

Register ____, _____ 2019 TRANS. AND PUBLIC FACILITIES

The introductory language of 17 AAC 25.200(a) is amended to read:

- (a) A person driving a commercial motor vehicle, or a company whose business involves the operation of a commercial motor vehicle, upon a highway or vehicular way or area, shall comply with the transportation of hazardous materials, hazardous substances, or hazardous waste regulations adopted by the United States Department of Transportation and contained in the following provisions, as revised as of October 1, **2018** [2016] and adopted by reference, except as otherwise provided in (b) of this section: (Eff. 11/16/2004, Register 172; am 12/31/2006, Register 180; am 4/9/2009, Register 190; am 12/30/2010, Register 196; am 04/12/2013, Register 206; am 11/26/2015, Register 216; am 12/6/2018, Register 228; am ____/____/____, Register ____)

Authority:	AS 19.05.010	AS 19.10.060	AS 19.10.340
	AS 19.05.020	AS 19.10.310	AS 19.10.370
	AS 19.05.040		

The introductory language of 17 AAC 25.210(a) is amended to read:

- (a) A person driving a commercial motor vehicle, or a company whose business involves the operation of a commercial motor vehicle, upon a highway or vehicular way or area, shall comply with the regulations relating to the management, maintenance, operation, or driving of commercial motor vehicles, adopted by the United States Department of Transportation and contained in the following provisions, as revised as of October 1, **2018** [2016] and adopted by reference, except as otherwise provided in (b) of this section:

17 AAC 25.210(b)(2) is amended to read:

- (2) 49 C.F.R. 391.11(b)(1) is revised to read: "(1) For (i) intrastate driving of a commercial motor vehicle that has a gross vehicle weight, gross vehicle weight rating, gross combination weight, or gross combination weight rating greater than 26,001 pounds, has been issued a license under AS 28.33.100(a)(1) - (5) or a permit under AS 28.15.051(f); however, a person under 21 years of age is not qualified to drive a commercial motor vehicle transporting hazardous materials for which a placard is required under 49 C.F.R. Part 172, adopted by reference in 17 AAC 25.200(a), or a commercial motor vehicle designed or used to transport **more than 15** [16 OR MORE] passengers, including the driver; or (ii) intrastate driving of a commercial motor vehicle that has a gross vehicle weight, gross vehicle weight rating, gross combination weight, or gross combination weight rating greater than 14,000 pounds but less than 26,001 pounds, has been issued a license under AS 28.15.111(a) and 2 AAC 90.210(b)(2)(A) and is at least 18 years of age; however, a person under 21 years of age is not qualified to drive a commercial motor vehicle transporting hazardous materials for which a placard is required under 49 C.F.R. Part 172, adopted by reference in 17 AAC 25.200(a), or a commercial motor vehicle designed or used to transport **more than 15**[16 OR MORE] passengers, including the driver;"

Register ____, ____ 2019 TRANS. AND PUBLIC FACILITIES

Authority: AS 19.05.010 AS 19.10.060 AS 19.10.340
 AS 19.05.020 AS 19.10.310 AS 19.10.370
 AS 19.05.040

The introductory language of 17 AAC 25.220(a) is amended to read:

- (a) A person driving a commercial motor vehicle, or a company whose business involves the operation of a commercial motor vehicle, upon a highway or vehicular way or area, shall comply with the regulations relating to the management, operation, or driving of commercial motor vehicles, adopted by the United States Department of Transportation and contained in the[FOLLOWING] provisions of 49 C.F.R. Part 395 (hours of service of drivers), as revised as of October 1, 2018[2016] and adopted by reference, except as provided in (b) of this section.[:

- (1) 49 C.F.R. 395.1 (SCOPE OF RULES IN THIS PART);
- (2) 49 C.F.R. 395.2 (DEFINITIONS);
- (3) 49 C.F.R. 395.8 (DRIVER'S RECORD OF DUTY STATUS);
- (4) 49 C.F.R. 395.13 (DRIVERS DECLARED OUT OF SERVICE);
- (5) 49 C.F.R. 395.15 (AUTOMATIC ON-BOARD RECORDING
DEVICES).]

Register ____, ____ 2019 TRANS. AND PUBLIC FACILITIES

17 AAC 25.220(d) is repealed and readopted to read:

(d) A commercial motor vehicle operating in intrastate commerce, whose gross vehicle weight, gross vehicle weight rating, gross combined weight, or gross combined weight rating is equal to or less than 26,000 pounds, is exempt from the requirements of 49 C.F.R. Part 395.20 through 49 C.F.R. 395.38, unless the commercial motor vehicle is

(1) transporting hazardous materials for which a placard is required under 49

C.F.R. Part 172, adopted by reference in 17 AAC 25.200(a); or

(2) designed or used to transport more than 15 passengers, including the driver.

(Eff. 11/16/2004, Register 172; am 12/31/2006, Register 180; am 4/9/2009,

Register 190; am 12/30/2010, Register 196, am 04/12/2013, Register 206; am

11/26/2015, Register 216; am; am 12/6/2018, Register 228; __/__/__,

Register __)

Authority:	AS 19.05.010	AS 19.05.040	AS 19.10.370
	AS 19.05.020	AS 19.10.060	

17 AAC 25.320(b) is amended to read:

(b) As it considers necessary to assure that the requirements listed in (a) of this section are met, the department will, as conditions for a permit issued under (a)(1) or (2) of this section, establish time limitations for movement, designate routes, limit the number of

Register ___, _____ 2019 TRANS. AND PUBLIC FACILITIES

trips, or otherwise restrict the movement of oversize or overweight vehicles and loads.

The movement of permitted oversize or overweight vehicles or loads must comply with the conditions of the permit and the requirements for towing vehicles, pilot cars, warning signs and lights, hours of darkness, and other safety considerations specified in the department's *Administrative Permit Manual: Oversize and Overweight Permits*, revised as of February **2019**[2017], and adopted by reference. (Eff. 10/7/2001, Register 160; am 11/16/2004, Register 172; am 12/31/2006, Register 180; am 12/30/2010, Register 196, am 04/12/2013, Register 206; am 11/26/2015, Register 216; am 12/6/2018, Register 228; am ___/___/___, Register ___)

Authority:	AS 19.05.010	AS 19.10.060	AS 44.42.030
	AS 19.05.020	AS 44.42.020	AS 45.75.050
	AS 19.05.040		