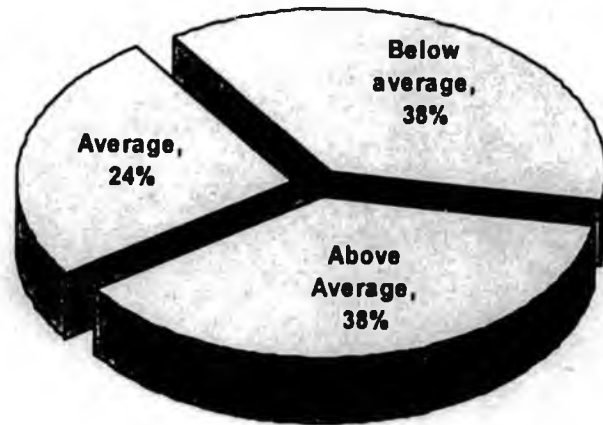


ALASKA LEGISLATURE COMMITTEE FILES 2007-2008 STRA 12775

Appendix C
SURVEY RESULTS
QUESTIONS ANSWERED BY
INDUSTRY
(Continued)

3. Rate the board's handling of incident(s) involving pilots.

Board Handling of Incidents Involving Pilots



(Intentionally left blank)



DEPARTMENT OF
COMMERCE
COMMUNITY AND
ECONOMIC DEVELOPMENT

Office of the Commissioner

Frank H. Murkowski, Governor
William C. Noll, Commissioner

December 1, 2006

Ms. Pat Davidson
Legislative Auditor
Alaska State Legislature
Legislative Budget and Audit Division
Division of Legislative Audit
P.O. Box 113300
Juneau, Alaska 99811-3300

Dear Ms. Davidson,

I am in receipt of Preliminary Audit Report, Department of Commerce, Community and Economic Development Board of Marine Pilots (BMP) Sunset Review. Following per your request is a written response to your October 13th Preliminary findings report. An electronic copy of this response was emailed to you on December 1, 2006.

The BMP responded to the draft audit report on November 1, 2006 and notes and appreciates that the preliminary audit report has taken into account some of the BMP's earlier responses. The following comments are specific to the Preliminary Audit report (red cover).

The Board of Marine Pilots and Department are in general agreement with the Report Conclusions.

The BMP recognizes the need for various changes in drug and alcohol testing and standards.

The BMP is also actively involved with the pilot organizations in further refining professional standards and continuing education for Alaska Marine Pilots.

The BMP does not agree that the distribution of yacht exemption fees should be changed. Board position on this issue is further explained in the specific comment response section.

The Board of Marine Pilots is also well aware of the frustration by parties interested in the rate setting process; the Board is equally frustrated by this conundrum.

The BMP most surely agrees that it serves an important public purpose. Further, the BMP supports the enactment of new statute to extend the termination date for another 6 years to June 30, 2013.

Following are detailed comments in response to issues raised in the Preliminary Audit report.

Prior Audit Recommendation No. 1.

The BMP should establish more informative and comprehensive reporting requirements so the Marine Pilot Coordinator (MPC) can confirm that an appropriate number of licensed pilots are consistently being subjected to random testing.

The BMP agrees in most part with the current position of Legislative Audit and with the recommendations. Part of the underlying problem seems to be due to the seasonal nature of much of the pilot work; especially with Southeast Alaska Pilots Association- the majority of whose work is associated with the highly seasonal Cruise Ship trade.

The MPC has already been working to resolve the shortcoming and will continue to do such. The current effort is to rectify this issue without having to promulgate new regulations. However if the situation cannot be sorted out by working with the pilot associations appropriate regulation will be developed.

Prior Audit Recommendation No. 2.

The BMP should take action to ensure regional pilot associations administer mandatory alcohol and drug testing programs in a manner consistent with established regulatory standards.

The BMP agrees with Legislative Audit that additional effort must be expended to ensure the consistency of testing programs. As in recommendation No. 1, part of the problem is due to the seasonal nature of the business.

The MPC has been directed to work with the pilot associations to further refine various testing and reporting practices. Further, the MPC has been requested to assure spot checking is conducted on reports to assure completeness.

The MPC has also been requested to ensure that testing is consistent between the three associations (issue raised in recommendation 2, number 2). The MPC has been instructed to make sure that all working pilots are enrolled in a testing program as required by statute and regulation and that the necessary reporting requirements are complied with.

The MPC will be working with the pilot associations to further evaluate and implement (if necessary) the 5 specific recommendations detailed in the audit.

Prior Audit Recommendation No. 3.

The legislature should consider amending current statutes in order to extend mandatory drug and alcohol testing to pilot organization trainees and apprentices.

The BMP agrees with the recommendation that apprentices and trainees should be included in the association's mandatory drug and alcohol testing program. The MPC is working with the association to accomplish such. However, the BMP would suggest this be done through procedures or by regulation and not by a statute change.

Recommendation No. 4.

The legislature should consider clarifying current statutes specifying the use of pleasure craft exemption fees.

The BMP understands the arguments presented by Legislative Audit in relation to yacht exemption fees. However, the BMP does not agree with Legislative Audit on this issue and recommends the yacht exemption fees remain reserved with marine pilot and other pilot occupation fees.

The administration of yacht exemptions is not a trivial matter for the BMP or the MPC. Not only is considerable time and effort expended in administering this program by both the MPC and board members, the BMP has also incurred significant legal fees as part of overseeing this exemption. With homeland and port security requirements growing with no end in sight, the efforts of the BMP and MPC on private yachts will only increase.

HB 251, the 2003 legislation which created the yacht pilotage exemption was supported by the BMP and pilot associations with the understanding that fees generated from these exemptions would be used to offset BMP expenses to include the administration and management of exempt yachts. It would be disingenuous to come back at this date and change this fund source for the BMP.

For these reasons the BMP recommends yacht exemption fees remain as part of the BMP combined revenue.

Recommendation No. 5.

The director of the Division of Corporations, Business, and Professional Licensing should ensure coverage of the marine pilot coordinator's investigative functions occur during extended absences or vacancy.

The BMP agrees with the recommendation by Legislative Audit on this issue. The BMP has already had discussions with the Division Director to assure such situations do not recur.

Further, the MPC has been working closely with the investigative unit in the Division. In cooperation with the Chief Investigators office, various protocols have been developed and instituted that assure continuity of coverage on BMP matters.

Recommendation No. 6.

The BMP should consider changes to regulations requiring other types of continuing professional education (CPE) of its licensees, in lieu of the mandatory annual peer review.

The BMP agrees with this recommendation. At its most recent meeting (after this audit was completed) various new regulations were approved that strengthen CPE.

Auditor Comments.

The auditor has stated "the BMP and the Department need to consider alternatives available to remedy difficulties the board has encountered with rate setting."

Although this is not a formal recommendation put forward by the Audit, the BMP agrees with the comment. So long as the BMP is under the state's ethics act there can not be equal and full representation by the industry and pilot groups on rate setting matters. The BMP believes this is a poor way to conduct business and that state piloting in general and rate setting in particular would be best served by a balanced BMP as envisioned by the legislature.

The pilot and shipping company survey conducted as part of this audit noted that although both competing interest groups were not satisfied with BMP actions on rate setting matters that both sides overwhelmingly agreed that rate setting matters should remain the purview of the BMP.

The BMP looks forward to working with various parties to resolve this impasse. Until such time this balance can be regained the BMP recommends that contested rate matters be assigned to a hearing officer.

Thank you for this opportunity to comment.

Sincerely,

Albert H. Clough
Chair, Alaska Board of Marine Pilots
Deputy Commissioner DCCED

Cc; Rick Urion, Director Division of Corporations,
Business, and Professional Licensing

Renda Heimbigner, Marine Pilot Coordinator

S B

4 1

SENATE COMMITTEE REPORT First Committee of Referral

DATE: 1/16/07

FURTHER: Transportation
Finance

Date of 5-Day Notice: 1/18/07
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 2/1/07

Labor and Commerce Committee considered SENATE BILL NO. 41

SB 41 REPEAL STUDED TIRE FEE

"An Act repealing the fee imposed on the sale of studded tires."

and recommends:

- be replaced with SCS or CS FOR SENATE BILL 41 (L+C)
- adopt previous SCS or CS _____
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:	
<input type="checkbox"/>	Same Title
<input checked="" type="checkbox"/>	New Title
<hr/>	
HOUSE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
REVENUE	1/24/07	✓			1
DOT + PF	1/24/07			✓	2

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Bunde		✓		
	DAVIS	✓			
	Stevens	✓			
	Hoffman	✓			
	ELLIS	✓			
CHAIR					

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSSB 41(L&C)
 (S) Publish Date: 2/2/07

Revision Date/Time (Note if correction): Jan. 24, 2007 Dept. Affected: DOT&PF
 Title: Repeal Studded Tire Fee RDU: Admin and Support (3330)
 Component: Commissioner's Office
 Sponsor: Wielechowski, Wilken
 Requester: Senate L&C Component No.: 530

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
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 (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill has no financial impact on DOT&PF

Prepared by: Mary Siroky
 Division: Commissioner's Office
 Approved by: John MacKinnon
 Agency: Dept. of Transportation and Public Facilities

Phone 465-4772
 Date/Time 1/24/07 12:00 AM
 Date 1/24/2007

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSSB 41(L&C)
 (S) Publish Date: 2/2/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Revenue 04
 Title Repeal Studded Tire Fee RDU Taxation and Treasury
 Component Taxation and Treasury
 Sponsor Wielechowski
 Requester Senate Labor and Commerce Component No. 2476

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	(24.9)	(49.9)	(49.9)	(49.9)	(49.9)	(49.9)
Travel	(1.5)	(2.0)	(2.0)	(2.0)	(2.0)	(2.0)
Contractual		(3.0)	(3.0)	(3.0)	(3.0)	(3.0)
Supplies	(0.8)	(1.0)	(1.0)	(1.0)	(1.0)	(1.0)
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	(27.2)	(55.9)	(55.9)	(55.9)	(55.9)	(55.9)

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()	(1,412.0)	(1,765.0)	(1,784.0)	(1,802.0)	(1,820.0)	(1,837.0)
-------------------------------	------------------	------------------	------------------	------------------	------------------	------------------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	(27.2)	(55.9)	(55.9)	(55.9)	(55.9)	(55.9)
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
TOTAL	(27.2)	(55.9)	(55.9)	(55.9)	(55.9)	(55.9)

Estimate of any current year (FY2007) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time	-0.75	-1	-1	-1	-1	-1
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See attached.

Prepared by: Dan Stickel, Economist and Larry Meyers Phone (907) 465-3279
 Division Tax Date/Time _____
 Approved by: Jerry Burnett Date 1/24/2007
 Agency Dept. of Revenue

FISCAL NOTE # 1

**STATE OF ALASKA
2007 LEGISLATIVE SESSION**

BILL NO. CSSB 41(L&C)

ANALYSIS CONTINUATION

Bill Language: This bill would repeal Alaska's tire fee. The effective date of the bill would be July 1, 2007.

Revenues: According to the Alaska State Accounting System, the tire fee generated \$1,621,000 in FY 2006. Because of timing issues in reporting, this number is about \$2,000 higher than the number reported in the Tax Division FY 2006 Annual Report.

In the Department of Revenue's Fall 2006 revenue forecast, tire fees are projected to generate the following revenues:

FY 2008: \$1,747,000
FY 2009: 1,765,000
FY 2010: 1,784,000
FY 2011: 1,802,000
FY 2012: 1,820,000
FY 2013: 1,837,000

With the repeal of the tire fee, there will be no revenue from the fee in FY 2009 and beyond. In FY 2008, there will be revenue from returns for the April-June 2007 quarter. These returns are due July 30, 2007. Projected revenue from these quarterly returns is \$335,000. This estimate is less than 25% of the full year forecast because of seasonality; Tax Accounting System data indicate that in FY 2006, only 19.2% of the year's revenue came between July and September of the fiscal year. Available tax data indicates that people are most likely to purchase tires and install studs in the October-December quarter. The projected FY 2008 revenue loss from repealing the tire fee is \$1,412,000 (\$1,747,000 - \$335,000).

Expenditures: The legislature funded one new position in the Department of Revenue when the tire fee became effective on September 26, 2003. The position was a Tax Technician III (Range 14). The expenditures section of this fiscal note represents the annual funding amount indicated in the original fiscal note for creating the tire fee. The estimated reduction in expenditures in FY 2008 is lower than in following years because work related to the fee will continue at least until December 31, 2007.

1st profile
release
1/5/07

ALASKA STATE LEGISLATURE SENATE BILL NO. 41

HISTORY IN THE SENATE

2007 Read first time and referred to:

1/16

LTC, TRA, FIN

2/2

LTC RPT CS(LTC) New Title
4 DP 1 DNP NR AM
1 FN 1 OFN / Prev: FN OFN
To: TRA

RPT CS() New Title
DP DNP NR AM
FN OFN / Prev: FN OFN
To: _____

RPT CS() New Title
DP DNP NR AM
FN OFN / Prev: FN OFN
To: _____

Read second time

CS() Adopted New Title
 Amended _____
 Advanced / 3rd Rdg. _____

Read third time

Title Amendment
 Return to 2nd & amended _____

Passed Y ___ N ___ E ___ A ___
 EFD same or Y ___ N ___ E ___ A ___
 CBR same or Y ___ N ___ E ___ A ___
 CRT same or Y ___ N ___ E ___ A ___

Reconsideration

Reconsideration not taken up

Title Amendment
 Return to 2nd & amended _____

Passed/Rec Y ___ N ___ E ___ A ___
 EFD same or Y ___ N ___ E ___ A ___
 CBR same or Y ___ N ___ E ___ A ___
 CRT same or Y ___ N ___ E ___ A ___

Engrossed, signed by the President
Transmitted to the House

Secretary of the Senate

HISTORY IN THE HOUSE

20 Raad first time and referred to:

RPT HCS() NT: HCR
DP DNP NR AM
FN OFN / Prev: FN OFN

RPT HCS() NT: HCR
DP DNP NR AM
FN OFN / Prev: FN OFN

RPT HCS() NT: HCR
DP DNP NR AM
FN OFN / Prev: FN OFN

RPT HCS() NT: HCR
DP DNP NR AM
FN OFN / Prev: FN OFN

Read second time

HCS() Adopted New Title
HCR No. _____
 Amended _____
 Advanced / 3rd Rdg. _____

Read third time

Title Amendment
 Return to 2nd & amended _____

Passed Y ___ N ___ E ___ A ___
 EFD same or Y ___ N ___ E ___ A ___
 CBR same or Y ___ N ___ E ___ A ___
 CRT same or Y ___ N ___ E ___ A ___

Reconsideration

Reconsideration not taken up

Title Amendment
 Return to 2nd & amended _____

Passed/Rec Y ___ N ___ E ___ A ___
 EFD same or Y ___ N ___ E ___ A ___
 CBR same or Y ___ N ___ E ___ A ___
 CRT same or Y ___ N ___ E ___ A ___

Engrossed, signed by the Speaker
Returned to the Senate

Chief Clerk of the House

SENATE-HOUSE HISTORY (continued)

20

Version Received from the House:

Concur in House Amendment

Y N E A

[] EFD same or Y N E A

[] CBR same or Y N E A

[] CRT same or Y N E A

Failed concur in House amd., ask House recede

Y N E A

House failed to recede from amendment

Y N E A

CC appointed by Senate _____ Chair

CC appointed by House _____ Chair

(S) Granted Limited Powers of Free Conference

(H) Granted Limited Powers of Free Conference

20

(S) Adopted CC Rpt _____

Y N E A

[] EFD same or Y N E A

[] CBR same or Y N E A

[] CRT same or Y N E A

(H) Adopted CC Rpt _____

Y N E A

[] EFD same or Y N E A

[] CBR same or Y N E A

[] CRT same or Y N E A

Sent to enrolling

Received from Enrolling _____ Manifest Error

Sent to Governor

_____ By Governor

Chapter Number _____

Filed with Lieutenant Governor

CS FOR SENATE BILL NO. 41(L&C)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 2/2/07

Referred: Transportation, Finance

Sponsor(s): SENATORS WIELECHOWSKI, Wilken

A BILL

FOR AN ACT ENTITLED

1 "An Act repealing fees imposed on the sale of new tires, the sale of certain studded tires,
2 and the installation of certain metal studs on tires; and providing for an effective date."

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

4 * Section 1. AS 43.98.025 is repealed.

5 * Sec. 2. This Act takes effect July 1, 2007.

SENATE BILL NO. 41
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY SENATORS WIELECHOWSKI, Wilken

Introduced: 1/16/07

Referred: Labor and Commerce, Transportation, Finance

A BILL
FOR AN ACT ENTITLED

1 **"An Act repealing the fee imposed on the sale of studded tires."**

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

3 *** Section 1. AS 43.98.025(c) is amended to read:**

4 (c) A seller shall add the amount of the fees imposed by this section to the
5 total price of the tire or service subject to the fees, and the fees shall be stated
6 separately on any sales receipt, invoice, or other record of the sale or other transfer
7 [OR OF THE INSTALLATION OF STUDS]. That portion of the total price of the tire
8 or service consisting of the fees imposed by this section is not subject to a sales tax or
9 a use tax imposed by the state or a subdivision of the state.

10 *** Sec. 2. AS 43.98.025(h)(3) is amended to read:**

11 (3) "seller" means a seller of tires [OR A PERSON WHO INSTALLS
12 STUDS ON MOTOR VEHICLE TIRES FOR A FEE].

13 *** Sec. 3. AS 43.98.025(b) is repealed.**

ALASKA STATE LEGISLATURE

15th Feb(?)
w/ other 2 Bills

Co-chair, Joint Armed Services
Committee

Resources Committee

Judiciary Committee

Transportation Committee



State Capitol, Rm. 115
Juneau, AK 99801
(907) 465-2435
Fax: (907) 465-6615

716 W. 4th Ave, Ste. 440
Anchorage, AK 99501
(907) 269-0102
Fax: (907) 269-6122

SENATOR BILL WIELECHOWSKI

February 1, 2007

Senator Albert Kookesh, Chair
Senate Transportation Committee
Room 9, State Capitol
Juneau, Alaska 99801

I am writing to request a hearing on CS for SB 41 (L&C), "An Act repealing fees imposed on the sale of new tires, the sale of certain studded tires, and the installation of certain metal studs on tires; and providing for an effective date."

This bill would repeal the \$5 per tire tax on studded tires and \$2.50 per tire tax on other tires adopted as revenue generators in 2003 when the state faced a major budget deficit. State economists now predict a \$1.3 billion surplus for the current fiscal year. In light of the state's improved fiscal condition, the added safety provided by studded tires, and the impact of these "nuisance taxes" on working families and small businesses in Alaska, I believe they should be repealed.

Thank you for your consideration of this request.

Sincerely,

Senator Bill Wielechowski

ALASKA STATE LEGISLATURE

Session
State Capitol, Rm. 115
Juneau, AK 99801
(907) 465-2435
Fax: (907) 465-6615

Interim
716 W. 4th Ave, Ste. 540
Anchorage, AK 99501
(907) 269-0120
Fax: (907) 269-0122



Co-chair
Joint Armed Services Committee

Member
Resources Committee
Judiciary Committee
Transportation Committee

Senator_Bill_Wielechowski@legis.state.ak.us

SENATOR BILL WIELECHOWSKI

SPONSOR STATEMENT CS for SB 41

"An Act repealing the fees imposed on the sale of new tires, the sale of certain studded tires, and the installation of certain metal studs on tires; and providing for an effective date."

This bill would repeal the \$5 per tire tax on studded tires adopted in 2003 at the request of former Governor Murkowski as a means to generate state revenue.

The tax has raised about \$440,000 in revenue per year. However, Alaska Department of Transportation research and numerous studies from all over the world show that use of studded tires reduces the number of auto accidents and increases vehicle traction, braking and acceleration. In a recent study funded by the Alaska Legislature, entitled "Socio-Economic Effects of Studded Tire Use in Alaska," it was found that:

... the use of studded tires has an overall positive impact on the Alaskan economy...
The savings from avoided crashes are the most substantial impacts and benefit the broadest range of groups including the state government...¹

Repealing the tax on studded tires will make our roads safer by making it more affordable for working families to be able to purchase these tires.

CS for SB 41 (L&C) would also repeal the \$2.50 tax on all other tires. This tax has been a nightmare for small businesses to administer and places an undue burden on working Alaskans, particularly those with lower incomes.

Please join me in supporting this bill.

¹ "Socio-Economic Effects of Studded Tire Use in Alaska", Hannele Zubeck, Ph.D, P.E., et. al., University of Alaska Anchorage, School of Engineering and Eric Larson, UAA, Institute of Socio-Economic Research, April 26, 2004 at xi.

CS for SB 41 (L&C):

Background Relevant to Repeal of Tire Taxes

Studded Tire Tax:

- At the request of then-Governor Murkowski, a new fee of \$5 per tire was imposed on the sale of studded tires, starting on July 1, 2004.
- In FY '05, this tax generated \$436,440. In FY'06, it generated \$446,771.
- The Department of Transportation and Public Facilities (DOT) reports that "a variety of Alaskan and international studies have demonstrated that traction on snow or ice can be improved with studs." Research also confirms that the severity of accidents is reduced by the use of studded tires.
- An average of 87 people die and 453 people suffer incapacitating injuries in Alaska each year in car crashes.
- One study, done in Minnesota after the use of studded tires was banned, showed that crashes on icy roadways more than doubled. (See attached graph.)
- All-season radials polish highway ice, while studded tires roughen the surface and improve traction for all vehicles. A 1996 DOT report notes that, if studs were prohibited in Alaska, "a significant increase in accidents can be anticipated."
- While concern has been expressed over the additional wear studded tires can cause to highways, DOT indicates that there are a variety of ways this wear can be minimized.

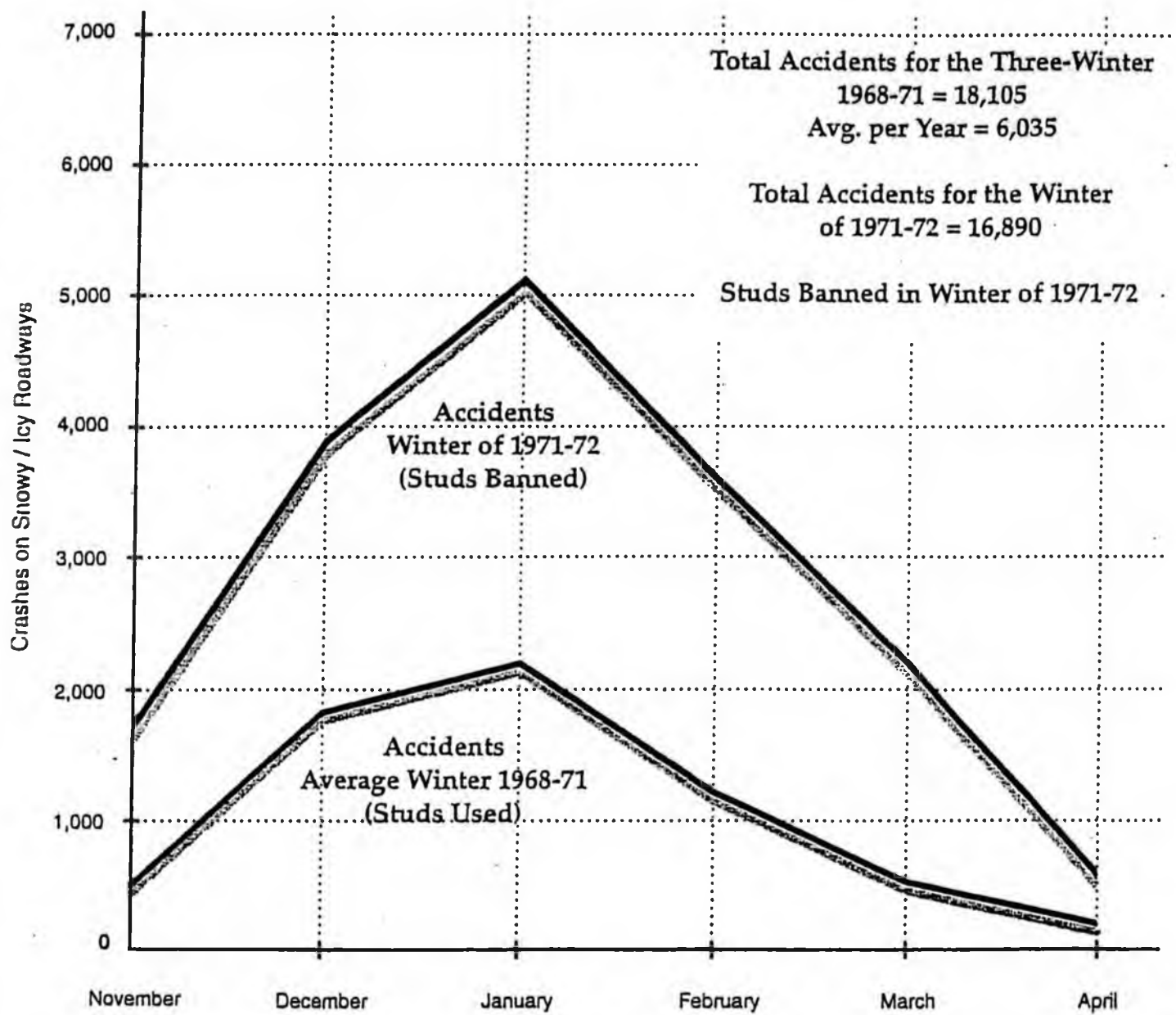
Work with the public to encourage compliance with seasonal restrictions on the use of studs. According to DOT, 20% of Alaska pavement wear is caused by the 3-6% of vehicles that continue to use studs during the summer.

Encourage use of lightweight studs, which reduce pavement wear by 50% compared with conventional studs. Lightweight and conventional studs offer virtually identical handling characteristics and stopping distances. In addition, there is no difference in retail cost between them, and both have a service life of 3-4 winters.

Use wear-resistant Stone Mastic Asphalt with high-quality aggregates to reduce pavement wear an additional 30%.

- A 1996 DOT report states that "the mountainous terrain typical of Juneau and Anchorage provides a strong reason to continue allowing use of studded tires."

Accidents on Snowy/Icy Minnesota Roadways for the Three-Winters of 1968-71 and the Winter of 1971-72



SOCIO-ECONOMIC EFFECTS OF STUDDED TIRE USE IN ALASKA

EXECUTIVE SUMMARY

by

Hannele Zubeck, Ph.D., P.E., Lynn Aleshire, Susan Harvey, and Stan Porhola

University of Alaska Anchorage, School of Engineering
3211 Providence Drive, Anchorage, AK 99508

and

Eric Larson

University of Alaska Anchorage, Institute of Socio-Economic Research
3211 Providence Drive, Anchorage, AK 99508

April 26, 2004

The University of Alaska Anchorage conducted a study on the socio-economic effects of studded tire use on Alaska. The Alaska Legislature funded the study in Spring 2002. The objective was to investigate usage of studded tires, different tire and stud technologies, and effects of stud use on traffic safety, air quality, and pavement wear. The economic impact of these factors in Alaska was evaluated. This paper summarizes the findings of the final report. This executive summary and the entire 157-page final report can be downloaded at <http://www.engr.uaa.alaska.edu/transportation/research/>.

Technology to Provide Winter Traction: The winter tire technology improves continuously as the manufacturers release their newest tire models. Several tire manufacturers supply both factory-installed studded tires and non-studded winter tires in Northern Europe. A limited number of these are on the market in Alaska. According to the test results studded tires provide on average better traction on ice than non-studded friction tires. On snow or wet pavement there are no significant differences. Alternatives to winter tires, chains and special equipment, are currently not practical for Alaska, where snowy and icy roads occur regularly.

Regulatory Overview: Six states (Colorado, Kentucky, New Hampshire, New Mexico, Vermont, and Wyoming) allow virtually unrestricted use of studded tires on state roads and highways. Thirty-six states (including the District of Columbia) allow studded tires but restrict their use seasonally, geographically, or through equipment specifications. Seven states (Alabama, Florida, Hawaii, Illinois, Louisiana, Mississippi, and Texas) currently prohibit the use of studded tires under any circumstances; however, out of these states only Illinois has significant amount of ice and snow. Several states, including Minnesota and Wisconsin, prohibit studded tires with exceptions. 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 surface traction (e.g. sand, salt) result in an overall increased financial burden at the state level. These studies have led to legislation that continues the use of studded tires during winter months, but limits that use to lightweight studs to minimize adverse effects.

Air Pollution Impact: There does not appear to be any human health benefit associated with banning studded tires in urban areas of Alaska. 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: All but one of the studies reviewed concluded that studded tires reduce accident risk. Banning stud usage increases the overall cost despite the savings in road maintenance. The relationship between rutted pavement and summer hydroplaning accidents needs to be researched in Alaska, where the ruts sometimes exceed 25 mm.

Pavement Wear: Studded tires wear pavement surface and cause rutting. Rutting is also caused by plastic deformation due to heavy vehicles. The major part of rutting, however, is due to studded tires in regions where studded tires are used. 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 greatly reduced. They attribute their success mainly to wear resistant pavements, less aggressive studs and strictly enforced seasonal studded tire usage.

Stud Usage: The visual inspection and vehicle counting method was used to determine the stud usage rate in this study. Parked vehicles were visually inspected and counted in parking garages and in parking lots across Anchorage. In all, 2174 vehicles were surveyed, 214 in December, 550 in January, 950 in February, 240 in March and 220 in April. Several conclusions were made from the gathered data: Stud usage rates in Anchorage have remained about the same from February 1990 to February 2003. Usage rates for passenger cars, SUV's, trucks and vans are 59, 43, 40 and 60%, respectively. Based on the data from December 2002 to April 2003, the highest rate for studded tire usage was for January. Lightweight studs have been available for Anchorage since 1995. Twenty-nine percent (29%) of studded tires have lightweight studs. Almost every vehicle with studs has them on all four tires.

Economic Impact: An effort was made to analyze the economic impact of studded tires in Alaska. With the information available and the assumptions stated in the report, it seems that the use of studded tires has an overall positive impact on Alaskan economy. Tire tax money moves from the hands of vehicle owners to the state government. The state government spends the money in another part of the Alaska economy. Therefore, the money moves from one part of the economy to another and the overall net economic impact on Alaska from the tire tax is small. The savings from avoided crashes are the most substantial impacts and benefit the broadest range of groups including the state government, vehicle owners, passengers, and insurance companies (and their policy

holders). The quality of life benefits of avoided crashes benefit mostly passengers and drivers of vehicles.

Recommendations: On the basis of this study, the following recommendations for Alaska are given for implementation:

- continue to study, test and apply wear-resistant asphalt mixtures, which have been proven to reduce the amount of rutting by studded tires.
- consider mandating the use of lightweight studs in the studded tires, which have been proven to reduce the amount of rutting by studded tires.
- develop a comprehensive winter road maintenance policy that would consider traffic safety, pavement wear and the health and environmental effect of winter traction sand and anti-icing agents.
- continue the enforcement of the seasonal restrictions on studded tire usage.
- consider reducing the winter speed limits on high trafficked urban highways.
- consider the pavement wear by studded tires in the geometric design of its roads and streets.

Further research is needed to

- determine the extent to which rutting contributes to summertime accidents.
- determine how much improved pavement materials and mix designs would reduce pavement wear in Alaska.
- determine how much would reduced winter speeds in urban areas reduce accidents and pavement wear.
- enforce criteria for acceptable rut depth triggering maintenance operations taking into considerations reduced accident rate.
- determine how much road wear is actually attributed "solely" to studded tire use, and how much road wear is attributed to heavy vehicle loads and non-studded tires.
- determine the winter traction of studded tires, friction tires and all-season tires with tire life (e.g. km/tire).
- directly compare site-specifically in Alaska's urban area the human health trade-off of increased respiratory risk of studded tire dust, versus the human health risk associated with a studded tire ban or decreased studded tire use. Additional research is necessary to speciate roadway dust samples and evaluate chemicals of concern to human health.
- determine actual economic costs of owning and using studded tires more accurately using data from collected tire tax revenue.

Download the entire final report at:

<http://www.engr.uaa.alaska.edu/transportation/research/>.

SEB

49

SESSION ADDRESS:
Alaska State Capitol
Juneau, Alaska 99801-1182
(907) 465-4925
Fax: (907) 465-3517
Toll Free: 1-800-821-4925

Senator Gary Stevens
Alaska State Legislature

INTERIM ADDRESS:
112 Mill Bay Road
Kodiak, Alaska 99615
(907) 486-4925
Fax: (907) 486-5264



Sponsor Statement for SB 49
(updated January 24, 2007)

“An Act relating to commemorative license plates celebrating Alaska’s 50th anniversary as a state; and providing for an effective date.”

In 2009, Alaska will celebrate its 50th anniversary as the 49th state of the United States of America. To mark this historic occasion, the 23rd Legislature created the Alaska Statehood Celebration Commission to organize, plan and administer all official state activities leading up to the 50th anniversary of Alaska statehood. In the spirit of celebrating our landmark anniversary, the commission recommends the state issue a commemorative license plate.

Senate Bill 49 gives the Division of Motor Vehicles statutory authority to issue a special license plate commemorating the 50th anniversary of Alaska’s statehood. The Division, in consultation with the Alaska Statehood Celebration Commission, will determine the design and color of the commemorative plate. The Division will begin to issue the commemorative license plate on January 1, 2008.

I urge your support of this important legislation.

ALASKA STATE LEGISLATURE



SESSION ADDRESS
Alaska State Capitol
Juneau, AK 99801-1182
(907) 465-4925
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INTERIM ADDRESS
112 Mill Bay Road
Kodiak, AK 99615
(907) 486-4925
Fax (907) 486-5264

Senator Gary Stevens
Senate Majority Leader

Memo

To: Senator Albert Kookesh, Chair, Senate Transportation Committee
From: Senator Gary Stevens 
Date: January 24, 2007
Re: SB 49

I respectfully request a Senate Transportation Committee hearing on SB 49: "An Act relating to commemorative license plates celebrating Alaska's 50th anniversary as a state; and providing for an effective date" at your earliest convenience.

I anticipate having testimony in support of this legislation by Gail Phillips of the Alaska Statehood Celebration Commission, and Duane Bannock, Director of the Alaska Department of Motor Vehicles through the Legislative Affairs Agency teleconference line.

Thank you for your consideration of this request.

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: SB 49
 (S) Publish Date: 1/24/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title "An Act relating to commemorative license RDU Division of Motor Vehicles
plates celebrating Alaska's 50th anniversary..." Component Motor Vehicles
 Sponsor Sen. Gary Stevens
 Requester (S) State Affairs Component No. 2348

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY2007) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation will change the design of the 'standard issue' Alaska license plate. There is no additional cost associated with this bill, as license plates are an annual budget item.

This new design, '50th Anniversary' will be available through 12/31/2009, when the law reverts back to the traditional 'Last Frontier' plate.

Prepared by: Duane Bannock Phone 269 5008
 Division: Motor Vehicles Date/Time 1/22/07 8:00 AM
 Approved by: Annette Kreitzer, Commissioner Date 1/22/2007
 Agency: Department of Administration

CS FOR SENATE BILL NO. 49(STA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 1/24/07

Referred: Transportation, Finance

Sponsor(s): SENATOR STEVENS

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to commemorative license plates celebrating Alaska's 50th anniversary**
2 **as a state; and providing for an effective date."**

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

4 *** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 **PURPOSE.** It is the purpose of this Act to establish commemorative license plates
7 celebrating the 50th anniversary of Alaska's admission to the United States.

8 *** Sec. 2.** AS 28.10.161(b) is amended to read:

9 (b) Every passenger vehicle registration plate issued by the department after
10 January 1, 2008, except as specifically provided in AS 28.10.181, shall have
11 displayed upon it

12 (1) a design and color commemorating the 50th anniversary of
13 Alaska's statehood and admittance into the United States; in determining the
14 design and color of the registration plate, the commissioner shall consult with the

1 Alaska Statehood Celebration Commission [THE ALASKA FLAG;

2 (2) THE TRADITIONAL COLORS OF YELLOW-GOLD AND
3 BLUE;

4 (3) THE SLOGAN "THE LAST FRONTIER";

5 (2) [(4)] the registration number assigned to the vehicle for which it is
6 issued;

7 (3) [(5)] the name of this state, which may be abbreviated; and

8 (4) [(6)] the registration year number or expiration date for which time
9 it is validated; the registration year number or expiration date may be part of the
10 license plate or contained on a suitable sticker or tab device issued by the department;
11 however, only one sticker or tab device may be issued for each pair of plates, and the
12 sticker or tab device must be affixed to the rear plate.

13 * Sec. 3. AS 28.10.161(b) is repealed and reenacted to read:

14 (b) Every passenger vehicle registration plate, except as specifically provided
15 in AS 28.10.181, shall have displayed upon it

16 (1) the Alaska flag;

17 (2) the traditional colors of yellow-gold and blue;

18 (3) the slogan "The Last Frontier";

19 (4) the registration number assigned to the vehicle for which it is
20 issued;

21 (5) the name of this state, which may be abbreviated; and

22 (6) the registration year number or expiration date for which time it is
23 validated; the registration year number or expiration date may be part of the license
24 plate or contained on a suitable sticker or tab device issued by the department;
25 however, only one sticker or tab device may be issued for each pair of plates, and the
26 sticker or tab device must be affixed to the rear plate.

27 * Sec. 4. The uncodified law of the State of Alaska is amended by adding a new section to
28 read:

29 TRANSITION. Notwithstanding AS 28.10.161(b), as amended by sec. 2 of this Act,
30 the Department of Administration may continue to issue passenger vehicle registration plates
31 as provided under AS 28.10.161(b) as it read immediately before the effective date of sec. 2

1 of this Act until the new registration plate required under AS 28.10.161(b), as amended by
2 sec. 2 of this Act, is available and until the Department of Administration issues the remaining
3 supply of passenger registration plates displaying the design and color required under
4 AS 28.10.161(b) as it read immediately before the effective date of sec. 2 of this Act.

5 * Sec. 5. The uncodified law of the State of Alaska is amended by adding a new section to
6 read:

7 TRANSITION. Notwithstanding AS 28.10.161(b), as amended by sec. 3 of this Act,
8 the Department of Administration may continue to issue passenger vehicle registration plates
9 as provided under AS 28.10.161(b) as it read immediately before the effective date of sec. 3
10 of this Act until the new registration plate required under AS 28.10.161(b), as amended by
11 sec. 3 of this Act, is available and until the Department of Administration issues the remaining
12 supply of passenger registration plates displaying the design and color required under
13 AS 28.10.161(b) as it read immediately before the effective date of sec. 3 of this Act.

14 * Sec. 6. The uncodified law of the State of Alaska is amended by adding a new section to
15 read:

16 INSTRUCTION TO REVISOR OF STATUTES AND INTENT OF THE
17 LEGISLATURE. It is the intent of the legislature that by repealing and reenacting
18 AS 28.10.161(b) in sec. 3 of this Act, the legislature does not intend to repeal intervening
19 amendments to that section unless those amendments relate to the commemorative statehood
20 anniversary license plate being repealed in that section. The revisor of statutes is instructed to
21 give effect to intervening amendments unless those amendments relate to the commemorative
22 statehood anniversary license plate.

23 * Sec. 7. Section 3 of this Act takes effect January 1, 2010.

24 * Sec. 8. Except as provided in sec. 7 of this Act, this Act takes effect immediately under
25 AS 01.10.070(c).

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101


State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

January 18, 2007

SUBJECT: Sectional Summary - SB 49 (Work Order No. 25-LS0388A)

TO: Senator Gary Stevens

FROM: Gerald P. Luckhaup
Legislative Counsel 

You have requested a sectional summary of the above-described bill. As a preliminary matter, please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

This bill creates commemorative license plates to honor Alaska's 50th anniversary as a state. The bill is based upon the procedure used by the legislature to create commemorative centennial gold rush license plates in 1996.

Section 1. Adds a purpose clause.

Section 2. Amends AS 28.10.161(b) to require that passenger vehicle plates issued after 8/1/2007 shall be a commemorative 50th anniversary statehood plate. This section sunsets in 2017 when sec. 3 springs into effect.

Section 3. In 2017, reverts the design of passenger vehicle license plates to the current design once the commemorative period is finished.

Sections 4 - 5. Provide directions to the Department of Administration to handle the transition.

Section 6. Provides an instruction for the Revisor of Statutes.

Sections 7 - 8. Provide effective dates.

GPL:med
07-020.med

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB049-DOA-DMV-1-22-07
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title "An Act relating to commemorative license RDU Division of Motor Vehicles
plates celebrating Alaska's 50th anniversary..." Component Motor Vehicles
 Sponsor Sen. Gary Stevens
 Requester (S) State Affairs Component No. 2348

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY2007) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation will change the design of the 'standard issue' Alaska license plate. There is no additional cost associated with this bill, as license plates are an annual budget item.

This new design, '50th Anniversary' will be available through 12/31/2009, when the law reverts back to the traditional 'Last Frontier' plate.

Prepared by: Duane Bannock Phone 269 5008
 Division: Motor Vehicles Date/Time 1/22/07 8:00 AM
 Approved by: Annette Kreitzer, Commissioner Date 1/22/2007
 Agency: Department of Administration



January 22, 2007

Frank H. Muckowski, Governor
William Nell, Commissioner

**ALASKA STATEHOOD CELEBRATION
COMMISSION MEMBERS**

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Commissioner Chair
gphil@alaska.net
Southcentral

Christopher S. Conner
Vice-Chair
conners@alaska.net
Southcentral

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Southcentral

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Anchorage, AK 99501
Phone: 907-269-8108
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patti_swenson@commerce.state.ak.us

TO WHOM IT MAY CONCERN:

**Testimony in support of SB 49 – Commemorative License
Plates Celebrating Alaska's 50th Anniversary as a State**

The Alaska Statehood Celebration Commission has been working with the Department of Motor Vehicles for the past year to design an appropriate commemorative license plate for our 50th anniversary celebration.

It is the intent of the Commission that these commemorative plates will be the primary license plate issued by the Department throughout the period of time set aside for the celebration which will begin in January 2008 and culminate mid-year in 2009.

The celebration plates will clearly reflect Alaska's 50 years of statehood in addition to acknowledging Alaska's place in the Union of States.

Your affirmative action in approving this legislation will be greatly appreciated. It is quite appropriate that the bill number of this piece of legislation is "49" in honor of our statehood. If you have further questions or need more information, please feel free to contact me.

**Gail Phillips
Chairman**

The Alaska Statehood Celebration Commission





ALASKA

EFN867

CELEBRATING STATEHOOD 1959 • 2009

S B

7 8

Alaska State Legislature



Senator Hollis French

SB 78 - Motor Vehicle Window Tinting

Sponsor Statement

Illegally tinted windows cause a number of safety concerns in Alaska's local communities. The dark tints create a danger for peace officers who approach vehicles, as they can completely block any view of the driver and passengers. In addition, these tints deny pedestrians, bikers and motorcyclists the opportunity to confirm they have been seen by a driver when meeting in an intersection or sharing a roadway.

Currently it is illegal for a vehicle to be on Alaska's roadways if the window tinting allows less than thirty percent of the light to transmit through the glass. However, it is not illegal for higher levels of tinting to be installed by auto detailing shops and similar businesses.

SB 78 would close this loophole by making it a misdemeanor to install illegal window tinting. The bill would also help enforcement efforts by allowing police to "go to the source" by bringing charges against installers.

Please join me in supporting this legislation.

Senator Hollis French


Capitol Room 417
465-3892
465-6595 fax



MEMORANDUM

Date: February 12, 2007

To: Senator Albert Kookesh, Chair
Transportation Committee

From: Senator Hollis French 

RE: Request for Hearing -- SB 78 Motor Vehicle Window Tinting

This is a request that you schedule a hearing on SB 78 "Motor Vehicle Window Tinting" at the earliest possible date.

I have attached a copy of the bill, and a sponsor statement for your use. I appreciate your consideration.

Attachments

SENATE BILL NO. 78

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY SENATOR FRENCH

Introduced: 2/9/07

Referred: Transportation, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the installation of window tinting in automobiles."**

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

3 *** Section 1.** AS 28.35 is amended by adding new sections to article 3 to read:

4 **Sec. 28.35.271. Installation of window tinting.** (a) A person commits the
5 crime of improper installation of window tinting if the person in this state installs
6 window tinting on a motor vehicle

7 (1) on portions of vehicle windows not permitted by the department; or

8 (2) that does not allow the level of light transmittance required by the
9 department by regulation.

10 (b) In this section, "light transmittance" means the ratio, expressed as a
11 percentage, of the amount of total light that is allowed to pass through a window,
12 including glazing, to the amount of total light falling on the window.

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: SB78-DPS-AST-3-6-07
 Bill Version: SB 78
 () Publish Date: _____

Revision Date/Time : _____ Dept. Affected: Public Safety
 Title "An Act relating to the installation of window tinting in automobiles." RDU Alaska State Troopers
 Component AST Detachments
 Sponsor Senator French
 Requester Senate Transportation Committee Component No. 2325

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
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						
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CHANGE IN REVENUES ()						
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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 (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

SB 78 makes it a crime to install window tinting on portions of a vehicle that the department has deemed improper or to install window tinting that does not allow for an appropriate level of light transmittance to pass through. AST does not expect a great number of these crimes to occur and predicts little impact to the Department of Public Safety.

Prepared by: Lt. Rodney Dial
 Division: Division of Alaska State Troopers
 Approved by: Commissioner Walt Monegan
 Agency: Department of Public Safety

Phone 907-247-4480
 Date/Time 3/5/07 1600
 Date 3/6/2007

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: SB078-LAW-CJL-3-6-07
 Bill Version: SB078
 () Publish Date: _____

Revision Date/Time (Note if correction):
 Title An Act relating to motor vehicle window tinting

Dept. Affected: Law
 RDU Criminal
 Component Criminal Justice Litigation

Sponsor SENATOR FRENCH
 Requester SENATE TRANSPORTATION

Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
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						
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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 (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The bill would make it a crime to install tinted windows on those parts of a motor vehicle where they are not permitted by the department (DOA) or at a level of darkness that is not allowed by the department. The penalty for conviction of this prohibition is a misdemeanor, with a maximum fine of \$500 and 90 days incarceration.

The Department of Law does not anticipate any significant fiscal impact from passage of this legislation.

Prepared by: Robert Meiners, Acting Director
 Division: Administrative Services Division
 Approved by: Robert Meiners for Talis Colberg, Attorney General
 Agency: Department of Law

Phone 465-5427
 Date/Time 3/6/07 9:20 AM
 Date 3/6/2007



SENATE TRANSPORTATION COMMITTEE

e-mail: Senator Albert M. Kookesh@legis.state.ak.us

State Capitol, Room 11
Juneau AK, 99801-1182
907-465-6828
888-461-3732
FAX 907-465-2652

To: Senate Secretary
From: Senator Albert M. Kookesh *AK*
Date: March 1, 2007
RE: Senate Transportation – For the week of March 5 – 9, 2007

Tuesday, March 6, 2007

SB 78: Motor Vehicle Window Tinting
1:30pm: State Capitol, Room 205 (Butrovich Room)

Thursday, March 8, 2007

No meeting scheduled.

Senators Hookash

Announcements at the end of the Senate Transportation Meeting

There will be NO meetings next week (March 12 to 16)

next week

But we'll be scheduling a couple of bills on:

Tuesday, March 20:

HB 102 (Coghill): An act relating to passing stationary vehicles

And

SB 105 (Hoffman): An act relating to reimbursement to municipalities by DOT for debt incurred by those municipalities for certain Capital Projects.

Thursday, March 22:

AND

Confirmation Hearing for the DOT Commissioner

Dancy

ALASKA STATE LEGISLATURE
SENATE BILL NO. 78

HISTORY IN THE SENATE

2007

2/a

Read first time and referred to:

TRA, JUD

____ RPT CS() ____ New Title
____ DP ____ DNP ____ NR ____ AM
____ FN ____ OFN / Prev: ____ FN ____ OFN
To: _____

____ RPT CS() ____ New Title
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To: _____

____ RPT CS() ____ New Title
____ DP ____ DNP ____ NR ____ AM
____ FN ____ OFN / Prev: ____ FN ____ OFN
To: _____

Read second time

CS() Adopted New Title

Amended _____
 _____ Advanced / 3rd Rdg. _____

Read third time

Title Amendment
 Return to 2nd & amended _____

Passed Y ____ N ____ E ____ A ____
 EFD same or Y ____ N ____ E ____ A ____
 CBR same or Y ____ N ____ E ____ A ____
 CRT same or Y ____ N ____ E ____ A ____

Reconsideration

Reconsideration not taken up

Title Amendment
 Return to 2nd & amended _____

Passed/Rec Y ____ N ____ E ____ A ____
 EFD same or Y ____ N ____ E ____ A ____
 CBR same or Y ____ N ____ E ____ A ____
 CRT same or Y ____ N ____ E ____ A ____

Engrossed, signed by the President
Transmitted to the House

Secretary of the Senate

HISTORY IN THE HOUSE

20

Read first time and referred to:

____ RPT HCS() ____ NT: HCR ____
____ DP ____ DNP ____ NR ____ AM
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____ RPT HCS() ____ NT: HCR ____
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____ RPT HCS() ____ NT: HCR ____
____ DP ____ DNP ____ NR ____ AM
____ FN ____ OFN / Prev: ____ FN ____ OFN

Read second time

HCS() Adopted New Title
HCR No. _____

Amended _____
 _____ Advanced / 3rd Rdg. _____

Read third time

Title Amendment
 Return to 2nd & amended _____

Passed Y ____ N ____ E ____ A ____
 EFD same or Y ____ N ____ E ____ A ____
 CBR same or Y ____ N ____ E ____ A ____
 CRT same or Y ____ N ____ E ____ A ____

Reconsideration

Reconsideration not taken up

Title Amendment
 Return to 2nd & amended _____

Passed/Rec Y ____ N ____ E ____ A ____
 EFD same or Y ____ N ____ E ____ A ____
 CBR same or Y ____ N ____ E ____ A ____
 CRT same or Y ____ N ____ E ____ A ____

Engrossed, signed by the Speaker
Returned to the Senate

Chief Clerk of the House

SENATE BILL NO. 78

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY SENATOR FRENCH

Introduced: 2/9/07

Referred: Transportation, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the installation of window tinting in automobiles."**

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

3 *** Section 1.** AS 28.35 is amended by adding new sections to article 3 to read:

4 **Sec. 28.35.271. Installation of window tinting.** (a) A person commits the
5 crime of improper installation of window tinting if the person in this state installs
6 window tinting on a motor vehicle

7 (1) on portions of vehicle windows not permitted by the department; or

8 (2) that does not allow the level of light transmittance required by the
9 department by regulation.

10 (b) In this section, "light transmittance" means the ratio, expressed as a
11 percentage, of the amount of total light that is allowed to pass through a window,
12 including glazing, to the amount of total light falling on the window.

Alaska State Legislature



Senator Hollis French

SB 78 - Motor Vehicle Window Tinting

Sponsor Statement

Illegally tinted windows cause a number of safety concerns in Alaska's local communities. The dark tints create a danger for peace officers who approach vehicles, as they can completely block any view of the driver and passengers. In addition, these tints deny pedestrians, bikers and motorcyclists the opportunity to confirm they have been seen by a driver when meeting in an intersection or sharing a roadway.

Currently it is illegal for a vehicle to be on Alaska's roadways if the window tinting allows less than thirty percent of the light to transmit through the glass. However, it is not illegal for higher levels of tinting to be installed by auto detailing shops and similar businesses.

SB 78 would close this loophole by making it a misdemeanor to install illegal window tinting. The bill would also help enforcement efforts by allowing police to "go to the source" by bringing charges against installers.

Please join me in supporting this legislation.

SEB

105

Senator Lyman Hoffman

Room 514, Capital Building
Phone 465-4453 / Fax 465-4523



463 3375
Ray Gillespie
ANCHORAGE
Sand PT

Memorandum

March 6, 2007

To: Senator Albert Kookesh, Transportation Chair

From: Senator Lyman Hoffman

A handwritten signature in black ink, appearing to read "LH", written over the name "Senator Lyman Hoffman".

Re: Hearing for SB 105

This is a request for a hearing of SB 105 Reimbursement for Municipal Debt.

SB 105 requests an extension of debt reimbursement authority for a capital project approved in 2002 with HL 528 for a new Small Boat Harbor for the City of Unalaska. The project is being planned through the Corps of Engineers who will construct and maintain the outer breakwaters. The project has been delayed due to exhaustive permitting requirements including an Environmental Impact Statement. The permitting process started in 1996 and was just completed in 2006 which caused the need for this requested extension.

The Corps is awaiting appropriation of \$12 million from Congress. The City's portion of the project cannot begin until the outer breakwaters are constructed by the Corps. A Local election was held, as per bond requirements, and was approved by the Unalaska voters.

The new Carl Moses Small Boat Harbor will provide safe moorage to many users, foster economic development and support the small boat commercial fishing fleet in the Aleutians.

ALASKA STATE LEGISLATURE
SENATE BILL NO. 105

HISTORY IN THE SENATE

2007
3/5

Read first time and referred to:

TRA, FIN

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____ DP ____ DNP ____ NR ____ AM
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To: _____

____ RPT CS() ____ New Title
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____ FN ____ OFN / Prev: ____ FN ____ OFN
To: _____

____ RPT CS() ____ New Title
____ DP ____ DNP ____ NR ____ AM
____ FN ____ OFN / Prev: ____ FN ____ OFN
To: _____

Read second time

CS() Adopted New Title

Amended _____
 _____ Advanced / 3rd Rdg. _____

Read third time

Title Amendment
 Return to 2nd & amended _____

Passed Y ____ N ____ E ____ A ____
 EFD same or Y ____ N ____ E ____ A ____
 CBR same or Y ____ N ____ E ____ A ____
 CRT same or Y ____ N ____ E ____ A ____

Reconsideration

Reconsideration not taken up

Title Amendment
 Return to 2nd & amended _____

Passed/Rec Y ____ N ____ E ____ A ____
 EFD same or Y ____ N ____ E ____ A ____
 CBR same or Y ____ N ____ E ____ A ____
 CRT same or Y ____ N ____ E ____ A ____

Engrossed, signed by the President
Transmitted to the House

Secretary of the Senate

HISTORY IN THE HOUSE

20

Read first time and referred to:

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____ RPT HCS() ____ NT: HCR ____
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____ RPT HCS() ____ NT: HCR ____
____ DP ____ DNP ____ NR ____ AM
____ FN ____ OFN / Prev: ____ FN ____ OFN

Read second time

HCS() Adopted New Title
HCR No. _____

Amended _____
 _____ Advanced / 3rd Rdg. _____

Read third time

Title Amendment
 Return to 2nd & amended _____

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 CBR same or Y ____ N ____ E ____ A ____
 CRT same or Y ____ N ____ E ____ A ____

Reconsideration

Reconsideration not taken up

Title Amendment
 Return to 2nd & amended _____

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 EFD same or Y ____ N ____ E ____ A ____
 CBR same or Y ____ N ____ E ____ A ____
 CRT same or Y ____ N ____ E ____ A ____

Engrossed, signed by the Speaker
Returned to the Senate

Chief Clerk of the House

SENATE-HOUSE HISTORY (continued)

20

Version Received from the House:

Concur in House Amendment
Y ___ N ___ E ___ A ___

- [] EFD same or Y ___ N ___ E ___ A ___
- [] CBR same or Y ___ N ___ E ___ A ___
- [] CRT same or Y ___ N ___ E ___ A ___

Failed concur in House amd., ask House recede
Y ___ N ___ E ___ A ___

House failed to recede from amendment
Y ___ N ___ E ___ A ___

CC appointed by Senate _____ Chair

CC appointed by House _____ Chair

- (S) Granted Limited Powers of Free Conference
- (H) Granted Limited Powers of Free Conference

20

(S) Adopted CC Rpt _____
Y ___ N ___ E ___ A ___

- [] EFD same or Y ___ N ___ E ___ A ___
- [] CBR same or Y ___ N ___ E ___ A ___
- [] CRT same or Y ___ N ___ E ___ A ___

(H) Adopted CC Rpt _____
Y ___ N ___ E ___ A ___

- [] EFD same or Y ___ N ___ E ___ A ___
- [] CBR same or Y ___ N ___ E ___ A ___
- [] CRT same or Y ___ N ___ E ___ A ___

Sent to enrolling

Received from Enrolling _____ Manifest Error

Sent to Governor

_____ By Governor

Chapter Number _____

Filed with Lieutenant Governor