



Alaska State Legislature

1976

Source:

HCS CSSCR 62

SENATE CONCURRENT RESOLUTION NO. 62

Delaying the implementation of a periodic motor vehicle inspection program in the state by annulling certain administrative regulations adopted by the Department of Public Safety.

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

WHEREAS, under authority of AS 28.05.030(4) and AS 28.35.-210, the Department of Public Safety has adopted regulations establishing a periodic motor vehicle safety program in response to federally mandated requirements; and

WHEREAS the announcement of the vehicle inspection program has produced widespread concern throughout the state that the objectives, procedures, and minimum requirements of the program had not been adequately studied or evaluated; and

WHEREAS, although the presence of mechanically defective vehicles on the state's roads and highways is recognized as a valid highway safety concern, the periodic inspection of motor vehicles has not been proven a valid method of ensuring that the state's roads and highways will be free from these vehicles; and

WHEREAS the Governor has rightfully acknowledged the necessity for delay in implementing the federally mandated vehicle inspection program in this state so that further study and evaluation may be undertaken to seek a course of action with respect to the effect of mechanically defective motor vehicles on the state's highway safety program and the implementation of periodic motor vehicle inspections that will best serve and protect the interests of Alaskans; and

WHEREAS under AS 44.62.320 the Legislature, by concurrent resolution adopted by a vote of a majority of the members in each of both houses, may annul a regulation of an agency or depart-

ment, and the annulment of these administrative regulations is the only statutorily authorized procedure that will enable suspension of the periodic motor vehicle inspection program pending further evaluation of that program called for by the Governor and endorsed by the Legislature;

BE IT RESOLVED by the Alaska State Legislature that administrative regulations 13 AAC 06.040(d), 13 AAC 06.060 - 13 AAC 06.080 and 13 AAC 06.090(c) - (e) are annulled; and be it

FURTHER RESOLVED that the Alaska State Legislature endorses the Governor's action in suspending operation of the periodic motor vehicle inspection program while undertaking further study and evaluation of that program; and be it

FURTHER RESOLVED that the Governor is respectfully requested to direct the Department of Public Safety to strictly enforce the vehicle safety equipment requirements of the state Motor Vehicle Code (AS 28) and the regulations promulgated under it and is urged to accomplish and monitor improved vehicular safety under its existing enforcement procedures.