidence of driving impairment and that a BAC of .08 g/dL be considered illegal *per se* to operate a motor vehicle.

ACEP urges the enactment of state legislation prohibiting alcohol-impaired driving that reflects these statements where such do not exist.

.08 Per Se .05 Presumptive Legal Blood Alcohol Content Limit

POSITION

MADD supports setting the legal Blood Alcohol Content (BAC) limits for drivers at .08 per se and .05 presumptive.

BACKGROUND

The "illegal per se" concept is that operation of a vehicle by a person with a BAC at or above a legally defined numerical threshold (e.g. 0.08) constitutes an offense per se of drunk driving. Illegal per se is not rebuttable, except on grounds such as illegal arrest procedure or breath analysis machine error.

The "presumptive" concept states that a BAC between the numerical threshold and the per se level may be considered with other competent facts in determining whether a person was under the influence of alcohol. It is rebuttable.

Even though impairment theoretically begins with the first bit of alcohol, research has clearly shown measurable impairment occurs in most people at .05 BAC.¹ A recent study by the Transportation Research Board supported lowering the BAC limit for commercial drivers to .04 or lower.²

Reliable studies show that for all people, important driving skills are impaired at .08 BAC.³

Because measurable impairment in most people occurs at .05 BAC and because everyone is impaired at .08, MADD believes that states should enact drunk driving laws making a BAC of .05 presumptive evidence of intoxication and a .08 BAC per se evidence of intoxication.

In most industrialized nations, the legal BAC is lower than the 0.10 level which prevails in the United States. MADD believes that lowering the BAC to .05 presumptive and .08 per se will reduce drunk driving by:

- Increasing the likelihood of convicting suspected drunk drivers.
- Increasing a person's perceptions that he or she will get caught for driving after drinking, and
- Expanding the universe of arrestable impaired drivers.

1. Moscovitz and Robinson. "Effects of Low Doses of Alcohol on Driving Skills: A Review of the Evidence," July 1987.

2. Zero Alcohol and Other Options: Limits for Truck and Bus Drivers. Special Report 216, Transportation Research Board, National Research Council, Washington, DC, August 1987.

3. Moskovitz et al.

MADD

- Explanation materials -

.08 Illegal Per Se Laws

What is an illegal per se law?

An "illegal per se" law makes it illegal to drive or to be in control of a motor vehicle with an illegal alcohol concentration, as prescribed by State law. Unlike most driving while intoxicated (DWI) statutes wherein alcohol concentration, along with other factors such as slurred speech, unsteady gait, etc., are used as evidence to prove that a driver was intoxicated, with an "illegal per se" law, driving while at or above a specified alcohol concentration constitutes the violation in and of itself.

"Illegal per se" laws are similar to (but should not be confused with) administrative license suspension laws which are frequently called "administrative per se" laws. An "illegal per se" law specifies the violation of driving or being in control of a vehicle while at or above a specified alcohol concentration. This charge is a criminal charge which would normally be adjudicated in a court of law and a conviction would be followed by a number of appropriate sanctions or combinations of sanctions.

An "administrative per se" license suspension law provides that if a person drives or is in control of a vehicle while at or above a prescribed alcohol concentration, an administrative (as opposed to a judicial) license suspension or revocation will result. Such a law is similar to an "illegal per se" law in that it is based solely on the alcohol concentration of the driver. It differs from an "illegal per se" law in that it invokes an "administrative," rather than a "judicial" process and prescribes specifically what the administrative penalty (e.g. a 90-day license suspension) will be.

Why is an "illegal per se" law needed?

Illegal per se laws greatly increase the probability of conviction for an alcohol-related offense. They increase the certainty of conviction and reduce litigation time and costs. Because they increase the certainty of conviction (and therefore the certainty of punishment), illegal per se laws are more effective in deterring drunk driving and in reducing alcohol-related crashes.

This is because under an "illegal per se" law, the definition of the offense is not driving while intoxicated (a less than precise term). Rather, it is driving (or being in physical control of a vehicle) while having an illegal alcohol concentration which the law defines. In such case, the prosecutor is significantly less burdened to establish additional evidence (usually behavioral) which demonstrates intoxication or impairment. Therefore, the "burden of proof" for a conviction is less for the prosecutor under a "per se" law than under a "presumptive" law where alcohol concentration is only one of several factors used to establish guilt.

It should be noted that often the police officer must collect the same type of evidence (e.g. behavioral signs of intoxication) required under a "presumptive" law in order to show the "articulable suspicion" necessary for making the stop and the "probable cause" necessary for making the arrest. Still, however, the "illegal per se" law increases the probability of a conviction and decreases the prosecutor's requirement to provide additional, less objective evidence.

How do we know that intoxication or impairment is directly related to alcohol concentration? At what level is a person impaired?

Scores of laboratory studies have been conducted over the past three decades to determine the extent to which alcohol impairs the skills and/or judgment which are related to driving (e.g. reaction time, vision, risk taking behavior, etc.).

Such studies have indicated that impairment effects are seen in some persons at alcohol concentrations below .04 and that all persons are impaired to some extent at .08 percent (Moskowitz and Robinson, 1987). Complex tracking tasks, complex reaction time and divided attention tasks, where subjects must attend to multiple stimuli at the same time, appear to show the most degradation and onset appears to begin at very low alcohol concentrations.

More importantly, a number of "real world" (epidemiological) studies have been conducted

which have attempted to relate involvement in (and causation of) alcohol-related crashes to factors such as alcohol concentration. All such studies have shown an increased risk of involvement and causation of such crashes which is directly correlated with alcohol concentration. Most of such studies (Pernice, 1976, Borkenstein, 1968) have indicated that the risk of crash involvement begins to rise after .04 alcohol concentration and rises rapidly after .08 alcohol concentration.

What is the current status of "illegal per se" laws in the U.S.?

As of January 1, 1988, 44 States had passed "illegal per se" laws. Most such laws have been enacted since 1980 and most (41) have established .10 as the illegal alcohol concentration. Two States, Idaho and Oregon, established .08 as the illegal concentration. Two States established a higher level (i.e. Colorado @ .15 and Georgia @ .12).

During the 1988 legislative session, several States have already changed their "per se" laws. Maryland passed such a law for the first time and established the illegal concentration at .10 and Maine lowered its illegal concentration from .10 to .08.

Thus, as of July 1, 1988, there were 45 states plus D.C. with illegal per se laws, 41 States with a .10 limit; 3 states with a .08 limit and two states with a limit greater than .10.

Five states remain without a per se law. They are: Wyoming, Kentucky, Tennessee, Massachusetts and South Carolina. Colorado and Georgia have illegal per se laws but an alcohol concentration greater than 0.10.

How effective have "illegal per se" laws been?

Illegal per se laws are only part of a total system of laws, enforcement, license actions, prosecution, adjudication, sanctioning, education and treatment that contribute to significant reductions in alcohol-related crashes. Very often such laws have been passed and enacted as a part of comprehensive legislative packages. This has made it difficult to evaluate the effectiveness of such laws, in and of themselves.

In 1988, however, the Insurance Institute for Highway Safety (IIHS) released the results of a study which evaluated the effectiveness of "illegal per se" laws, "administrative per se" laws and mandatory jail / community service laws. The study revealed that il-

legal per se laws significantly reduced fatal crashes. Since more States had enacted "illegal per se" laws, more lives had been saved due to such laws than by either of the other types of laws.

Why use .08 rather than .10 as the illegal alcohol concentration for "illegal per se" laws?

As has already been pointed out, laboratory research has indicated that virtually all drivers are impaired to some extent at an alcohol concentration of .08. Most persons show impairment in some critical tasks such as divided attention at much lower levels. Furthermore, epidemiological studies have shown that the risk of crash involvement begins to rise significantly after an alcohol concentration of .05.

A summary of both laboratory and epidemiological research can be found in the resource materials. The report entitled Alcohol and Highway Safety 1984: A Review of the State of Knowledge, and the report entitled Low BAC Impairment (Moskowitz and Robinson, 1987) should be reviewed for a thorough understanding of the effects of alcohol at low alcohol concentrations.

Most foreign nations have alcohol concentrations at .08 or lower. These include Canada, Great Britain, the Scandinavian countries, Australia and New Zealand.

Who supports lowering the alcohol concentration limit below .10?

The National Safety Council's (NSC) Committee on Alcohol and Drugs has thoroughly reviewed the evidence regarding driving impairment and the epidemiology of crashes relative to alcohol concentration. It has resolved that all persons are impaired at an alcohol concentration of .08 and supports the lowering of "per se" limits to that level.

The American Medical Association (AMA) advocates an even lower .05 alcohol concentration limit.

The National Committee on Uniform Traffic Laws and Ordinances (NCUTLO) advocates an illegal per se limit of .08 in its most recent edition of the Uniform Vehicle Code (UVC).

Other organizations which advocate illegal per se laws at levels below .10 include: The American Spinal Injury Association (ASIA) and the States of Utah, Maine and Oregon, which have .08 per se limits.

What provisions of an illegal per se law are desirable?

Immediately following this section is a copy of the provisions of the new Uniform Vehicle Code (UVC) which relate to an "illegal per se" law.

As is apparent, the primary provision in Section 11-902 is that:

"(a) A person shall not drive or be in actual physical control of any vehicle while:

1. The alcohol concentration in his blood or breath is 0.08 or more..."

Note that the (new) term "alcohol concentration" means either grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath. This definition of alcohol concentration replaces the (old) term of blood alcohol concentration (BAC) which was expressed in terms of a percent (e.g. .08% BAC). The new term is simply "an alcohol concentration of 0.08." This definition is appropriate whether blood or breath tests are taken with no need to convert one to the other (i.e. no need to convert breath alcohol concentration [BAC] to blood alcohol concentration [BAC]).

Are illegal per se laws constitutional?

Yes, they are constitutional. Although the U.S. Supreme Court has consistently refused to hear "illegal per se" cases, every State appellate or high court which has ruled on illegal per se laws has found such laws to be constitutional so long as adequate notice is given as to what constitutes the illegal behavior.

In order to be clearer as to what constitutes illegal behavior, some states have written in their legislation requirements for providing alcohol concentration information to the public.

Are there any other changes that should be made to illegal per se laws?

Besides lowering the alcohol concentration limits of existing per se laws, it is important to review the "presumptive" laws which may also exist within the State which, in some cases, state that a person is "presumed not to be under the influence of alcohol at an alcohol concentration of .05 or less." Such a provision should be removed. Given recent research findings, it is clear that there is no positive (non-zero) alcohol concentration level where it can be presumed that a person is not under the influence of alcohol.

Points Often Raised

How many lives will be saved by lowering the limit from 0.10 to 0.08?

There are no scientific research studies which show the impact of reducing an illegal per se limit from 0.10 to 0.08. However, Scandinavian countries which have lower alcohol concentration limits also have fewer drivers on the road at high alcohol concentrations and a lower portion of their fatally-injured drivers have high alcohol concentrations. These lower levels are likely due to a combination of factors such as enhanced enforcement, use of roadside sobriety checkpoints, swift and sure license and jail penalties, as well as lower alcohol concentration limits. Such a (lower) limit must be viewed as an element of a total package aimed at reducing impaired driving.

In addition to the foreign experience, those states which have had lower alcohol concentration limits in the U.S. are among the states with the lowest nighttime proportion of fatal crashes and the lowest alcohol-related proportion of fatal crashes. Again, there are many factors in operation in such states. However, the lower illegal per se limits are considered to be an important such factor.

One researcher (Hurst) re-analyzed the data from the classic Grand Rapids, Michigan, study (Borkenstein, 19). Hurst developed a procedure for estimating what the impact of a complete enforcement of various alcohol concentration limits would be (i.e. the effect of keeping all persons above a specified alcohol concentration off the road). He estimated that a complete enforcement of a 0.08 limit would be significantly more effective in reducing serious alcohol-related crashes than a complete enforcement of a 0.10 limit. Although a complete enforcement effort may not be realistic, Hurst's analysis indicated that significant potential gains are available by reducing the alcohol concentration limit from 0.10 to 0.08.

Will reducing the limit from 0.10 to 0.08 likely make a difference?

If the police and the courts actually carry out the intent of the law, such a reduction can make an im-

portant difference. Currently, many drivers apprehended at borderline alcohol concentrations (e.g., 0.11) are not vigorously prosecuted and may be allowed to plead to a reduced charge. Lowering the limit to .08 should increase the frequency of prosecution of this group. It should also result in the more frequent arrest and conviction of persons at .08 and .09 who are at least 2 to 3 times as likely to be involved in a serious crash as someone at .00.

Isn't it fairer and more accurate to use appearance and behavior as an indicator of impairment or intoxication than to use an alcohol concentration?

No, it is not. Alcohol concentration is the most scientific and objective measure we can use to determine impairment or increased probability of involvement in a serious or fatal crash. That is because nearly all impairment which has been measured in laboratory situations and all risk estimates from "real world" epidemiological studies have been established relative to alcohol concentration levels.

Appearance is often misleading. Individuals who show little evidence of intoxication may still be significantly impaired in their ability to react to complex situations on the roadway.

We must rely on what we have learned from laboratory and real world studies to estimate what impact alcohol is likely to have in driving situations. Furthermore, studies have shown that both physicians and police fail to identify up to half of the drivers who are above 0.10 alcohol concentrations (NSC, 1970; NHTSA, 1984). Yet, research demonstrates that at these alcohol concentrations the ability of all drivers to react to complex situations is significantly impaired and evidence from epidemiological studies indicates that the probability of involvement in a serious injury or fatal crash is 5-6 times that of a person with a 0.00 alcohol concentration.

The most accurate and objective indicator of increased crash risk is a measure of alcohol concentration.

If a State enacts an "illegal per se" law, should the old law(s), which are based on behavioral evidence, as well as on alcohol concentration, be discarded?

No, the older driving while intoxicated (DWI) or driving under the influence (DUI) laws should be retained for those cases in which no chemical test is available. This can occur either when an offender refuses to take a chemical test or when some problem develops with the test result. Often, an offender is charged under both the "per se" and "presumptive" laws and one of the charges is dropped at a later date.

With all the current emphasis being placed on alcohol concentration as measured by breath testing devices, how accurate are such devices in measuring alcohol concentration?

Modern breath test devices are extremely accurate and reliable when maintained and operated according to State guidelines. All States have detailed requirements for

- (1) the qualifications of breath testing equipment.
- (2) the training of breath test operators and
- (3) the procedures to be used in conducting breath tests.

Only when all of these requirements are met are tests admitted as evidence.

Most of the errors which can be made in collecting breath tests provide a result which is favorable to the accused (e.g., the devices are calibrated to read lower, rather than higher).

The principal risk in administering a breath test is failure to wait 15-20 minutes before administering the test. This must be done to ensure that any alcohol residue in the mouth from the person's last drink is gone. Such "mouth alcohol" could result in an erroneously high alcohol concentration reading. All States require at least a 15-20 minute wait before an evidential breath test can be conducted.

Isn't blood alcohol, rather than breath alcohol, a more accurate measure on which to base impairment?

No. Most of the laboratory research which has measured impairment relative to alcohol concentrations has employed the use of breath test devices to measure alcohol concentration. In addition, most of

the evidence gathered from roadside surveys (a critical element of epidemiological studies) has been based on the administration of breath tests.

Since it is alcohol in the brain which presumably causes impairment, perhaps the best measure of alcohol impairment would be the alcohol concentration of the brain. Such a measure, however, is not practical to collect.

There is no evidence that blood alcohol concentration provides any better measure of impairment than does breath alcohol concentration. Defense lawyers would like to make a judge and jury believe that blood is a better measure, but it is not.

The dependence on blood alcohol concentration (BAC) began decades ago when blood provided the primary means for determining alcohol concentration. When breath test devices were first developed, they were based on a conversion factor (i.e. 2100:1) to convert the breath alcohol readings to blood alcohol equivalents. That was unfortunate and defense lawyers began to challenge the 2100:1 conversion ratio. Newer State legislation is progressing beyond that stage by defining violations in terms of the more general term "alcohol concentration" (not blood alcohol concentration) which means either grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

Isn't it unfair to define an alcohol-related (per se) offense in terms of alcohol concentration when an individual has no direct way of determining what his or her alcohol concentration is?

It is true that a precise measure of one's alcohol concentration is difficult to obtain unless the person has his or her own breath test device. However, a person can use simple guidelines such as no more than a drink in an hour or "know your limit" cards to estimate his or her alcohol concentration. Furthermore, the legal limit of .08 is sufficiently high that more than just a moderate amount of drinking is necessary to reach the legal limit.

A person would have to drink more than just a drink an hour to reach such a limit. An average 160 lb. male would have to drink more than 3 drinks in the first hour to reach that limit and could have nearly one additional drink for each additional hour of drinking without exceeding the limit.

MADD

Illegal Per Se at .08% Law

Uniform Vehicle Code

I. Criminal offenses

§ 11-902--Driving while under the influence of alcohol or drugs

- (a) A person shall not drive or be in actual physical control of any vehicle while:
1. The alcohol concentration in his blood or breath is 0.08 or more based on the definition of blood and breath units in § 11-903 (a)(5); (New, 1971; Revised, 1979, 1984.)
 2. Under the influence of alcohol. (Revised, 1971.)
 3. Under the influence of any other drug or combination of other drugs to a degree which renders him incapable of safely driving; or (Formerly § 11-902.1; Revised, 1971, 1979, & 1984.)
 4. Under the combined influence of alcohol and any other drug or drugs to a degree which renders him incapable of safely driving. (Formerly § 11-902.1; Revised, 1971, 1979, & 1984.)
- (b) The fact that any person charged with violating this section is or has been legally entitled to use alcohol or other drug shall not constitute a defense against any charge of violating this section. (Formerly § 11-902.1; Revised, 1971, 1984.)
- (c) In addition to the provisions of § 11-904, every person convicted of violating this section shall be punished by imprisonment for not less than 10 days or more than one year, or by fine of not less than \$100 nor more than \$1,000, or by both such fine and imprisonment and on a second or subsequent conviction, he shall be punished by imprisonment for not less than 90 days nor more than one year, and, in the discretion of the court, a fine of not more than \$1,000. (Formerly § 11-902.2; Revised, 1971, 1984.)

II. Admissibility of chemical tests for intoxication

§ 11-903--Chemical and other tests

- (a) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in actual physical control of a vehicle while under the influence of alcohol or other drugs, evidence of the concentration of alcohol or other drugs in a person's blood or breath at the time alleged, as determined by analysis of the person's blood, urine, breath or other bodily substance, shall be admissible. Where such a test is made the following provisions shall apply; (New, 1971; Revised, 1979, 1984.)
1. Chemical analyses of the person's blood, urine, breath, or other bodily substance to be considered valid under the provisions of this section shall have been performed according to methods approved by the (State department of health) and by an individual possessing a valid permit issued by the (State department of health) for this purpose. The (State department of health) is authorized to approve satisfactory techniques or methods, to ascertain the qualifications and competence of individuals to conduct such analyses, and to issue permits which shall be subject to termination or revocation at the discretion of the (State department of health). (Formerly § 11-902 (c).)
 2. When a person shall submit to a blood test at the request of a law enforcement officer under the provisions of § 6-207 or § 6-209, only a physician or a registered nurse (or other qualified person) may withdraw blood for the purpose of determining the alcoholic or other drug content therein. This limitation shall not apply to the taking of breath or urine specimens. (Formerly § 11-902 (d).)
 3. The person tested may have a physician, or a qualified technician, chemist, registered nurse,

or other qualified person of his own choosing administer a chemical test or tests in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer. (Formerly §112-902(e).)

4. Upon the request of the person who shall submit to a chemical test or tests at the request of a law enforcement officer, full information concerning the test or tests shall be made available to him or his attorney. (Formerly §11-902 (f).)

III. Definition of alcohol concentration

5. Alcohol concentration shall mean either grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath. (Formerly §11-902(b); Revised, 1979.)

IV. Presumptions for under the influence alcohol offense

- (b) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in actual physical control of a vehicle while under the influence of alcohol, the concentration of alcohol in the person's blood or breath at the time alleged as shown by analysis of the person's blood, urine,

breath, or other bodily substance shall give rise to the following presumptions: (Revised, 1979.)

1. If there was at that time an alcohol concentration of 0.05 or less, it shall be presumed that the person was not under the influence of alcohol. (Revised, 1979.)
 2. If there was at that time an alcohol concentration in excess of 0.05 but less than 0.08, such fact shall not give rise to any presumption that the person was or was not under the influence of alcohol. (Revised, 1979, 1984.)
 3. If there was at that time an alcohol concentration of 0.08 or more, it shall be presumed that the person was under the influence of alcohol. (Revised, 1979, 1984.)
 4. The foregoing provisions of this subsection shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was under the influence of alcohol. (Formerly § 11-902(b).)
- (c) If a person under the arrest refuses to submit to a chemical test under the provisions of §6-207, evidence of refusal shall be admissible in any civil or criminal action or proceeding arising out of acts alleged to have been committed while the person was driving or in actual physical control of a motor vehicle while under the influence of alcohol or other drugs. (Formerly §11-902 (g). Revised, 1984; Section Renumbered, 1986.)

.08 Per Se

In Rapid City, South Dakota, a young resident was engaged to be married when he was struck by a car whose driver had been drinking, but whose blood alcohol test was below the legal intoxication limit.

Even though Ricky was hospitalized five months and in a coma more than a month, no charges were filed. Because of this paralysis, he will live in a nursing home for the rest of his life.

Arlene Feuerback had just celebrated her 40th wedding anniversary in August, 1987, reflecting on her years of happiness. She had recently been named one of five "Master Homemakers" in Iowa. She was a hospital volunteer, a leader in her church, an active Farm Bureau woman, and coordinator of a food pantry for the needy.

As she rode her bicycle along the highway she was hit and killed by an offender who fell asleep at the wheel. Because his blood alcohol level tested at .053, he was charged only with reckless driving and fined \$30 plus court costs.

A study was made of 388 drunk driving cases dropped by the State Attorney's office in West Palm Beach, Florida revealed that 75 (19%) were dropped because of blood alcohol levels of less than .10. Officers say they continue to file charges against offenders who register below .10 because they fear the offenders will have fatal crashes if let go.

MADD

Agencies

National Transportation Safety Board
Washington, DC 20594
(202) 382-6572

National Highway Traffic Safety
Administration
Office of Alcohol and State Programs
400 - 7th Street, S.W., Suite 5130
Washington, DC 20590
(202) 366-9550

National Safety Council
Committee on Alcohol and Drugs
444 N. Michigan Ave.
Chicago, IL 60616
(312) 527-4800

National Committee on Uniform Traffic
Laws and Ordinances
The Traffic Institute -
Northwestern University
405 Church Street
Evanston, IL 60201
(312) 491-5280

Mothers Against Drunk Driving
National Office
669 Airport Freeway, Suite 310
Hurst, TX 76053
(817) 268-6233

Consultants

John H. Lacey
UNC Highway Safety Research Center
CTP, 197A
Chapel Hill, NC 27514

John V. Moulden, Advisory
National Transportation Safety Board
Washington, DC 20594

Robert B. Voas, PhD.
Pyramid Planning
7315 Wisconsin Avenue
Bethesda, MD 20814

References

"Effects of Low Doses of Alcohol on
Driving Skills: A Review of the
Evidence," Moscovitz, Herbert and
Robinson, Christopher D., National
Technical Information Service,
Springfield, VA, for the U.S. Department
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Report 216. Transportation Research
Board, National Research Council,
Washington, DC, 1987.

"A Study of the Feasibility of Establishing
Lower Blood Alcohol Content Limits in
Sections of the Wisconsin Statutes Related
to Operating a Vehicle While Intoxicated,"
contract study for Council on Highway
Safety, Wisconsin Department of
Transportation, 1984.

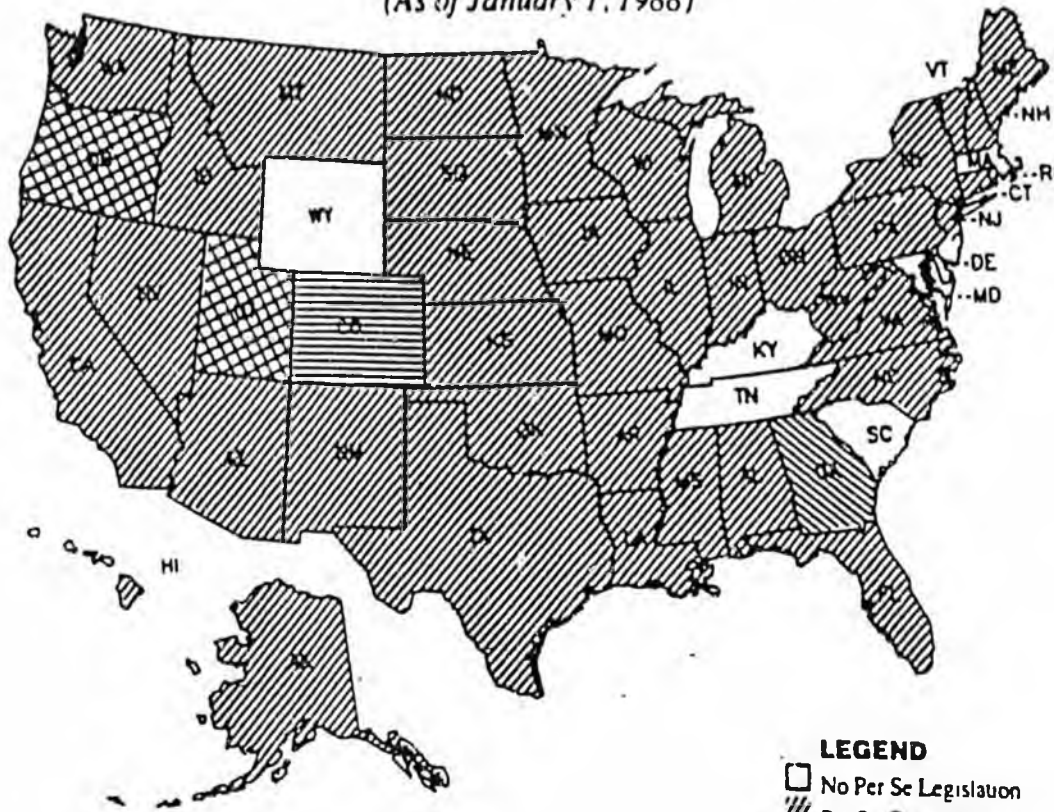
"Fatal Crash Involvement and Laws
Against Alcohol-Impaired Driving," Zador,
P. L.; Lund, A. K.; Fields, M.; and Wein-
berg, K.; Insurance Institute for Highway
Safety, Washington, D.C., February, 1988.

MADD

States With Illegal PerSe Laws

44 States and Washington, D.C.

(As of January 1, 1988)



LEGEND

- No Per Se Legislation
- ▨ Per Se @ .10% B.A.C.
- ▩ Per Se @ .12% B.A.C.
- ▬ Per Se @ .15% B.A.C.
- ▧ Per Se @ .08% B.A.C.

Source. NHTSA Legislative Digest

Alabama
Alaska
Arizona
California
Colorado*
Connecticut
Delaware
District of Columbia
Florida
Georgia**
Hawaii
Idaho

Illinois
Indiana
Iowa
Kansas
Louisiana
Maine***
Michigan
Minnesota
Mississippi
Montana
Nebraska
Nevada

New Hampshire
New Jersey
New Mexico
New York
North Carolina
North Dakota
Ohio
Oklahoma
Oregon***
Pennsylvania
Rhode Island
South Dakota

Texas
Utah***
Vermont
Virginia
Washington
West Virginia
Wisconsin

Total = 44
*BAC = 0.15
**BAC = 0.12
***BAC = 0.08

**UNIFORM VEHICLE CODE
AND
MODEL TRAFFIC ORDINANCE**

**Cumulative
SUPPLEMENT IV, 1984**

to 1968 Edition

RECEIVED

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Reference Library**

NATIONAL COMMITTEE

ON

UNIFORM TRAFFIC LAWS AND ORDINANCES

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Michael T. Propst, M.D.

A PROFESSIONAL CORPORATION

4335 LAUREL
ANCHORAGE, ALASKA 99508
(907) 563-8699

March 7, 1991

Representative Dave Donley
Chairman, House Judiciary Committee
P.O. Box V
Juneau, Alaska, 99811

Dear Representative Donley:

I write in strong support of House Bill 102 regarding the lowering of the legal blood alcohol or breath alcohol to .08%. There is strong scientific documentation of impairment for operating a motor vehicle at this concentration and above. I have testified in many cases to the effect that in my expert medical opinion Alaska's drunk driving law should reflect this concentration.

Sincerely,


Michael T. Propst, M.D.

enc.

MTP:sp

CURRICULUM VITAE

Michael T. Propst, M.D.

Page 2

PUBLICATIONS: Contributor to: "Alcohol and Highway Safety: Behavioral and Medical Aspects:", Final Report to U.S. Department of Transportation, Sept., 1971

"Death on Denali" Western Journal of Medicine, 128-471, 1978. (coauthor).

PROFESSIONAL INTERESTS:

Laboratory management and administration, dermatopathology, forensic pathology, and clinical chemistry.

POSITIONS:

1974-1984

Medical Director, Clinical Laboratory, Humana Hospital Alaska
Direction of clinical laboratory including microbiology, hematology, blood bank, chemistry, special chemistry, toxicology, and specimen acquisition and distribution in this 199 bed acute care hospital, which evolved from Anchorage Community Hospital to Humana Hospital Alaska during these years.

Responsible for all laboratory work including quality assurance and control for all laboratory sections. Provided continuing education for laboratory staff.

Worked with two other pathologists and some 50 - 60 technical staff to provide full time laboratory service.

Shared anatomic pathology workload with colleagues.

1984-present

Medical Director, Alaska Operations, Physicians Medical Laboratory
Duties similar to those above for this private medical laboratory which primarily serves physician's offices and small hospital laboratories as a reference laboratory. In Alaska hematology, microbiology, chemistry, and anatomic pathology are done in house. Multi-channel screening and exotic testing are sent to the parent facility.

1984-present

Medical Examiner, State of Alaska

Performing forensic autopsies and providing forensic pathology consultation for various private and governmental agencies and individuals, including interpretation of toxicology results and drug screens.

PROFESSIONAL RECOGNITION:

Certificate of Civic Achievement, Anchorage Police Department, 1986.
Listed in Who's Who in the West and Who's Who in Emerging Leaders in the USA.

CURRICULUM VITAE

Michael T. Propst, M.D.

EDUCATION:

Preliminary: Klamath Union High School, Klamath Falls, Oregon, 1954 - 1958

University: Oregon State University, 1958 - 1961
Bachelor of Science, General Science

University of Oregon Medical School, 1961 - 1966
M.D., June, 1966
Post Sophomore Fellow in Pathology, 1963 - 1966

Post-Graduate: Mary Imogene Bassett Hospital, Cooperstown, New York
Rotating Intern, 1966 - 1967

Medical Centers Hospitals of Vermont - University of Vermont
College of Medicine.
Residency in Pathology, 1967 - 1971

MEDICAL LICENSURE: Vermont and Alaska

CERTIFICATION: American Board of Pathology:
Anatomic and Clinical Pathology, 1972
Forensic Pathology, 1977

FELLOWSHIP: College of American Pathologists, 1974
American Society of Clinical Pathologists, 1975
American Academy of Forensic Sciences, 1979

HOSPITAL APPOINTMENTS:

Humana Hospital Alaska, Anchorage, Alaska
The Alaska Hospital and Medical Center, Anchorage, Alaska
Central Peninsula General Hospital, Soldotna, Alaska
Peninsula Hospital, Homer, Alaska
Cordova Community Hospital, Cordova, Alaska
Norton Sound Regional Hospital, Nome, Alaska
Seward General Hospital, Seward, Alaska
Alaska Native Service Hospital System

TEACHING APPOINTMENTS:

Medical Director, Medical Laboratory Technician Training Program
Anchorage Community College, 1972 - 1983.
Police Instructor, State of Alaska Police Standards Council

MILITARY: Major, U.S.A.F., 1971 - 1974 U.S.A.F. Hospital, Elmendorf AFB,
Alaska: Chief of Pathology
Awards: U.S.A.F. Commendation Medal

SOCIETIES:

College of American Pathologists
American Academy of Forensic Sciences
National Association of Medical Examiners
American Society of Clinical Pathologists
Anchorage Medical Society
Alaska State Medical Association



Association for the Advancement of Automotive Medicine

An International multidisciplinary organization for crash injury control

February 29, 1988

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Mr. Albert A. Godfrey, Sr.
Maine Highway Safety Commission
P. O. Box 91, 18 Main Street
Winthrop, ME 04364

Dear Mr. Godfrey:

Alcohol-impaired drivers continue to be a major problem on our highways. While some reductions in traffic injury and death due to alcohol have occurred over the last several years, we still have a long way to go to bring the situation under control.

In 1982 this Association adopted the position that the minimum age for the purchase or consumption of any alcoholic beverage should be 21 years. A position supporting mandatory blood alcohol concentration testing of all drivers involved in crashes resulting in serious or fatal injury was passed in May 1985. Such a measure would provide substantially better information on the extent of alcohol in surviving drivers whose impairment generally goes undetected at present. In addition, evaluation of current countermeasures could be evaluated more effectively.

More recently, the AAAM membership adopted the position of supporting .05 g/dl BAC as presumptive evidence of driving impairment, and .08 g/dl BAC as illegal per se. Persons with a BAC at or less than .05 g/dl should not be presumed to be unimpaired.

The thrust of this BAC position is to support public policy which is aimed at impaired drivers who are at highest risk of serious or fatal crash involvement and which is realistically enforceable.

I would welcome the opportunity to work with you in promoting goals of these positions.

Sincerely,

James C. Fell
President

Enc.

Alaska should lower legal limits for drunken driving

By PERI-ANN MCILROY

FAIRBANKS — Most people who drink and drive are aware that it is illegal to drive with a blood alcohol content (BAC) of 0.10 or higher. What they may not know is that a driver with a BAC of 0.10 is six times more likely to have a crash than a sober driver.

Setting the legal limit for intoxication so high deceives drivers into thinking they can drive safely when, in fact, they are dangerously impaired.

Research done for the federal Department of Transportation shows that measurable impairment of vital driving skills occurs in most people at 0.05 and that virtually all drivers are impaired at 0.08. With a BAC of 0.04, some drivers experience impairment in judgment, simple reaction time, and emergency response; they may also experience a false sense of confidence.

Important driving skills such as concentrated attention, comprehension and coordination are impaired in most drivers at 0.05. Driver performance tests at a BAC of 0.08 show impaired accuracy of steering, braking, speed control, lane tracking and judgment of speed and distance.



For a typical 150 pound person, five drinks (a drink being a shot of 80 proof liquor, a 12-oz. can of beer, or a 6-oz. glass of wine) consumed in one hour would reach the 0.10 threshold of legal intoxication. Consuming approximately one additional drink each hour thereafter would maintain that level of intoxication.

DWI arrest statistics for Alaska indicate that the average BAC at arrest is 0.19. This is almost two times the legal limit. These drivers, by the way, would have consumed more than 12 drinks.

At 0.15 the likelihood of involvement in a crash is 25 times greater than if the driver was sober. While at 0.20 the chance of a crash soars to 100 times greater.

Alaska drunken-driving laws should be

changed to 0.08 per se with a BAC of 0.05 presumptive evidence of intoxication. The legal term "0.08 per se" means the offense is not driving while intoxicated, it is driving while having an equally high BAC and constitutes the violation in and of itself.

This places significantly less burden on the prosecutor to establish evidence such as slurred speech, unsteady gait, etc., to prove a driver was intoxicated.

The legal meaning of "0.05 presumptive" is that a BAC between 0.05 and the 0.08 per se level may be considered along with other additional evidence, such as behavioral signs of intoxication, in determining whether a person was under the influence of alcohol.

This change would be more than a slight reduction; it is, rather, a crossing of the threshold from measurably impaired to measurably unimpaired. In addition to making Alaska highways safer, it would provide the following benefits:

- Increase the certainty of conviction of drunk drivers;
- reduce litigation time and costs;
- increase public awareness as to how

little alcohol it takes to be dangerously impaired,

- make the state BAC legal limit more closely coincide with actual impairment.
- deter drunken driving and in reducing alcohol-related crashes.

The National Safety Council's Committee on Alcohol and Drugs, the American Medical Association, and the Surgeon General all recommend lowering the BAC. Five states have already lowered the legal limit for intoxication to 0.08 and most foreign nations set their alcohol concentrations at 0.08 or lower.

During 1989, 46 Alaskans were killed and 652 more were injured in alcohol-related crashes at a cost of over \$21 million. The cost in human suffering is immeasurable. Adopting a "0.08 per se and 0.05 presumptive" BAC limit would mean more effective law enforcement and safer roads. It is a limit which is reasonable and necessary for the safety of all Alaskans.

Peri-Ann McIlroy lives in Fairbanks. Her only two children, Kurt and Kara, were killed by a drunken driver.

Prisons: \$100 million problem

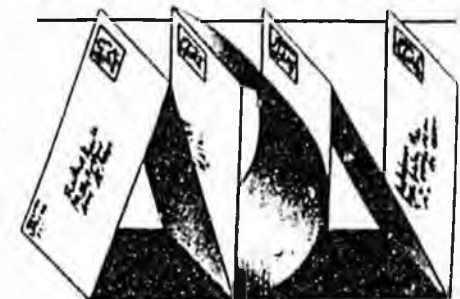
The Alaska prison system is overflowing with prisoners. All prisons and jails are over capacity levels. Why? It seems to me the Department of Corrections is very reluctant to release any prisoners; and once free, why do so many violate their parole? I'm not talking about a few, but 85 percent of paroled prisoners end up back in jail. This is because DOC gets 100 million dollars a year, and wants even more. DOC is stealing your taxes and oil money. They have purposefully kept prisoners months past their due release date, by taking their good time for the slightest infraction, and leaving them behind bars to add to the congestion and ever crowding at chaotic levels.

Releasing prisoners on non-violent crimes, with six months or less to their release date, and putting a stop to the prisons taking a prisoner's good time would drop prison levels 20 percent and save the taxpayer and state millions of dollars in costly additions due to overcrowding.

Also put a stop to parole officers who



LETTERS



FROM THE PEOPLE

The Daily News welcomes letters on issues of public interest. Please limit letters to 250 words or less. Longer ones will be returned unless prior arrangements have been made. No more than one letter a month per writer, please.

Include a daytime phone number for verification. (Your phone number and address will not be published.) We do not run unsigned or anonymous letters, open letters addressed to third parties, or copies of letters sent to other papers.

We reserve the right to edit letters for clarity. If you do not want us to edit

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Founded in 1946 by Norman C. Brown

Anchorage
Daily
News
3-7-91

Too lenient

Law lets many drinkers drive legally

Despite a decade of heightened concern about drunken driving, Alaska is surprisingly tolerant of the practice. The problem is not that police don't take the crime seriously, or that prosecutors fail to pursue cases vigorously, or that offenders get off easy.

The problem is that the definition of drunken driving in state law is too lenient. Drivers are not legally presumed drunk until their blood alcohol level reaches 0.10. To reach that level, the average person must do a substantial amount of drinking.

A 160-pound person would have to drink five beers, or five shots of 80-proof liquor, or an entire standard-sized bottle of wine — all in one hour.

After that much drinking, a driver's abilities are considerably impaired. Research cited by the National Highway Traffic Safety Administration shows drivers with blood alcohol levels of 0.10 are 12 times more likely than non-drinkers to have a fatal accident.

Anti-drunken driving activists in Alaska would like to see state law tightened. One proposal would drop the legal blood alcohol level by 20 percent, to 0.08. Between 0.05 and 0.08, drivers would be presumed drunk, but they could rebut that presumption by showing other evidence that their driving was not actually impaired by alcohol.

Lower blood alcohol limits have drawn wide support. Among the groups pushing for a change are the National Safety Council's Committee on Alcohol and Drugs, the American Medical Association, and Mothers Against Drunk Driving.

At least four states have lowered their legal limit to 0.08. Alaska should join them.

Gulf casualties

How many lives lost...



CAN ANYONE
BELIEVE
THERE ARE
ANYONE
IN AMERICA

Israel

BOSTON — On Jan. 28, Secretary of State James Baker aims in the Middle East in his words, "to begin a dialogue for Israel and Palestine. One thinks that what is here is a story to illusion."

Taher Shriteh is a journalist in Gaza, a Palestinian who reports on that part of the occupied by Israel. He does part-time work for a number of Western organizations, among them The New York Times, the BBC, CNN, and the Voice of America.

On Jan. 28, Israeli authorities arrested him. He was held with his family and without explanation. The reasons for his arrest are unclear.

All his employment questions to the Israeli government about the result, a military hearing Feb. 18. He should be allowed bail. The hearing is an official process.

Surgeon General Issues "Top 10" Initiatives on Drunk Driving

At his final press conference before leaving office, Surgeon General C. Everett Koop released the formal proceedings from his December 1988 Workshop on Drunk Driving and urged Congress to act on 10 key recommendations designed to curb alcohol-impaired driving and related deaths.

Leading the list was a proposal that Congress encourage the states to immediately reduce the legal blood alcohol concentration (BAC) from its present level of 0.10 percent to 0.08 percent, and to further reduce it to a level of .04 percent by the Year 2000. Additionally, Koop advocated establishing a BAC level of 0.00 percent for drivers under 21 years of age.

The broad-based plan includes initiatives ranging from injury control to law enforcement to alcohol advertising and marketing practices. States are

SB408

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

House Transportation 3-21-91



House Transportation Committee

SUBJECT OF MEETING:
HB 102
HB 108 (no hearing)

DATE: **3/21/91**

PLACE: **17**

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Loren Jones, Director	Division of Alcoholism & Drug Abuse	P.O. Box H-05 Juneau	99811		586-6201	(Y) N	HB 102
Jay Frank	State Farm Insurance Co Allstate Progressive	One Sealaska Plaza Juneau, AK	99801		6-5912	(Y) N	HB 102
John George	NATF	9515 Mountain Way Juneau	99801		9-0122	(Y) N	HB 102
GAYLE HORETSKI JAY GULANY	DPS DMV	Box N, JUMP			4322	(Y) N	HB 102
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	

H B

1 3 2

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 11, 1991

FURTHER REFERRALS: Health, Education and Social Services Finance

Date of Committee Action: 4/23

The TRANSPORTATION Committee considered:

HB 132

HOUSE BILL NO. 132

APPROP: HANDICAPPED ACCESS ON FERRIES

"An Act making a special appropriation to the Department of Transportation and Public Facilities, Alaska marine highway system, for handicapped access on certain state ferries; and providing for an effective date."

RECOMMENDATIONS:

be replaced with CS HB 132 (transp) [] the same title [] a new title

[] have attached amendments(s)

[x] do pass

[] do not pass

[] no recommendations

[] individual recommendations

[] additional referral to the _____ Committee

ADOPTS: Transportation Committee letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

[x] fiscal impact _____

[] fiscal note(s) _____

[] zero fiscal note _____

[] zero fiscal note(s) _____

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

	Check appropriate column:	Do Not	No Rec	Amend
		Pass		
<i>Richard [Signature]</i>	<i>Richard [Signature]</i>		*	
<i>Laird Phillips</i>				
<i>Sam [Signature]</i>				
<i>Bill [Signature]</i>				

Richard [Signature]
Chairman's Signature

Alaska State Legislature

House of Representatives



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

Committee on Transportation

April 23rd, 1991

LETTER OF INTENT FOR HB 132

It is the intent of the House Transportation Committee to ensure that any device designed to provide handicapped accessibility on the M/V Aurora or M/V Leconte be usable by the elderly and handicapped in a safe and dignified manner.

Representative Richard Foster
Chairman, House Transportation Committee

REPRESENTATIVE
JERRY MACKIE

P.O. BOX 73
CRAIG, ALASKA 99921
(907) 826-3008 OFFICE
(907) 826-2930 HOME

CHAIRMAN,
COMMUNITY & REGIONAL AFFAIRS COMMITTEE

VICE CHAIRMAN,
TRANSPORTATION COMMITTEE

Alaska State Legislature



WHILE IN JUNEAU
P.O. BOX V
JUNEAU, ALASKA 99811
(907) 465-4825

House of Representatives

POSITION STATEMENT

HB 132

HB 132, "An Act making a special appropriation to the Department of Transportation and Public Facilities, Alaska marine highway system, for handicapped access on certain state ferries, and providing for an effective", is legislation responding to concerns expressed by the elders and handicapped in the rural villages served by the small vessels of the system.

Access to these vessels is hampered by the lack of elevators available for use by wheel chair-bound users, persons unable to use the stairs due to loss of sight or limb, and the aged who have difficulty negotiating the narrow, steep stairs.

The rural village residents prefer to travel by ferry. This appropriation will reduce the stress of travel for those with infirmities who are the least able to leave the village and possibly have the greatest need to travel.

HOUSE BILL NO. 132

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES MACKIE, Hudson

Introduced: 2/11/91

Referred: Transportation, Health, Education and Social Services, Finance

Funding Information: General Fund \$800,000

Other Funds -0-

\$800,000

A BILL

FOR AN ACT ENTITLED

1 "An Act making a special appropriation to the Department of Transportation and Public
 2 Facilities, Alaska marine highway system, for handicapped access on certain state ferries;
 3 and providing for an effective date."

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

5 * Section 1. The sum of \$800,000 is appropriated from the general fund to the Department of
 6 Transportation and Public Facilities, Alaska marine highway system, for installation of elevators,
 7 accessible to and usable by the handicapped, aged, and infirm, ^{ok} ~~between the car deck and passenger decks~~
 8 ^{or} of the LeConte and the Aurora.

9 * Sec. 2. The appropriation made by this Act is for a capital project and lapses under AS 37.25.020.

10 * Sec. 3. This Act takes effect July 1, 1991.



*Department of Transportation
and Public Facilities*

**POSITION
PAPER**

BILL NO: HB 132

APPROVED: W. F. Gerten

TITLE: An act making a special appropriation to DOT&PF, Alaska Marine Highway System, for handicapped access on certain state ferries; and providing for an effective date. **DATE:** February 19, 1991

House Bill 132 appropriates \$800,000 to the Alaska Marine Highway System for the installation of elevators on the M/V LeConte and the M/V Aurora. This issue has been thoroughly analyzed in the last several years. All alternative locations for the installation of elevators on the vessels cause considerable disruption to the current operations and require modification to structural components. Several years ago, stair walkers were purchased for each vessel. These units require a crew member to assist a person confined to a wheel chair to negotiate the ships' stairways. We are reviewing an alternative device which operates on a track running parallel to the stair's handrail and apparently does not require the assistance of a crew member. At this time we do not support the installation of elevators on these vessels.



Grand Camp
Alaska Native Brotherhood

RESOLUTION NO. 08

TITLE: ELEVATORS FOR FERRIES SERVING THE CANOE
COMMUNITIES

Whereas, The State of Alaska did not hear our voice in convention in Klawock or again in Hoonah for the need of elevators for our Elders on the ferry system, and

Whereas, our voice needs to be heard now for the needs that we express, and

Whereas, we need for them to picture their mothers, their fathers, their grandmothers and grandfathers climbing and climbing those seemingly endless stairs up to the top deck of the Alaska ferry, for them to experience the frustrations that we have on behalf of our Elders.

NOW THEREFORE BE IT RESOLVED, that the Alaska Native Brotherhood and the Alaska Native Sisterhood meeting in convention in Kake, Alaska during the week of October 14 - 20, 1990 we, once again, urge and remind the State of Alaska of the State law for accessibility for the handicapped to the public areas, and which includes our Elderly in this law, and, for the message to our State legislature to be heard in "GETTING ELEVATORS IN OUR FERRY SYSTEM FOR THE CANOE COMMUNITIES" as soon as possible, and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the State Dept. of Transportation Marine Highway System, the State legislature and the Governor of Alaska.

ATTEST: I certify that this resolution was adopted by the ANB/ANS Grand Camp in convention in Kake, Alaska during the week of Oct. 14 - 20, 1990.

Albert Kookesh

Albert Kookesh
Grand President

Andrew Ebona

Andrew Ebona
Grand Secretary

March 4, 1991

Representative Richard Foster
P.O. Box V
Juneau, Alaska 99811

Dear Rep. Foster:

I am writing in support of H.B. 132, which would make a special appropriation for elevators on the state ferries LeConte and Aurora.

I have personally been working toward this goal for several years, contacting my former legislator and state officials. I am the mother of a nine-year-old boy, Logan, who experiences disabilities, specifically cerebral palsy. We live in Klawock, and have had to do extensive travelling over the years to obtain medical care and therapy services.

The lack of handicapped access on these two ferries has been a real hardship on this family, and continues to be presently. So many times, we had to wait until all other passengers had departed. Then, ask crew members or strangers to assist with carrying him up and down the steps in his stroller, which is a real safety hazard.

Now that he is age nine and weighs over 90 pounds, that is no longer an option. He struggles to get up the steps. He has depth perception difficulties, and is very afraid while trying to walk down the three flights of steps. It requires two adults to assist, for safety's sake, which causes financial hardship - his Dad must leave the business for the duration and pay the additional travel expenses, or we have to hire assistance and pay for it.

I commend this attempt to at last recognize this serious, degrading situation and remedy it. Please let me know if there is any way I can be of assistance.

Thank you for your support.



Brenda Trumble
P.O. Box 136
Klawock, Alaska 99925 (907) 755-2278

cc: Rep. Jerry Mackie

MEMORANDUM

John

State of Alaska
Department of Transportation & Public Facilities

TO: Harold Moss
Director
Marine Facilities Engineering
Alaska Marine Highway System

DATE: January 30, 1987

FILE NO:

TELEPHONE NO: 465-2734

FROM: Larry Woolford *LW*
Project Manager
Marine Facilities Engineering
Alaska Marine Highway System

SUBJECT: M/V LeCONTE Galley &
Finishings
Modifications

During the period 1/9/87 through 1/23/87, a hoistway obstruction was placed on the main (car) deck in way of the proposed elevator site (#2 - Glosten Concept, dated 11/20/86).

It was anticipated that placement of this "dummy" hoistway would generate adequate information to determine the actual impact of the installation on the M/V LeCONTE's ability to transport vehicles greater than twenty-eight feet (28') in length, as referenced in the above report.

I have attached Captain D. Johnson's observations during this period. In addition, my own follow.

I visited the vessel on each arrival in Auke Bay (1/9, 1/11, 1/16, 1/18 and 1/23) specifically to witness loading operations. In each instance, several attempts were required to situate vehicles (31' to 40' excluding the tractor unit). It must be pointed out that the main deck in all cases was devoid of other vehicles, which afforded ample room to maneuver these units. However, this luxury normally would be precluded during peak traffic months by through traffic.

Discussions with the Chief Mate indicate that occasions arise that require using the turntable to load "booked" traffic in excess of twenty-eight feet (28'). The turntable will not function unless the applied weight is evenly distributed which causes a one to two foot (1' to 2') overhang of the vehicle being loaded with the turntable (turntable diameter is 32'). The elevator hoistway location is within eight inches (8") of the turntable perimeter. It appears that the turntable, depending on traffic, will be unusable.

The installed hoistway will eliminate the turning radius currently available and required to clear the transfer bridge when loading standard size vehicles in the "tunnel". The "tunnel" is presently loaded aft to forward by backing vehicles in. The hoistway location also reduces the effective "tunnel" width from eight to six feet (8' to 6') at the forward end. A standard vehicle is approximately six feet (6') in width excluding any

appurtenances (mirrors, etc.). The "tunnel" will be restricted to compacts and sub-compacts only unless through traffic is off-loaded to gain access to and from the after end for standard size vehicles. A portable ramp will be necessary to negotiate the height obstacle of the transfer bridge at the forward end of the "tunnel".

While it appears that the vessel can accommodate units larger than twenty-eight feet (28') in length, the actual capability cannot be documented under the conditions encountered. Furthermore, accessibility to and from the "tunnel" will be severely reduced.

I would suggest that this portion of the subject project be deferred until such time as the elevator installation can be accommodated in such a way as to not interfere with the vessel's present capabilities.

LW/mh

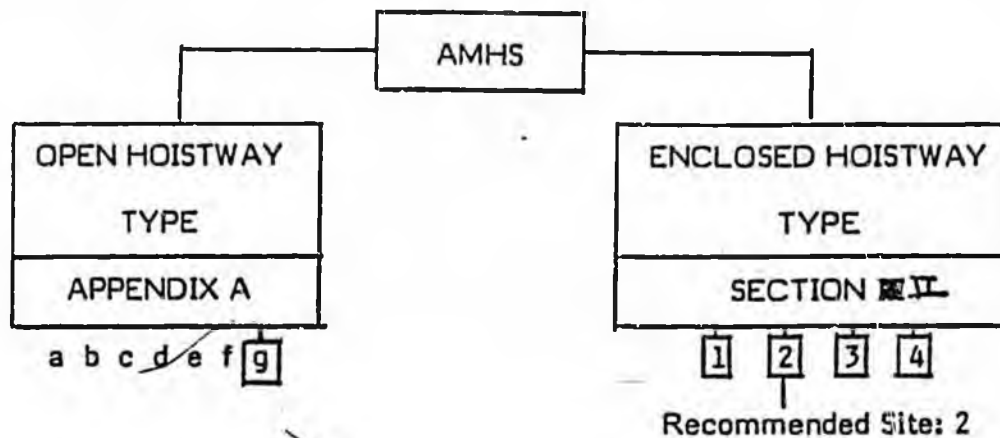
cc: Hugh McDonald - Port Engineer, Marine Operations, AMHS, Pier
48 Seattle
John McGrath - Sr. Const. Mgr., Marine Facilities, AMHS
Kelly Mitchell - Port Captain, Marine Operations, AMHS

SECTION II

ELEVATOR INSTALLATION

An elevator type and its installation site are to be determined for the LeCONTE. The elevator is to provide access for handicapped passengers between the main and passenger decks. It is generally accepted that there is no optimum site for the elevator and this installation will disrupt the vessel's current arrangement and/or loading/unloading operations. The goal then is to identify the viable options with their associated disruptions, and select a site, after formulating a plan to adapt operations to the re-configured vessel. This report section discusses the two general types of elevators, open and enclosed hoistway elevators; discusses elevator machinery; and ranks four sites for the recommended closed hoistway type elevator. The four sites are then further developed into conceptual plans, specifications, and cost estimates, and a recommendation is presented. Appendix A contains Alaska Marine Highway System's (AMHS) preliminary engineering work on open hoistway type installation sites and equipment, with a short commentary.

AMHS should make two decisions at this time. First the type of elevator is to be chosen: open or enclosed hoistway. Secondly the site is to be selected. The sites are dependent on the elevator type. Certain sites are appropriate to one type and not necessary applicable to the other, hence the type needs to be selected first. This decision process is illustrated below:



1. Open Versus Enclosed Hoistways

The hoistway is the vertical rectangular space that the elevator travels in. Open hoistway elevators as defined in this report do not enclose this space, enclosed hoistways of course do enclose the space, either with steel bulkheads or wire mesh. The open hoistway type elevator is appealing to this application because in the raised position, the main deck is free from obstruction. This type however cannot be recommended due to many important drawbacks discussed below.

The primary drawback to the open type elevator is safety. If the elevator stops midway and fire breaks out on the auto deck, people in the elevator have no fire protection. There is also the need for protection to the operating mechanisms, hoist equipment, and electrical travelling cables. Vertical gear racks attached to casing bulkheads, or an extended hydraulic cylinder, could be subject to damage from vehicular traffic. At least one crew is needed to operate the open hoistway type elevators. At the main deck he must insure that the landing area is free from obstruction, and he controls the operation from that station, using a key controlled interlock that must be held against a spring lockout to allow the elevator to be lowered. Release of this key would stop the elevator. Acceptance of the open hoistway type elevator by the U. S. Coast Guard is highly doubtful. Verbal discussions were held with the U. S. Coast Guard Marine Safety Center in Washington, D.C., and they were not favorable. A written request for confirmation has been sent, and at the time of this report, their response has not been received. This request is included in Appendix A. It discussed their primary concerns: fire and smoke passing between decks. Design features necessary to satisfy their concerns for public safety and fire control may negate any potential cost savings. Certification of elevators is not an ABS classification requirement, however we recommend that the elevator machinery and installation drawings be approved by ABS. ABS publishes a "Guide for Construction of Shipboard Elevators", and does not approve open hoistway type elevators.

The most significant problem with the open hoistway type is finding a vendor to assume the risk and supply this type of elevator. The appendix includes details of research conducted by Mr. George Dury, of AMHS, in which he first discovered this problem. In following up with his only positive responding vendor, Unidynamics/Midwest, they confirmed they would only supply an open hoistway elevator if waivers could be obtained from applicable agencies, in this case, the U. S. Coast Guard. Elevator vendors typically build elevators to the ANSI code (ANSI A17.1-1984; "American National Standard Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks"), which although does not necessarily apply to shipboard elevators, does apply in public buildings. This code specifically requires elevator pits and enclosed hoistways.

Furthermore, ANSI A117.1-1980, the handicapped specifications, do not endorse an open hoistway type elevator. They specifically require the elevator to meet the ANSI elevator code.

In conclusion, open hoistway elevators are not appropriate for public use on board ship. While they have certain first cost savings over an enclosed hoistway elevator, they are not significant and the crew cost necessary to operate the elevator will soon negate the first cost advantage. We suggest that the disruption to the main deck be accepted and dealt with, and an enclosed hoistway shipboard elevator be installed.

2. Elevator Equipment

There are three types of enclosed hoistway elevators. The traction type utilizes a

traction winch at the top of the hoistway and a counterweight. While this type has been installed in ships, restraining the counterweight presents problems and adds to the expense of the system. High level speeds, up to 200 fpm, are attainable with this system.

The winding drum type utilizes a drum winch at the top of the hoistway, driven by an electric or hydraulic motor. The winding drum machines become quite complex and expensive with overtravel limits and brake requirements. ABS does not approve their use for transport of passengers, or for rated loads in excess of 1200 pounds. They also limit them to a maximum of 100 fpm and travel of 75 feet. This type should not be considered for passengers.

The hydraulic cylinder type elevator is the most economical and compact type, and the best selection for shipboard use. It does, however, have design limitations that may not be satisfied by the installation site requirements. Travel distance is generally limited to 20 feet, and speed is limited to about 100 fpm. Travel distances exceeding 20 feet can require a telescoping cylinder, which adds to expense. Also, because of the vertical orientation of the cylinder, the height of the hoistway from the bottom of the pit to the top of the enclosure needs to be slightly more than twice the travel distance. These limitations can be worked with on the LeCONTE. The hydraulic cylinder distance is about 17 feet, the 100 fpm speed would result in a 10 second ride from deck to deck, and in most of the proposed locations, the hoistway height requirement can be met. The hydraulic cylinder type is recommended for the LeCONTE, subject to confirmation of its application in preliminary design work.

Inquiries were made of two shipboard elevator vendors, as to price and their recommended type. Both recommended single plunger hydraulic type elevators. When asked about installation in a limited height hoistway, they noted additional costs would be involved. Copies of their proposals are provided in the Appendix.

3. Elevator Sites: Description and Ranking

Four sites for the enclosed hoistway elevator are presented. A ranking matrix, is developed where the various options are scored using a weighted evaluation method. AMHS should review the weighting and ratings, and develop their own scores for comparison.

The four sites presented were selected after a complete review of the vessel's arrangement and structural system. They are the only sites found that satisfy the basic objectives of the installation while minimizing interferences with the ship's operation. These basic objectives are the highest weighted in the ranking matrix:

- o Usability to handicapped passengers.
- o Minimal disruption to main deck operations and arrangement.
- o Minimal disruption to the vessel's arrangement and flow.

Three sites are forward, since 70% to 90% of the passengers board through the forward doors. A site through the crew's quarters on the starboard side amidships is not possible without eliminating some valuable crew space, blocking the starboard most car lane, or blocking the essential fore/aft passage accessing all the crew spaces. The aft starboard corner of the vessel was ruled out as it would eliminate the aft stairway which is essential as a second access to the crew's quarters, and it would block the steering gear access.

The four site selections are listed below, and further defined with plans, specifications, and cost estimates later in this section.

- o Site 1: Forward End Observation Lounge
- o Site 2: Forward End of Machinery Casing
- o Site 3: Port side location
- o Site 4: Aft port corner

4. Elevator Site 1: Forward End of Observation Lounge

This site has the following pros, cons, and basic elements:

- o Estimated cost: \$212,000
- o Major disruption: Arrangement. Forward lounge area would be severely re-arranged.
- o One front window in forward observation lounge is blocked.
- o About 6 seats in the forward lounge are lost.
- o The forward lounge is disrupted by dividing it into two halves with a recessed walkway.
- o One car space on main deck (forward between two stanchions) is lost.
- o The hoistway at main deck will interfere with the 2 foot overhang of trailers on the turntable.
- o While underway, wheelchairs can access forward observation lounge, but probably would not be desirable as they would be too low to see out of the windows.
- o Visibility from wheelhouse to fore deck is reduced.
- o Site is very accessible at main deck.
- o The site would have a detrimental effect on the outward appearance of the vessel.
- o Main deck structure will need modification as important longitudinal beams will be interrupted.

a. Site 1: Outline Specifications: List of Work

1. Structural

A steel hoistway with external dimensions of 75" x 75" is built down into the void aft of the bow thruster compartment, and up above the upper deck in front of the house. A recessed walkway is built into the observation lounge at the level of the foyer, and steps and handrails rearranged. Steps are added as shown on Drawing 8677-A, Sheet 1.

2. Mechanical

The ventilation duct located approximately 9 ft. port of centerline will need to be rerouted further outboard to clear the elevator trunk. A bilge suction from the elevator pit shall be added to the bilge system.

3. Electrical

The power cable running to the forward container refrigeration plug on the starboard side shall be recoiled back to the wire tray at Frame 13 and rerouted around the forward side of Frame 13, to clear the elevator trunk.

Two power cables, 1 440 VAC 3 phase and 1 120 VAC 1 phase, shall be run from the nearest available distribution panels to the electrical panels for the elevator.

b. Unresolved Questions, Site 1

The forward end of the recessed walkway should be better defined. If wheelchair turnaround is necessary, then the width of the notch should be confirmed. If possible, the notch should be eliminated.

5. Elevator Site 2: Forward End Machinery Casing

This site has the following pros, cons, and basic elements:

- o Estimated Cost: \$179,000
- o Major disruption: Operational. Loading/unloading of truck trailers longer than 28 feet may be prohibited through the starboard side door. Deck operations currently include backing large truck trailers in through the starboard side door, and unloading them forward through the same door. This site would disrupt this operation, either changing the loading method by using the turntable, or eliminating the capability to carry these largest trucks. This site would make the starboard door loading limitations identical to the port door loading limitations.
- o About six seats in the forward observation lounge are lost, but two are added next to the elevator.
- o There is excellent access at the main deck.
- o The hoistway at the main deck will interfere with the 2 foot overhang of trailers on the turntable.
- o Loading of long trailers (45') through the starboard door, which formerly could be loaded at Haines, Skagway, Juneau, Sitka, Petersburg, Hollis, Ketchikan, and Auke Bay, will probably not be possible.
- o The pit location is good, however a manhole must be relocated.
- a. Site 2: Outline Specification: List of Work

1. Structural

A hoistway with 75" x 75" external dimensions is built down into the void space between Frames 33 and 36. A full 8 feet is used as the pit, allowing ample room for elevator machinery. Part of the bulkhead at the aft end of the observation lounge is removed, the floor is lowered, and the steps relocated forward, as shown on Drawing No. 8677-A, Sheet 2.

2. Mechanical

The ventilation supply terminal between Frame 31 and 35 for the upper deck shall be shortened approximately 4 ft. and the supply duct to the terminal rerouted forward of the elevator trunk.

In the main deck overhead, the head exhaust duct and the main deck ventilation ducts shall be rerouted around the elevator trunk and deck modification.

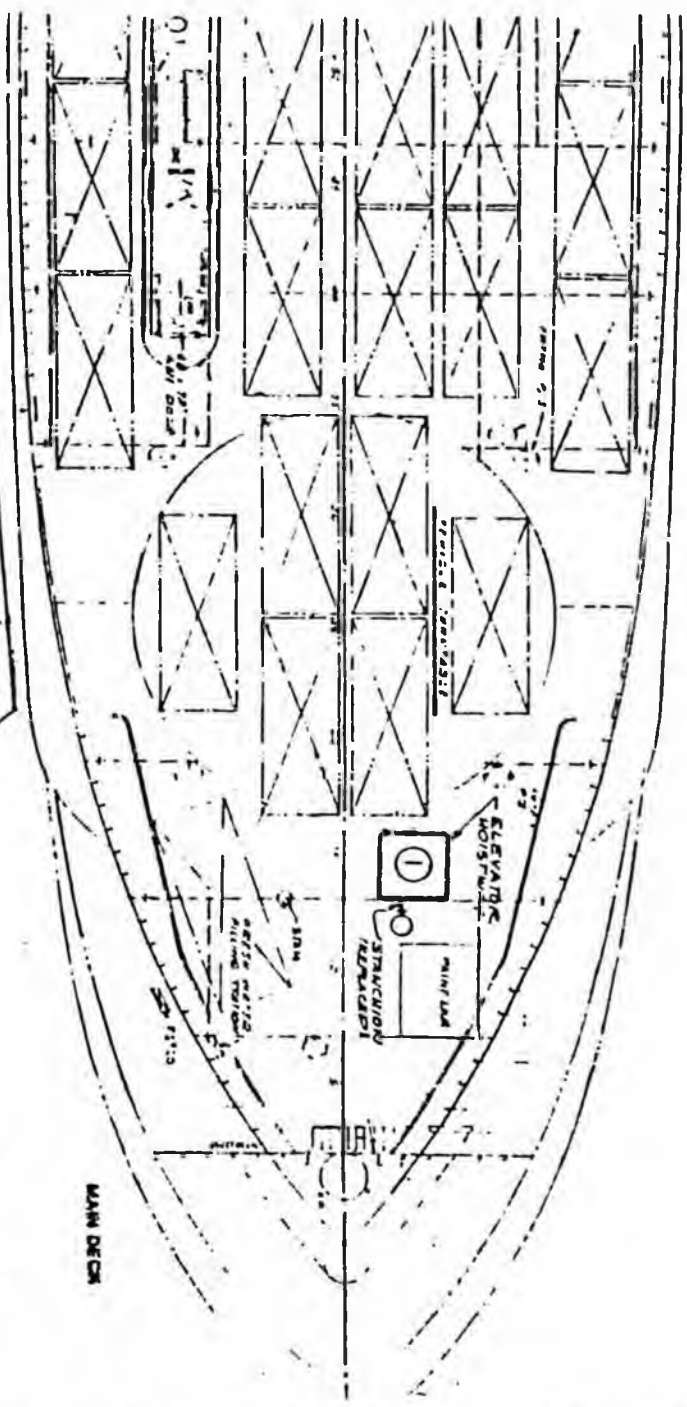
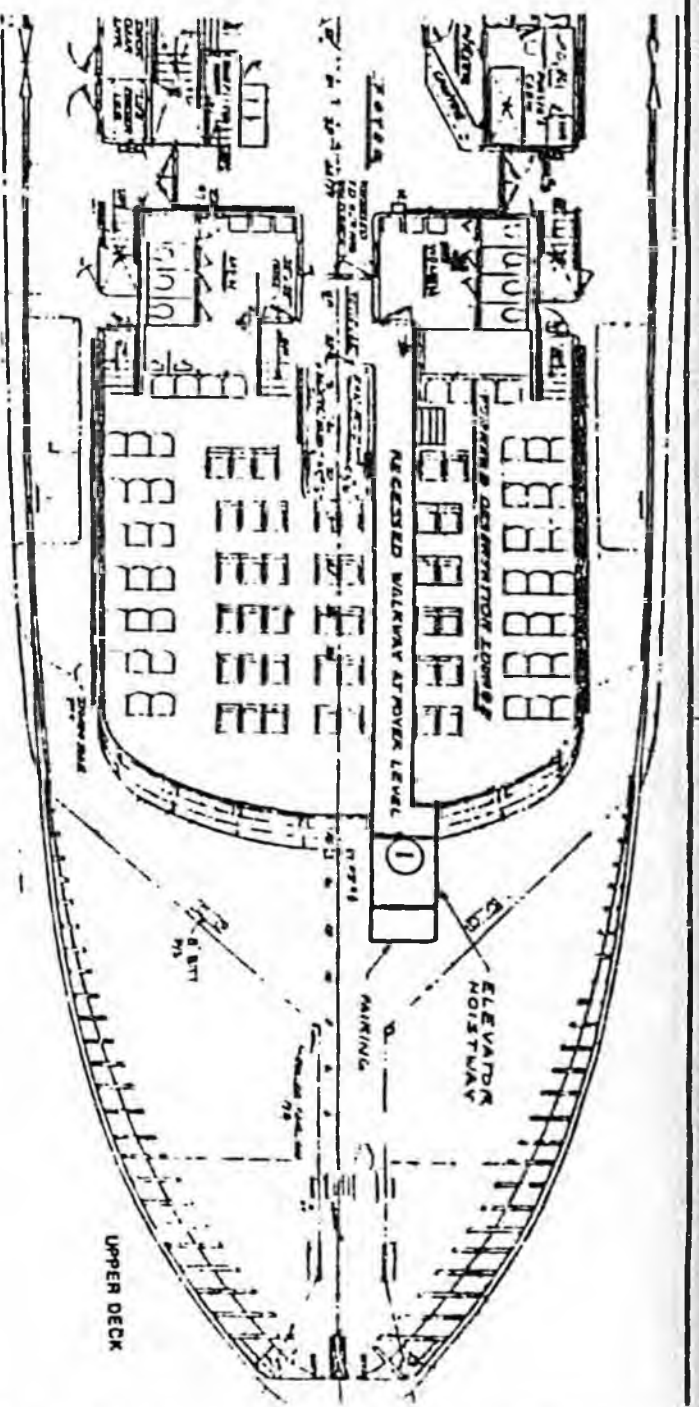
The drain piping from the men's upper deck head and the main drain line shall be rerouted around the elevator trunk and deck modification.

COST ESTIMATE: ELEVATOR SITE NO.1

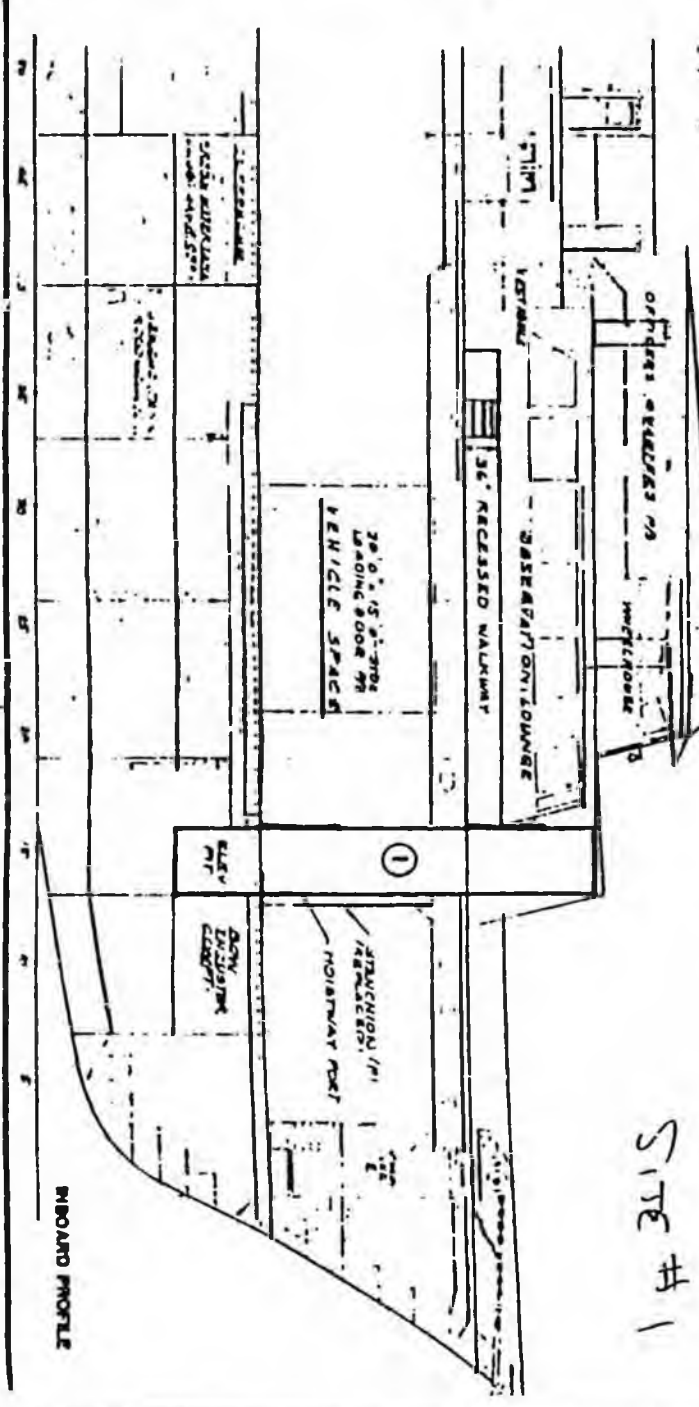
THE GLOSTEN ASSOCIATES, inc.
 Naval Architects Marine Engineers Ocean Engineers

BY DL	JOB NO 8677
DATE 11-17-86	SHEET 1 of 1

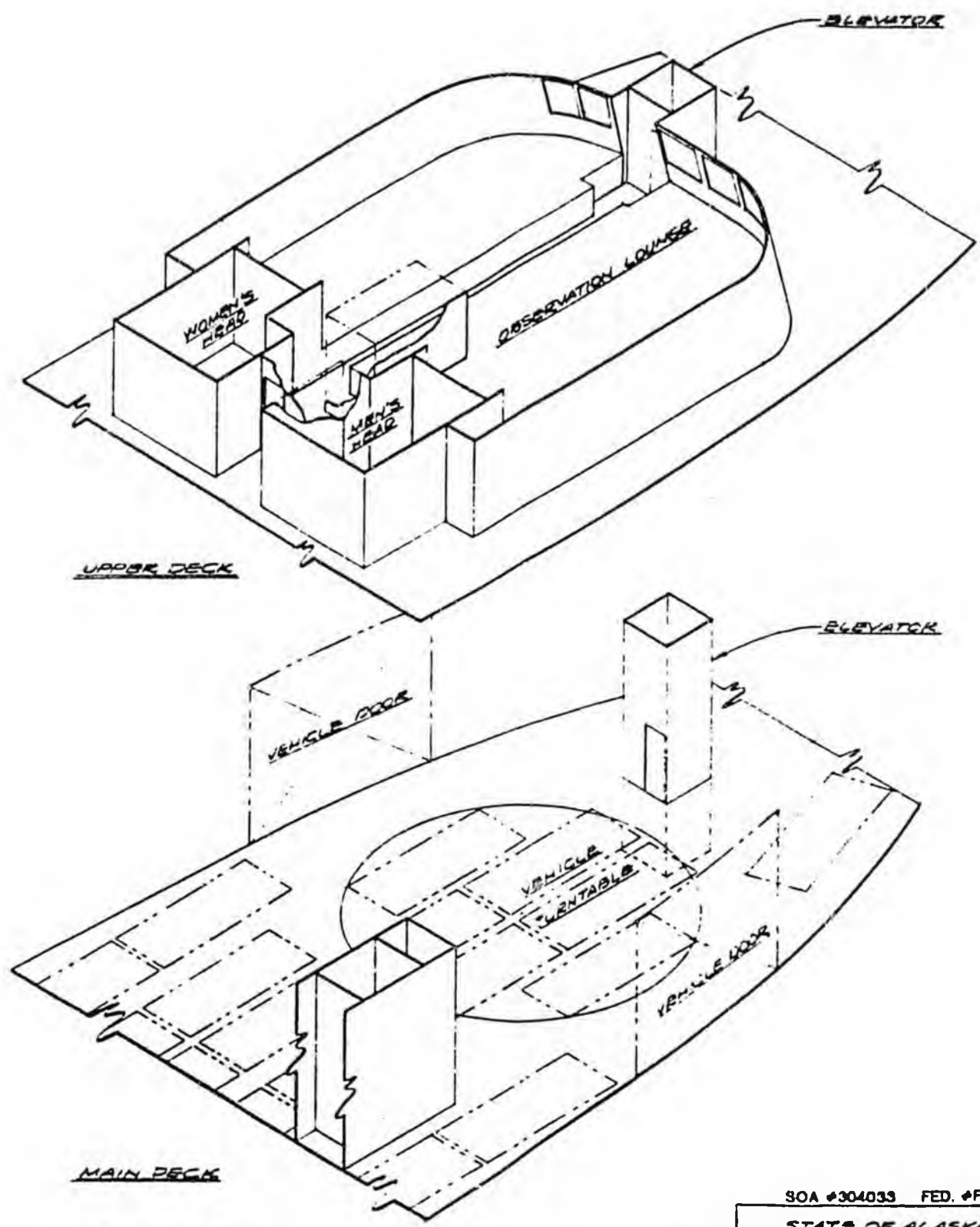
ITEM	SYSTEM	DESCRIPTION	QUANTITY	UNIT WEIGHT	UNIT LABOR	UNIT MAT'L.	TOTAL WEIGHT	TOTAL LABOR	TOTAL MATERIAL	REMARKS
		ELEVATOR INSTALLATION								
		OPTION 1								
		REMOVE INTERFERENCES	104 HR		\$ 35/HR			\$ 3640	\$ 200	
		EXCESS UPPER DECK FOR WALKWAY	518 HR		\$ 35/HR			18130	5500	
		FABRICATE & INSTALL ELEVATOR TRUNK	850 HR		\$ 35/HR			29750	6000	
		INSTALL ELEVATOR HOOK-UP & TEST	720 HR		\$ 35/HR			25200	1000	
		FABRICATE & INSTALL FAIRING-UPPER DK	120 HR		\$ 35/HR			4200	800	
		PREPARE & PAINT SURFACES	112 HR		\$ 35/HR			3920	2000	
		REINSTALL INTERFERENCES	76 HR		\$ 35/HR			2660	-	
		SUB-TOTALS	2500 HR					\$ 87500	\$ 15,500	
		ELEVATOR & ACCESSORIES							90,000	
		10% CONTINGENCY						8750	10,550	
		TOTAL						96,250	116,050	= \$ 212,300



SITE # 1



A B C D



UPPER DECK

MAIN DECK

SITE # 1

SOA #304033 FED. #F-9500(13)

STATE OF ALASKA AMHS

MILY LACONTE
MODIFICATIONS

ELEVATOR ARRAYS & PERSPECTIVE
SITE 1: FWD. OBSERVATION LOUNGE

THE GLOSTEN ASSOCIATES, INC.
CONSULTING ENGINEERS SERVING THE MARINE COMMUNITY
221 MARINE DRIVE, SUITE 100, ANCHORAGE, ALASKA 99501



Drawn by C. FOMK 8000	Checked by W.L.H. 8000	Created by W.L.H. 8000	Approved by W.L.H. 8000
Drawing No. 18'-0"		8677-A 1 of 4	

A bilge suction from the elevator pit shall be added to the bilge system.

Two hot water heating lines at Frame 33 in the main deck overhead shall be rerouted aft around the elevator trunk and deck modification.

3. Electrical

Two power cables, one, 440 VAC 3 phase and one 120 VAC 1 phase, shall be run from the nearest available distribution panel to the electrical panels for the elevator.

b. Unresolved Questions, Site 2

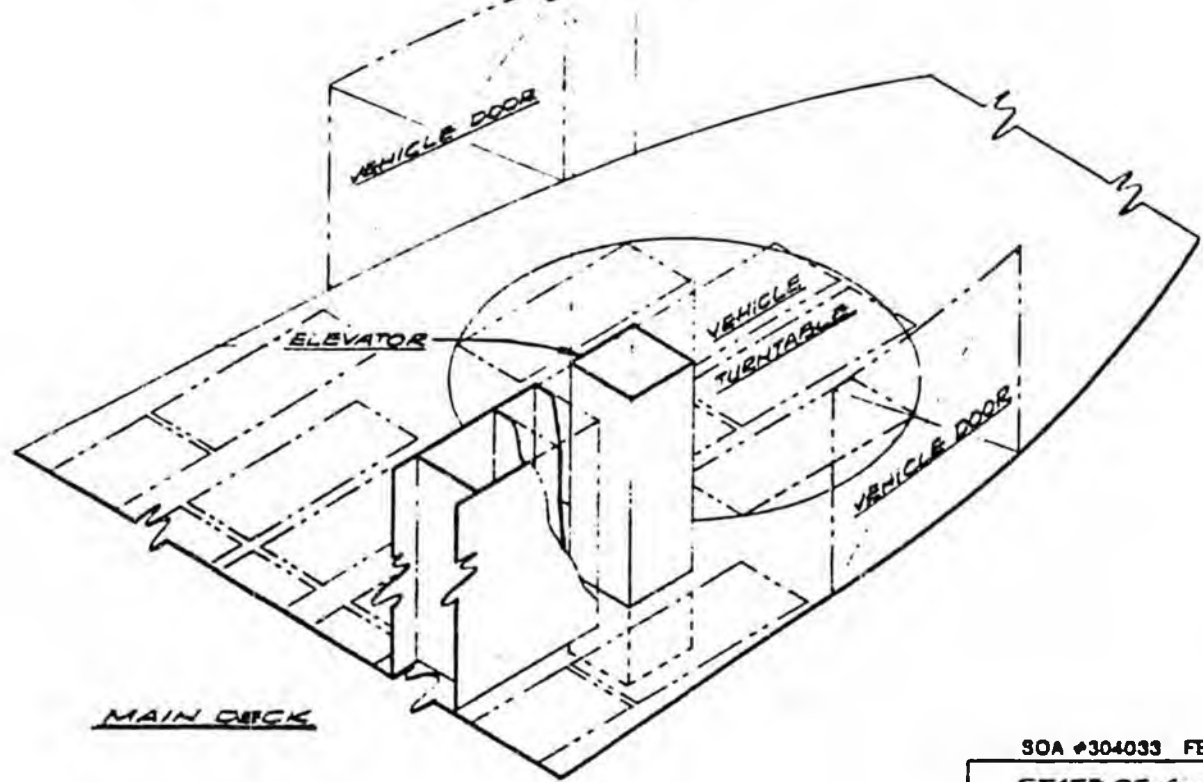
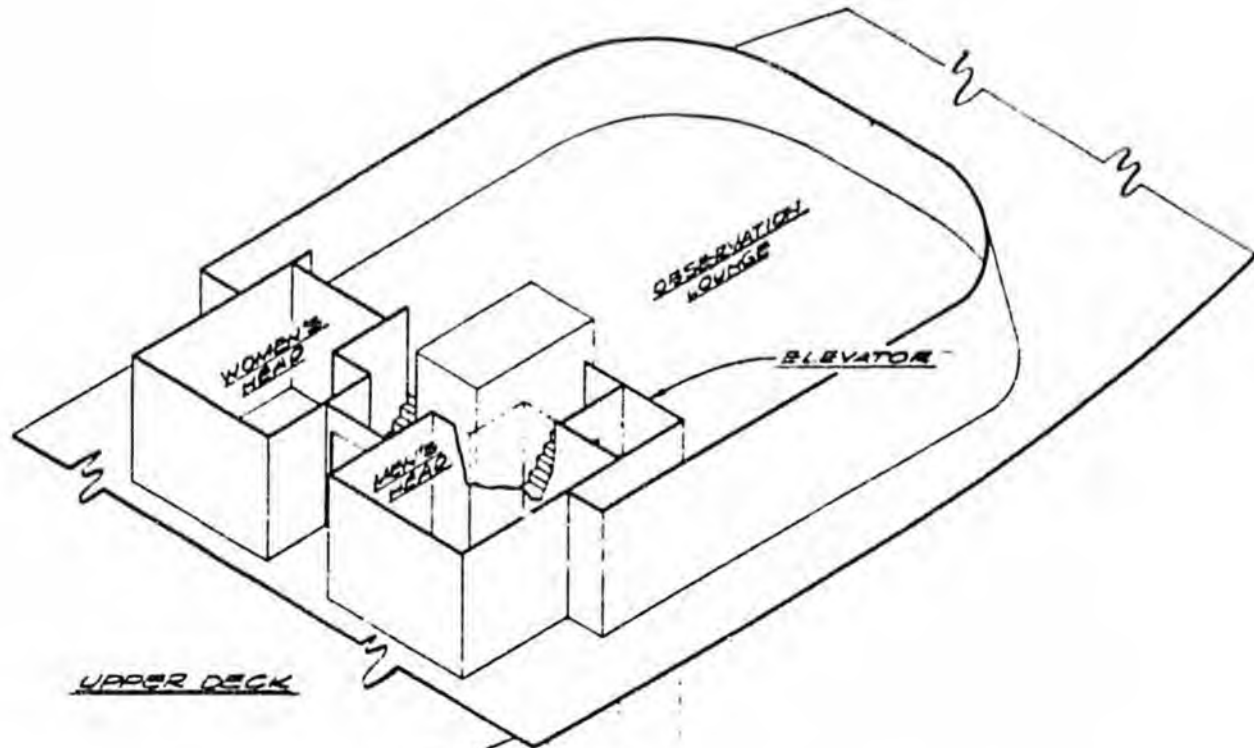
The actual truck loading and unloading method with the proposed elevator in place, should be determined.

COST ESTIMATE : ELEVATOR SITE NO:2

THE GLOSTEN ASSOCIATES, inc.
Naval Architects Marine Engineers Ocean Engineers

BY DL	JOB NO. 8477
DATE 11-18-86	SHEET 1 OF 1

ITEM	SYSTEM	DESCRIPTION	QUANTITY	UNIT WEIGHT	UNIT LABOR	UNIT MAT'L.	TOTAL WEIGHT	TOTAL LABOR	TOTAL MATERIAL	REMARKS
		ELEVATOR INSTALLATION								
		OPTION 2								
		REMOVE INTERFERENCES	96 HR		\$35/HR			\$3360		
		LOWER UPPER DECK TO FOYER LEVEL	154 HR		\$35/HR			\$5390	\$800	
		FABRICATE & INSTALL ELEVATOR TRUNK	770 HR		\$35/HR			\$26950	\$400	
		INSTALL ELEVATOR HOOR UP & TEST	720 HR		\$35/HR			\$25200	\$1000	
		PREPARE & PAINT SURFACES	64 HR		\$35/HR			\$2240	\$1000	
		REINSTALL INTERFERENCES	32 HR		\$35/HR			\$1120	\$200	
		SUB-TOTALS	1836 HR					\$64260	\$400	
		ELEVATOR & ACCESSORIES							\$90000	
		10% CONTINGENCY						\$6426	\$9840	
		TOTAL						\$70686	\$108240	= \$178926



SITE #2

30A 304033 FED. OF-9500(13)

STATE OF ALASKA AMHS

WV LACONTE
MODIFICATIONS

ELEVATOR ABUTTS & PERSPECTIVE
SITE & ENCL. AND MACH'Y CASING

THE GLOSTEN ASSOCIATES, INC.
CONSULTING ENGINEERS SERVING THE MARINE COMMUNITY
200 MAUI LANE BUILDING • 225 1st Avenue • Seattle, Washington 98104-2724



Drawn by	Date	Checked by	Date	Approved by	Date
CACM	1/90	WLM	1/90	WLM	1/90
Scale	Drawing No.		REV		
1/8" = 1'-0"	8677-A		Sheet 2 of 4		

6. Elevator Site 3: Port Side

This site has the following pros, cons, and basic elements:

- o Estimated Cost: \$189,000
- o Major disruption: Operational. Loading/unloading autos due to interruption of car lane.
- o One car space is lost from the main deck, and loading and unloading vehicles will be adversely affected.
- o At upper deck, outside walk around becomes restrictive (36" optimistically)
- o Midships lounge gets reduced in size due to relocation of first aid room.
- o The port side access to the outside from forward observation lounge. Access requirements should be O.K.
- o There is no interference with liferaft deployment.
- a. Site 3: Outline Specification: List of Work

1. Structural

A hoistway with 75" x 75" external dimensions is built on the port side between Frames 35-1/2 and 38-1/2, and the existing first aid room is turned into a passageway to the elevator. The aft port side bulkhead of the observation lounge is moved forward slightly, and the outside access is lost. The first aid room is relocated to the forward end of the midships lounge.

2. Mechanical

All ventilation and piping in way of the elevator location shall be rerouted around the elevator trunk.

Fire station number 10 on the upper deck shall be moved 5 ft. aft to the aft bulkhead of the new First Aid room.

The ventilation supply air terminal in the port lounge, upper deck shall have the forward 4 ft. removed. The supply duct for this terminal shall also be modified to provide ventilation air to the new First Aid Room in addition to the lounge. The door shall be undercut to allow for exhaust.

The two ventilation ducts in the overhead of the First Aid Room shall be modified by adding spool pieces where they pass through the new bulkhead at Frame 56-1/2.

Bilge suction from the elevator pit shall be added to the bilge system.

3. Electrical

All electrical wiring or equipment in way of the elevator location shall be relocated or rerouted around the elevator trunk, as necessary.

The light on the upper deck forward lounge port exit shall be removed.

The old First Aid Room lighting shall be modified as required to suit the new arrangement.

The forward two lights in the port side lounge shall be removed and reinstalled in the new First Aid Room on switches.

The T.V. shall be moved aft 5 ft. and rewired.

Two power cables, 1 440 VAC 3 phase and 1120 VAC 1 phase, shall be run from the nearest available distribution panels to the electrical panels for the elevator.

b. Unresolved Questions. Site 3

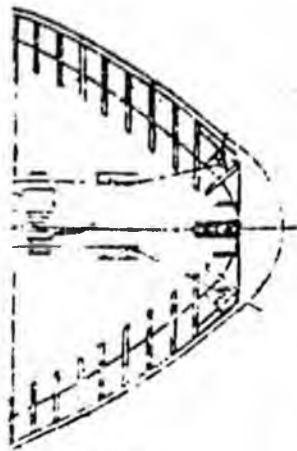
A new access door to the outside may be necessary, aft in the observation lounge on the port side.

COST ESTIMATE: ELEVATOR SITE NO:3

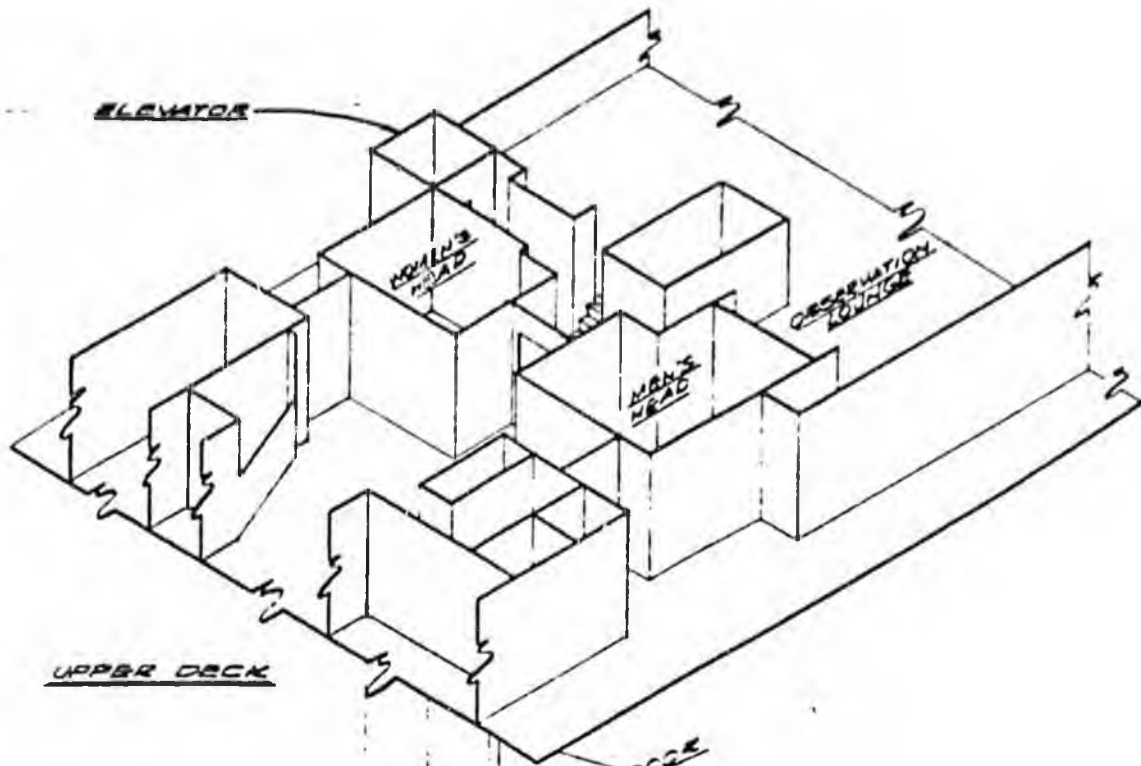
THE GLOSTEN ASSOCIATES, inc.
 Naval Architects - Marine Engineers - Ocean Engineers

BY DL	JOB NO 8677
DATE 11-15-86	SHEET 1 OF 1

ITEM	SYSTEM	DESCRIPTION	QUANTITY	UNIT WEIGHT	UNIT LABOR	UNIT MAT'L.	TOTAL WEIGHT	TOTAL LABOR	TOTAL MATERIAL	REMARKS
		ELEVATOR INSTALLATION								
		OPTION 3								
		REMOVE INTERFERENCES	48 HR		\$35/HR			\$1680		
		RELOCATE FIRST AID ROOM	302 HR					10570	\$2000	
		FABRICATE & INSTALL ELEVATOR TRUNK	810 HR					28350	5700	
		INSTALL ELEVATOR HOOP UP & TEST	720 HR					25200	1000	
		PREPARE & PAINT	14 HR					2240	1000	
		MODIFY ELEVATOR ENTRANCE - UPPER DK.	90 HR					3150	500	
		REINSTALL INTERFERENCES	16 HR					560		
		SUB-TOTALS	2050					71750	10,000	
		ELEVATOR & ACCESSORIES							90,000	
		10% CONTINGENCY						3175	10,070	
		TOTAL						78,925	110,270	= \$189,145



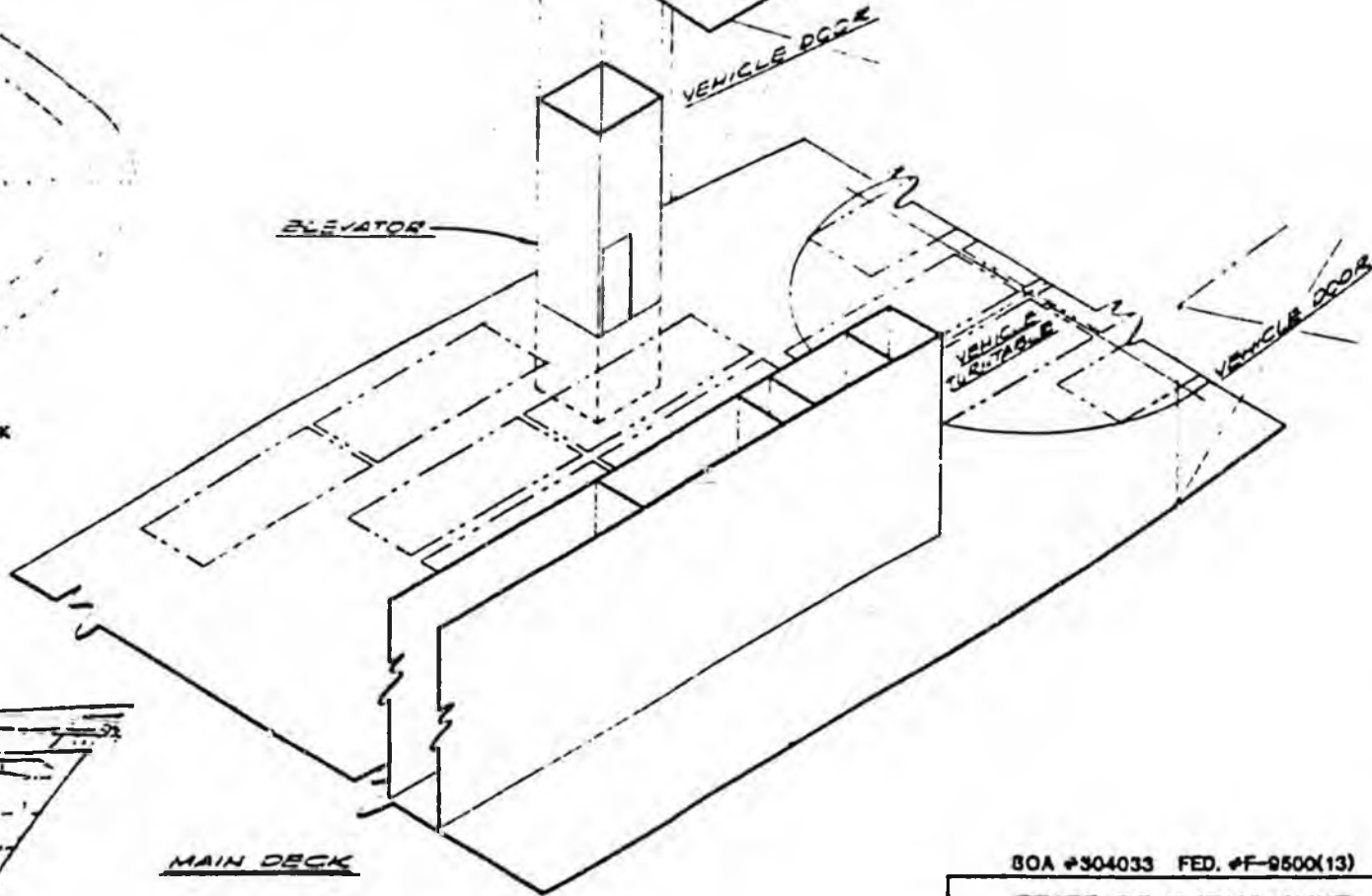
UPPER DECK



UPPER DECK



MAIN DECK



MAIN DECK

SITE #3



INBOARD PROFILE

BOA #304033 FED. #F-9500(13)

STATE OF ALASKA AMHS

M/V LEGONTE

MODIFICATIONS

ELEVATOR ARRSTS. & PARADECK

SITE #3: PORT SIDE

THE GLOSTEN ASSOCIATES, INC.

CONSULTING ENGINEERS SERVING THE MARINE COMMUNITY

200 MAINE ST. BOSTON, MASS. 02108 • 617-552-1111 • FAX 617-552-1112

Drawn By: Date: Created By: Date: Approved By: Date:

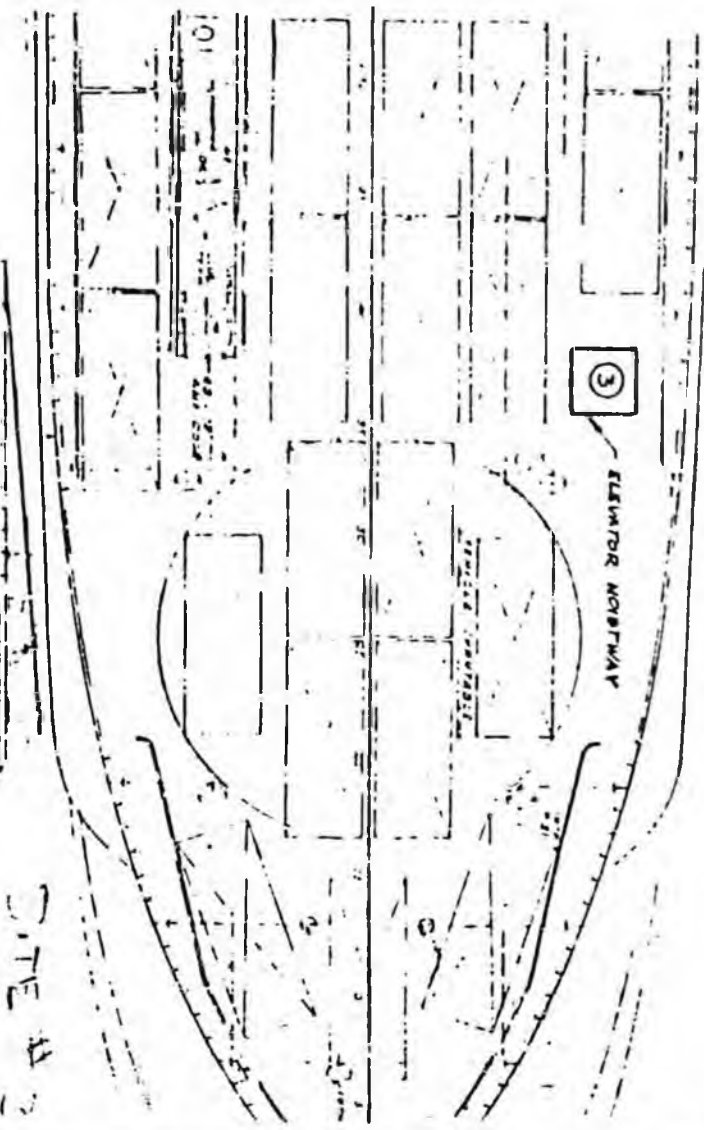
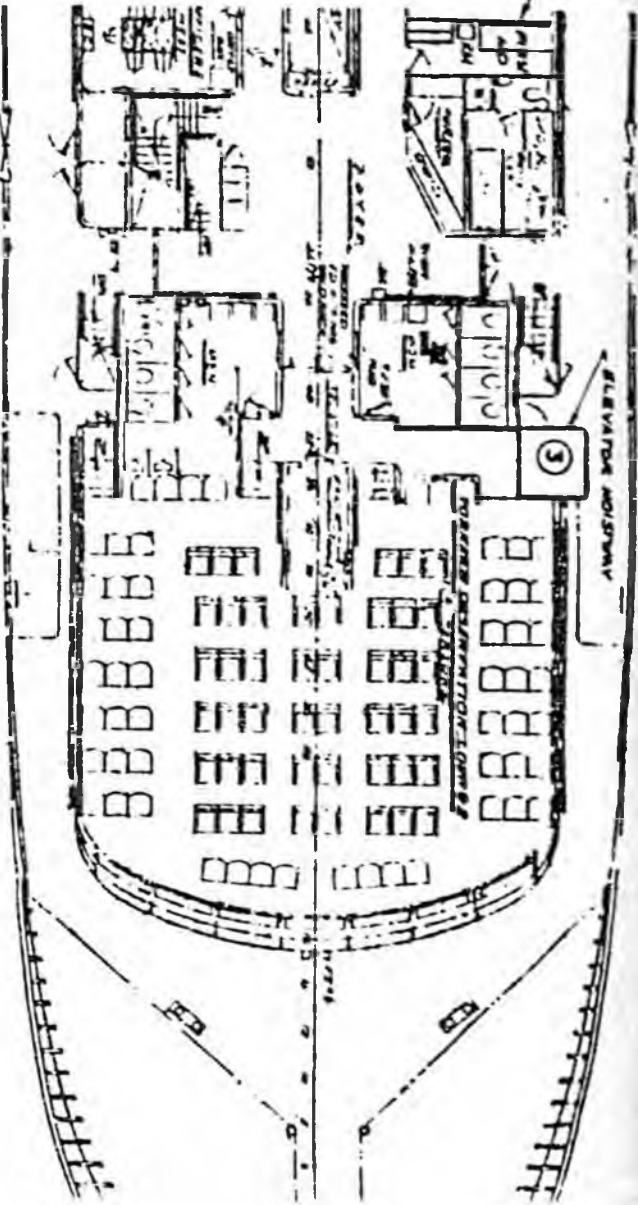
CARONK 1/8/83 WLH 1/12/83 WLH 1/12/83

8677 Drawing No. 101

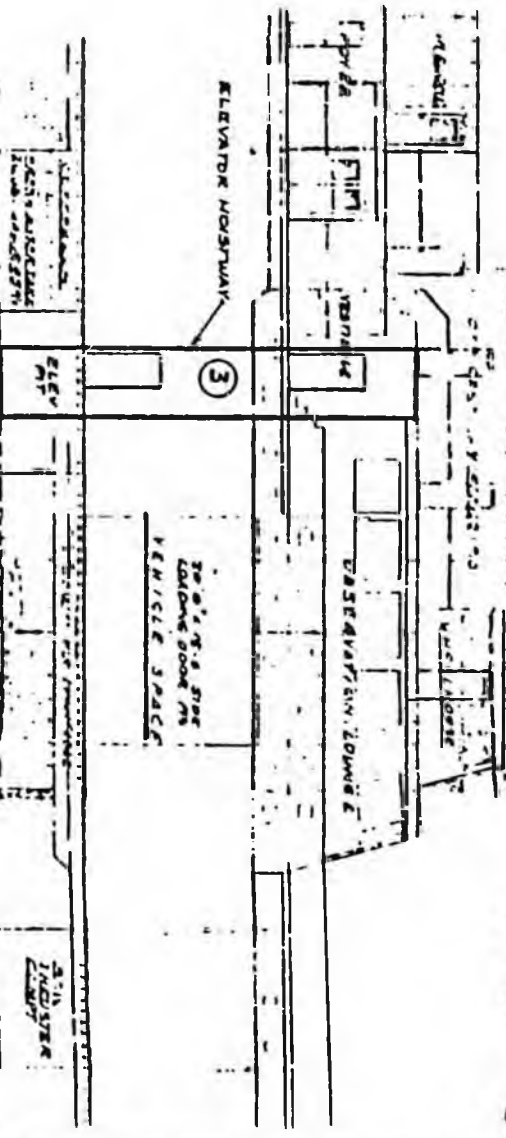
1/8" = 1'-0" 8677-A Sheet 3 of 5



RELOCATED
MISY AND
KODIA



SITE A 2



3.1A
INDUSTRIAL

30' x 10' x 8' STAIR
LOADING DOOR IN
VEHICLE SPACE

OBSERVATION TOWER

RELOCATED
MISY AND
KODIA

A B C D

7. Elevator Site 4: Aft Port Corner

This site has the following pros, cons, and basic elements:

- o Estimated Cost: \$208,000
- o Major disruption: Operational. Loading of autos must be altered to keep a 3' wide path to the elevator clear, so that the elevator can be used by passengers boarding and disembarking at stops after the first one. If the elevator was located aft, it would not be responsive to the basic objectives if access to it was blocked at the first stop.

It is important to note that while the general arrangement plans show a 3 foot space between cars, vans and campers are often carried which are wider and reduce this space to one foot. So in reality, maintaining this three foot wide path would surely reduce the available parking area.

- o The stairwell between the main and gallery decks is eliminated.
- o Elevator is distant from primary loading doors.
- o This site would be good for the crew as it is near the refrigerated stores.
- o The life preserver stowage would have to be relocated inboard.
- o This site would be handy for crew use.
- o The life preserver stowage would have to be relocated inboard.
- o Pit location is good.
- o Requires bar to be relocated, so access can be provided into dining area. Dining seating would be lost.
- o Access is very restricted around outside of trunk at the upper deck. Only 24 inches is available.
- o A third level elevator door at the galley deck could be added to provide access to the gallery deck stores space.

a. Site 4: Outline Specifications: List of Work

1. Structural

A hoistway with 75" x 75" external dimensions is built down into the steering gear compartment, and up through the upper deck, possibly above the sundeck level. The stairwell access from the main to gallery deck is removed, and life preserver stow relocated. The bar is relocated, and passage provided between the elevator and dining area.

2. Mechanical

Fire station number 23 and the supply line on the main deck shall be relocated against the inboard side of the elevator trunk at Frame 96.

The hose bibb and supply line on the the main deck at Frame 96 shall be relocated against the inboard side of the elevator trunk.

The drain piping from the upper deck shall be rerouted to the forward side of the elevator trunk.

The freezer on the main deck at Frame 97 port side shall be removed to make room for the elevator.

The hot and cold potable water and the drainage piping systems on the upper deck shall be modified to suit the bar arrangement selected to provide access to the elevator.

A bilge suction from the elevator pit shall be added to the bilge system.

3. Electrical

Power cables on the main deck shall be rerouted around the elevator trunk.

Power shall be provided, in the bar arrangement selected, to operate the undercounter refrigerator, cash register and mixer.

Two power cables, 1 440 VAC 3 phase and 1 120 VAC 1 phase, shall be run from the nearest available distribution panels to the electrical panels for the elevator.

b. Unresolved Questions, Site 4

Access to the gallery deck stores space should be worked out. A new ladder could be provided, if determined necessary.

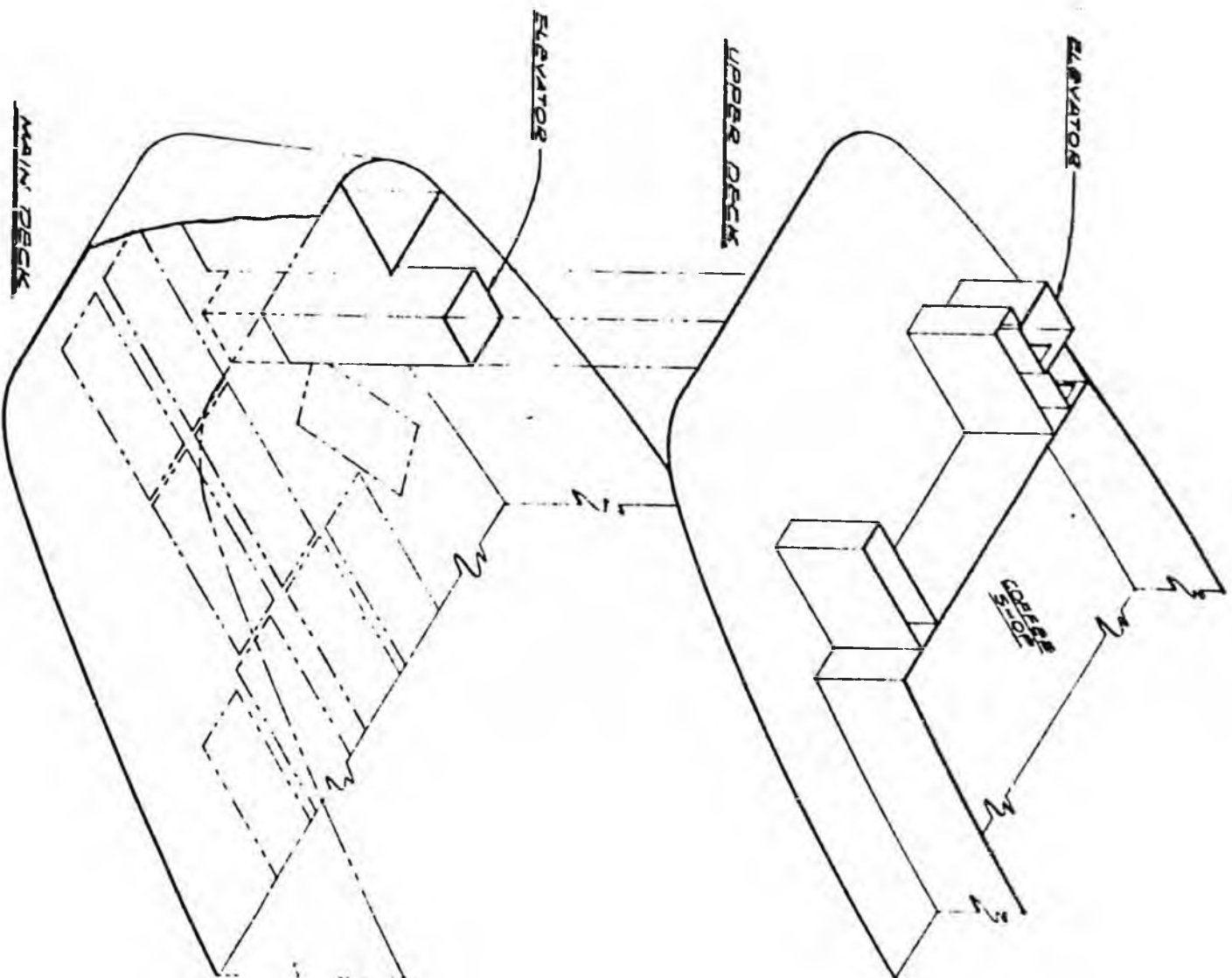
If the central refrigeration system is included, and this option, the arrangement may change slightly.

COST ESTIMATE : ELEVATOR SITE NO 4

THE GLOSTEN ASSOCIATES, inc.
 Naval Architects Marine Engineers Ocean Engineers

BY DL	JOB NO. 8677
DATE 11-18-86	SHEET 1 OF 1

ITEM	SYSTEM	DESCRIPTION	QUANTITY	UNIT WEIGHT	UNIT LABOR	UNIT MAT'L.	TOTAL WEIGHT	TOTAL LABOR	TOTAL MATERIAL	REMARKS
		ELEVATOR INSTALLATION								
		OPTION # 4								
		REMOVE INTERFERENCES	106 HR		\$35/HR			\$3710		
		REDO BAR/CREEK SHOP ARRGT	652 HR					22820	5100	
		FABRICATE & INSTALL ELEVATOR TRUNK	850 HR					29750	5400	
		INSTALL ELEVATOR, HOOK UP & TEST	792 HR					27720	1100	
		PREPARE & PAINT	64 HR					2240	1000	
		REINSTALL INTERFERENCES	16 HR					560		
		SUB-TOTALS	2480					86800	12600	
		ELEVATOR & ACCESSORIES							90000	
		10% CONTINGENCY						8680	10260	
		TOTAL						95480	112860	= \$ 208,340



THE GLOSTEN ASSOCIATES, INC.
 ARCHITECTS
 1400 BROADWAY
 NEW YORK, N.Y. 10018
 TEL. 212-691-1100

SCALE: 1/8" = 1'-0"

NO. 1

SOA #304033 FED. #F-8500(13)

STATE OF ALABAMA ANNEX

ALIV LACORTE
MODIFICATIONS

ELEVATOR ARRIGIS & DISCREETIVE
SITE 4: 457 PORT CORNER

THE GLOSTEN ASSOCIATES, INC.
 ARCHITECTS
 1400 BROADWAY • NEW YORK, N.Y. 10018

DESIGN BY	DATE	DESIGNED BY	APPROVED BY
CA/CMW	1/1/80	CXH	WJLH
SCALE	DRAWING NO.		
1/8" = 1'-0"	8677-A		



APPENDIX A

Open Hoistway Elevator, Evaluation & Commentary

Preliminary engineering work was performed by AMHS investigating a non-enclosed hoistway or open hoistway elevator. They investigated 7 locations, which were reviewed and the following comments are presented.

Machinery in the form of either a gear rack or hydraulic cylinder must extend down nearly to the main deck, if not all the way. In order to keep this equipment out of the way, and support it, it can only go down along side a bulkhead, or the machinery casing. This requirement rules out all locations except 'e' and 'g'. AMHS preferred site 'g', as site 'e' took space out of the officers' mess. Site 'g' disrupts the men's head, but provides opportunity to provide a handicap head.

The handicap regulations require a minimum inside dimension of 51" by 54", and the current arrangement shows 32" by 60". This option entails finding additional lavatory space on the vessel, perhaps using the crew and officers head on the upper deck. Despite the rearrangement of heads on the upper deck, site 'g' would be the recommended location.

As discussed in the body of the report, this type of elevator is not recommended. However a letter was sent to the U. S. Coast Guard, inquiring about the approval of this type of elevator. A response is yet to come. This letter and its enclosures follow, and all AMHS correspondence and notes are also included.

A cost for this type of elevator in site 'g' is estimated to be \$131,000. This assumes an equipment cost of about 75% of the equipment in a standard enclosed hoistway type elevator. This assumption may not be conservative, as safety features may be required that are unforeseen at this time.

COST ESTIMATE: ELEVATOR SITE: G

THE GLOSTEN ASSOCIATES, inc.
 Naval Architects Marine Engineers Ocean Engineers

BY DL	JOB NO 8677
DATE 11-17-86	SHEET 1 OF 1

ITEM	SYSTEM	DESCRIPTION	QUANTITY	UNIT WEIGHT	UNIT LABOR	UNIT MAT'L.	TOTAL WEIGHT	TOTAL LABOR	TOTAL MATERIAL	REMARKS
		ELEVATOR INSTALLATION								
		OPTION 'G'								
		REMOVE INTERFERENCES	64 HR		35/HR			2240	300	
		MODIFY RESTROOMS	142 HR					4970	2600	
		INSTALL ELEVATOR TRUNK	200 HR					7000	1000	
		INSTALL ELEVATOR & ACCESSORIES	720 HR					25200	1000	
		PREPARE & COAT DISTURBED SURFACES	48 HR					1680	800	
		REINSTALL INTERFERENCES	64 HR					2240		
		SUB-TOTAL	1238 HR					43330	5700	
		PURCHASE ELEVATOR & ACCESSORIES							70000	
		10% CONTINGENCY						4333	7570	
		TOTAL						47663	85270	= \$ 130,933

MEMORANDUM

State of Alaska
Department of Transportation & Public Facilities

TO: Files

DATE: December 2, 1986

FILE NO: LCG&FM

TELEPHONE NO: 465-2734

FROM: Larry Woolford
Project Manager
Marine Facilities Engineering
Alaska Marine Highway System

SUBJECT: Project #304033
F-9500(13), M/V
LeCONTE Galley
and Finishing Mod.

On November 28, 1986, AMHS headquarters personnel (*) met and reviewed the concept design and recommendations prepared by the Glostén Associates for the subject project. Pertinent comments attached.

AMHS personnel agreed and accepted the Glostén Associates recommended "enclosed hoistway" concept and elevator installation site #2 (approximate frames 33 to 36, starboard side forward of the machinery casing) as the optimum design.

AMHS personnel will perform vehicle maneuvering tests with a dummy hoistway obstruction in place to determine actual loading methods and capabilities with respect to 31', 40' and 45' vans.

The galley modifications are accepted as noted on the attached.

The central refrigeration system has been re-prioritized as "Alternate A" as this work lends itself to the modifications being addressed in the galley.

Subsequent discussion and agreement with Tom Shanley, Port Steward, eliminated the dining room seating revision as an alternate bid item. The same effect is accomplished under the bar relocation alternate.

dmd

Attachment

cc: Joe D. Camp, Deputy Commissioner, AMHS
A. H. McDonald, Port Engineer, Marine Operations, AMHS
J. McGrath, Sr. Const. Manager, Marine Facilities, AMHS
Kelly Mitchell, Port Captain, Marine Operations, AMHS
Harold Moeser, Director, Marine Facilities, AMHS
Tomas Shanley, Port Steward, Marine Operations, AMHS
Max Zbinden, Port Engineer, Marine Operations, AMHS

(*) Camp, Shanley, Mitchell, Dury & Woolford

071/larry2



THE GLOSTEN ASSOCIATES, inc.

CONSULTING ENGINEERS SERVING THE MARINE COMMUNITY

600 Mutual Life Building • 605 First Avenue
Seattle, Washington 98104-2224

Phone: 206-624-7850
Telex: 882053

15 November 1986
File No. 6677

VIA TELECOPIER

Commanding Officer
U. S. Coast Guard
MSC (g-MSC-1)
Hull Division
2100 2nd Street Southwest
Washington, D.C. 20593

Subject: Non-enclosed-hoistway elevators for vehicle/passenger ferries.
Alaska Marine Highway System
M/V LeCONTE, O.N. 555-601

Gentlemen:

We are currently exploring options for the installation of a personnel elevator on board the subject vessel. The elevator will serve passengers, and travel between the main deck (auto deck) and upper deck (passenger deck). The elevator will be operated at dockside only; not while underway.

In order to minimize the impact of the installation on the main deck arrangement, an elevator with a non-enclosed hoistway is being considered. We recognize this approach is not typical, but respectfully request your review of the information in this letter and on the enclosed sketches, and we solicit your comment as to the feasibility of approving such an installation.

You will notice in the enclosed sketches that the upper deck is penetrated by the upper end of the hoistway, and this box structure would be a fire boundary as required for the overhead of the car deck. One wall of this box structure would have fire doors for access in and out of the elevator car. We note however that when the car is not at the upper deck level, while being used dockside, the box structure would be open on the bottom.

We compare the box structure to the penetration of a stairwell above the main deck. We further note that while there is no door at the bottom of the box structure, as there is at the bottom of a stairway, there also is no enclosed hoistway. This elevator would not be used during fire and would not need to be considered a "safe haven", like a stairwell.

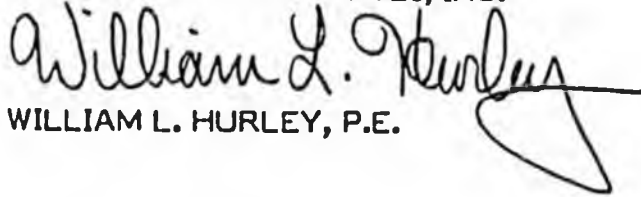
Commanding Officer
14 November 1986
Page II

We would appreciate a quick response to this inquiry, and would like to call next Tuesday to discuss any first impressions you may have.

Thank you for your attention to this matter, and please call with any questions, or if clarification of the enclosed sketches is needed. Also, since we sent the sketches by telecopier, please call if you can't read them and we will send better copies by courier.

Yours very truly,

THE GLOSTEN ASSOCIATES, INC.

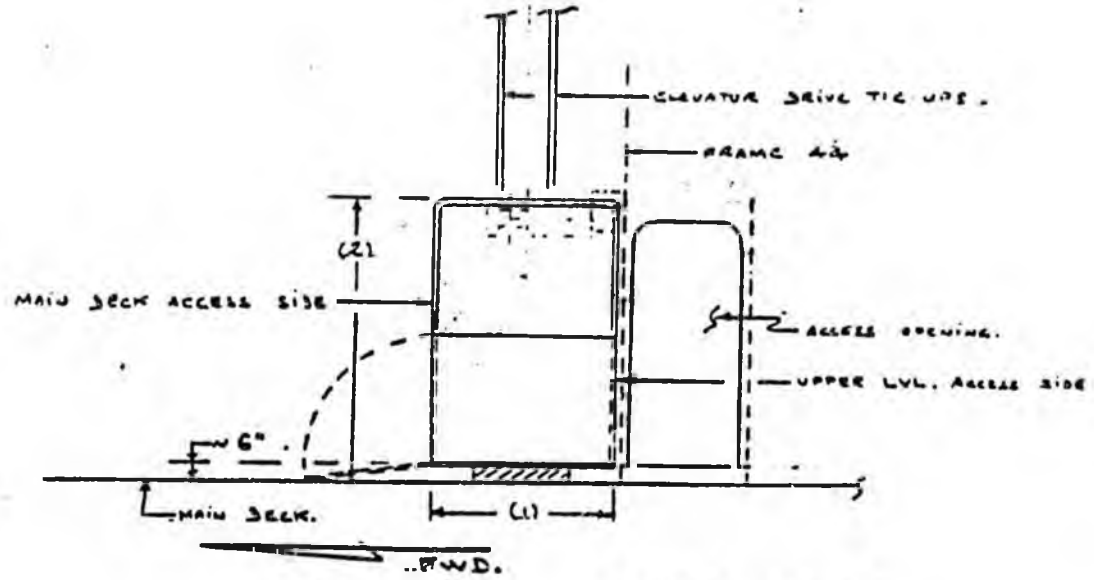
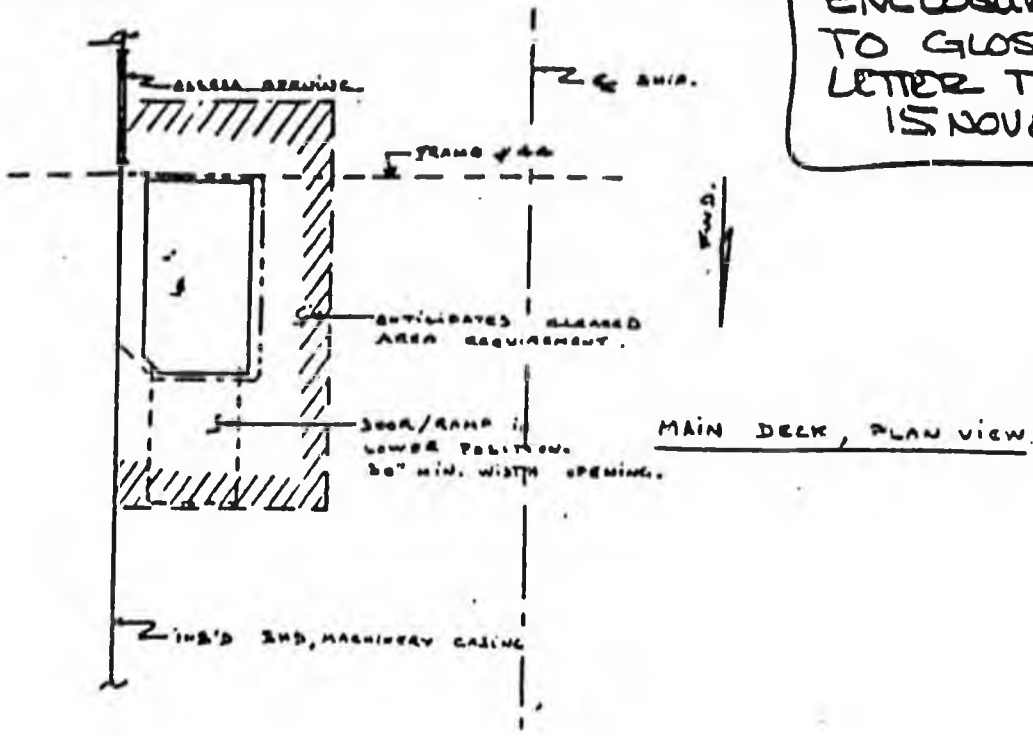

WILLIAM L. HURLEY, P.E.

WLH:ap

Enclosures: (all 8-1/2 x 11 sheets)

1. LECONTE Proposed Elevator, Main Deck Illustrations, 1 sheet.
2. LECONTE Proposed Elevator, Elevation and Upper Deck Plan View, 1 sheet.
3. LECONTE Elevation, 1 sheet.
4. LECONTE Main Deck Arrangement, 1 sheet.
5. LECONTE Gallery Deck Arrangement, 1 sheet.
6. LECONTE Upper Deck Arrangement, 1 sheet.

ENCLOSURE 1
 TO GLOSTON
 LETTER TO MSC,
 15 NOV 86

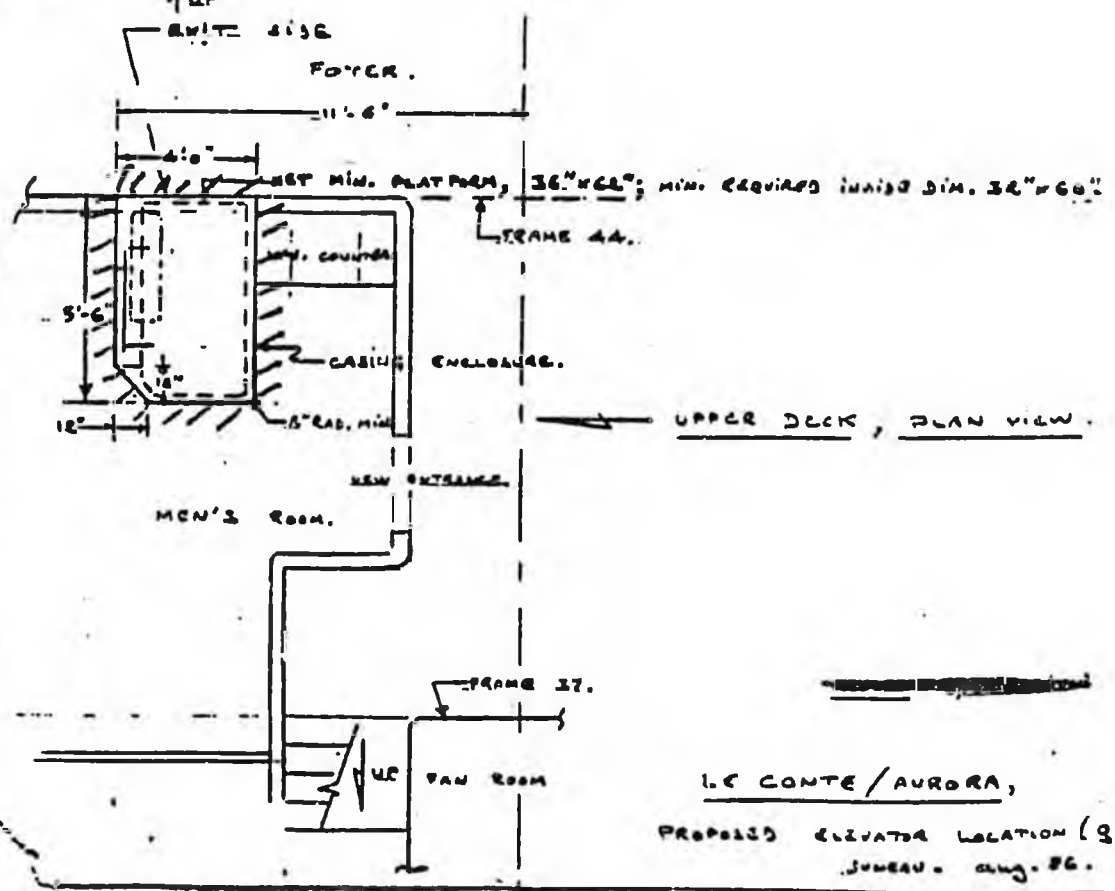
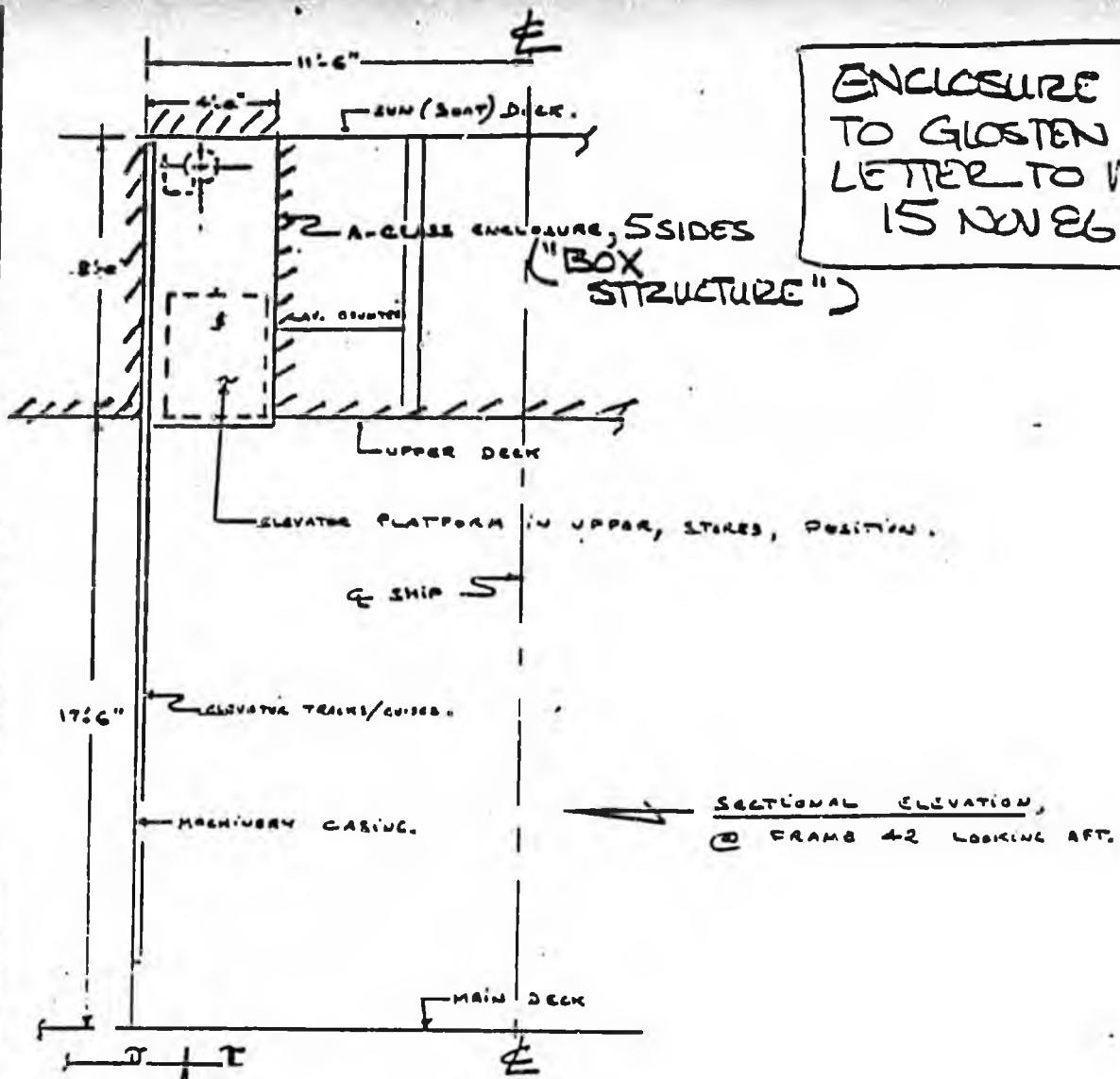


LE CONTE / AURORA .. PROPOSED ELEVATOR, -
MAIN DECK LVL. ILLUSTRATIONS .

JUNEAU, AUG. 86.

- (1). APPROXIMATELY 5'-4" MAX. OUTSIDE DIM.
- (2). APPROXIMATELY 7'-8" MAX. AVAILABLE TO CLEAR OVER'S BEAMS IN THE UPPER POSITION.

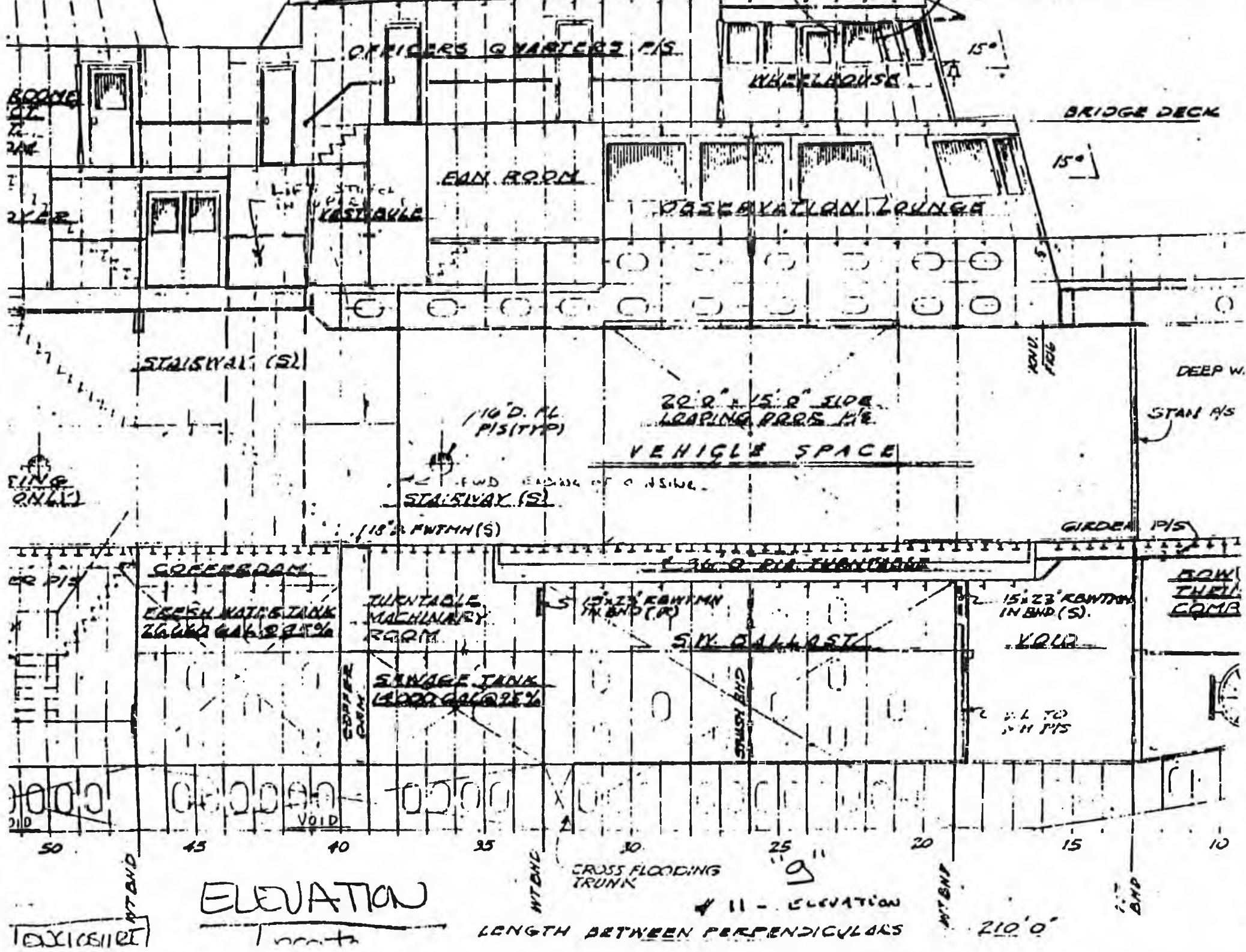
ENCLOSURE 2
TO GLOSTEN
LETTER TO WISC,
15 NOV 86



LC CONTE/AURORA,
PROPOSED ELEVATOR LOCATION (3)
JUNEAU - AUG. 86.

TUNNEL

ROOFTOP

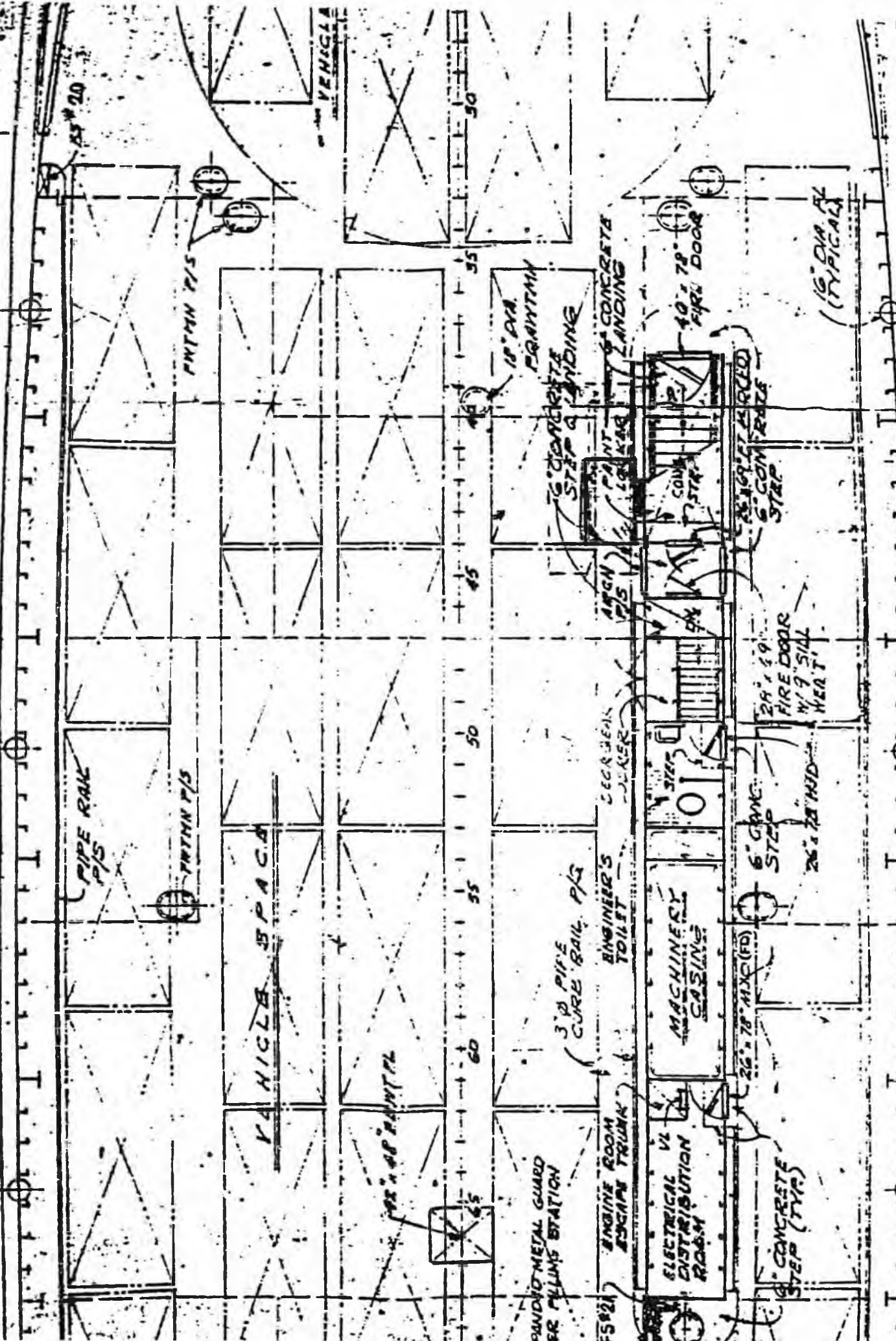


ELEVATION

LENGTH BETWEEN PERPENDICULARS

210' 0"

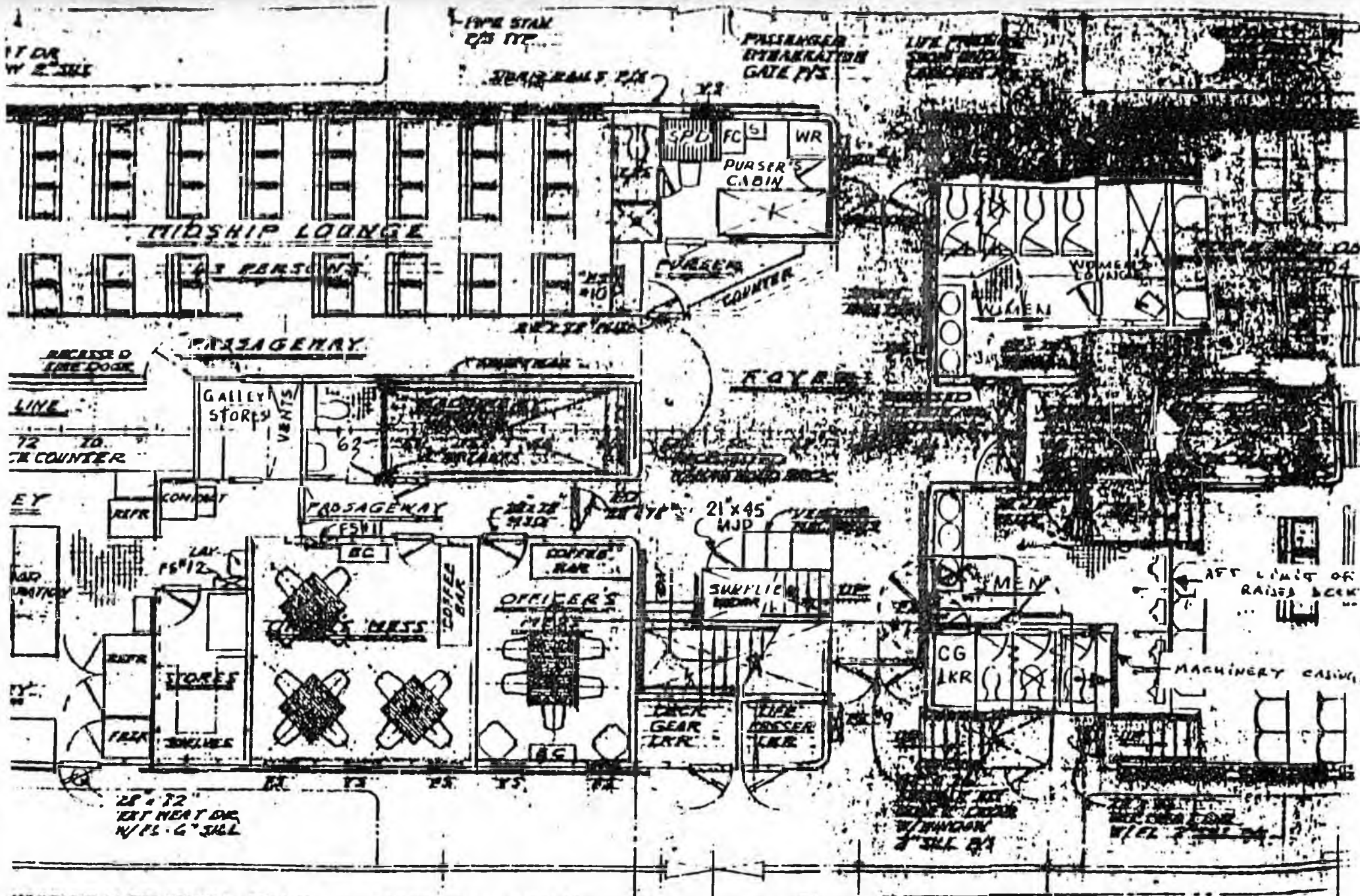
VANILLA 2A
15:0
-80:0 A



11-A - MAIN DECK L.V.M.

MAIN DECK ARRGT

INCLOSURE 4



ENCLOSURE
6

UPPER DECK ARRANGEMENT

SCALE 1" = 1'-0"

#11C-UPPER DECK LVL

1770177

CRANE

UNIDYNAMICS

A SUBSIDIARY OF CRANE CO

UNIDYNAMICS/MIDWEST

10610 TRENTON

ST. LOUIS, MO 63132

16 September 1986

Mr. George Diry
P.O. Box 116
Douglas, AK 99824

Subject: Handicap Personnel Elevator for Car Ferry

Reference: P6-2113

Dear Mr. Diry:

After reviewing your comments and illustrative sketches, we feel that a hydraulic elevator may better suit your application than the originally suggested rack and pinion system. Due to the extremely low overhead clearance between the upper and sun decks, there is insufficient room for a rack and pinion type system which requires the drive machinery and safety assembly to be mounted above the elevator on the machinery frame. This system normally requires 13 feet of space between the upper landing and the underside of the overhead. By reducing the inside car height, adjusting the spacing on equipment mounted to the machinery frame and keeping overtravels to a minimum, it is possible to squeeze the elevator into an 11'-6" vertical space. With only 7'-8" of room available, a rack and pinion unit is not practical.

A hydraulic elevator on the other hand, would allow a full 84" inside height for the elevator. The lift cylinder would be positioned behind the elevator and between the bulkhead mounted guide rails. The hydraulic power supply and reservoir could be located in an adjacent area to prevent it from being in a high traffic area.

Nevertheless, as we see it, any elevator that is installed in the area that you have designated is going to be violating certain ANSI/ASME A17.1-1986 elevator codes. They are:

Rule 106.1a A pit is required for all elevators.

Rule 107.1a There is to be not less than (2) two feet between the pit floor and the lowest structural or mechanical part when the car is on its fully compressed buffer.

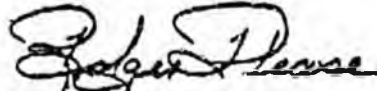
Mr. George Diry
16 September 1986
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- Rule 107.1c The bottom car runby is to be not less than six (6) inches.
- Rule 107.1f The top car clearance is to be not less than thirty (30) inches.
- Rule 110.1 All landing openings provided with entrances which guard the full height and width of openings.
- Rule 110.2 Entrances must be horizontal slide, swing type, vertical slide or a combination horizontal slide and swing.
- Rule 110.3 (Pertains to the closing of hoistway doors.)
- Rule 203.9 A twenty-one (21) inch minimum depth platform guard is required.

Some other violations are incurred, but they are mostly incidental to the above mentioned rules.

If you require any additional information, please feel free to contact me or the Marketing Manager, Mr. Kenneth Schoenlein.

Sincerely,


Rodger L. Pease
Applications Engineer

RLF:cs