ALASKA LEGISLATURE COMMITTEE FILES, 2003-2004 8672
11380 SENATE TRANSPORTATION

SOCIO-ECONOMIC EFFECTS OF STUDDED TIRE USE IN ALASKA

INTERIM EXECUTIVE SUMMARY – March 10, 2003

by Hannele Zubeck[1], Ph.D., P.E., Susan Harvey[2], Lynn Aleshire[3] and Stan Porhola
University of Alaska Anchorage, School of Engineering
3211 Providence Drive, Anchorage, AK 99508

INTRODUCTION

At the request of Mr. Dennis Nottingham, Senator John Cowdery introduced Senate Bill 216 (SB216) to the Alaska State Legislature on April 30, 2001 to study road design problems with the use of studded tires. Although SB216 did not pass, the Senate Finance Committee included funds in the University of Alaska FY03 Budget to investigate the socio-economic effect of studded tire use on traffic safety, air quality, and pavement wear. This study is currently underway and includes: a literature review, field study and economic analysis. This interim report briefly summarizes significant findings from the literature review and the field study; economic analysis is still underway.

REGULATORY OVERVIEW

The use of studded tires on motor vehicles is limited or restricted in many jurisdictions worldwide. Most studded tire regulations reflect a policy decision that weighs the potential safety benefits afforded by enhanced traction against the road maintenance costs and human health effects caused by studded tires.

Countries such as Japan, Germany, Holland, and Belgium prohibit the use of studded tires outright. Other countries, like the United States and Canada, regulate the use of studded tires at the state or provincial level, so that studded tire use may be banned, limited seasonally, or permitted with no restrictions in certain states or provinces. Studded tire use has not been banned in the Nordic countries, although they all restrict studded tire use to the winter months and regulate the stud type and frequency in a tire. In 1999, the city of Oslo, Norway enacted an annual tax of approximately $160 USD per vehicle using studded tires as part of an effort to reduce studded tire use.

Recent studies in Finland and Japan found that prohibiting studs produces a net increase in total costs. Pavement repair costs are greatly reduced, but costs of accidents plus the increased requirement of surface applications to improve winter traction result in an overall increased financial burden at the state level. These studies have lead to legislation that continues the use of studded tires during winter months, but allows only lightweight studs to minimize adverse effects.

ANCHORAGE STUD USAGE

As a part of this study, a total of 1,714 vehicles were surveyed on Anchorage parking lots between December 2002 and February 2003. Fifty-two percent (52%) of these vehicles had

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studded tires. The number of vehicles using lightweight studs represents 31% of the vehicles with studded tires and 16% of all vehicles. In previous studies, studded tire use in Alaska ranged from 35% in 1971 to a high of 80% in 1996.

PAVEMENT WEAR

It is estimated that Alaska spends $5 million annually to repair stud-related pavement damage. Vehicles that use the studs during summer are responsible for estimated $1 million annually in pavement rehabilitation costs. These figures should be reevaluated.

Finland, Sweden and Norway have conducted a tremendous amount of research on studded tire issues. Each country reports that the significant problem of studded tire related pavement wear has been solved. They attribute their success to the following factors:

- Wear resistant pavements (improve resistance by high quality aggregates, stone mastix mixtures, high quality construction);
- Strictly enforced seasonal studded tire usage;
- Less aggressive studs (reduce wear by decreasing the stud mass, frequency and protrusion);
- Traffic conditions (decrease wear by decreasing traffic volume and proportion of studded tires, decreasing winter speed limits and increasing lane widths); and,
- Weather conditions (decrease wear by keeping the road surface dry).

AIR POLLUTION IMPACT

While scientific evidence is overwhelming that studded tires do generate increased levels of road dust by "grinding" the pavement into smaller particles, the use of studded tires in Alaska does not appear to present an unacceptable respiratory health risk.

Dust generated by studded tires is only a sub-set of the overall paved road dust level, and is not currently causing violations in the National Ambient Air Quality Standards (NAAQS) for particulates. There does not appear to be any human health benefit associated with banning studded tires in urban areas of Alaska, as a reduction in roadway particulate levels due to the ban would be offset by increased dust levels due to increases in the volume of winter traction sand.

TRAFFIC SAFETY

Publications pertaining to studded tires and traffic safety were reviewed from North America, Europe and Japan. Important findings include:

- Studded tires reduce accident risk; only one study refuted this point.
- Banning stud usage increases the overall social cost despite the savings in road maintenance;
- Drivers using studded tires drive more confidently than drivers without studded tires;
- Increased tort liability greatly changes the economics of studded tire usage. If studded tire use is limited, increased surface applications are required to improve traction adding to the expense born by the state; and
- International research is more current and appropriate to Alaska's situation than earlier North American work, because it reflects improvements in studded tire and pavement design.

SENATE FINANCE
COMMITTEE
Amendment Number: #2
Bill Number: SB 106
Sponsor: Bunde Date: 4/1/03
Logged In By: Mindy

23-GS1127\I.4
Kurtz
4/1/03

AMENDMENT

OFFERED IN THE SENATE BY SENATOR BUNDE

TO: CSSB 106(TRA)

Page 1, line 1:

Delete "**studded**"

Page 1, line 7:

Delete "**Studded tire fee**"

Insert "**Tire fees**"

Delete "$10"

Insert "$2.50"

Page 1, line 8:

Delete "studded"

Page 1, lines 9 - 10:

Delete all material and insert:

"(b) In addition to the fee imposed under (a) of this section, a fee of $5 a tire is imposed on the retail sale of tires studded with metal studs or spikes weighing more than 1.1 grams each embedded in the periphery of the tire surface and protruding beyond the tread surface of the tire, or on the installation for a fee of metal studs or spikes weighing more than 1.1 grams each on a motor vehicle tire in the state."

Page 1, line 11:

Delete "fee"

Insert "fees"

Page 1, line 12:

Delete "fee" in both places

Insert "fees" in both places

Page 1, line 15:

Delete "fee"

Insert "fees"

Page 2, line 1:

Delete "fee"

Insert "fees"

Page 2, line 3:

Delete "fee"

Insert "fees"

Page 2, line 6:

Delete "fee"

Insert "fees"

Page 2, line 11:

Delete "(1)"

Delete "studded"

Page 2, line 12:

Delete ";"

Insert "."

Page 2, lines 13 - 15:

Delete all material.

Richard
Trans @ aol.com

Subject: From Dennis Nottingham re: Studded tires
Date: Fri, 7 Mar 2003 08:56:15 -0900
From: "Ingrid" <i_martin@pnd-anc.com>
To: <senator_john_cowdery@legis.state.ak.us>

UAA will get an interim report on studded tires by Monday. Based on the governor's statements we would recommend studded tire use fee to be paid at time of car licensing with a license plate sticker. This will avoid a potential problem with out-of-state tire purchases and also the mechanism of collection is already in place.

not cheap to ship.

annual fee. no way to enforce.

Dennis

Dennis Nottingham, P.E., President
PERATROVICH, NOTTINGHAM & DRAGE, INC.
1506 W. 36th Avenue
Anchorage, Alaska 99503
Phone (907) 561-1011 -- Fax (907) 563-4220

Please note my new e-mail address: i_martin@pnd-anc.com

~~HB 51~~
Rail Bill

Subject: From Dennis Nottingham - tire editorials to be faxed
Date: Fri, 7 Mar 2003 08:58:32 -0900
From: "Ingrid" <i_martin@pnd-anc.com>
To: <senator_john_cowdery@legis.state.ak.us>

With regard to the Tuesday Senate Transportation hearing, we are faxing two editorials from the Voice of the Times that clearly outline studded tire wear problems and other road problems along with suggestions for improvement. Please include these in the record.

Dennis

Dennis Nottingham, P.E., President
PERATROVICH, NOTTINGHAM & DRAGE, INC.
1506 W. 36th Avenue
Anchorage, Alaska 99503
Phone (907) 561-1011 -- Fax (907) 563-4220

Please note my new e-mail address: i_martin@pnd-anc.com

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 3/6/03

FURTHER: Finance

Date of 5-Day Notice: 3/4/03
(in accordance with Uniform Rule 23)

DATE TURNED IN TO OFFICE: 3/12/03

Transportation Committee considered SENATE BILL NO. 106

SB 106 FEE FOR STUDDED TIRES

"An Act relating to a fee on studded tires; and providing for an effective date."

and recommends:

[✓] be replaced with ___ CS SB 106 (TRA)

[ ] adopt previous _____ CS _____ (_____)

[ ] attached amendment(s)

[ ] adopt Letter of Intent by _____ Committee

[ ] further referral to _____ Committee

Senate Bill:
[ ] same title
[✓] new title

House Bill:
[ ] same title
[ ] technical title
[ ] new: SCR #_____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
Rev.	3/3/03	✓		1

[ ] APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
Olson			✓	
agner (Thomas H. Wagoner	✓			
wdery CHAIR: John J. Coe	✓			

Kathryn Kurtz 2029

SENATE BILL NO. 106

"An Act relating to a fee on studded tires; and providing for an effective date."

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

* Section 1. AS 43.98 is amended by adding a new section to read:

Sec. 43.98.025. Studded tire fee. (a) A fee of $10 a tire is imposed on the **retail** sale or **[OTHER]** transfer for consideration of studded tires in the state.

(b) A fee of $10 a tire is imposed on the **installation of studs for a fee on a motor vehicle tire in the state** **[STORAGE OR USE OF STUDDED TIRES ACQUIRED ON OR AFTER JULY 1, 2003. THE FEE IS NOT PAYABLE IF THE FEE UNDER (a) OF THIS SECTION HAS BEEN PAID ON THE TIRES.]**

(c) A seller **of studded tires or provider of services under (b)** shall add the amount of the fee imposed by this section to the total price of the tire **or service** subject to the fee, and the fee shall be stated separately on any sales receipt, invoice, or other record of the sale or other transfer.

(d) A seller shall collect the fee from the purchaser and remit the fee collected **on a return as proscribed by [TO]** the department not later than 30 days following the last day of the month **of sale or installation[IN WHICH THE FEE WAS COLLECTED].**

(e) A seller remitting the fee collected under this section to the department within 30 days after the last day of the preceding month may retain five percent of the amount collected, not to exceed **$300 per month[1,000 A CALENDAR QUARTER],** to cover expenses associated with collecting and remitting the fee. **[IN THIS SUBSECTION,"CALENDAR QUARTER" MEANS EACH OF THE THREE-MONTH PERIODS ENDING MARCH 31, JUNE 30, SEPTEMBER 30, AND DECEMBER 31.]**

(f) **Fees imposed by this chapter shall be subject to the provisions of AS 43.05 and AS 43.10. [IN THIS SECTION, "STUDDED TIRE" MEANS A TIRE WITH METAL STUDS OR SPIKES EMBEDDED IN THE PERIPHERY OF THE TIRE SURFACE AND PROTRUDING NOT MORE THAN ONE FORTH INCH FROM THE TIRE SURFACE.]**

(g) Fees under this chapter shall not apply to tires or services sold to federal, state, or local government agencies for official use.

(h) In this section, "studded tire" means a motor vehicle tire with studs or spikes of metal or other material embedded in the periphery of the tire surface and protruding beyond the tread surface of the tire.

- Sec. 2. This Act takes effect July 1, 2003.

23-GS1127\D
Kurtz
3/11/03

CS FOR SENATE BILL NO. 106( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

"An Act relating to studded tires; and providing for an effective date."

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

* **Section 1.** AS 28.35.155 is amended by adding a new subsection to read:

(c) A person convicted of violating this section is punishable by a fine of not more than $1,000, or by imprisonment for not more than 180 days, or by both. In addition, the privilege to drive or the registration of vehicles may be suspended or revoked.

* **Sec. 2.** AS 43.98 is amended by adding a new section to read:

Sec. 43.98.025. Studded tire fee. (a) A fee of $10 a tire is imposed on the retail sale or other transfer for consideration of studded tires in the state.

(b) A fee of $10 a tire is imposed on the installation of studs for a fee on a motor vehicle tire in the state.

(c) A seller shall add the amount of the fee imposed by this section to the total price of the tire or service subject to the fee, and the fee shall be stated separately on any sales receipt, invoice, or other record of the sale or other transfer or of the

installation of studs.

(d) A seller shall collect the fee from the purchaser. A seller shall file a return on a form prescribed by the department and remit the fee collected to the department not later than 30 days following the last day of the month of the sale or installation.

(e) A seller remitting the fee collected under this section to the department within 30 days after the last day of the preceding month may retain five percent of the amount collected, not to exceed $300 a month, to cover expenses associated with collecting and remitting the fee.

(f) The provisions of AS 43.05 and AS 43.10 apply to this section.

(g) The fees imposed in this section do not apply to tires or services sold to federal, state, or local government agencies for official use.

(h) In this section,

(1) "seller" means a seller of studded tires or a person who installs studs on motor vehicle tires for a fee;

(2) "studded tire" means a tire with metal studs or spikes embedded in the periphery of the tire surface and protruding beyond the tread surface of the tire.

* **Sec. 3.** This Act takes effect July 1, 2003.

THE
FOLLOWING
DOCUMENT(S)
ARE
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ORIGINAL
COPIES

WORK DRAFT WORK DRAFT WORK DRAFT

3879

23-GS1127\H
Kurtz
3/11/03

CS FOR SENATE BILL NO. 106( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY

Offered:
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Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

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*** Section 1.** AS 28.35.155 is amended by adding a new subsection to read:

(c) A person convicted of violating this section is punishable by a fine of not less than $100, in addition to any other penalties imposed under AS 28.40.050.

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(c) A seller shall add the amount of the fee imposed by this section to the total price of the tire or service subject to the fee, and the fee shall be stated separately on any sales receipt, invoice, or other record of the sale or other transfer or of the installation of studs.

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ALASKA MUNICIPAL LEAGUE
Alaska Conference of Mayors

217 Second Street, Suite 200 • Juneau, Alaska 99801
Tel (907) 586-1325 • Fax (907) 463-5480 • www.akml.org

March 11, 2003

Senator John Cowdery
Senate Transportation Committee
State Capitol
Juneau, AK 99801

Re: **S.B. 103 – Motor Vehicle Registration Fees**
S.B. 112 – Increase Motor Vehicle Fuel Tax

Dear Senator Cowdery,

As noted in the Alaska Municipal League (AML) policy statement, the AML supports an increase in motor vehicle registration fees and motor vehicle fuel taxes so long as:

(1) fuel tax and vehicle registration fees are "used to fund state and municipal highway road operation, maintenance, and improvements;" and

(2) the motor vehicle fuel tax and vehicle registration fees are "shared on an equitable basis between local and state government based on the proportion of local vs. state maintained roads."

Thank you for the opportunity to express our views on this important legislation.

Sincerely,

Sarah A. Gilbertson

Sarah A. Gilbertson
Policy and Program Coordinator

Cc: Representative Jim Holm
Representative Beverly Masek

SOCIO-ECONOMIC EFFECTS OF STUDDED TIRE USE IN ALASKA

INTERIM EXECUTIVE SUMMARY – March 10, 2003

by Hannele Zubeck[1], Ph.D., P.E., Susan Harvey[2], Lynn Aleshire[3] and Stan Porhola
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3211 Providence Drive, Anchorage, AK 99508

INTRODUCTION

At the request of Mr. Dennis Nottingham, Senator John Cowdery introduced Senate Bill 216 (SB216) to the Alaska State Legislature on April 30, 2001 to study road design problems with the use of studded tires. Although SB216 did not pass, the Senate Finance Committee included funds in the University of Alaska FY03 Budget to investigate the socio-economic effect of studded tire use on traffic safety, air quality, and pavement wear. This study is currently underway and includes: a literature review, field study and economic analysis. This interim report briefly summarizes significant findings from the literature review and the field study; economic analysis is still underway.

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Countries such as Japan, Germany, Holland, and Belgium prohibit the use of studded tires outright. Other countries, like the United States and Canada, regulate the use of studded tires at the state or provincial level, so that studded tire use may be banned, limited seasonally, or permitted with no restrictions in certain states or provinces. Studded tire use has not been banned in the Nordic countries, although they all restrict studded tire use to the winter months and regulate the stud type and frequency in a tire. In 1999, the city of Oslo, Norway enacted an annual tax of approximately $160 USD per vehicle using studded tires as part of an effort to reduce studded tire use.

Recent studies in Finland and Japan found that prohibiting studs produces a net increase in total costs. Pavement repair costs are greatly reduced, but costs of accidents plus the increased requirement of surface applications to improve winter traction result in an overall increased financial burden at the state level. These studies have lead to legislation that continues the use of studded tires during winter months, but allows only lightweight studs to minimize adverse effects.

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PAVEMENT WEAR

It is estimated that Alaska spends $5 million annually to repair stud-related pavement damage. Vehicles that use the studs during summer are responsible for estimated $1 million annually in pavement rehabilitation costs. These figures should be reevaluated.

Finland, Sweden and Norway have conducted a tremendous amount of research on studded tire issues. Each country reports that the significant problem of studded tire related pavement wear has been solved. They attribute their success to the following factors:

- Wear resistant pavements (improve resistance by high quality aggregates, stone mastix mixtures, high quality construction);
- Strictly enforced seasonal studded tire usage;
- Less aggressive studs (reduce wear by decreasing the stud mass, frequency and protrusion);
- Traffic conditions (decrease wear by decreasing traffic volume and proportion of studded tires, decreasing winter speed limits and increasing lane widths); and,
- Weather conditions (decrease wear by keeping the road surface dry).

AIR POLLUTION IMPACT

While scientific evidence is overwhelming that studded tires do generate increased levels of road dust by "grinding" the pavement into smaller particles, the use of studded tires in Alaska does not appear to present an unacceptable respiratory health risk.

Dust generated by studded tires is only a sub-set of the overall paved road dust level, and is not currently causing violations in the National Ambient Air Quality Standards (NAAQS) for particulates. There does not appear to be any human health benefit associated with banning studded tires in urban areas of Alaska, as a reduction in roadway particulate levels due to the ban would be offset by increased dust levels due to increases in the volume of winter traction sand.

TRAFFIC SAFETY

Publications pertaining to studded tires and traffic safety were reviewed from North America, Europe and Japan. Important findings include:

- Studded tires reduce accident risk; only one study refuted this point.
- Banning stud usage increases the overall social cost despite the savings in road maintenance;
- Drivers using studded tires drive more confidently than drivers without studded tires;
- Increased tort liability greatly changes the economics of studded tire usage. If studded tire use is limited, increased surface applications are required to improve traction adding to the expense born by the state; and
- International research is more current and appropriate to Alaska's situation than earlier North American work, because it reflects improvements in studded tire and pavement design.

Subject: FYI SB 112 Fuel tax
Date: Tue, 11 Mar 2003 12:08:54 -0900
From: "Ronald Jordan" <akrljordan@hotmail.com>
To: Richard_Schmitz@legis.state.ak.us, Senator_John_Cowdery@legis.state.ak.us

I support SB 112 "Fuel tax increase" I think that some kind of fuel tax increase of .12 cents a gal is needed I would suggest splitting the increase over three years. But their is a draw back to this tax increase.

I would like to remind the Senate and the Governor that Rep. Don Young of Alaska proposed a .33 cents a gal fuel tax in his transportation committee about two months ago. I do not know the HB number at this time.

Also that State of Washington had a ballot vote for a fuel tax increase last year of .09 cents a gallon. It lost by 63%. I believe that the State of Washington now pays a .22 cent a gallon state tax on fuel.

Any major price increases in the cost of fuel would hurt as the cost of fuel is going up as much as .10cents a week here in Anchorage and higher in other parts of the State of Alaska.

Thank you
Ronald Jordan
8170 Woodgreen Cr.
Anchorage, AK.
907-345-2755

Senate Transportation Committee

Hearing on Studded Tires

March 11, 2003

Testimony of:
Dennis Nottingham, P.E.
1506 W. 36th Ave.
Anchorage, AK 99503

My entire youth and adult life has been spent in northern environs with 41 years in Alaska as a civil engineer. I have used about every tire type available and have observed roads progressively experiencing greater wear and rutting as time progresses.

Tire technology has progressed in two ways including better tungsten carbide studs and better rubber and tread combinations. In addition, vehicle design has improved with all-wheel drive and front-wheel drive.

According to a preliminary UAA study, about one-half of Anchorage drivers have adapted to new technology and do not use studded tires in winter. The other half use tires with studs during the winter and some use them all year. These people combine to damage roads estimated at $200 per year per vehicle more or less.

Studs can give people unwarranted confidence because after a few thousand miles studded tires wear to the point that they are no safer than a typical tire.

New softer rubber compounds and better tread design give performance similar to studs and better performance after studs are used.

Economic studies addressing safety of studs are possibly flawed because stud-wear related accidents, such as hydroplaning and loss of control, are not well documented and thus cost impacts are not included in studies. Economic costs of repair impacts are also a factor including delays and detour safety.

There is no question that studs wear road surfaces and that some users truly believe they are necessary and they may well be in some cases.

Meanwhile 50% of the drivers are paying for those who cause road damage.

The best solution considering all circumstances is to let users decide upon tire style best suited to their desires provided they pay for any damage caused by their choice.

An annual license fee of $200 per vehicle for use of studs would be fair to all, coupled with a $1,000 ticket for violation of the seasonal use restriction. A license plate sticker could be issued to identify stud users as part of the established state licensing system with no significant cost impact.

23-GS1127\A.2
Kurtz
3/11/03

AMENDMENT

OFFERED IN THE SENATE BY SENATOR COWDERY

TO: SB 106

Page 1, line 1:

Delete "**a fee on**"

Page 1, following line 2:

Insert a new bill section to read:

"* **Section 1.** AS 28.35.155 is amended by adding a new subsection to read:

(c) A person convicted of violating this section is punishable by a fine of not less than $100, in addition to any other penalties imposed under AS 28.40.050."

Page 1, line 3:

Delete "**Section 1**"

Insert "**Sec. 2**"

Renumber the following bill section accordingly.

oice of the Times
A CONSERVATIVE VOICE FOR ALASKANS

WILLIAM J. TOBIN
Senior editor

Solutions to fixing our rutted roads

By JOSEPH L. PERKINS

I'd like to thank Dennis Nottingham for his Voice of the Times article, "Tired of Alaska's lousy roads?"

Dennis correctly identified two of our biggest challenges with building and maintaining roads in Alaska — ruts and pavement failure. As Dennis points out, studded tires are the biggest cause for pavement rutting, particularly in heavy traffic areas like Anchorage.

We spend millions of dollars each summer to replace pavements which are not worn out, but are severely rutted. Our recent work on the Glenn Highway is a good example.

The Department of Transportation and Public Facilities has proposed legislation to ban the sale of heavyweight studs in Alaska but it wasn't passed by the Legislature. Studies have shown that lightweight studs, which have the same tungsten carbide tips as heavyweight studs, produce about half of the pavement wear while providing nearly identical stopping ability.

Some tire companies are now installing lightweight studs, but we still have a considerable number of heavyweight studs on our roads.

A major contributor to the rutting problem is also caused by drivers who do not remove their studded tires in the summer. Studs can cause more damage to our pavements in the summer than in the winter.

Several states, including Minnesota, Michigan, Illinois, Maryland and the Canadian provinces of the Northwest Territories, Ontario and Alberta, as well as British Columbia, have outlawed studded tires altogether. Residents of these states and territories have given up their studs and use new studless snow tire technology to preserve their roads.

As the person responsible for highway maintenance in Alaska, I would like to see Alaska, as a minimum, pass legislation that bans heavyweight studs and increases the penalty for summer stud use from the current "fix it" ticket to a penalty that would get more attention from violators.

"Hey, Ed — let's switch our golf game from Thursday to Wednesday."

The department is trying to reduce the severity of the rutting problem. On our high traffic roads, we are using the latest asphalt mix design technologies, called Superpave and Stone Mastic Asphalt.

We are finding that these asphalt mixes in combination with hard rock can produce a more rut-resistant pavement. By placing these types of asphalt we aim to slow stud wear and delay rutting. We are seeing success using these techniques.

For a first-hand view, look at Fifth and Sixth avenues in downtown Anchorage, the Egan Expressway in Juneau and the North Tongass Highway in Ketchikan.

Temperature extremes and water are two causes of pavement failure on our roads. Due to the short construction season in Alaska, we often find ourselves paving in weather conditions that are far from optimum, especially during the late fall.

We have implemented a policy requiring that most asphalt pavements be constructed with at least two layers of asphalt. The first layer is placed in the late summer and used as the temporary driving surface over the winter. The final driving surface, the second layer, is placed early the following summer when weather conditions are much more conducive to obtaining a high quality pavement. By using this approach we are improving the quality and extending pavement life.

Water in our road structures is one of our biggest enemies, and the closer it is to the pavement, the more problems it causes. For years we have placed approximately four inches of crushed rock (D-1) under our pavements.

As Dennis explained, water can collect in this material, freeze and thaw and then cause pavement failure. We recently issued a directive to waterproof the D-1 on all of our high volume roads by treating it with asphalt or cement. This material will not allow water to collect directly under the pavement.

I think this change will pay big dividends in extending pavement life. Pavement performance is something the department and I take very seriously.

I hold an asphalt summit every year with personnel from the department, contractors, private sector engineers, material suppliers and asphalt producers to discuss problems and develop solutions. The exchange of ideas during these summits has been valuable.

In addition, we are working with industry in a newly formed organization called the "Asphalt Pavement Alliance" which will be coming up with some innovative ideas. My goal is to develop pavements strong enough to withstand spring thaw conditions without seasonal reductions in truck weight limits.

The department and the engineering and construction industry certainly haven't solved all of Alaska's pavement problems but we are working together to make Alaska's roads better.

Joseph L. Perkins is commissioner of the Alaska Department of Transportation and Public Facilities, based in Juneau.

oice of the Times
A CONSERVATIVE VOICE FOR ALASKANS

WILLIAM J. TOBIN
Senior editor

Tired of Alaska's lousy roads?

By DENNIS NOTTINGHAM

Have you noticed the grooves worn in Anchorage intersection pavements placed just last year? Have you noticed "alligator" (failure) cracks on new highways such as the Seward Highway, at Dutch Harbor and other locations? Have you had difficulty controlling your vehicle in water-filled ruts? Do you despise traffic delays during seemingly endless road resurfacing work?

If you answered "yes" to the preceding questions, wouldn't you like to know the real cause of these costly inconveniences?

If so, just ask anyone and you will get an assortment of reasons. Politicians duck the questions, tire dealers will support their product with all kinds of pointed logic, the Department of Transportation and Public Facilities will describe new, better, but expensive, road designs, others blame trucks, oldtimers will tell you how good the oil used to be in the "good old days," consultants will tell you what you want to hear and then send you the bill, attorneys resemble consultants, and then there's the socially dysfunctional individual who will tell you the straight scoop — and that would be me.

The reason I know some of the answers is that I'm old and have seen a lot, read a lot, have tested tires and traction, and actually got my hands dirty investigating road problems.

Did you know that winter tires were originally recaps with sawdust or walnut shells mixed in with the rubber for traction? These worked well but unfortunately, after 35 mph, you had a good chance of peeling off the outer layer. Soft steel studs later came out and road ruts started showing up. Modern tungsten carbide studs followed and, with high speeds, stopping, starting or wheel spinning, are most efficient grinding and chipping devices.

About 1 million passes of a studded tire will wear pavement 1 inch. This explains the rapid road wear caused by the 40 percent more or less of drivers who use studs. For a busy road with traffic centered in its lane, one inch of wear could occur in only one year. What do the rest of us drivers get who use modern stud-free tires and vehicles? We get the bill for the damage. About $6 million a year is spent in Anchorage alone repairing pavement. About $20,000 per lane mile is spent for minimal repair and $80,000 per lane mile for the full treatment. For those of you who have not heard of the new studless tire technology, rest assured it exists and it works.

Other states and provinces such as Minnesota and British Columbia disallow the use of studs and claim benefits are far outweighed by negative aspects.

So, if you're tired of excuses and paying the bill for others, call your legislator or ask one of the political candidates what they will do. Their answer will tell you if your support is deserved.

You say I forgot the alligatoring and cracking and failing road surfaces. I didn't forget, I just don't want to talk about the 30 years more or less I've fruitlessly spent trying to explain winter road frost-induced failure problems to the Transportation department.

Oh, what the heck — one last time. In winter, roads freeze from the top down. This action draws moisture to the freezing front from below in certain soils, creating an ice lens. Upon thawing from the top down in spring, soils with ice become weak for a short time, thus providing the conditions for road surface failure under loads and "alligatoring." The solution to this problem is to prevent ice lens formation by using the correct materials, particularly in the upper eight inches or more of the highway. Thicker pavements or stabilized bases under paving will solve the problem.

Road stud wear and road surface failure problems have been swept under the rug for too long by responsible parties. Such a history of this has been created that some smart plaintiff lawyer will figure it out and the next "loss of control" highway injury could result in treble damages against the government and those responsible.

My company's new parking lot expansion is designed the way Alaska's roads and streets should be. So if you're interested, stop by for a lesson in Arctic engineering.

Dennis Nottingham is president of Anchorage-based Pentrovich, Nottingham & Drage Inc., engineering consultants. PN&D recently completed an extensive renovation and expansion of its Spenard property at 1506 W. 36th Avenue, which includes an enlarged and newly paved parking lot.

The Anchorage Times

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Studded Tires

Studded tires have not been permitted in Ontario since 1971.

In 1999 and in early 2000, the Ministry of Transportation conducted an extensive review of studded tire use around the world. MTO's findings supported a continued ban on studded tires because, despite advances in technology, the disadvantages of studded tires continue to outweigh their advantages.

Three main reasons why studded tires are banned in Ontario:

- The limited potential benefits of studded tires under icy road conditions do not compensate for the significant adverse effects they create under other conditions.
- Studded tires create considerable health and road safety problems.
- Studded tire use is declining in many countries and banned in many jurisdictions outside Canada.

Why are the benefits of studded tires so limited?

- Studded tires do not offer safety advantages in comparison to modern radial winter tires in road conditions which are either wet or dry for most of the time.
- Studded tires are only superior to conventional tires on glare ice near freezing temperatures; these road conditions occur in Ontario less than 1% of the time.
- Any safety advantage is lost by even a small increase in speed.
- New lightweight studded tires cause only marginally less damage to the road surface than traditional studs and are less effective.

How do studded tires cause health and road safety problems?

- Nuisance and health concerns.
  - Increased noise levels.
  - Create dust – impact on asthma and respiratory health.
- Give drivers a dangerous false sense of security.
  - Studies have found that motorists with studded tires often drive faster under adverse conditions because of this overconfidence, which can create a greater accident potential.
- Cause road damage which contributes to serious safety hazards in all conditions
  - Create ruts which fill with ice and water creating spray and hydroplaning.
  - New light studs polish pavements, which reduces traction and creates a more slippery driving surface.

    - Removes pavement markings.
- Cost of extra road maintenance resulting from pavement damage caused by studded tire use.
    - In Oregon: Cost estimated at US$70 million a year based on 1994 study.
    - Washington State DOT: spends US $10.5 million a year.
    - In Ontario: cost estimated at CD$39 million a year.

What other jurisdictions ban studded tires?

- Minnesota, Wisconsin, Illinois, Maryland, Holland, Belgium, Germany, and Japan.

Where is studded tire use declining?

- Norway and Sweden.

Ontario will continue to consider new technologies and research regarding studded tires, as it becomes available. Review of studies done to date supports a continued ban on the use of studded tires.

Winter driving is a challenge for motorists due to snow and unpredictable weather. It's important to prepare your vehicle mechanically. Check weather and road conditions before leaving. Allow yourself extra travel time. Carry an emergency travel kit. Adjust your driving to weather and road conditions. Keep a safe distance between you and the vehicle in front of you and stay a safe distance back from snowploughs. Remember the three key elements to driving safely in winter - stay alert, slow down and stay in control.

Last Modified: November 5, 2001

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Sen. John Cowdery
Alaska State Capitol
Room 101
Juneau, AK 99801-1182

February 26, 2003

Dear Sen. Cowdery:

I visited Juneau last week on business and my son William skated in the Treadwell Ice Arena grand opening. Juneau is beautiful on a clear day.

Of note in Juneau was the bridge paving on the Douglas Bridge which has deep stud wear grooves similar to Anchorage. We will have a horrendous road breakup this spring due to stud wear coupled with inappropriate design. I doubt $10 million per year will cover maintenance costs.

Something has to be done and the stud legislation would certainly help. Let those who wish, use studs, but have them pay.

Sincerely,

PERATROVICH, NOTTINGHAM & DRAGE, INC.

Dennis Nottingham, P.E.
President

NORTHERN DESIGN COURSE OUTLINE

pp 21-26

Dennis Nottingham, P.E.

Selected excerpts on the subject of studded tires and pavement wear:

Water is the great natural destroyer of roads in northern regions ... . If pavement surfaces are kept intact and relatively impervious, then theoretically there should not be problems. However this is not the real world. Asphalt surface permeability, thermal cracking, wear and a host of other variables allow water to penetrate from the surface, which coupled with capillary and vapor from below are combined to create problems.

A major problem resulting from modern technology has been the development of tire studs for better traction. Attempts to provide better traction have evolved from sawdust/walnut shell recaps to steel studs to tungsten carbide studs in use currently.

Present studs are many times harder than pavement aggregate, thus act as a chipping/grinding mechanism enhanced by speed and wheel spinning. The result of this is to wear pavement and create ruts which allow water to pond thus creating a multitude of problems.

Significant research has been done on the effect of studded tires ... . Some excerpts from a Minnesota Department of Highways study help illustrate the issue:

- "Wear rate for conventional asphalt pavements ranged from between 0.75 and 0.91 inches per million studded tire passes.
- "For conventional concrete pavements the wear rate was 0.30 to 0.47 inches per million studded tire passes."

Stopping distances for various tire configurations (20°F, 20mph):

■ All regular tread	glare ice	143 feet
■ Regular tread front, studded tires rear	glare ice	116 feet
■ All regular tread	dry pavement	18 feet
■ All studded tires	glare ice	89 feet
■ All worn studded tires (5,000 miles)	all conditions	125 feet +

Reports of the following effects related to pavement and stud wear:

- Premature loss of paint striping to delineate pavement lane lines and center lines.
- Loss of pavement grooving where provided for skid prevention.
- Loss of skid resistance in pavement wheel-track ruts
- Reduction of driving visibility due to splash and spray from water accumulating in worn pavement wheel troughs.
- Adverse vehicle handling behavior caused by wheel troughs during lane-changing or passing maneuvers.
- Increased noise produced both inside and outside the vehicle from tires riding on roughened pavement.
- Danger from loosened stones and flying studs.

Minnesota banned use of studded tires with the following reasoning:

> "Overall, the few advantages studded tires present on ice and compacted snow are greatly overshadowed by the detrimental effects they inflict on asphalt and concrete road surfaces throughout the year."

Pavement stud wear also allows water to penetrate through thin spots and ruts. Untreated base suffers from this as potholes rapidly form. Surface pavement alligatoring or cracking is a visual indicator of impending failure.

Repair of stud-worn pavement costs over $1 per square foot plus annual striping costs, resulting in a cost of approximately $200 per vehicle per year.

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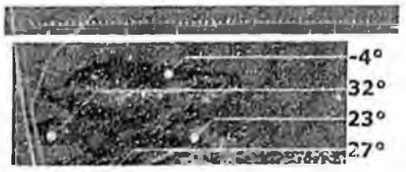

What's happening? Click on dates for events! Friday, March 7, 2003

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Web posted Monday, October 22, 2001

State cringes at wear, drivers can't wait to get their tires studded

By James MacPherson
Journal Reporter

Just as tire stores are gearing up for the rush to install studded snow tires, road crews are racing to repair damage done by studs as the early snowfalls arrive.

It's an annual ritual in Alaska, where the subject of winter driving on studded tires is cause for much heated debate.

State Department of Transportation and Public Facilities officials estimate that studded tires cause $6 million in damage each year to Alaska roads. And for the past decade, the department has unsuccessfully supported legislation either to ban them completely, or to mandate the use of less abrasive studs.

Many Alaskans, however, say you can't put a price on the increased safety the studs provide.

There is little argument that studs wear down road surfaces at a higher rate than regular tires. But advances in asphalt and tire technology over the years have lessened the effect of road ruts, DOT&PF officials say.

Tire studs act like tiny ice picks, chewing away at the asphalt, said Mike Tooley, a DOT&PF highway construction engineer.

"It's not rocket science," Tooley said.

Heavily traveled roads in Alaska can have ruts nearly 2 inches deep, and they can act like water troughs, causing automobiles to hydroplane, sometimes out of control.

The state has been sued by drivers who have said the rutted roads caused them to crash, Tooley said.

State attorneys, however, would not disclose any details of the lawsuits to the Journal.

"Ruts can cause you to lose control," Tooley said. "It really gives you a scare."

For the past few years, the state has used a "stone mastic asphalt mix" on Alaska roads which has reduced pavement wear by as much as 40 percent, state officials say. The mix, which was patented in Germany and is used extensively in Scandinavian countries, contains a high percentage of coarse aggregate.

Prior to 1995, state highways were paved with aggregate that contained about 70 percent fine aggregate and the rest a coarse rock. Now the ratio is reversed, and a special cellulose and asphalt oil mix is used.

"It may extend the life 40 percent, but it costs 10 percent more," said Tom Moses, DOT&PF regional construction engineer. Although

Kenai Peninsula Online

the wear and tear is lessened, the improved stone mastic asphalt mix is still no match for studded tires, Moses said.

"When you mix rocks with studs, the studs are still going to win," Moses said.

A heavily traveled road may last about five to seven years before the ruts become too deep and need to be filled, state officials say.

The state has laid test sections on the Glenn Highway and on Muldoon Road this summer using rock from Cantwell, a harder aggregate than found from the state's normal source in Palmer.

Although the harder aggregate in the pavement mix probably will resist studded tire wear better than aggregates found in Palmer, it's going to be much pricier since it has to be shipped by rail an extra 200 miles or so, state officials say.

Legislation failed in 1993 to ban studs completely, said Dennis Poshard, a DOT&PF special assistant to the commissioner. Several legislative attempts that would require lighter weight, less damaging studs have failed over the years.

Alaska is not alone in its studded snow tire dilemma. In Oregon, for example, legislation has been introduced that would require a $100 annual permit to use studs there. A penalty for not having the permit while using studs would be $300. Money collected from the permits and fines would go toward offsetting damage caused by studded tires, according to the bill before the Oregon Legislature.

No such legislation has been talked about in Juneau. And no other bills concerning studs are slated for the Legislature's upcoming session, Poshard said, adding that legislating studs in Alaska is a hard sell.

"People are really sold on their studded tires," Poshard said.

State officials say at least 50 percent of Anchorage drivers use studded snow tires, based on surveys where tires were counted in

shopping mall parking lots during the winter months.

"I like studs because they help people control their rigs better," said Bob Neitz, owner of Alaska Mobile Tire in Anchorage.

Neitz said when the first snow hits, he's automatically backlogged two weeks, a trend that lasts sometimes for several months.

"There is good money in it, and covers my slow months when I have to starve just to keep the lights on," Neitz said of selling and mounting studded tires. "But it's more than money, call it safety, traction, whatever, they're just a good insurance policy."

Neitz said studded tires earn him up to $1,500 a day at the height of the season, usually after the first big snow.

Neitz also re-studs and de-studs tires, a service many larger tire companies don't do in Anchorage.

Rick Gilmore, operations manager of Johnson's Tire Service, said there is little debate that studded tires are much safer than regular snow tires.

"We want people to be safe," Gilmore said. "Regular tires work well until you have to slam on your brakes."

The Anchorage-based tire company has six stores, three in Anchorage, and one each in Eagle River, Wasilla and Soldotna.

The company sells only lightweight studded tires which it calls "environmentally friendly tires." Instead of steel, the studs use an aluminum casing, but still utilize a tungsten tip.

Johnson's Tire Service has sold some 350,000 tires with the lightweight studs since they were first introduced in the mid-1990s, Gilmore said.

But even among studded snow tire advocates, there is disagreement over which studs are best, as more than 300 different types of studs

are produced for tire manufacturers.

"If you want to drive aggressively or defensively and not have them wear out in three months, use good old steel studs," said Neitz of Alaska Mobile Tire.

A state report done in 1996 by DOT&PF said that lightweight studs such as those sold by Johnson's Tire Service provide the same stopping power as older, heavier studs and reduce pavement wear by as much as 50 percent. And they last just as long, according to the report, done in large part by Tony Barter of DOT&PF.

Barter has researched road wear related to studded tire use in the state and around the world. He's considered by some to be the studded snow tire expert in the state.

So does he use studded snow tires?

"I don't, but my wife does," Barter said.

Sen. John J. Cowdery, Chair
Senate Transportation Committee
Call: 465-4921 Fax: 465-2069

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Sen. Pres. THERRIAULT
Sen. WAGONER
Sen. LINCOLN
Sen. OLSON

FROM:

STATE OF OREGON / RISK MANAGEMENT DIVISION

Last Updated 01/28/03
by: Barbara.E.Hamilton@state.or.us
URL: http://risk.das.state.or.us/vippdriv.htm

Studded Tires

"To stud or not to stud, that is the question." Shakespeare in Love? No, actually it's Oregon in Winter. The question: Is there a consensus on the use of studded tires?

The use of studded tires began in 1967 with approval by the Oregon Legislature. Studded tires are acceptable "traction devices" for crossing the Cascade passes. In 1971, the Legislature changed the studded tire season to November 1st through April 30th. It is not against the law to use studded tires. The only official recommendation is that if they are used, they must be placed on all four wheels.

To Stud

Studded tires are convenient. They are already on the vehicle. No floundering with chains. No wallowing in wet, dirty slush. They help you go in icy and packed snow conditions. Studs indent the surface to decrease the stopping distance on glare ice or packed snow. They provide some benefits in steering in these conditions as well, if used on all four wheels. Sounds inviting if you drive in those conditions frequently.

Or Not to Stud

The Oregon Department of Transportation discourages the use of studded tires. Studs do serious damage to the road surface. They cause pavement wear and rutting in the wheel path. Rutting causes a whole host of problems. Ruts catch rainwater. This can cause hydroplaning. Snow and ice tend to accumulate in the rutted areas. Snowplows can't remove it. Drivers try to avoid the ruts. Driving out of the designated lane may increase the risk of running off the road or running into other vehicles traveling in other lanes. The most serious problem with studded tires is that stopping distance is increased on wet or dry pavement. Sounds expensive and dangerous.

What was that question?

The question is really, "To go or not to go?" Studded tires help you "to go." But they don't help you "not to go" (read that as "stop.") ... In the rain ... studded tires are not as safe as all season tires. Wet conditions increase stopping distance. Studs increase it further. Do studs really increase your safety or are you actually at higher risk? Is the damage done to roads worth it? That damage takes tax dollars to fix.

FINNISH ROAD ADMINISTRATION

THE FINAL RESULTS OF THE ROAD TRAFFIC IN WINTER PROJECT

The Sosio-economic Effects of Winter Maintenance and Studded Tires

Project Manager: Ms Anne Leppänen, M.Sc. (Civ.Eng.) Finnish Road Administration P.O Box 33, FIN-00521 Helsinki Tel. int.+358 (0)204 22 2411, Fax int.+358 (0)204 44 2395

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ABSTRACT

Finland is a sparsely populated country where the road network provides access even to the most remote areas of the country. All public roads maintained by the Finnish National Road Administration (Finnra), are kept in good condition day and night, throughout the year.

Sodium chloride (NaCl) is the main substance used for chemical de-icing. Sanding is used only on roads with little traffic.

In Finland the use of studded tires began in the early 1960's. Finland has been and still is the leading country in the use of studded tires. In wintertime 95 % of passenger cars have studded tires.

The simultaneous use of salt and studded tires causes problems. To solve these problems a large research program called Road Traffic in Winter was launched by Finnish National Road Administration. The main object of the whole program was to evaluate new alternative winter maintenance scenarios for improving social benefits.

The overall project included over 40 subprojects. The duration of the project was three years (1992-1995) and the total costs of the project amounted to ca. 3.5 million US $. The final report was published in May 1995.

The Road Traffic in Winter Project had nine different future scenarios, representing permutations of three different usage of studded tires and three different salting alternatives. The alternative salting regimes were: full salting (120,000 tons p.a.), 50 % reduced salting and 80 % reduced salting. The alternative usage of studded tires were the baseline usage, i.e. 95 % passenger cars fitted with studded tires, 50 % usage and less than 20 % usage.

None of the examined scenarios was more favorable than the baseline situation. When searching for the socio-economic optimum, the accident costs become the most important factor. The accident costs strongly support retention of the baseline situation. i.e. the use of salt and studded tires should be continued at current levels in spite of their drawbacks.

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1. BACKGROUND

Sodium chloride (NaCl) is the main substance used for chemical de-icing in Finland. Sanding is used only on roads with little traffic. Increasingly widespread use of salt began in the 1960s. Salting reached its peak at the end of the 1980s. Finnish National Road Administration (Finnra) is currently trying to reduce the use of salt through further development of methods and equipment.

In Finland the use of studded tires began in the early 1960's. Finland has been and still is the leading country in the use of studded tires. In wintertime 95 % of passenger cars have studded tires. All tires must be studded if studded tires are used. Extensive pavement research work has been carried out to reduce the wear of pavements. Development has also produced studs which cause less pavement wear.

The simultaneous use of salt and studded tires causes problems. Studded tires wear the pavement and also increase harmful dust effects. In Finland, the best aquifers are situated in ridge areas from which salty water has easy access to the groundwater. Since these aquifers are not very large, even small amounts of salt may be enough to increase the salt content of the area. The possible salting of aquifers has been regarded as a serious problem. Therefore a significant reduction in road salting has been demanded, and even its complete discontinuation.

To solve these problems a large research program called Road Traffic in Winter was launched by Finnish National Road Administration. The main object of whole program was to evaluate new alternative winter maintenance scenarios for improving social benefits. The study viewpoint in project was simplified to three use levels of studded tires and three winter maintenance strategies, which together combined nine future scenarios. The ultimate scenario included both giving up studded tires and decreasing essentially the use of salt.

The Road Traffic in Winter project was divided into three main areas of research: A) Studies concerning traffic flow and traffic safety, B) Assessment of the state of the environment and C) Maintenance studies. The overall project included over 40 subprojects. The duration of the project was three years (1992-1995) and the total costs of the project amounted to ca. 3.5 million US $. The final report was published in May 1995.

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2.TRAFFIC SAFETY

Tyre research studies

The condition of the tyres does not affect the speeds in winter time. The drivers who thought their tyres were inferior did not drive slower than others. The drivers' knowledge about the condition of their tyres was poor and their knowledge about the condition of their studs was even worse.The grip of the new light studs is quite similar to that of the older steel studs, but the wear of pavements is only about a half. The serviceable life of the light studs varies considerably between different makes. Studded tyres as a whole are better than studless winter tyres, so called friction tyres. A car equipped with ABS brakes and friction tyres is a good combination if driving under icy conditions can be avoided. The differences between studs are huge. /6/

Driver behaviour

The change to friction tyres did not affect the amount or time of driving. Drivers with friction tyres drove slower than those with studded tyres in built-up areas and at sharp curves. They also maintained a longer safety margin to the car in front. The changes were not, however, sufficient to keep the risk at the same level as with the drivers with studded tyres. In good road conditions the increase in speed of the friction tyre users can have a negative effect on traffic safety.

As age and driving experience increase the risk of less accidents decreases, but particularly the risk of severe accidents is at its greatest for young and old drivers.

Drivers are not aware of the road conditions. The road conditions are usually evaluated as less slippery than they really are. On the other hand the condition of the tyres is overestimated. Under slippery conditions, more than half of the drivers (56%) estimated the conditions non-slippery or semi-slippery. Very slippery road conditions were deemed by 13% as non-slippery and only by half of the drivers as slippery or quite slippery. /1/

Although the road conditions are considered as slippery, people do not slow down sufficiently and the risk increases. In snowy conditions speeds decrease by 4-5 kmph and in slippery conditions by 3-7 kmph. Drivers seem to take the winter speed limits as a "recommended speed" regardless of how slippery the road surface is. /2/

Drivers in queues do not keep adequate safety margins. This is a problem especially in the capital region. In winter conditions one in every four keep too small safety margins (under 1.5 sec). /3/

Studded tyres of good condition increase safety. When studying accidents resulting in loss of life, 30% of the tyres were classified as being of bad condition (in normal traffic the percentage is 3%). /4/, /5/

Reduced salting experiments

During the reduced salting experiments in Kuopio (situated in the middle of Finland) the amount of sanding tripled. As small amounts of salt are used in the sand to enhance adhesion, the total amount of salt was reduced by 80%.

On the experimental roads, friction levels below 0.3 were twice as common as on

control roads. Less than 3% of the time the friction levels were below 0.2 with no difference between experimental and control roads. /7/

During the first winter there were 27 accidents leading to injuries or death on the test roads and 25 during the second winter. These numbers correspond to the mean of the last five years (26.8). Taking into account the fact that accidents decreased simultaneously on the comparison roads, the experiment has increased the personal injury accidents by 5 %. On the roads in maintenance class I, comprising over 80 % of the test roads, the personal injury accidents increased by about 20 %. /8/
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3. ENVIRONMENTAL EFFECTS

Ground water /10/

The salt pollution of the ground water is a problem in southern Finland, where the most heavily trafficked roads are built on an esker. Roads built on top and following an esker are adverse.

In general, salt pollution develops slower in larger aquifers. When the esker material is coarser the groundwater flow velocity increases => water circulation increases => salt pollution is slower. Dense layers situated unfavourably can direct the salt pollution of groundwater.

At the coastal areas excessive intake of water can result in salty seawater pushing into the place of fresh water. In the old sea water reserves of the coastal areas the salt concentration can be high.

According to the modelling studies, the salt amount of 5 t/km/a which corresponds well to the current usage does not usually raise the salt concentration in groundwater. In some cases the salt concentration can even decrease a bit. /11/

Salt deposits at the bottom of aquifers has been dreaded. This didn't happen in the modelling studies. The sinking of salty water would seem possible only with extreme salt concentrations or very small flow velocities. Continued salting with great amounts of salt (10-20 t/km/a) will eventually lead to excessive increase of the salt concentration at small aquifers.

The environmental risks of salting can be controlled by protection of the most risky areas and keeping the salt amount as small as technically possible.

Vegetation

The study indicated that even modest use of road salt in the road region of Savo-Karjala resulted in accumulation of salt in the pine needles. However, the salt concentrations were not high enough to cause any visible injuries. According to the study the reduced use of road salt has proved to be good for the roadside vegetation.

Dust

Dust can cause breathing symptoms to people with allergies. The quartz dust from the road and sanding materials can be hazardous to health but the amounts of quartz dust remain so small that they can not form a risk factor according to the current knowledge.

Dusting and formation of wet, dirty fog can be controlled by traditional maintenance i.e. by opening up slush drains, moving snowbanks, well-timed peeling of ice from the embankments and by auxiliary measures (draining melt water, washing and brushing) as the need arises. Constructional road improvments can also be used to decrease dusting and/or assist in the maintenance needed to decrease dust and dusting.

Alternatives to road salt

CMA (calsiummagnesiumacetate) is in general similar to NaCl (sodium chloride) in anti-icing: Both can be applied using the same equipment and for similar circumstances. The dosage of CMA has to be 1.3 times the weight of NaCl. As the volume weight of CMA is about 63% from that of NaCl, one load on CMA is sufficient for about half the road length of NaCl. The effect of CMA decreases significantly at temperatures below —5 C. CMA melts slower than NaCl and it is not effective enough for packed snow or ice.

In Finland the oxygen content in aquifers is quite low. That's why CMA is not so suitable for us. CMA causes much less corrosion than NaCl.
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4. WINTER MAINTENANCE /9/

In the studies of the logistic effects of winter maintenance the number and recurrence of late arrivals was considered more important than the time of lateness of a single transport.

Reducing the amount of salt increased the transport hours by 1-5% and studless winter tyres by 2%. Using less salt increases the annual transport costs by 0.05-0.5% and using studless winter tyres by 0.1-0.3%.

Using less salt increases the standard deviation of the transport speed increasing also the risk of delay during winter road conditions by 5-10% and the total risk of delay by 0.5-1%. The increased transport time would have significance only when the logistics activities have developed to the level where small delays wouldn't be covered by elasticity in the logistics chain.

Discontinuing the salting almost totally increased the costs of winter maintenance of a busy road (6 000 vehicles/day) even by 50%. The costs of winter maintenance were increased also on roads with less traffic but the effects were smaller than on the busy roads.

Wet, including salty, road conditions existed for 46-49% of the winter period in

coastal area and central Finland. The percentage of frost and icy road conditions in winter time was 11-13% except in northern Finland where the percentage was about 20%.

Hard packed snow wore twice as fast in the studded tyre tracks than in the control tracks as measured from the cross section areas. Softer packed snow wore at the same speed both in studded tyre and control tracks.

Two locked brakings of trucks on a road surface covered with packed snow collapsed the deceleration values. On the side of studless winter tyres deceleration values decreased by 53% and on the side of studded tyres by 36%.

The introduction of light studs would decrease rutting to 40-50% and the forbiddance of studs to 20-30% of the current rutting level.

The effect of alternative stud wears on maintenance costs was studied using the pavement management system (PMS). The long term target level of maintenance costs is 102 million US$/a based on the current rutting levels. The introduction of light studs and friction tyres would decrease the maintenance costs by 17 million US$/a. The banning of studded tyres would decrease the costs by a further 8 million US$/a. As the current situation will anyway change towards the light stud alternative on account of the current stud regulations, the ultimate effect of a stud ban would be only about 8 million US$/a.

In bridge maintenance the additional annual costs caused by winter salting are about 6 million US$ and the additional costs of corrosion damage prevention in the construction of new bridges are about 2 million US$/a bringing the total up to 8 million US$/a.

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5. VEHICULAR COSTS

The fuel consumption of a car on a slippery, snowy and uneven road increases by 15 % compared to the consumption on a dry, bare and even road. The changes in consumption depending on road geometry are greater than those depending on road conditions. The fuel consumption with studded tyres is 1,2% greater than with studless winter tyres.

The annual corrosion costs were calculated as 160 US$ per car. With the current passenger car base the total corrosion costs are about 300 milj.US$/a, half of it is caused by salt. The amount of salt used has a distinct effect on the corrosion costs and regional variations are great. In the calculations of total social costs the corrosion costs of cars were instead based on the protection costs and the costs were about a half of the former.

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6. ROAD USER EXPERIENCES

In other countries, forexample in Japan, the greatest disadvantage of studded tyre use was perceived to be the particle dust caused by the studs. Thus far the experiences from the winter traffic in Japan show no "alarming" signs after the move to studless winter tyres.

In Finland in spite of rains, slipperiness and packed snow the drivers of heavy vehicles estimated the road conditions rather as fair than as bad. 63% of the bus drivers and 83% of the lorry drivers did not think that reduced salting impeded staying on schedule. Only 1% thought that reduced salting had hindered them quite often.

The small amount of road salt experiment in the Province of Kuopio was welcomed by the public. The experiment increased the number of people opposed to the use of salt. The use of road salt was most often opposed due to the environmental inconveniences. As expected, the representatives of the heavy traffic had a more positive attitude towards the use of road salt than the drivers of private cars. They motivated this with the increased traffic safety. The road users did not feel that the decrease in the use of road salt caused any great inconvenience. On the contrary, the attitudes of driver responsibility and driving comfort were usually increased.

The acceptance of the future scenarios specified in the Road Traffic in Winter -programme was tested using the weighting from a conjoint study. Normal road users saw that the primary alternative was very limited salt use combined with the current studded tyres and the current level of winter speed limits. As the use of salt would be decreased from the present, the environmental influences and car depreciation would be on a lower level. The top management of the Finnra preferred 50% salting from the beginning, the current policy of tyres and changing speed limits. Traffic safety and environmental issues would be emphasised, but the salt content of ground water could increase within the recommended levels and car depreciation could continue at the current level. Environmental and traffic safety experts saw reduced salting and current studded tyres as the primary alternative. They also hoped for lower winter speed limits and increased traffic safety.
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7. SUMMARY OF THE ROAD TRAFFIC IN WINTER PROJECT /13/

The Road Traffic in Winter Project had nine different future scenarios, representing permutations of three different usage of studded tires and three different salting alternatives. The alternative salting regimes were: full salting (120,000 tons p.a.), 50 % reduced salting and 80 % reduced salting. The alternative usage of studded tires were the baseline usage, i.e. 95 % passenger cars fitted with studded tires, 50 % usage and less than 20 % usage.

The baseline situation, i.e. 120,000 tons p.a. salting and 95 % of passenger cars fitted with studded tires, was representative of the actual practice at the commencement of the project in 1992. Since then, the salting of roads has been reduced (to 80,000 tons p.a.) and light-weight studs that are less abrasive to pavements are now used in new winter tires. In the socio-economic calculations it is assumed that all studded tires

are fitted with light-weight studs (1,1 g).

In the socio-economic calculations, efforts were made to take account of the effects as broadly and comprehensively as possible. The calculations include the costs of road authority, the motorist, society as a whole and the environment. Cost assessments are based on the costs of preventing harmful effects, the established practice (e.g. accident costs) or, in the absence of these, the best estimates of relevant experts. /12/

The changes of socio-economic costs compared to baseline situation are presented in figure 1.

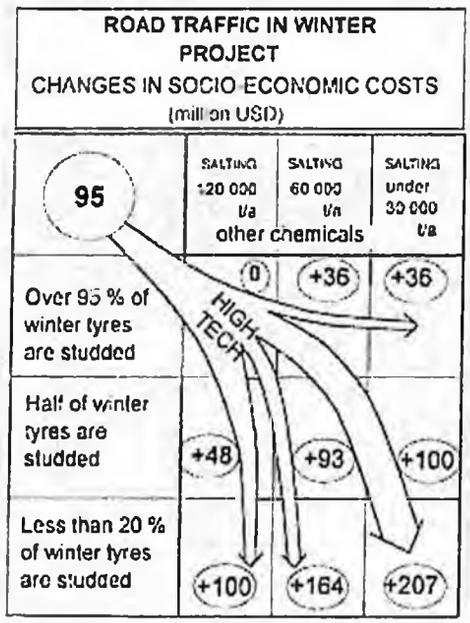

Figure 1. Summary of the socio-economic costs (mill. US$) of various scenarios examined in the Road Traffic in Winter Project.

None of the examined scenarios was more favorable than the baseline situation. When searching for the socio-economic optimum, the accident costs become the most important factor. The accident costs strongly support retention of baseline situation. i.e. the use of salt and studded tires should be continued in spite of their drawbacks. Studded tires provide added safety, especially for uncertain drivers in variable road conditions. Similarly, salting evens out variations in road conditions and provides an opportunity to travel safely and smoothly even in the winter (more information in TRB preprint number 960876/session 96, Kallberg V-P & al: Estimation of the Effects of Reduced Salting and Decreased Use of Studded Tires on Road Accidents in Winter).

The method of calculation used in this study has provided simplified answers to complex questions. All of the values were difficult to express in monetary terms. Those intending to utilize these findings should also familiarize themselves with more detailed studies, which will provide a more comprehensive view of the complexities of the field.

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References

The main reports of the project Road Traffic in Winter. Reports are in Finnish with English abstracts:

/1/ Heinijoki, Heikki: **Influence of the type and condition of tires and drivers' perceptions of road conditions on driving speed.** Helsinki 1993. Finnra reports 19/1994, 99 p + appendix 60 p. ISSN 0788-3722, ISBN 951-47-9098-7, TIEL 3200229.

/2/ Saastamoinen, Kimmo. **Effect of road conditions on driving behavior and properties of traffic flow.** Helsinki 1993. Finnra reports 80/1993. ISSN 0788-3722, ISBN 951-47-8139-2, TIEL 3200204.

/3/ Roine, Matti. **Driver behavior in sharp curves and queues on main roads.** Helsinki 1993. Finnra 87/1993, ISBN 951-47-877-4, ISSN 0788-322. TIEL 3200212.

/4/ Roine, Matti: **Accident risks in winter traffic among drivers using non-studded winter tires.** Helsinki 1994. Finnra reports 69/1994, 49 p. + app. 13 p. ISSN 0788-3722, ISBN 951-726-017-2, TIEL 3200278.

/5/ Mäkinen, Tapani & al: **The effect of studded tires on journeys and driver risk taking.** Helsinki 1994. Finnra reports 64/1994, 55 p. + app 12 p. ISSN 0788-3722, ISBN 951-726-010-5, TIEL 3200273.

/6/ Alppivuori, Kari & al. **Friction tires and studded tires in different circumstances.** Helsinki 1994. Finnra 68/1994. TIEL 4000098.

/7/ Heinijoki, Heikki. Mäkelä Timo: **Supplement to the winter tire report. Comparison of wear on studded tires and studless winter tires in main road and town use and comparison of their friction properties.** Helsinki 1995. Finnra reports 22/1995, 41 p + app 23 p. ISSN 0788-3722, ISBN 951-726-055-5, TIEL 3200300.

/8/ Kallberg, Veli-Pekka: **Reduced de-icing on rural roads in Finland - Final report.** Helsinki 1995. Finnra reports 34/1995. ISSN 0788-3722, ISBN 951-726-080-6. 50 p + app 9 p. TIEL 3200311.

/9 Virtala, Pertti. **The effects of studded tires on maintenance costs of asphalt concrete roads.** Finra 58/1994. ISSN 0788 3722, ISBN 951-47-945-2, TIEL 3200267.

/10/ Kling, Terhi & al: **Effect of road salt on ground water - modeling of transport processes.** Helsinki 1993. Finnra report 65/1993, 74 p. + app. ISSN 0788-3722, ISBN 951-47-8114-7, TIEL 3200190.

/11/ Niemi, Auli & al: **Groundwater contamination due to salt from highway de-icing, mathematical modeling.** Helsinki 1994. Finnra reports 66/1994, ISSN 0788-3722, ISBN 951-726-013-X, TIEL 3200275.

/12/ Alppivuori, Kari & al: **The sosio-ecomic effects of winter maintenance in the "Road Traffic in Winter" -programme.** Helsinki 1995. Finnra Research Reports 4/1995, 78 p. + 4 app. ISSN 0788-3722, ISBN 951-726-081-4, TIEL 3100019.

/13/ Alppivuori, Kari & al: **Road Traffic in Winter. Summary of publications in the research programme (in English).** Finnra reports 57/1995. Helsinki 1995, 59 p. + app. ISSN 0788-3722, ISBN 951-726-124-1, TIEL 3200332E.

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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 5, 2003

The Honorable Gene Therriault
President of the Senate
Alaska State Legislature
State Capitol, Room 107
Juneau, AK 99801-1182

Dear President Therriault:

Under the authority of art. III, sec 18, of the Alaska Constitution, I am transmitting a bill that would impose a fee on the purchase and use of studded tires in Alaska.

According to a 1996 report by the Alaska Department of Transportation and Public Facilities, the use of studded tires in Alaska causes approximately $5 million damage to our roads per year. Most of this damage occurs in our high traffic urban centers in the form of rutting. It is a particular problem in our urban centers where rutting is often severe and causes unsafe driving conditions.

The worst of this damage is repaired by the department. Due to limited maintenance funding, much of it is added to the State's deferred maintenance backlog. This bill would impose a fee of $10 for each studded tire sold, resulting in $2 million in increased revenues. This proposal represents a modest, user-pays approach to paying for studded tire damage.

New tire technology has been developed in the last ten years to create studless winter tires. These tires use softer rubber compounds and specific tread patterns to improve their performance in snow and ice conditions. This technology has continued to improve and is widely available as an alternative to studded winter tires.

I urge your prompt and favorable action on this measure.

Sincerely,

Frank H. Murkowski
Governor

TRANSMITTAL LETTER

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB 106
(S) Publish Date: 3/6/03

Revision Date/Time (Note if correction):
Dept. Affected: Revenue
Title: Studded tire surcharge
BRU: Revenue Operations
Component: Tax Division
Sponsor: Rules Committee
Requester: Governor
Component No.: 2476

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services	43.9	43.9	43.9	43.9	43.9	43.9
Travel	5.0	2.0	2.0	2.0	2.0	2.0
Contractual	8.0	3.0	3.0	3.0	3.0	3.0
Supplies	2.0	1.0	1.0	1.0	1.0	1.0
Equipment	2.5					
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	61.4	49.9	49.9	49.9	49.9	49.9
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )	1,950.0	1,950.0	1,950.0	1,950.0	1,950.0	1,950.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	61.4	49.9	49.9	49.9	49.9	49.9
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type–Do not abbreviate)						
TOTAL	61.4	49.9	49.9	49.9	49.9	49.9

Estimate of any current year (FY2003) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time	1	1	1	1	1	1
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*

This legislation would impose a $10 per tire surcharge on all studded tires sold in Alaska, effective July 1, 2003. Businesses would be required to file monthly reports and remit payments to the Department of Revenue. The surcharge would be collected by the seller of the studded tire, such as tire dealers, service stations, garages, etc. Businesses would be allowed to retain 5% of the amount collected, not to exceed $1,000 in any calendar quarter, to cover expenses in collecting and remitting the surcharge.

Based on projections from the Department of Transportation and Public Facilities, the surcharge would raise an estimated $2 million a year -- minus the 5% commission. This is based on the assumption that about 40% of all passenger vehicles and pickup trucks in the state use studded tires on all four wheels, and that vehicle owners replace their studded tires every five years.

The operations cost includes one Tax Technician II (Range 12) to administer and collect the surcharge. The Department expects several hundred businesses statewide will be included in this new program.

Prepared by: Larry Persily, Deputy Commissioner
Phone 465-5469
Division: Department of Revenue
Date/Time 3/3/03 4:03 PM
Approved by: Larry Persily, Deputy Commissioner
Date 3/3/2003
Agency: Department of Revenue

(Revised 9/2002 OMB)

FISCAL NOTE

COMMITTEE COPY

SB

140

SENATOR FRED DYSON

MEMORANDUM

March 25, 2003

To: Senator John Cowdry, Chair
Senate Transportation Committee

From: Senator Fred Dyson

RE: Hearing Request, SB 140

I respectfully request the scheduling of SB 2, "An Act relating to directional signs" at your earliest convenience. Thank You.

During Session (January-May): Alaska State Capitol • Juneau, Alaska 99801 • (800) 342-2199 • (907) 465-2199 • (907) 465-4587 FAX
During Interim (June-December): 10928 Eagle River Road • Eagle River, Alaska 99577 • (907) 694-6683 • (907) 694-1015 FAX
Senator.Fred.Dyson@Legis.state.ak.us • www.akrepublicans.org

SENATOR FRED DYSON

SB 140

Sponsor Statement

"An Act relating to Directional Signs"

Updated: March 28, 2003
Contact: Senator Fred Dyson's office at (907) 465-2199

SB 140 allows the Department of Transportation to install and maintain official directional signs to public or private meeting halls, assembly halls, schools, churches or other structures open to the public and used for public assembly.

These signs would be put up when they are requested in writing and the cost of the installation and maintenance will be paid by the requestor.

SB140 directs the Department to provide directional signs to places of public assembly as it is currently providing directional signs to places of interest to tourists.

During Session (January-May): Alaska State Capitol • Juneau, Alaska 99801 • (800) 342-2199 • (907) 465-2199 • (907) 465-4587 FAX
During Interim (June-December): 10928 Eagle River Road • Eagle River, Alaska 99577 • (907) 694-6602 • (907) 694-1015 FAX
Senator.Fred.Dyson@Legis.state.ak.us • www.akrepublicans.org

Sec. 19.25.105. Limitations of outdoor advertising signs, displays, and devices.

(a) Outdoor advertising may not be erected or maintained within 660 feet of the nearest edge of the right-of-way and visible from the main-traveled way of the interstate, primary, or secondary highways in this state except the following:

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

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

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

(4) directional signs and notices pertaining to schools;

(5) advertising on bus benches or bus shelters, and adjacent trash receptacles, if the state determines that the advertising conforms to local, state, and federal standards for interstate and primary highways.

(6) [Repealed, Sec. 4 1998 Ballot Measure No. 5].

(b) [Repealed, Sec. 21 ch 94 SLA 1980].

(c) Outdoor advertising may not be erected or maintained beyond 660 feet of the nearest edge of the right-of-way of the main traveled way of the interstate, primary, or secondary highways in this state with the purpose of their message being read from that travel way except those outdoor advertising signs, displays, or devices allowed under (a) of this section.

(d) Outdoor advertising may not be erected or maintained within the right-of-way of an interstate, primary, or secondary highway except that outdoor advertising is allowed on

(1) bus benches and bus shelters, and adjacent trash receptacles, located within the right-of-way under the authority of a permit issued under AS 19.25.200 , if the bus benches or bus shelters are located within a borough or unified municipality and the buses that stop at that location operate during the entire year.

(2) [Repealed, Sec. 4 1998 Ballot Measure No. 5].

(e) [Repealed, Sec. 4 1998 Ballot Measure No. 5].

(f) SB 140

Federal: 23 CFR 750.153(n) Official signs and notices means signs and notices erected and maintained by public officers or public agencies within their territorial or zoning jurisdiction and pursuant to and in accordance with direction or authorization contained in Federal, State, or local law for the purposes of carrying out an official duty or responsibility. Historical markers authorized by State law and erected by State or local government agencies or nonprofit historical societies may be considered official signs.

SB

153

SENATOR
JOHN J. COWDERY
Anchorage

Committees
Chair: Rules
Chair: Transportation
Chair: World Trade &
State/Federal Relations
Legislative Council

Alaska State Legislature
Senate

January - May:
State Capitol, Suite 101
Juneau, Alaska 99801-1182
Tel: 907-465-3879
Toll Free: 888-269-3879
Fax: 907-465-2069

May - December:
716 W. 4th Avenue
Anchorage, Alaska 99501
Tel: 907-269-0222
Fax: 907-269-0223

Senator_John_Cowdery@legis.state.ak.us

SPONSOR STATEMENT FOR SB 153

"An act authorizing a long-term lease of certain Alaska Railroad Corporation land at Anchorage; and providing for an effective date."

In 2002, the Alaska Legislature passed HB298. It's purpose was to allow the Alaska Railroad to increase its maximum lease term without termination rights from 35 to 55 years. The purpose of the increase was to afford entrepreneurs an opportunity to obtain financing or grants that might require a lease length longer than the original limit. Overall, the issue was promoting economic development within the Railbelt and its communities.

One beneficiary of HB298 was a developer of low-cost senior housing, who was applying for HUD (Federal Department of Housing and Urban Development) section 202 Senior Housing Grants.

Shortly after HB298 came into effect, however, HUD extended its lease requirement to 75 years. This meant developers seeking to receive HUD 202 grants were put out of the picture. The way the law now reads, the Alaska Railroad can approve leases in excess of 55 years; however the railroad must reserve the right to terminate the lease in the event the land is needed for railroad purposes.

If SB 153 comes into effect, the railroad will be allowed to offer the lease in question in excess of 55 years without the right to terminate.

A multifamily senior housing project has been planned for Government Hill (in Anchorage), and the developer received a 55-year lease from the Alaska Railroad Board. However with changes in the lease term requirement the project was no longer eligible for a HUD 202 grant.

SB153 will allow the Alaska Railroad to extend the developer's current 55-year lease without termination clause, in order to allow the senior housing developer to seek HUD 202 funding.

rfs
revised: March 24, 2003

TALKING POINTS ON SB 153

- Alaska Enfranchise Facilities would like to build a lower-income senior housing complex on Alaska Railroad land, near Government Hill in Anchorage, using a federal HUD section 202 grant.

- Last year, HB 298 was passed. It extended the length of leases on AKRR land from 35 years to 55 years – with no right to terminate -- in order to allow use of HUD 202 grant.

- But federal regulation changed, requiring a 75 year lease in order to obtain a HUD 202 grant.

- The railroad can lease land for longer than 55 years, but it must retain the right to terminate the lease.

- The purpose of SB 153 is to permit the AKRR to lease land – without right to terminate – for 75 years in order to allow AEF to seek a HUD 202 grant.

- It is not single interest legislation because statutes requires the legislature to approve individual leases longer than 55 years.

FISCAL NOTE

STATE OF ALASKA
2003 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: SB153
() Publish Date:

Revision Date/Time (Note if correction):
Dept. Affected: DOT&PF
Title: Long term Lease AK RR Corp
BRU: Admin & Support
Component: Commissioners Office
Sponsor: Senator Cowdery
Requester: S TRA
Component No.: 530

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2003) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*

Prepared by: /s/ Nancy Slagle, Director
Phone 465-8974
Division: Administrative Services
Date/Time 3/24/03 3:00 PM
Approved by: /s/ Mike Barton, Commissioner
Date 3/24/2003
Agency: DOT&PF

(Revised 9/2002 OMB)

Alaska Enfranchise Facilities, Inc.

Providing safe, Clean and affordable Housing for Alaskan Seniors.

Alaska Enfranchised Facilities, Inc. respectfully requests your assistance in providing legislation allowing for the development of senior housing, on land leased from the Alaska Railroad Corporation, using HUD's 202 program.

HUD's 202 program was initiated in the 1960's as a low interest loan program, designed to provide rental housing for low income persons sixty-two years of age and older. The program has evolved over the years and in the mid 1990's the program became a grant program whereby 501 C-3 not-for-profit applicants would receive the grant funds and use the money to build and operate housing for low income people sixty-two years of age and older.

Each year HUD uses a formula to determine how many housing units to assign to each of the fifty states in two categories. The categories are rural and urban. Once the allocation is made the opportunity to apply for the grant funds is advertised to all potential not-for-profit applicants with a NOFA (notification of funding availability). The NOFA is typically posted on the HUD website each April.

The last several years Alaska's annual allocation has been twenty urban units and five rural units. The grant program allows for grant funded buildings to be built on leased land. Before the 2002 grant cycle the rules called for the duration of the lease to be a minimum of forty years. In the April 2002 NOFA the duration of the lease, necessary to build on leased land, was increased to seventy-five years.

Alaska Enfranchised Facilities, Inc. has received seven grants in the past eight years. Four buildings are built and occupied in Anchorage. One building is under construction in Sutton, and later this summer another building will be built in Sutton and one in downtown Anchorage. These buildings total 115 housing units. Marc Marlow has acted as the contractor for most of the buildings built with the grants AEF has received to date. Mr. Marlow also acts as a facilitator for AEF, Inc., coordinating requirements for application in a timely manner as well as assisting in coordinating efforts after AEF, Inc. has received a grant.

Please find attached a brochure of the buildings AEF, Inc. has finished for Alaska's elderly to date.

Alaska Enfranchised Facilities, Inc. desires to apply for the 2003 HUD 202 grant and hopes to build the building on Government Hill in Anchorage, on a piece of land that the Alaska Railroad Corporation owns. The Alaska Railroad Corporation in only allowed to lease land for a period not to exceed fifty-five years, unless a longer period is approved by the legislature. In so far as the 202 program requires a lease period of at least seventy-five years, the legislature's approval is hereby requested to allow the Alaska Railroad Corporation to lease the portion of Section 8, Township 13 North, Range 3 West, Seward Meridian that is owned by the Alaska Railroad Corporation for a period in excess of fifty-five years.

HISTORY

Alaska Enfranchise Facilities, Inc., previously Alaska Evangelistic Fellowship, Inc., received its non-profit corporation status in 1991.

The purpose of the corporation as amended in March, 1999 states: "the purpose of this corporation is to (1) research community needs and target feasible projects; (2) build facilities to support programs by seeking incentives for developers; (3) organize and train program-specific management and volunteers; (4) coordinate the utilization of community-based services in the programs; (5) obtain support for quality-of-life improvements in completed facilities; (6) seek continuous evaluation of facility and program effects; and (7) involve local and regional leadership in the entire process."

Current activities include sponsoring and facilitating the development of owner corporations for seven (7) Section 202 Capital Advance, Supportive Housing for the Elderly, projects in Alaska.

CURRENT PROJECTS

Muldoon Manor
Project #176-EE007
20 units
2040 Muldoon Road
Anchorage, Alaska 99504
Funded 1995
Grant amount $2,438,199
100% Occupied

Commodore Park Plaza
Project #176-EE010
25 units
10415 Jamestown Drive
Anchorage, Alaska 99507
Funded 1996
Grant amount $3,034,440
100% Occupied

Russian Jack Manor
Project #176-EE015
20 units
1260 Delasala Place
Anchorage, Alaska 99508
Funded 1999
Grant amount $2,821,200
100% Occupied

Sutton Manor
Project #176-EE025
5 units
15816 North Glenn Highway
Sutton, Alaska 99674
Funded 2001
Grant amount $891,100
Under construction

Jewel Lake Plaza
Project #176-EE014
20 units
8300 Jewel Lake Road
Anchorage, Alaska 99502
Funded 1998
Grant amount $2,351,000
100% Occupied

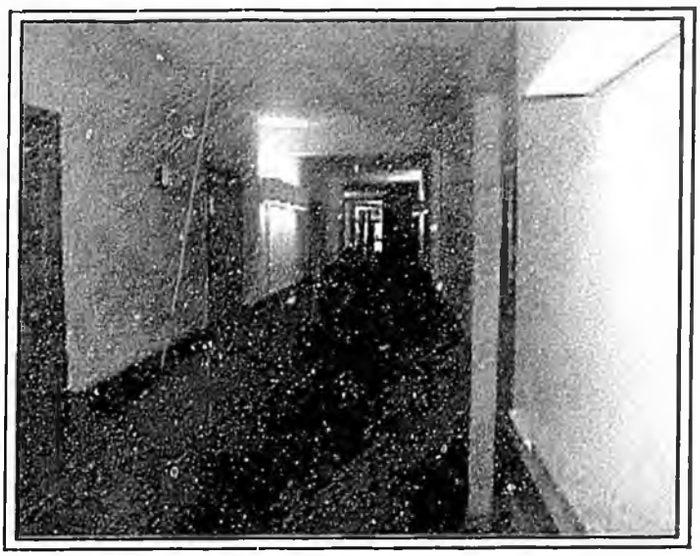
Sutton Annex
Project #176-EE028
5 units
15838 North Glenn Highway
Sutton, Alaska 99674
Funded 2002
Grant amount $891,100
Design phase

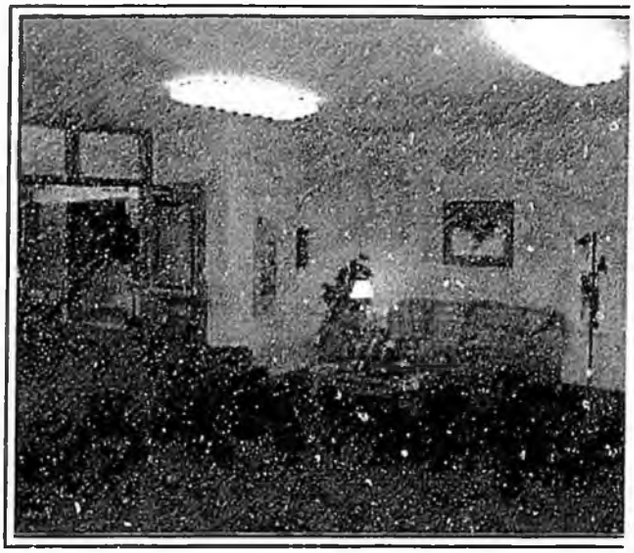
Sullivan Manor
Project #176-EE027
20 units
Anchorage, Alaska
Funded 2002
Grant amount $3,620,500
Design phase

The Board of Directors works with Manor Management of Alaska, Inc. (MMA) on the development and operation of its current facilities as well as future projects. MMA was formed as a sister corporation to Manor Management Services, Inc. (MMS) specifically to provide housing and related services to seniors in Alaska. MMA was incorporated on July 29th, 1992.

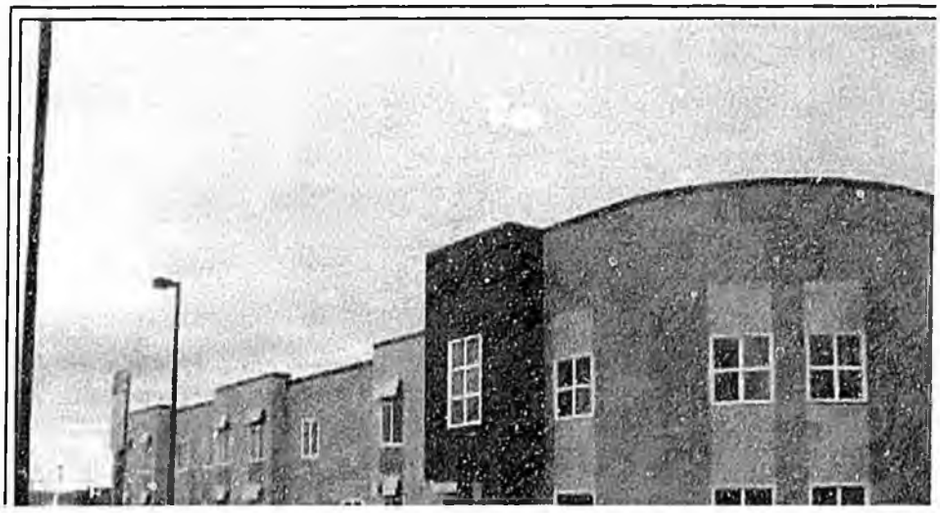
Board meetings are held on a quarterly basis with the management team. Board members are asked to review financial statements from each facility, comment on facility operations, and provide support for project funding, design phase to project completion.

Attached for your review are photographs from our current facilities. Should you have any questions please contact Patrick C. O'Toole, President, MMA, at 1-800-201-4922.





Russian Jack Manor



HUD Section 202 Program Now Allows Participation by For-Profi Owners, Developers

Private sector participation in the HUD Section 202 elderly housing progra is now possible due to legislative changes enacted in 2000. The changes v permit the use of the low-income housing tax credit for such projects for t first-time, according to Washington, DC attorneys Monica Sussman and Ri Goldstein.

The two, partners in the law firm of Nixon Peabody LLP, spoke on a panel August 18 at the National Housing & Rehabilitation Association's 2001 Summer Institute in Half Moon Bay, CA. (See related article on p. 1 on opportunities for owners of older HUD-assisted properties.)

Under the Section 202 program, HUD provides grants to nonprofit sponso to finance the construction or rehabilitation of supportive housing projects for the elderly. It also provides rent subsidies for such developments. Sussman said an opportunity "just getting underway" is development and ownership of Section 202 projects by for-profit developers/owners in joint ventures with nonprofits.

This stems from amendments made to the program made by a law (P.L. 106-569) signed last December. It permits Section 202 and Section 811 (housing for persons with disabilities) projects to be owned by limited partnerships that include a for-profit limited dividend entity, provided a nonprofit sponsor is the sole general partner. A recent HUD notice (H 200 11), outlining policies for Section 202/811 projects receiving FY 2001 HUD funds, says the purpose of for-profit participation must be to develop a "mixed-finance or mixed-use project for additional units (i.e., units in addition to the Section 202 or Section 811 units)."

Sussman said HUD is trying to decide whether it must issue regulations tc implement the 202 program changes. But she contended that HUD now h authority to close transactions on an "ad hoc" basis without rules, noting precedent in HUD programs. Sussman, though, indicated that she isn't aw of any transactions that have closed yet.

She said the changes will also permit greater leveraging of 202 program funds, by allowing allocations of 202 funds - which now typically fund sma projects - to be combined with other funds to produce larger housing

projects containing both 202 and non-202 units. Sussman likened this to many HUD HOPE VI projects, where the HOPE VI grant is combined with other public and private funds to finance developments with a mix of units for public housing, tax credit-eligible, and market-rate tenants.

Goldstein said for-profit participation in 202 projects will enable the use of housing tax credits for such projects, and the raising of equity for them through the syndication of the credits.
Sussman and Goldstein discussed several issues regarding the use of credits in 202 projects.

One is whether HUD will continue to provide 202 funds to nonprofit sponsors as grants. Second is whether HUD will permit such nonprofits to convert the grant they receive to a loan to the project partnership.

Tax credit program rules require a federal grant to be excluded from the eligible basis of a credit project, which reduces the tax credit amount. If the grant is provided as a loan to a project, and the interest rate on it is at least at the Applicable Federal Rate (AFR), the project won't be considered to be "federally subsidized," and new construction or substantial rehabilitation expenses won't be limited to the so-called 4 percent rather the 9 percent credit.

Goldstein said a statement by the congressional banking committee that wrote the 202 program changes said the program shouldn't be considered a federal grant program. However, he continued, the congressional banking committees don't have jurisdiction over federal tax law - the tax committees do.

A related issue is whether Section 202 funds, if provided as a loan to the project with an interest rate below the AFR, will be treated as providing "federally subsidized" financing. If so, the project would be limited to the 4 percent tax credit. The IRS has said certain federal funds won't be treated as federal subsidies, including Section 8 rent subsidies, HOME funds, and a few other resources.

NH&RA Executive Director Peter Bell said the 202 program changes might also enable for-profit developers to work with nonprofit sponsors to make existing 202 properties more attractive to prospective tenants, by helping reconfigure the unit mix to convert studio units to larger apartments. He said 202 projects often were built with many studio units, but consumers prefer two- and three-bedroom units instead.

GOVERNMENT HILL COMMUNITY COUNCIL

Susanne DiPietro and Thomas Pease, Co-Presidents/Dan Lowery, Vice President/Diane Miller and Bob French, Co-Secretary-Treasurers/Belinda Breaux and Caroline Higgins, At-Large Board Members/ Stuart C. Hall, Past President
P.O. Box 100018 Anchorage, AK 99510-0018

March 21, 2003

Senator Johnny Ellis
Representative Les Gara
Representative Nancy Dahlstrom
Senator Fred Dyson
State Capitol
Juneau, AK 99801

Re: HB 97 and SB 153

Dear Senator Ellis, Representative Gara, Representative Dahlstrom, and Senator Dyson:

At its regular monthly meetings on February 20 and March 20, 2003, the Government Hill Community Council discussed House Bill 97 concerning the extension of the lease terms from 55 to 70 years for an Alaska Railroad property located on Hollywood Drive on Government Hill. The Community voted at its March 20th meeting unanimously to oppose this bill. The Community believes that HB 97 (and its companion, SB 153), focusing on a single piece of real property, is narrow, special interest legislation, is unsound public policy and is not in the best interest of our neighborhood, the Alaska Railroad Corporation or the State of Alaska.

Please feel free to call me or Co-President Susanne DiPietro if you have any questions or would like more information about our concerns about this legislation. I can be reached at 277-4351 and Susanne can be reached at 264-0785, or by email at dipietro@alaska.net.

Sincerely,

Thomas C. Pease
GHCC Co-President

Cc: Sen. John Cowdery
Sen. Lyda Green
Sen. Gary Wilken
Rep. James Holm
Rep. Bud Fate
Rep. Mike Chenault
Rep. Ralph Samuels
Rep. Ethan Berkowitz
Rep. John Harris
Rep. Bill Williams

SB

298

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: SB298-DOT-CO-2-20-04
() Publish Date:

Revision Date/Time (Note if correction):
Dept. Affected: DOT&PF
Title: Off-Road Vehicles on Dalton Highway
RDU: Administration & Support
Component: Commissioner's Office
Sponsor: Seekins
Requester: Senate Transportation
Component No.: 530

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*

Prepared by: Nona Wilson
Phone 465-6973
Division: Legislative Liaison
Date/Time 2/20/04 9:06 AM
Approved by: John MacKinnon
Date 2/20/2004
Agency: Deputy Commissioner

(Revised 12/2003 OMB)

ADDITIONS TO PACKET FOR

SB298

Senate Transportation Committee
March 9, 2004

23-LS1496\D
Utermohle
3/5/04

CS FOR SENATE BILL NO. 298( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATOR SEEKINS

A BILL

FOR AN ACT ENTITLED

"An Act relating to the use of off-road vehicles within five miles of the right-of-way of the James Dalton Highway."

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

* Section 1. AS 19.40.210 is amended to read:

Sec. 19.40.210. Prohibition of off-road vehicles. North of milepost 235 of the highway, off-road [OFF-ROAD] vehicles are prohibited on land within five miles of the right-of-way of the highway. However, this prohibition does not apply to

(1) off-road vehicles necessary for oil and gas exploration, development, production, or transportation;

(2) a person who holds a mining claim in the vicinity of the highway and who must use land within five miles of the right-of-way of the highway to gain access to the mining claim; or

(3) the use of a snow machine to travel across the highway corridor from land outside the corridor to access land outside the other side of the corridor; this

paragraph does not permit the use of a snow machine for any purpose within the corridor if the use begins or ends within the corridor or within the right-of-way of the highway or if the use is for travel within the corridor that is parallel to the right-of-way of the highway; in this paragraph, "highway corridor" means land within five miles of the right-of-way of the highway.

DALTON HIGHWAY

(Figure Three)

Subject: Dalton Highway
Date: Thu, 4 Mar 2004 08:29:42 -0900
From: "Scotty Bennett" <revscotty@mosquitonet.com>
To: <mark_stopha@legis.state.ak.us>

Mr Stopha,

Thank you for your time this morning.

The Dalton HIghway is a very unique area that remains undisturbed by the use of ORV's. Becasue of this, the game populations are readily accessable from the road to Archers who wish to enjoy a wilderness experience without having to charter an aircraft to get into a remote area.

With no gunfire nor the sounds of ATV's and Snomachines, it is not uncommon to be offered multiple stalking oportunlties on several species of game durring a days hunt. Since Archery is such a close range sport, this area is a one of a kind place where these types of hunts can happen. No other place in Alaska offers the solitude and untracked wilderness that the Dalton offers.

I reallise that BLM may attempt to block local people from Livengood, Coldfoot, Wiseman, etc from accessing their traplines or mines, but there has got to be a better way than opening up the area for a general free for all of ORV use.

Please look for another way to keep the Feds off the locals back while maintianing the untracked wilderness that is the Dalton Highway

Attached is a story that will be published in Traditional Bowhunter Magazine. This story is the result of a fellow Archers perspective after I took him up to enjoy the Dalton.

Rev. Scotty Bennett
North Pole, Alaska

End of North B.doc	**Name:** End of North B.doc **Type:** WINWORD File (application/msword) **Encoding:** base64 **Download Status:** Not downloaded with message

Title: The End of North
Author: Jay Campbell
2601 W. Fountain Blvd
Tampa, FL 33609
SS# 065-40-3914
E-mail JRCAMPBEL1@cs.com
Telephone 813-875-2019
Subject: Bowhunting/Travel
Length: 1735 words with photographs

The End of North

The trip to the end of north today is only inconvenient, although some modern travelers still find it harsh. The journey doesn't sift through pilgrims anymore, tempering the strong and culling the weak as early treks beyond the Arctic Circle did. Still, few folks from the "Outside", that peculiar Alaskan term for the rest of America, make their way to the end of the northern road these days. That makes it rich for the outdoorsmen who finally pull the dream of northern Alaska off the shelf and go. The Alaskan tundra, that boggy twelve inches of peat lining the treeless arctic permafrost, marks a mostly unspoiled wilderness.

For the hunting archer, there is a place in northern Alaska where caribou herds, summer, and an archery-only preserve intersect: the Dalton Highway. The Dalton runs north from Fairbanks to Prudhoe Bay, above the Arctic Circle, Tracking the Alaska Pipeline's run of oil from the Arctic Ocean. The road cuts through resident Caribou herds for hundreds of miles, and for five miles to its east and west is reserved for archery hunting. There is nothing else there.

To the north of the Brooks Mountain Range, the Highway and the Pipeline follow the Sag River. Along the Sag, fishing for grayling and small game hunting for ptarmigan fill out the endless arctic summer days. Caribou, black and brown bear and muskox wander, and the dinner plate stays full if the weather will allow. But weather is an angry companion on the Dalton, with violent mood swings.

Bugs are supposed to be the problem in the Alaskan summer. Mosquitoes, no-see-ums, and black flies are all more bite than bug, and homestead every inch of biting space. Alaskans are perversely proud of these pests, and affect the same boastful manner about bugs as Kansans do of their tornadoes, and Floridians their alligators. However, if perversity is to be the measure of their pride, Alaskans should be prouder of their weather.

When the Reverend Scotty Bennett invited me to bowhunt the Dalton in August, he predicted that the climate would run the barometer ragged. He suggested that we would see sun, wind, rain, snow, and ice and that I should dress for the occasions. I heeded his good words, and packed for all extremes of weather, with heavy wool, fleece, and Gore-Tex. Most good advice goes unused, but I wrung every benefit out of that heavy gear, and all in what passes for the Alaskan summer.

They say there are two kinds of people in Alaska: those who wanted to go, and those who had to. Scotty Bennett came north twenty-two years ago, and had to. But today his hands are steady and he works with them as a carpenter and a minister, patching up homes and homeless men. He hammers nails to support a shelter for men who are too troubled to cope, who have come to the end of their road in Alaska. Fairbanks is the end of the line for many such men, and they keep Scotty busy when he is not hammering nails. At the same time, he has raised a fine and large family, and stayed out-of-doors at every chance. He is usually at peace with himself and the land around him, and is remarkably experienced in the bush with the skills and weapons that provide meat for his charges. With his full beard under thick spectacles, he looks to be a prospector more than a minister, and the look suits him best when he guides moose and caribou hunters in the fall. This trip was a busman's holiday just before his busy hunting season.

I flew from Tampa to Fairbanks in early August for our low-budget adventure north. Scotty's old Toyota truck plowed through icy rain from the Fairbanks airport to the Brooks Mountain Range, where hard-driven snow blanketed everything north of the Brooks to Prudhoe Bay. The wipers had to be pulled by hand, we lost visibility, and the Reverend's prayers to a greater power couldn't soften the storm.

Seventy-five miles south of the Arctic Ocean, we set our tents against the blow and hunkered down, moving only to patch leaks and replace tent

stakes. The snow loaded our shelters while the gale cut off words. For most of four days we hibernated, the sky pounding away while we slept defensively. The lines and sides of our four-season shelters luffed and snapped in a forty knot blow, slapping against the wet sheeting snowfall. Temperatures never rose above the thirties. Welcome, Alaska said, to August in the Brooks Range.

At least the bugs were manageable.

The fourth morning the weather blew off, leaving us buried in snow and sporting a flat tire. That day was spent on repairs in Prudhoe bay, but we had it soft. The coast in nearby Barrow, Alaska had been evacuated, in the worst August storm in twenty years. It was not what I expected, but nothing in Alaska is. Alaska gives you just what it wants you to have, which is usually more, and sometimes very much more, than you expected.

The next day I slept until the sides of my blue and yellow tent ' arned hot and tight under the new sun, and pushed me out into the snowmelt for cool air. The first miserable days Scotty had tended camp in the storm, trying to make hot coffee and food, and lying, as good guides and friends do, about our chances for the weather to clear. Now his goodness was to be rewarded by the sun and three strangers, coming one after the other into our camp bearing gifts. Weather and fortunes turn quickly in the north, and Scotty deserved the blessing more than most. Despite all his years in the bush hunting and guiding archers, he had never taken a caribou with a traditional bow.

While Scotty and I dried and tied up the damage, a pair of young weatherworn bowmen drove into camp with coolers of fresh salmon and caribou steaks, and asked us to celebrate. Billy Lewis had the look of a modern Viking, red-headed and energetic, and his tall hunting partner was Benji Hill, obviously a weightlifter. They left from Montana almost a month before, filled their coolers with good luck just before the storm, and were giving away companionship, conversation, and tailgate cuisine. Benji had already put a caribou on ice. They carried wooden bows and feathered arrows, and knew a traditional refuge when they saw it.

In an hour, we warmed our faces over steaming plates of grilled pink salmon steaks, hand rubbed with ground lemon salt and pepper, stacked over fresh butter-seared caribou loins and mounds of hot fried onions and

potatoes. We sat elbow to elbow, an overturned canoe at our back. The snow-packed Brooks Range wrapped around the horizon to our front, with the Sag river running through it all to our left, and a spur of low rolling hills to our right. The whole of Alaska was our dinner theatre.

We felt grateful for the food and sun, and ate quietly, gazing along the river, the dinner plates first in our sight. Then a wobble on the horizon became a bobbing set of antlers over the tundra. We were still eating, and not interested in a supper guest, but the caribou bull continued his loping walk toward camp.

Except to raise a fork, no one moved until the bull nearly closed the distance. Scotty finally volunteered to go, but refused to change his Carharrt overalls and sneakers. He promised that without proper clothes he would blow the opportunity soon and be back for his portion of fruit pie, and we all understood his priorities. Still, a few minutes after the bull and the Reverend crested a hill along the river out of sight, Scotty rose back up on top, the sun's rays streaming out around him and his arms lifted high, calling out the good news. He had his first caribou with the tools of the ancients. What a show.

Scotty couldn't stop talking when we reached him.

"That little bull wandered around up here like a tumbleweed in a whirlywind," he jabbered, *"but he finally parked his head under a willow bush no bigger than his antlers and he laid down with his big hind end sticking out in the open. He was just a teenager, he didn't know no better. Jay, I'm gonna hunt in these Carharrt pants and sneakers all the time. It's Prudhoe Bay camo – I look like a <u>pipeline</u> man!"*

He was so excited he had forgotten his pie, which was good, since we had already eaten it.

"Those big hickory shafts will knock the hop out of a rabbit, but they're so dang slow and heavy I had to get close enough to lob one in there." He kicked at the bulky clumps of grass around our feet. *"Oh man, these tussocks are hard to stalk on – I was like a drunk trying to walk on a field of basketballs."*

He was right about the tundra. It was like a carpet of big green sponges, and hard to get any purchase. A day of slippery walking tore up my ankles, and a few times I fell into the wet holes between the big balls of sod. Scotty kept up the narrative as I watched for bears. I always watched for bears.

"Anyway, I scooted in close and squatted down behind that bush and let one fly. I could see that arrow draw in like a guided missile, spinning into his ribs, then it just disappeared right through him."

The young caribou died almost in place, and there was no tracking to do. We set down the frames, knives, and game bags, posted a guard, and worked as a pack to quarter and haul the meat out before brown bears winded the kill. It was quick work. Every muscle came off the animal before the antlers, which Scotty brought down with the hide in the last load. It was good meat that would take care of his family for months that winter. When the game bags were tied up high we were tired, full, and happy, dreaming of clear days on the Dalton.

Testimony on SB298
By Rob Sylvester
1340 Chena Ridge Rd.
Fairbanks, Alaska

SB 298 concerns opening up the Dalton Hiway corridor to ATVs. If this were to happen it would detrimental to archery hunting within the corridor and outside the corridor.

1. The resulting traffic would push the game outside the corridor where archers hunt on foot.
2. On the south side of Atigun Pass the harvest of moose has been high enough for ADF & G to install a drawing permit system. Additional access would only increase the harvest in the general area.
3. Increased access would increase hunting pressure from all groups and will lead to decreased hunting seasons
4. Appropriate examples of the effects of ATV's on hunting occur along the Denali Hi-way and the Steese Hi-ways. Along the Denali Hiway during personal flights over the area show little to no game within the extent that ATV's travel and once you go beyond this area game becomes much more abundant. The ATV's push the game out of the area. Resulting in hunters not using ATV's any realistic access to game.
   Along the Steese Hi-way the same thing occurs in the fall and winter caribou seasons. The end result are very short seasons, 2 days in the winter season as quotas are reached and non-ATV users have no realistic access to caribou and/or can not compete either safely or effectively.
5. With this said there is a role for snowmachines in the corridor on the south side of Atigun and accessing areas outside the corridor for trapping purposes only. Some form of limited access out of the corridor on the north side of Atigun for snowmachines as well could probably be accommodated without creating significant biological and social impacts to hunting. A mechanism should be in place to provide limited numbers of access in specific areas during specific time periods would be very useful. Examples would be a limited registration for specific time slots and areas for the November to April time frame for areas north of Atigun Pass.
6. Unfettered access in either the south or north side will create highly unacceptable problems associated with hunting and trapping.
7. Unfettered summer access anywhere will create significant environmental scaring which has been shown to heal at extremely slow rates within the areas of concern.
8. As it stands now summer access is appropriate on the north and south side for hunting situations and biologically the populations are barely able to sustain the current harvest of all ungulate and bear species in the south. On the north side the ungulate and bear populations are at a level to support access at its current levels without endangering the overall populations as well.

Rob Sylvester
Master Bowhunting Instructor

2 pgp

Members of the Senate Transportation Committee,

I will be out of town and unable to attend the teleconference to testify on SB 298 on March 4, but would like to offer the following comments for your consideration.

In my opinion this bill is simply an issue of whether or not the public should have reasonable access to millions of acres of public land. I would argue that they should.

It seems from a lot of the testimony I heard last week that most of the people are unaware of what the actual effects of this bill are. There were several people testifying about how passage of this bill would have such a negative impact on hunting in the area, while in reality passing this bill doesn't change anything related to hunting north of the Yukon River. Hunting with a firearm within the Dalton Hwy. Corridor would still be prohibited by AS 16.05.789. Using an off road vehicle to transport hunters or game in the corridor would still be prohibited by 5 AAC 92.530 (7) unless you start outside the corridor and need to cross it to access lands on the other side. In other words, you still would not be able to start a trip from the Dalton Hwy. using an ORV for any hunting purposes. Passage of SB 298 does nothing to change either this statute or regulation, effectively making no change in the current situation in that area in regards to hunting.

There was also some testimony concerning harassment of wildlife by ORV users. This concern is also without merit in my opinion as regulation 5 AAC 92.080 (5) would still be in effect and prohibit harassing game with a motor vehicle or using a motorized vehicle to drive, herd, or molest game. Passage of SB 298 does nothing to change this from its current state.

To the people who were concerned over potential damage to the tundra by 4-wheelers running all over the place I would like to point out the fact that the first 250 miles of the corridor runs through BLM land whose regulations regarding ORV use only allow snowmacines with a 10 or 12 inch minimum snow cover requirement. To anyone who thinks this is still not adequate protection, I would point to the area from along the Denali Hwy. all the way down to the Glenn Hwy. where snowmachines are going all over the place every winter, but come summer when the snow melts there is virtually no evidence of their activities. The remaining 105 miles of the corridor from approximately Slope Mtn. on the North Slope to Prudhoe Bay runs through State land that has no such regulation at the present time. However, because ORVs would still be prohibited for hunting purposes and the overall terrain is not conducive to ORV use without snow cover this is probably not an issue. If DNR has serious concerns about even the slight possibility of damage occurring to the tundra during the non-snow covered time of year, they could certainly adopt regulations along the same lines as BLM. Specific regulations such as these would seem to be a far more palatable way of managing the land use rather than the current situation of not allowing any ORV use at any time for any reason (except to access your mining claim or for oil exploration and recovery).

Once people realize there will still be adequate protection for the land and wildlife of the area and that this is simply an issue of public access to public land, everyone I have spoken to about this is for passage of this bill. Then, add in the factor of a positive effect on the local economy (fuel sales, food, lodging, guided tours, etc.), and I believe even a fair number of the local population is for passage of this bill.

In conclusion, I would like to thank you for taking the time to read my comments. I would urge passage of SB 298 repealing AS 19.40.210 in its entirety. Failing that, I would urge amending AS 19.40.210 to allow use of snow machines for non-hunting activities. There is no reason for having a blanket prohibition of ORV use for the entire Dalton Hwy. Corridor when the land managing agencies involved have regulatory tools available to manage use for the best interest of the environment and the public. It is time to finally allow the public reasonable access to the millions of acres of public land that are available along the Dalton Hwy.

Sincerely,

David Stoller

David Stoller
880 Hickman
North Pole AK. 99705
(907) 488-0585
stoller@gci.net

To: Senator_John_Cowdery@legis.state.ak.us

Dear Senator John Cowdery <Senator_John_Cowdery@legis.state.ak.us>

Senate Transportation
Committee March 4, 2004

Re Senate Bill 298 Providing for opening a five mile corridor adjacent to the Dalton Highway for off road vehicle use.

I am Professor Emeritus of wildlife management at the University of Alaska Fairbanks, with forty-two years on the faculty here, preceded by six years as a biologist in Southeast Alaska with the Alaska Department of Fish and Game, and before statehood with the Fish and Wildlife Service. I am also a hunter.

I am supportive of the concept of increasing opportunities for harvest of wildlife for subsistence and sport/recreational use consistent with maintenance of the sustainability of the wildlife populations as well as their sustained yield of an annual harvestable surplus.

Based on my professional experience throughout Alaska, Canada, Greenland, Scandinavia, and Russia, however, I am strongly opposed to opening up wildlife habitat adjacent to the Dalton Highway for off road vehicle access. I also have experience conducting wildlife research in areas adjacent to the Dalton Highway, and experience as a hunter through out much of Alaska.

My major concerns with the proposed legislation are twofold:

1) Off road vehicle traffic, although with some direct impacts on wildlife habitat through damage to vegetation, if restricted to specific access routes through adequate planning and follow up enforcement, will likely have minimal impact on vegetation that is of importance to wildlife. However, the major impact on wildlife is the displacement of wildlife from optimal/critical habitat areas through vehicle related disturbance. Although the individual animals that are disturbed generally adapt by moving out of the areas of disturbance, the net effect is avoidance of the disturbance areas adjacent to roads and their associated traffic. This has been observed repeatedly here in Alaska in Denali National Park adjacent to the park road, along the Denali Highway, along the Dalton Highway, especially on the North Slope, in the Prudhoe and Kuparuk oil fields, etc. Wildlife avoidance of activity on and adjacent to roads has also been recorded in northern Canada, Scandinavia, and Russia. The net effect of this avoidance of road corridors and associated off road vehicle traffic by wildlife has been an over all reduction of available habitat, with associated reduction of carrying capacity of regional habitats and thus a reduction of the sustainable annual yield of a population surplus available for harvest.

The avoidance response of specific species, however, is variable as well as their responses in different habitat types, and among differing sex and age groups. Generally, moose adapt to disturbance much better than caribou and mountain sheep, and females accompanied by young of both species are much less adaptable to disturbance than bulls. All large game species are more easily disturbed and more inclined to vacate disturbance areas in open tundra habitats than in forests or areas of high brush.

2) As a hunter, I am concerned by the growing negative attitude among the public toward sport/recreational hunting that is common in urban areas of

the lower 48, but is increasing here in Alaska. Since hunters are in the minority in the population, we hunters are vulnerable to the increasing voting power of those who tend to view hunters in a poor light and seek to reduce hunting opportunities. Of course it is the so called slob hunters who, though in the minority among hunters, tend to reinforce this attitude through their poor sportsmanship, violation of game regulations, and inconsiderate behavior toward the non-hunting public. Although use of mechanized equipment to access hunting areas and to retrieve game is becoming a common practice in Alaska, especially for subsistence harvest in rural areas, as well as in other areas of the North, when used and relied on excessively for sport hunting, it is degrading to the traditional image of the hunter and of hunting in America. It then plays into the hands of the anti-hunter, raising questions of the ethics of hunting among non-hunters, as well as many hunters, and in doing so threatens the future of hunting for our children and grandchildren.

Opening portions of the Dalton Highway for off road vehicle use by the public will result in reduced productivity of wildlife available for harvest, further erosion of the ethics of hunting in the eyes of the public, and will provide additional ammunition for the anti-hunting movement. Both subsistence and sport hunting have deep cultural roots based on respecting wildlife and the habitats that support wildlife for the sustenance, psychological, and aesthetic values wildlife provides.

Sincerely,

David R. Klein
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Alaska State Senate
Senator Ralph Seekins
District D

SPONSOR STATEMENT FOR SENATE BILL 298

"An Act repealing the ban on the use of off-road vehicles within five miles of the right-of-way of the James Dalton Highway."

Senate Bill 298 repeals AS 19.40.210 in its entirety.

More than half of the landmass of Alaska lies on the north side of the Yukon River. Only one highway exists in that entire landmass – the James Dalton Highway – still referred to by many as the "haul road" to Prudhoe Bay.

By statute – specifically AS 19.40.210 – with very limited exceptions, the state prohibits use of off-road vehicles within five miles of the right-of-way of the Dalton Highway. This statute virtually prohibits access for average Alaskans to hunt, fish or recreate on tens of millions of acres of public lands that would otherwise be open to their use.

But, the fact is, the state has not actively enforced this statutory ban. Nevertheless, this has not stopped the federal government from co-opting the state law. Using the Alaska statute cited above, the Bureau of Land Management is closing long existing trap lines and threatening to tear down cabins unless the trappers resort to non-motorized access.

Other reports of BLM officers warning or citing recreational riders or state highway maintenance employees under this state statute are numerous. All this because the BLM says that state law regulating off-highway vehicle use prevails when it is more restrictive than federal regulations.

The Dalton Highway was opened to public use during the Hickel administration. Now, ten years later, it is certainly time to allow public use of the lands on either side of it. Alaskans deserve access to their lands and there is no reason to continue this unreasonable, antiquated ban.

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: SB298-DOT-CO-2-20-04
() Publish Date:

Revision Date/Time (Note if correction):
Dept. Affected: DOT&PF
Title: Off-Road Vehicles on Dalton Highway
RDU: Administration & Support
Component: Commissioner's Office
Sponsor: Seekins
Requester: Senate Transportation
Component No.: 530

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*

Prepared by: Nona Wilson
Phone 465-6973
Division: Legislative Liaison
Date/Time 2/20/04 9:06 AM
Approved by: John MacKinnon
Date 2/20/2004
Agency: Deputy Commissioner

(Revised 12/2003 OMB)

(c) Before the sale of materials under (b)(4)(C) of this section to a private entity or person or to a state agency the state shall give due consideration to the availability of materials from private sources in the area where the materials are needed.

(d) Notwithstanding another provision of law, when the department determines and orders that a utility facility located across, along, over, under, or within the highway right-of-way must be changed, relocated, or removed, the licensed public utility owning or maintaining the facility shall change, relocate, or remove it in accordance with the order and is responsible for the cost of the change, relocation, or removal.

(e) Notwithstanding (b) of this section, land described in (b) of this section is not available for disposal if it has been selected by a municipality to satisfy a general grant land entitlement under AS 29.65 unless the selection is disapproved by the state in a final decision.

Sec. 19.40.210. Prohibition of off-road vehicles.

Off-road vehicles are prohibited on land within five miles of the right-of-way of the highway. However, this prohibition does not apply to

(1) off-road vehicles necessary for oil and gas exploration, development, production, or transportation;

(2) a person who holds a mining claim in the vicinity of the highway and who must use land within five miles of the right-of-way of the highway to gain access to the mining claim; or

(3) the use of a snow machine to travel across the highway corridor from land outside the corridor to access land outside the other side of the corridor; this paragraph does not permit the use of a snow machine for any purpose within the corridor if the use begins or ends within the corridor or within the right-of-way of the highway or if the use is for travel within the corridor that is parallel to the right-of-way of the highway; in this paragraph, "highway corridor" means land within five miles of the right-of-way of the highway.

Sec. 19.40.290. Definitions.

In this chapter

(1) *[Repealed, Sec. 53 ch 30 SLA 1996].*

(2) "highway" means the secondary highway from the Yukon River to the Arctic Ocean.

Chapter 19.45. MISCELLANEOUS PROVISIONS: DEFINITIONS AND PENALTIES

Sec. 19.45.001. Definitions.

In AS 19.05 - AS 19.40

(1) "commissioner" means the commissioner of transportation and public facilities;

(2) "construction" or any derivation means construction, reconstruction, alteration, improvement or major repair;

(3) "controlled-access facility" means a highway especially designed for through traffic, and over,

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
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TAKE PRIDE IN AMERICA

In reply refer to
F-93144
2920 (025)

CERTIFIED MAIL RETURN RECEIPT

JAN 20 2004

Ace Patrick Calloway
P.O. Box 70630
Fairbanks, Alaska 99707

Dear Mr. Calloway;

This letter concerns permit F-93144 that you have with BLM for parking, access and a tent camp at the South Fork of the Koyukuk River. This permit expired on October 31, 2003.

We have become aware of Alaska Statute 19.40.210 that states regarding the Dalton Highway:

> Off-road vehicles are prohibited on land within five miles of the right-of-way of the highway. However, this prohibition does not apply to
>
> (1) off-road vehicles necessary for oil and gas exploration, development, production, or transportation;
>
> (2) a person who holds a mining claim in the vicinity of the highway and who must use land within five miles of the right-of-way of the highway to gain access to the mining claim; or
>
> (3) the use of a snow machine to travel across the highway corridor from land outside the corridor to access land outside the other side of the corridor; this paragraph does not permit the use of a snow machine for any purpose within the corridor if the use begins or ends within the corridor or within the right-of-way of the highway or if the use is for travel within the corridor that is parallel to the right-of-way of the highway; in this paragraph, "highway corridor" means land within five miles of the right-of-way of the highway.

The third subsection was added in 2000, and seems to make the permits we have issued you and others for snowmachine access off the Dalton Highway a violation of state law. Generally, state law regulating off-highway vehicle use prevails when it is more restrictive than our regulations. We have requested a legal opinion and guidance from our Solicitor's Office.

Meanwhile, we have decided to extend your permit and the others to May 1 to finish the trapping season, provided you pay the rent and are in compliance with the permit.

The rental to extend the permit to May 1 will be the minimum of $100 in the permit.