

Section 3. There shall be appropriated to the Alaska Department of Health funds in the treasury not otherwise appropriated, sufficient to the carrying out of the purposes of this Act. The Alaska Department of Health will provide for reimbursement to and in a manner prescribed by the Department of Education, school boards, or other school officials for examinations performed under this Act, not to exceed two and one-half dollars per pupil.

Appropriation
authorized.

Section 4. Section 37-7-15 ACLA 1949 is repealed.

Repeal.

Approved March 26, 1953.

CHAPTER 73

AN ACT

[S. B. 58]

Relating to the Alaska Motor Vehicle Act; amending Sections 3(3) and 5 of Chapter 124, Session Laws of Alaska 1951; and declaring an emergency.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. Section 3(3) of Chapter 124, Session Laws of Alaska 1951, is hereby amended to read as follows:

(3) **VEHICLES REGISTERED ELSEWHERE.** Upon the registration of every foreign vehicle subject to registration under this Act, which has been registered heretofore in any other state or country, the applicant for registration under this Act shall surrender to the commissioner all certificates or registration, or other evidences of such former registration as may be in such applicant's possession or control; provided, however, that where in the course of interstate operation of a vehicle registered in another state it is desirable to retain registration of said vehicle in such other state, such applicant need not surrender but shall submit

Surrender of
former certificates
or registration.

Exception.

for inspection such evidences of such foreign registration, and the commissioner upon a proper showing shall register said vehicle in this Territory but shall not issue a certificate of title for such vehicle. It is further provided that in the event the registered or legal owner cannot surrender the out-of-state title, or registration certificate in the case of non-title states, because of encumbrances or otherwise, the motor vehicle shall be registered in the usual manner and the Alaskan registration certificate shall be marked "No Alaska Title Issued".

Section 2. Section 5 of Chapter 124, Session Laws of Alaska 1951, is hereby amended to read as follows:

Certificate of title required for registration.

Section 5. CERTIFICATES OF TITLE. No vehicle subject to registration under this act, except foreign vehicles provided for in Section 3(3), shall be registered by the department unless the applicant for such registration at the same time makes application for and obtains an official certificate of title of such vehicle, or shall present satisfactory evidence that such certificate of title has been previously issued to such applicant. The department shall not accept the application for the original registration or certificate of title of any vehicle in this Territory, unless the vehicle at the time of the application is within the Territory, except that the department may accept an application for registration and certificate of title hereunder of a new vehicle which is not within the Territory when the application is accompanied by an affidavit by both the dealer and purchaser, giving the name and address of each, a description of the vehicle, and a statement of the weight thereof with reference to any vehicle subject to fees based upon the weight and a further state-

ment that the vehicle is purchased for use in this Territory. With the exception of foreign vehicles provided for in Section 3(3), it shall be unlawful for any person to drive or move, or for an owner knowingly to permit to be driven or moved, upon any highway in the Territory any vehicle of the type required to be registered hereunder for which a certificate of title has not been issued.

Unlawful to drive vehicle without title certificate.

(1) APPLICATION FOR CERTIFICATE OF TITLE. Every owner of a vehicle subject to registration under this act shall make application to the department for the issuance of a certificate of title for such vehicle upon the appropriate form or forms furnished by the department, and every such application shall bear the signature of the owner and shall contain:

Contents of application for title certificate.

(a) The name, bona fide residence, business address and post office address of the owner;

Address.

(b) A description of the vehicle, including the make, model, type of body, the serial number, the engine or other number of the vehicle, and whether new or used, and if a new vehicle, the date of sale by the manufacturer or dealer to the person intending to operate such vehicle;

Vehicle description.

(c) A statement of the applicant's title, and of any liens or other encumbrances upon said vehicle;

Title statement.

(d) Such further information as the commissioner may reasonably require.

Other information.

(2) FOREIGN VEHICLE. No certificate of title shall be issued by the commissioner for a foreign vehicle, unless with the application for such certificate of title there is surrendered to the commissioner the certificate of title issued

Surrender of title by foreign vehicles.

by such other state, if said state requires certificates of title, and if said state does not require the same, then upon the surrender of the registration card or plates or other evidences of such foreign registration as may be in the applicant's possession or control.

Temporary permit.

(3) TEMPORARY PERMIT. The commissioner in his discretion may grant a temporary permit to operate a vehicle for which application for registration and issuance of certificate of title has been made, where such application is accompanied by a fee of \$1.00 pending action upon said application.

Fee.

False statements.

(4) UNLAWFUL TO MAKE FALSE STATEMENTS IN APPLICATION. It shall be unlawful for any applicant for a certificate of title for any vehicle hereunder to knowingly make any false statement or representation with respect to any of the facts required to be set forth in such application, or to use a name other than the true name of such applicant.

Refusal to issue certificate.

(5) GROUNDS FOR REFUSING CERTIFICATE OF TITLE. The commissioner shall refuse issuance of a certificate of title upon any of the grounds justifying his refusal of registration under Section 3 (7) of this act.

Fee and form of certificate.

(6) ISSUANCE OF CERTIFICATE OF TITLE. Upon satisfactory application being made and upon payment of a fee of \$2.00, the commissioner shall issue to the applicant therefor a certificate of title. Such certificate shall contain upon its face the identical information required upon the face of the registration card, and in addition thereto, a statement of the owner's title and of all liens and encumbrances upon the vehicle therein described, and whether

possession is held by the owner under a lease, contract of conditional sale, or other like agreement. Such certificate shall contain upon the reverse side a space for the signature of the owner, and the owner shall write his name with pen and ink in such space upon receipt of the certificate. Said certificate shall also contain upon the reverse side forms for assignment of title or interest and warranty thereof by the owner with space for notation of liens and encumbrances upon the vehicle at the time of transfer. The commissioner may, in his discretion, require that other matters also be shown on such certificate.

(7) DELIVERY OF CERTIFICATE. The certificate of title shall be delivered to the person holding the legal title thereof in the event no lien or encumbrance appears thereon. Otherwise the certificate of title shall be delivered to the person holding the first lien or encumbrance upon the vehicle as shown in the certificate.

Delivery of
certificate.

(8) LOST OR DAMAGED CERTIFICATE OF TITLE. In the event any certificate of title is lost, mutilated, or because illegible, the owner or legal representative or successor in interest of the owner of the vehicle for which the same was issued, as shown by the records of the department, shall immediately make application for and may obtain a duplicate upon the applicant furnishing information satisfactory to the commissioner, and upon the payment of a fee of \$2.00. Any certificate of title issued pursuant to this sub-section shall have printed or stamped in ink upon its face the words "duplicate certificate" and, in the event that more than one duplicate certificate shall be issued, this fact

Issuance of
duplicate
certificate.

Fee.

shall likewise be made to appear upon the face of said duplicate certificate.

Emergency clause.

Section 3. An emergency is hereby declared to exist and this Act shall take effect immediately upon its passage and approval.

Approved March 26, 1953.

CHAPTER 74

AN ACT

[S. B. 77]

To amend Section 55-9-78 First, ACLA 1949, as amended by Chapter 45, Session Laws of Alaska 1949, relating to exemptions from execution.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. That Section 55-9-78 First, ACLA 1949, as amended by Chapter 45 Session Laws of Alaska 1949, be and it is hereby amended to read as follows:

Exemptions
from execution.

First. The earnings of the judgment debtor, for his personal services rendered at any time within thirty days next preceding the levy of execution or attachment, to the amount of Two Hundred Dollars when it appears by the debtor's affidavit or otherwise that such earnings are necessary for the use of his family, supported in whole or in part by his labor; provided, that any money received on account on earnings during the thirty-day period hereinabove mentioned and prior to the levy of the execution or attachment, shall be charged against the exemption herein mentioned, and the amount of exemption shall be reduced accordingly; it being the intention of the Act to provide an exemption to the wage earner of not to exceed Two Hundred Dollars in every thirty-day period prior to the levy of attachment or execution.

Exception.

Approved March 26, 1953.