

**HOUSE BILL NO. 232**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE KELLER**

**Introduced: 4/15/09**

**Referred: Transportation, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to commercial motor vehicles and exempting certain vehicles from**  
2 **certain requirements related to commercial motor vehicles."**

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

4 **\* Section 1.** AS 19.10.399(1) is amended to read:

5 (1) "commercial motor vehicle" means a self-propelled or towed  
6 vehicle

7 (A) used to transport passengers or property for commercial  
8 purposes;

9 (B) used upon a highway or vehicular way; and

10 (C) that

11 (i) has a gross vehicle weight rating or gross  
12 combination weight rating greater than 26,000 [10,000] pounds;

13 (ii) is designed to transport more than 15 passengers,  
14 including the driver; or

1 (iii) is used in the transportation of materials found by  
2 the United States Secretary of Transportation to be hazardous for  
3 purposes of 49 U.S.C. 5101 - 5128;

4 (D) except that the following vehicles meeting the criteria in  
5 (A) - (C) of this paragraph are not commercial motor vehicles:

6 (i) emergency or fire equipment that is necessary to the  
7 preservation of life or property;

8 (ii) farm vehicles that are controlled and operated by a  
9 farmer; used to transport agricultural products, farm machinery, or farm  
10 supplies to or from that farmer's farm; not used in the operations of a  
11 common or contract motor carrier; and used within 150 miles of the  
12 farmer's farm;

13 (iii) school buses;

14 (iv) vehicles owned and operated by the federal  
15 government unless the vehicle is used to transport property of the  
16 general public for compensation in competition with other persons who  
17 own or operate a commercial motor vehicle subject to AS 19.10.310 -  
18 19.10.399, and except to the extent that regulation of vehicles operated  
19 by the federal government is permitted by federal law; [AND]

20 (v) vehicles used exclusively for purposes other than  
21 commercial purposes; **and**

22 **(vi) vehicles owned and operated by a contractor**  
23 **licensed under AS 08.18, or an administrator licensed under**  
24 **AS 08.40, and having a gross vehicle weight rating or gross**  
25 **combination weight rating of less than 40,000 pounds;**