Kevin Meyer Lieutenant Governor State Capitol Juneau, Alaska 99811 907.465.3520 WWW.LTGOV.ALASKA.GOV



530 West 7th Ave, Suite 1700 Anchorage, Alaska 99501 907.269.7460 LT,GOVERNOR@ALASKA,GOV

OFFICE OF THE LIEUTENANT GOVERNOR ALASKA

MEMORANDUM

TO:

Jolene Julian

Department of Transportation

FROM:

April Simpson, Office of the Lieutenant Governor

465.4081

DATE:

March 5, 2020

RE:

Filed Permanent Regulations: Department of Transportation

Department of Transportation and Public Facilities regulations re: commercial vehicle compliance, adoption by reference of updated federal regulations, and adoption by reference of the Administrative Permit Manual: Oversize and Overweight Permits (17)

AAC 25.200(a); 17 AAC 25.210; 17 AAC 25.220;. 17 AAC 25.320(b))

Attorney General File:

2019200148

Regulation Filed:

3/5/2020

Effective Date:

4/4/2020

Print:

234, July 2020

cc with enclosures:

Harry Hale, Department of Law Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

The attached five pages of regulations, dealing with commercial vehicle compliance, are adopted and certified to be a correct copy of the regulation changes that the Department of Transportation and Public Facilities adopts under the authority of AS 19.05.010, 19.05.020, 19.05.040; AS 19.10.060, 19.10.310, 19.10.340, 19.10.370; AS 44.42.020 and 44.42.030 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

Although no public comments were received, the Department of Transportation and Public Facilities paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 2.21.20

John MacKinnon, Commissioner Department of Transportation and Public Facilities

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for th	e State of Alaska, certify that on
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MArch 5⁺⁺⁻⁻, 2020, at [:33] Rm., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

Kevin Meyer, Lieutenant Governor

Effective:

April 4, 2020.

Register:

234, July 2020

Register 234, Tuly 2020 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 4/12/2013, Register 206; am 11/26/2015, Register 216; am 12/6/2018, Register 228; am 4/12/2020, Register 234)

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:

Register 234, July 2020 TRANS. AND PUBLIC FACILITIES

. . .

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;" (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 4/12/2013, Register 206; am 11/26/2015, Register 216; am 12/6/2018, Register 228; am 4 /4 /2020, Register 234)

Authority:

AS 19.05.010

AS 19.10.060

AS 19.10.340

Register 234, JMy 2020 TRANS. AND PUBLIC FACILITIES

AS 19.05.020

AS 19.10.310

AS 19.10.370

AS 19.05.040

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)].

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

(d) A commercial motor vehicle operating in interstate 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. 395.20 - 395.38 (electronic logging devices (ELDs)), unless the commercial motor vehicle is

Register 234, July 2020 TRANS. AND PUBLIC FACILITIES

- (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 4/12/2013, Register 206; am 11/26/2015, Register 216; am 12/6/2018, Register 228; am 4/12/2020, Register 234)

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:

Authority:

AS 19.05.010

(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 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 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 4/12/2013, Register 206; am 11/26/2015, Register 216; am 12/6/2018, Register 228; am 4/14/2020, Register 234)

AS 44.42.030

AS 19.10.060

Register 234, July 2020 TRANS. AND PUBLIC FACILITIES

AS 19.05.020

AS 44.42.020

[AS 45.75.050]

AS 19.05.040

MEMORANDUM

State of Alaska Department of Law

To: The Honorable Kevin Meyer

Lieutenant Governor

Date: March 3, 2020

File No.: 2019200148

Tel. No.: 465-3600

Thru: Susan R. Pollard

Chief Assistant Attorney General

and Regulations Attorney

Legislation and Regulations Section

From: Steven C. Weaver

Senior Assistant Attorney General Legislation and Regulations Section Re: Department of Transportation and Public Facilities regulations re: commercial vehicle compliance, adoption by reference of updated federal regulations, and adoption by reference of the Administrative Permit Manual: Oversize and Overweight Permits (17 AAC)

25.200(a); 17 AAC 25.210; 17 AAC

25.220: 17 AAC 25.320(b))

The Department of Law has reviewed the attached regulations of the Department of Transportation and Public Facilities against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Department of Transportation and Public Facilities after the close of the public comment period. The regulations concern commercial vehicle compliance, the adoption by reference of updated federal regulations, and the adoption by reference of the department's updated February 2019 *Administrative Permit Manual: Oversize and Overweight Permits*.

The November 18, 2019 public notice and the February 21, 2020 adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

SCW

cc w/enc:

Hon. John MacKinnon, Commissioner

Department of Transportation and Public Facilities

Jolene Julian, Regulations Contact

Department of Transportation and Public Facilities

Daniel V. Smith, Director

Division of Measurement Standards and Commercial Vehicle Compliance

Department of Transportation and Public Facilities

Daniel Byrd, Chief, Commercial Vehicle Compliance

Division of Measurement Standards and Commercial Vehicle Compliance

Department of Transportation and Public Facilities

Cynthia Antigua

Division of Measurement Standards and Commercial Vehicle Compliance

Department of Transportation and Public Facilities

Jeff P. Stark, Chief Assistant Attorney General

Transportation Section

Seneca T. Freitag, Assistant Attorney General

Transportation Section

NOTICE OF PROPOSED CHANGES ON COMMERCIAL VEHICLE COMPLIANCE IN THE REGULATIONS OF DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

The Department of Transportation and Public Facilities proposes to adopt regulation changes in Title 17 of the Alaska Administrative Code, dealing with commercial vehicle compliance, including the following:

- 17 AAC 25.200, which adopts by reference federal regulations pertaining to the transportation of hazardous materials, hazardous substances, or hazardous waste, is proposed to be changed to adopt the October 1, 2018, version of those regulations.
- 17 AAC 25.210, which adopts by reference federal regulations pertaining to the safe operation of commercial motor vehicles, is proposed to be changed to adopt the October 1, 2018, version of those regulations, and to make minor changes in wording to conform to the language in federal commercial passenger vehicle regulations.
- 17 AAC 25.220, which adopts by reference federal regulations pertaining to the hours of service for commercial vehicle drivers, is proposed to be changed to adopt the October 1, 2018, version of those regulations.
- 17 AAC 25.320, which pertains to permits for oversize or overweight vehicles, including adoption by reference of the Department's *Administrative Permit Manual: Oversize and Overweight Permits*, is proposed to be changed by adopting the February 2019 version of this manual.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Daniel Byrd at 11900 Industry Way, Building M, Suite 2, Anchorage, Alaska 99515. Additionally, the Department of Transportation and Public Facilities will accept comments by facsimile at (907) 365-1221 and by electronic mail at MSCVE.chapter25regs@alaska.gov. The comments must be received not later than 5:00 p.m. on December 20, 2019.

You may submit written questions relevant to the proposed action to Daniel Byrd at 11900 Industry Way, Building Suite M, 2, Anchorage, Alaska 99515 MSCVE.chapter25regs@alaska.gov. Questions must be received at least 10 days before the end of the public comment period. The Department of Transportation and Public Facilities will aggregate its response to substantially similar questions and make the questions and response available on the Alaska Online Public Notice System. The Department of Transportation and Public Facilities may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Daniel Byrd at (907) 365-1210 no later than December 11, 2019 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Daniel Byrd at 11900 Industry Way, Building M, Suite 2, Anchorage, Alaska 99515 or (907) 365-1210.

A copy of material proposed for adoption by reference is available through the electronic link to the applicable electronic links on the Alaska Online Public Notice System at http://aws.state.ak.us/OnlinePublicNotices/.

After the public comment period ends, the Department of Transportation and Public Facilities will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. You should comment during the time allowed if your interests could be affected.

Statutory Authority: AS 19.05.010; AS 19.05.020; AS 19.05.040; AS 19.10.060; AS 19.10.310; AS 19.10.340; AS 19.10.370; AS 19.10.399; AS 44.42.020; AS 44.42.030; AS 45.75.050; AS 45.75.131

Statutes Being Implemented, Interpreted, or Made Specific: AS 19.05.010; AS 19.05.020; AS 19.05.040; AS 19.10.060; AS 19.10.310; AS 19.10.340; AS 19.10.370; AS 19.10.399; AS 44.42.020; AS 44.42.030; AS 45.75.050

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE

November 13, 2019

Daniel V. Smith, Director DOT&PF / MSCVC

NOTICE OF PROPOSED CHANGES ON COMMERCIAL VEHICLE COMPLIANCE IN THE REGULATIONS OF DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

BRIEF DESCRIPTION

The Department of Transportation and Public Facilities proposes to update its commercial vehicle regulations to conform to current federal regulations and department policies.

The Department of Transportation and Public Facilities proposes to adopt regulation changes in Title 17 of the Alaska Administrative Code, dealing with commercial vehicle compliance, including the following:

- 17 AAC 25.200, which adopts by reference federal regulations pertaining to the transportation of hazardous materials, hazardous substances, or hazardous waste, is proposed to be changed to adopt the October 1, 2018, version of those regulations.
- 17 AAC 25.210, which adopts by reference federal regulations pertaining to the safe operation of commercial motor vehicles, is proposed to be changed to adopt the October 1, 2018, version of those regulations, and to make minor changes in wording to conform to the language in federal commercial passenger vehicle regulations.
- 17 AAC 25.220, which adopts by reference federal regulations pertaining to the hours of service for commercial vehicle drivers, is proposed to be changed to adopt the October 1, 2018, version of those regulations.
- 17 AAC 25.320, which pertains to permits for oversize or overweight vehicles, including adoption by reference of the Department's *Administrative Permit Manual: Oversize and Overweight Permits*, is proposed to be changed by adopting the February 2019 version of this manual.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Daniel Byrd, Chief, Commercial Vehicle Compliance, at 11900 Industry Way, Building M, Suite 2, Anchorage, Alaska 99515. Additionally, the Department of Transportation and Public Facilities will accept comments by facsimile at (907) 365-1221 and by electronic mail at MSCVE.chapter25regs@alaska.gov. The comments must be received not later than 5:00 p.m. on December 20, 2019.

You may submit written questions relevant to the proposed action to Daniel Byrd at 11900 Industry Way, Building M, Suite 2, Anchorage, Alaska 99515 or MSCVE.chapter25regs@alaska.gov. Questions must be received at least 10 days before the end of the public comment period. The Department of Transportation and Public Facilities will

aggregate its response to substantially similar questions and make the questions and response available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Daniel Byrd at (907) 365-1210 no later than December 11, 2019 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Daniel Byrd at 11900 Industry Way, Building M, Suite 2, Anchorage, Alaska 99515 or (907) 365-1210.

A copy of material proposed for adoption by reference is available through the electronic link to the applicable electronic links on the Alaska Online Public Notice System at http://aws.state.ak.us/OnlinePublicNotices/.

After the public comment period ends, the Department of Transportation and Public Facilities will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. You should comment during the time allowed if your interests could be affected. Written comments receive are public records and are subject to public inspection.

Statutory Authority: AS 19.05.010; AS 19.05.020; AS 19.05.040; AS 19.10.060; AS 19.10.310; AS 19.10.340; AS 19.10.370; AS 19.10.399; AS 44.42.020; AS 44.42.030; AS 45.75.050; AS 45.75.131

Statutes Being Implemented, Interpreted, or Made Specific: AS 19.05.010; AS 19.05.020; AS 19.05.040; AS 19.10.060; AS 19.10.310; AS 19.10.340; AS 19.10.370; AS 19.10.399; AS 44.42.020; AS 44.42.030; AS 45.75.050

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

Daniel V. Smith, Director DOT&PF / MSCVC

$\frac{\text{ADDITIONAL REGULATION NOTICE INFORMATION}}{(\text{AS } 44.62.190(\text{d}))^1}$

1	Adopting agency: <u>DOT&PF</u> , <u>Division of Measurement Standards and Commercial Vehicle</u> Compliance			
2.		on: Adopt curren	t versions of federal regulations, and amendments	
			irements relating to commercial motor vehicle	
3.		be grouped): 1	7 AAC 25.200220, 17 AAC 25.320	
4.	Department of Law file number, if any: JU2019200148			
5.	Reason for the proposed action:			
	(X) Compliance with federal law or action (identify): 49 C.F.R.			
	() Compliance with new or changed state statute			
	() Compliance with federal or state court decision (identify):			
	() Development of program standards			
	(X) Other (identify): Reclassification of Enforcement Officers to Compliance Inspectors			
6.	Appropriation/Allocation: General Fund: 25060305-34600001 100%			
7.	Estimated annual cost to comply with the proposed action to:			
	A private person: None			
	Another state agency: None			
	A municipality: None			
8.	Cost of implementation to the state agency and available funding (in thousands of dollars):			
		Initial Year	Subsequent	
		FY	Years	
	Operating Cost	\$	\$	
	Capital Cost	\$	\$	
	1002 Federal receipts	\$	\$	
	1003 General fund match	\$	\$	
	1004 General fund	\$	\$	
	1005 General fund/			
	program	\$	\$	

	Other (identify) \$ \$
9.	The name of the contact person for the regulation:
	Name: <u>Daniel Byrd</u> Title: <u>Chief, Permits & CVE</u> Address: <u>11900 Industry Way, Building M, Suite 2</u>
	Anchorage, AK 99515
	Telephone: 907-365-1210
	E-mail address: MSCVE.chapter25regs@alaska.gov
10.	The origin of the proposed action:
	X Staff of state agency
	X_ Federal government
	General public
	Petition for regulation change
	Other (identify):
11.	Date: 11/4/19 Prepared by: Washington
	Name (printed): Katherine Hensley
	Title (printed): Program Coordinator II
	Telephone: 907-365-1215

AFFIDAVIT OF NOTICE OF PROPOSED REGULATION AND FURNISHING OF ADDITIONAL INFORMATION

I, Cynthia Antigua, Research Analyst I, of Department of Transportation & Public Facilities, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to Chapter 25, Commercial Vehicle Compliance has been given by being

- (1) published in a newspaper or trade publication;
- (2) furnished to every person who has filed a request for notice of proposed action with the state agency;
- (3) furnished to appropriate state officials;
- (4) furnished to interested persons;
- (5) furnished to the Department of Law, along with a copy of the proposed regulation;
- (6) furnished electronically to incumbent State of Alaska legislators;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1).

As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (2), (4) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Daniel Byrd, Chief of Permits and Commercial Vehicle Compliance for the Department of Transportation & Public Facilities, being duly sworn, state the following:

The Department of Transportation & Public Facilities did not receive any factual or other substantive information that was submitted in writing or orally as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Transportation & Public Facilities regulation on Chapter 25, commercial vehicle compliance.

Date: 1/15/2020

Daniel Byrd, Chief of Permits and Commercial

Vehicle Compliance

Subscribed and sworn to before me at _ 01-15-2020

Anchorage, AK

ANCHORAGE DAILY NEWS AFFIDAVIT OF PUBLICATION

Account #: 270250 ST OF AK/DOT AND PF CENTRAL REGION, ANCHORAGE, AK 99519

Order #: W0012415

STATE OF ALASKA THIRD JUDICIAL DISTRICT

Lisi Misa being first duly sworn on oath deposes and says that she is a representative of the Anchorage Daily News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

11/18/2019

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed

Subscribed and sworn to before me this 18th day of November 2019.

Notary Public in and for The State of Alaska. Third Division Anchorage, Alaska

LATE OF ALASTA NOTARY

MY COMMISSION EXPIRES

PUBLIC

NOTICE OF PROPOSED CHANGES ON COMMERCIAL VEHICLE COMPLIANCE IN THE REGULATIONS OF DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

Cost: \$463.18

The Department of Transportation and Public Facilities proposes to adopt regulation changes in Title 17 of the Alaska Administrative Code, dealing with commercial vehicle compliance, including the following:

17 AAC 25.200, which adopts by reference federal regulations pertaining to the transportation of hazardous materials, hazardous substances, or hazardous waste, is proposed to be changed to adopt the October 1, 2018, version of those regulations.

17 AAC 25.210, which adopts by reference federal regulations pertaining to the safe operation of commercial motor vehicles, is proposed to be changed to adopt the October 1, 2018, version of those regulations, and to make minor changes in wording to conform to the language in federal commercial passenger vehicle

17 AAC 25.220, which adopts by reference federal regulations pertaining to the hours of service for commercial vehicle drivers, is proposed to be changed to adopt the October 1, 2018, version is proposed to be ch of those regulations.

17 AAC 25.320, which pertains to permits for oversize or overweight vehicles, including adoption by reference of the Department's Administrative Permit Manual: Oversize and Overweight Permits, is proposed to be changed by adopting the February 2019 version of this manual.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Daniel Byrd at 11900 industry Way, Building M, Suite 2, Anchorage, Alaska 99515, Additionally, the Department of Transportation and Public Facilities will accept comments by facsimile at (907) 365-1221 and by electronic mail at MSCVE.chapter25regs@alaska.gov. The comments must be received not later than 5:00 p.m. on December 20, 2019.

You may submit written questions relevant to the proposed action to Daniel Byrd at 11900 Industry Way, Building M, Suite 2, Anchorage, Alaska 99515 or MSCVE.chapter25regs@alaska.gov. Questions must be received at least 10 days before the end of the public comment period. The Department of Transportation and Public Facilities will aggregate its response to substantially similar questions and make the questions and response available on the Alaska Online Public Notice System. The Department of Transportation and Public Facilities may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Daniel Byrd at (907) 365-1210 no later than December 11, 2019 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Daniel Byrd at 11900 Industry Way, Building M, Suite 2, Anchorage, Alaska 99515 or (907) 365-1210.

A copy of material proposed for adoption by reference is available through the electronic link to the applicable electronic links on the Alaska Online Public Notice System at http://aws.state.ak.us/ the Alaska Online Put OnlinePublicNotices/.

After the public comment period ends, the Department of Transportation and Public Facilities will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. You should comment during the time allowed if your interests could be affected.

Statutory Authority: AS 19.05.010; AS 19.05.020; AS 19.05.040; AS 19.10.060; AS 19.10.310; AS 19.10.340; AS 19.10.370; AS 19.10.399; AS 44.42.020; AS 44.42.030; AS 45.75.050; AS 45.75.131 Statutes Being Implemented, Interpreted, or Made Specific AS 19.05.010; AS 19.05.020; AS 19.05.040; AS 19.10.060; AS 19.10.310; AS 19.10.340; AS 19.10.370; AS 19.10.399; AS 44.42.020; AS 44.42.030; AS 45.75.050 Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

Date: November 13, 2019 By: /s/ Daniel V. Smith, Director DOT&PF / MSCVC

Published: November 18, 2019