



# Alaska State Legislature

1972

Source:

SCR 21

## SENATE CONCURRENT RESOLUTION NO. 21

Relating to a study of transportation laws and regulations.

\*\*\*\*\*

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

WHEREAS transportation in all of its forms is one of the most fundamental needs of Alaska necessary to its orderly development and growth in the manner best suited for the health and welfare of its citizens; and

WHEREAS the Legislature has, since statehood, sought to foster, promote and develop adequate transportation service in the public interest by economic regulation of the various transportation modes, such policy objectives being expressed in AS 02.05.010, AS 42.10.010 and AS 42.15.011; and

WHEREAS the economic regulation of transportation is presently provided for by separate and diverse Acts relating to the different carrier modes exemplified by the Air Commerce Act; the Transportation Commission Act; the Motor Freight Carrier Act; the Motor Bus Act; and the Ferry Act; and

WHEREAS these separate Acts were enacted at different times; have been amended piecemeal since enactment; provide in many instances inconsistent regulatory methods, concepts, and conflicting jurisdiction of the regulatory agency as between the various Acts; in many cases also contain inconsistent, conflicting and ambiguous provisions within each Act; and are unresponsive to the regulatory objective of the Legislature and the needs of the public; and

WHEREAS no regulation of intrastate transportation by water (except ferries) or by air cushion vehicles is presently provided,

nor has it been determined whether this regulation is or is not required; and

WHEREAS the proper relationship between interstate and intrastate transportation and the regulatory responsibilities, jurisdiction and coordination of regulation efforts between federal and state agencies has never been adequately evaluated nor applied; and

WHEREAS AS 02.05.010 anticipated in part that the Alaska Air Commerce Act is to be applied to

"(6) provide for the administration and enforcement of this chapter to avoid conflict with the regulation of air carriers by the federal government;

"(7) maintain air transport services in the state on an economically sound basis, pending a study of the air transport needs of the state and the relationship of intrastate air services to the interstate and foreign air services subject to regulation by the federal Civil Aeronautics Board"; and

WHEREAS no study of air commerce, as anticipated in AS 02.-05.010(6) and (7), has been made to date even though such a study is essential to a better understanding and application of regulatory efforts and needs and coordination with the responsibilities of the Civil Aeronautics Board;

BE IT RESOLVED that the Legislative Council is directed to study and develop a uniform transportation code covering all modes (excluding transportation by pipeline) for the state considering among other things:

(1) the regulatory relationships between interstate and intrastate transportation and the regulatory responsibilities and jurisdiction of both federal and state regulatory agencies;

(2) coordination with the Civil Aeronautics Board in developing a sound transportation policy in air commerce, particularly in areas of overlapping jurisdiction and carrier service;

(3) delineation of the responsibilities for developing and pursuing state policy and objectives with regard to interstate transportation and to proceedings before federal regulatory agencies;

(4) development of the nature, organization and budget requirements of the Alaska Transportation Commission adequate to effectively and efficiently carry out the assigned responsibilities for transportation regulation; and be it

FURTHER RESOLVED that the Legislative Council may contract with an individual or agency knowledgeable in all areas of transportation regulation to conduct such a study and shall submit its report, with recommendations, to the Eighth Legislature, First Session.