

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: Jenna Wright
Department of Administration

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: March 9, 2021

RE: Filed Permanent Regulations: Department of Administration

Department of Administration regulations re: display of numbers on boats, boat titles, certificates, and registration, reporting requirements regarding motor vehicles, off-highway restricted non-commercial driver's licenses, requirements for holders of commercial driver's licenses (CDLs), expiration extensions for residents and spouses in military or other government services, fees for driver's records certification of motor vehicle insurance, requirements for self-insurers, and requirements for an insurance company obtaining title to an unrepairable vehicle (2 AAC 70; 2 AAC 90; 2 AAC 92)

Attorney General File:	2020200363
Regulation Filed:	3/9/2021
Effective Date:	4/8/2021
Print:	238, July 2021

cc with enclosures: Harry Hale, Department of Law
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO REGULATIONS OF THE DEPARTMENT OF
ADMINISTRATION

The attached 12 pages of regulations, dealing with Boats, Commercial and Non-Commercial Driver Licensing, Identification Cards, Self-Insurers and Motor Vehicles are adopted and certified to be a correct copy of the regulation changes that the Department of Administration adopts under the authority of AS 28.05.011 (b) 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.

In considering public comments, the Department of Administration 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: FEB. 16, 2021



Kelly Tshibaka, Commissioner

April Simpson, for
↑

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on
March 9th, 2021, at 8:47am., I filed the attached regulations according to the
provisions of AS 44.62.040 - 44.62.120.



for Lieutenant Governor Kevin Meyer

Effective: April 8, 2021

Register: 238, July 2021

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,
designate the following state employees to perform the Administrative Procedures Act
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on December 11th,
2018.**



K. Meyer

**KEVIN MEYER
LIEUTENANT GOVERNOR**

Register 238, July 2021

ADMINISTRATION

2 AAC 70.020 is amended by adding a new subsection to read:

(e) A boat documented by the United States Coast Guard is exempt from displaying a number issued by the department and shall display the United States Coast Guard document number assigned to the boat. Nothing in this chapter prohibits the department from issuing a boat number used to maintain the records of the department or for law enforcement purposes. When a boat ceases to be documented by the United States Coast Guard, the owner of the boat must remove the United States Coast Guard document number and display the number issued by the department as described in 2 AAC 70.030. (Eff. 2/3/2001, Register 157; am 4/8/2021, Register 238)

Authority: AS 05.25.055 AS 05.25.095

2 AAC 70.030 is amended by adding a new subsection to read:

(f) A boat documented by the United States Coast Guard must display the document number according to the requirements of the United States Coast Guard. (Eff. 2/3/2001, Register 157; am 7/1/2006, Register 178; am 4/8/2021, Register 238)

Authority: AS 05.25.055 AS 05.25.095

2 AAC 70.200 is amended to read:

2 AAC 70.200. Notification to department. A person whose name appears as the owner of a boat on a certificate of registration, number, or title shall, within 30 [15] days, notify the department in writing of

(1) any change in address;

Register 238, July 2021

ADMINISTRATION

- (2) the theft or recovery of the boat;
- (3) the loss or destruction of a valid certificate of **registration**, number, **or title**;
- (4) the transfer of all or part of the owner's interest in the boat; and
- (5) the destruction or abandonment of the boat. (Eff. 2/3/2001, Register 157; am

4 / 8 / 2021, Register 238)

Authority: AS 05.25.055 AS 05.25.095

2 AAC 70.210 is amended to read:

2 AAC 70.210. Surrender of certificate of registration, number, and title. A person whose name appears as the owner of a boat on a certificate of **registration**, number, **and title** shall surrender the certificate by mailing or delivering the certificate to any office of the division within 30 [15] days after it becomes invalid under 2 AAC 70.220(b) - (e). (Eff. 2/3/2001, Register 157; am 4 / 8 / 2021, Register 238)

Authority: AS 05.25.055 **AS 05.25.056** AS 05.25.095

2 AAC 70 is amended by adding a new section to read:

2 AAC 70.230. Records of the department. (a) Unless considered confidential by law, a certified or uncertified copy of a boat record under AS 05.25.055 is available during regular business hours upon request and payment of a reasonable fee equal to the cost to the department to produce the record. For the purposes of this subsection, "regular business hours" means 8:30 a.m. to 4:30 p.m. Monday through Friday, except for state holidays.

(b) A record of an application for boat title when the boat is titled and registered, or a

registration when the boat is not titled, and records of the denial, suspension, or revocation of the title will be retained by the department for a period of 15 years following entry into the title history or registration file for a boat. After the 15-year period, the department may destroy under AS 40.21 a record with no further activity.

(c) A copy of an individual boat record or a boat registration list may be obtained upon request and payment of fees as follows:

(1) single boat record, \$10;

(2) electronic record, \$5;

(3) boat registration list, \$50 minimum fee for the first 1,000 records and an additional \$.05 for each record after the first 1,000 records.

(d) The department may provide a boat record or boat registration list at no charge to a municipal, state, or federal administrative or judicial agency. (Eff. 4/8/2021, Register 238)

Authority: AS 05.25.055 AS 05.25.056 AS 05.25.095

2 AAC 90.110(c) is amended to read:

(c) A crash report must be submitted on a crash report form available from a local police department or the Department of Public Safety, as required under AS 28.35.080(c). Except as provided in AS 28.35.080(f), a crash report required under AS 28.35.080 must be submitted directly to the division's **main** [JUNEAU] office by the person who prepared the report. If mailed, the mailing of the crash report must be postmarked within 10 days from the date of the crash.

(Eff. 7/1/2006, Register 178; am 4/8/2021, Register 238)

Register ~~238~~, July 2021

ADMINISTRATION

Authority: AS 28.20.020

AS 28.22.021

AS 28.35.080

AS 28.20.080

AS 28.22.041

Editor's note: For the purposes of 2 AAC 90.110, the division's main [JUNEAU] office is located at 3901 Old Seward Highway, Suite 101, Anchorage, Alaska [2760 SHERWOOD LANE, SUITE B, JUNEAU, ALASKA]; mailing address: Department of Administration, Division of Motor Vehicles, 3901 Old Seward Highway, Suite 101, Anchorage, AK 99503-3696 [P.O. BOX 110221, JUNEAU, AK 99811-0221].

A crash report form (12-209 accident report form) referred to in 2 AAC 90.110(c) is also available on the Department of Transportation and Public Facilities, Division of Statewide Planning's [,] website at www.autoaccidents.alaska.gov.

2 AAC 90.220(b) is amended to read:

(b) The department will only waive the road test and issue an off-highway restricted non-commercial driver's license to an applicant who resides and operates a motor vehicle in an area of the state without land-connected road access to a location where a road test is conducted at least once every 12 months [AS DESCRIBED IN AS 28.10.011(10) AND WITH NO ACCESS TO A DIVISION OFFICE OFFERING ROAD TESTING]. The applicant must submit proof of residence address as required under 2 AAC 90.420(e) before issuance of a license under this subsection. A driver issued an off-highway restricted noncommercial driver's license only qualifies for the registration and insurance exemptions in AS 28.10.011(10) and AS 28.22.011(a)(1) where the average daily traffic volume is 499 or less and may not operate

Register 238, July 2021

ADMINISTRATION

a motor vehicle outside this state.

(Eff. 7/1/2006, Register 178; am 1/1/2011, Register 196; am 10/10/2014, Register 212; am

4/8/2021, Register 238)

Authority: AS 28.05.011 AS 28.15.051 AS 28.15.121

AS 28.10.011

2 AAC 90.240 is amended to read:

2 AAC 90.240. Notification of conviction. A person with a Class A/CDL, B/CDL, or C/CDL license who is convicted of violating, in any type of motor vehicle, a state or local law relating to motor vehicle traffic control, other than a parking violation, in a state or other jurisdiction outside this state, including Canada, shall notify the division and the person's employer of the conviction. The notification must

(1) be made within 30 days after the date the person was convicted;

(2) be provided to the person's employer and submitted to the division's main [JUNEAU] office; and

(3) contain the driver's full name, driver's license number, date of conviction, specific offense for which the person was convicted, any license action that resulted from the conviction, location of the offense, whether the offense occurred while in a commercial motor vehicle, and the driver's signature. (Eff. 7/1/2006, Register 178; am 4/8/2021, Register 238)

Authority: AS 28.05.011 AS 28.15.041

Editor's note: For the purposes of 2 AAC 90.240, the division's **main** [JUNEAU] office is located at **3901 Old Seward Highway, Suite 101, Anchorage, Alaska** [2760 SHERWOOD LANE, SUITE B, JUNEAU, ALASKA]; mailing address: Department of Administration, Division of Motor Vehicles, **3901 Old Seward Highway, Suite 101, Anchorage, AK 99503-3696** [P.O. BOX 110221, JUNEAU, AK 99811-0221].

2 AAC 90 is amended by adding a new section to Article 4 to read:

2 AAC 90.260. Entry-level driver training requirements. The following provisions of 49 C.F.R. Part 380 (special training requirements), revised as of February 4, 2020, are adopted by reference:

- (1) 49 C.F.R. 380.600 (compliance date for training requirements for entry-level drivers);
- (2) 49 C.F.R. 380.601 (purpose and scope);
- (3) 49 C.F.R. 380.603 (applicability);
- (4) 49 C.F.R. 380.605 (definitions);
- (5) 49 C.F.R. 380.609 (general entry-level driver training requirements);
- (6) 49 C.F.R. 380.700 (scope);
- (7) 49 C.F.R. 380.703 (requirements for listing on the training provider registry (TPR));
- (8) 49 C.F.R. 380.707 (entry-level training provider requirements);
- (9) 49 C.F.R. 380.709 (facilities);
- (10) 49 C.F.R. 380.711 (equipment);

- (11) 49 C.F.R. 380.713 (instructor requirements);
- (12) 49 C.F.R. 380.715 (assessments);
- (13) 49 C.F.R. 380.717 (training certification);
- (14) 49 C.F.R. 380.719 (requirements for continued listing on the training provider registry (TPR));
- (15) 49 C.F.R. 380.721 (removal from training provider registry: factors considered);
- (16) 49 C.F.R. 380.723 (removal from training provider registry: procedure);
- (17) 49 C.F.R. 380.725 (documentation and record retention). (Eff.

4 / 8 / 2021, Register 239)

Authority: AS 28.05.011 AS 28.15.051 AS 28.33.100
AS 28.15.041 AS 28.17.041

2 AAC 90.430 is repealed and readopted to read:

2 AAC 90.430. Driver license expiration extensions for residents and spouses in military or other government service on assignment outside of this state. (a) Except as otherwise provided in this chapter, a non-commercial driver's license issued under this chapter to a resident of this state who serves as a member with military personnel, a member of the United States Foreign Service, a member of a foreign volunteer program run by the United States government, or a federal civilian employee on assignment, and who is stationed outside of this state, and a non-commercial driver's license issued under this chapter to that person's spouse who is also a resident of this state, are extended beyond the expiration date until the earlier of the

following dates:

(1) 90 days after a resident of this state who serves as a member with military personnel, a member of the United States Foreign Service, a member of a foreign volunteer program run by the United States government, or a federal civilian employee on assignment is discharged from service;

(2) 90 days after the resident's return to this state; or

(3) the date when the period of authorized stay under AS 28.15.101(d) expires.

(b) A resident who holds a driver's license that is not federally compliant may only obtain an extension under (a) of this section if the person presents an active duty military, United States Foreign Service, United States government volunteer, or federal civilian employee identification card and service orders.

(c) The department may grant a renewed or reissued driver's license that is not federally compliant to a resident of this state who qualifies for the expiration extension in (a) of this section. The department may require a person to submit documentation acceptable to the department that verifies the person had a driver's license issued in this state at the time the person's service or employment as described in (a) of this section began and that verifies the person's residency in this state during that service or employment.

(d) For purposes of this section, the department will determine residency in this state as stated on a person's military leave-and-earnings statement (LES) or a substantially similar document issued to a person described in (a) of this section. (Eff. 7/1/2006, Register 178; am 1/1/2011, Register 196; am 1/12/2018, Register 225; am 4/8/2021, Register 238)

Authority: AS 28.05.011 AS 28.15.011 AS 28.15.101

Register 238, July 2021

ADMINISTRATION

2 AAC 90.470(e) is amended to read:

(e) Unless exempt under AS 28.15.151(c), a person's driving record or history may be obtained, under the provisions in this section, by submitting to the department, along with the request, \$10 for each individual record [OR \$5 PER ELECTRONIC BATCH RECORD]. (Eff. 7/1/2006, Register 178; am 1/1/2011, Register 196; am 4 / 8 / 2021, Register 238)

Authority: AS 28.05.011 AS 28.15.151

2 AAC 90.510(a) is amended to read:

(a) The proof of insurance required by AS 28.22.021 and 28.22.031 must be submitted directly to the division's **main** [JUNEAU] office.

(Eff. 7/1/2006, Register 178; am 4 / 8 / 2021, Register 238)

Authority: AS 28.05.011 AS 28.22.021 AS 28.22.031

Editor's note: For the purposes of 2 AAC 90.510, the division's **main** [JUNEAU] office is located at **3901 Old Seward Highway, Suite 101, Anchorage, Alaska** [2760 SHERWOOD LANE, SUITE B, JUNEAU, ALASKA]; mailing address: Department of Administration, Division of Motor Vehicles, **3901 Old Seward Highway, Suite 101, Anchorage, AK 99503-3696** [P.O. BOX 110221, JUNEAU, AK 99811-0221].

2 AAC 90.520 is amended to read:

2 AAC 90.520. Verification of insurance. The department **may use electronic systems to verify the veracity of proof-of-insurance filings under AS 28.22.031. In the absence or**

unavailability of an electronic system, the department will routinely submit proof-of-insurance filings to a named insurance company for verification that the insurance was in effect at the time of the crash. The insurance company shall, within 21 days after the date the filing was mailed by the department, notify the department, in writing, if the insurance information stated on the filing is incorrect, or if the insurance was not in effect at the time of the crash. (Eff.

7/1/2006, Register 178; am 1/1/2011, Register 196; am 4 / 8 / 2021, Register 238)

Authority: AS 28.05.011 AS 28.22.031

2 AAC 90 is amended by adding a new section to read:

2 AAC 90.525. Self-insurers. (a) A person applying to the department to act as a self-insurer under AS 28.20.400 must submit an application to the department annually. The application must be received not later than July 1. The application may be submitted electronically on a form approved by the department and must include

- (1) the year, make, model, and vehicle identification number of each vehicle;
- (2) whether the ability to pay is for property damage, bodily injury, or both, and whether there are any open or unsatisfied judgments, including court case numbers;
- (3) a notarized affidavit from a certified public accountant that an audit of the financial records of a person with 25 or fewer vehicles demonstrates the ability to pay as required by AS 28.20.400(a), or an audit of the financial records of a person with more than 25 vehicles demonstrates the ability to pay as required by AS 28.20.400(b); the affidavit accompanying an application submitted electronically may be a copy, if the applicant keeps the original affidavit and makes it available to the department for inspection upon request; and

(4) the person's certification that the person understands and meets the requirements of AS 28.20.400 to act as a self-insurer.

(b) In a certificate of self-insurance issued under AS 28.20.400, the department will include

(1) the name and address of the self-insured person;

(2) a certification that the department has approved the person as a self-insurer in this state, having qualified under AS 28.20.400;

(3) the approval date;

(4) the expiration date; and

(5) a statement that the certificate of self-insurance must be carried in each self-insured vehicle and exhibited in compliance with AS 28.22.019.

(c) In this section,

(1) "person" has the meaning in AS 01.10.060;

(2) "self-insurer"

(A) means a person who

(i) has made the formal decision to retain risk rather than insure it;

and

(ii) assumes all or a part of the person's losses under a formalized plan to pay losses as they occur;

(B) does not include a person who is not

(i) obtaining insurance; or

(ii) retaining risks through deductibles. (Eff. 9/8/2021,

Register 238, July 2021

ADMINISTRATION

Register 238)

Authority: AS 28.05.011

AS 28.20.400

2 AAC 92.170 is repealed and readopted to read:

2 AAC 92.170. Duty of insurance company obtaining title to unrepairable vehicle.

(a) An insurance company obtaining title to an unrepairable vehicle through the satisfaction of an insurance claim for an actual total loss or constructive total loss shall mark the word "junk" on the face of the certificate of title and surrender the current title and registration to the department. The insurance company may sell the vehicle by a bill of sale that indicates that the title has been surrendered to the department.

(b) An insurance company that is unable to obtain and surrender the title to an unrepairable vehicle to the department because the title is lost, stolen, or destroyed, to satisfy an insurance claim for an actual total loss or constructive total loss, must submit to the department

(1) an affidavit signed by the registered owner that the title is lost, stolen, or destroyed; and

(2) a letter from the insurance company certifying the vehicle is "junk."

(c) For the purposes of this section,

(1) "actual total loss" means the vehicle is wrecked, dismantled, or destroyed;

(2) "constructive total loss" means the vehicle is damaged to a sufficient degree that the cost of repairing the vehicle exceeds the vehicle's worth or insured value. (Eff. 7/1/2006,

Register 178; am 4 / 8 / 2021, Register 238)


Authority: AS 28.05.011

AS 28.05.041

MEMORANDUM

State of Alaska Department of Law

To: The Honorable Kevin Meyer
Lieutenant Governor

Thru: Susan R. Pollard 
Chief Assistant Attorney General
and Regulations Attorney
Legislation and Regulations Section

Date: March 4, 2021

File No.: 2020200363

Tel. No.: 465-3600

From: Steven C. Weaver *SCW*
Senior Assistant Attorney General
Legislation and Regulations Section

Re: Department of Administration regulations re: display of numbers on boats, boat titles, certificates, and registration, reporting requirements regarding motor vehicles, off-highway restricted non-commercial driver's licenses, requirements for holders of commercial driver's licenses (CDLs), expiration extensions for residents and spouses in military or other government service, fees for driver's records, verification of motor vehicle insurance, requirements for self-insurers, and requirements for an insurance company obtaining title to an unrepairable vehicle (2 AAC 70; 2 AAC 90; 2 AAC 92)

The Department of Law has reviewed the attached regulations of the Department of Administration 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 Administration after the close of the public comment period. The regulations concern the display of a state or United States Coast Guard number on a boat, boat titles, certificates, and registration, reporting requirements regarding motor vehicles, off-highway restricted non-commercial driver's licenses, compliance with federal training requirements for obtaining commercial driver's licenses (CDLs), requirements for holders of CDLs to report convictions of violations of motor vehicle laws, the extension of the expiration of a driver's license for residents in military or certain other forms of other government service and for spouses of those residents, fees for driver's records, verification

of motor vehicle insurance, requirements for self-insurers, and requirements for an insurance company obtaining title to an unrepairable--i.e., "junked" or "totaled"--vehicle.

The July 13, 2020 public notice and the February 16, 2021 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. Kelly Tshibaka, Commissioner
Department of Administration

Jenna Wright, Deputy Director
Division of Motor Vehicles
Department of Administration

Kevin Higgins, Assistant Attorney General
Labor and State Affairs Section

**NOTICE OF PROPOSED CHANGES TO CONTENT ON BOAT NUMBERING, DECAL
DISPLAY, AND BOAT RECORDS, SUBMISSION OF CRASH REPORTS, ENTRY LEVEL
DRIVER TRAINING REQUIREMENTS FOR COMMERCIAL LEARNER'S PERMITS AND
COMMERCIAL DRIVER'S LICENSES, OFF HIGHWAY DRIVER'S LICENSE, EXTENSION
OF EXPIRATION OF DRIVER'S LICENSE, DRIVING RECORDS, INSURANCE
VERIFICATION, SELF-INSURERS AND JUNK VEHICLES**

BRIEF DESCRIPTION

The Division of Motor vehicles proposes to change regulations in Title 2, Chapters 70, 90, and 92 of the Alaska Administrative Code, dealing with content on display of boat numbers, boat record fees, submission of crash reports, Off-Highway driver's licenses, federal Entry Level Driver Training requirements for commercial learner's permits and commercial driver's licenses, driver license extension for United States Foreign Service Personnel and volunteers of the United States government, driving record fees, methods of insurance verification, self-insurers, and branding of vehicles junked by an insurance company, including the following

- (1) 2 AAC 70.020, 2 AAC 70.030, are proposed to be amended with additions regarding boats documented by the United States Coast Guard.
- (2) 2 AAC 70.200 and 2 AAC 70.210 are proposed to be amended to increase the notification timeframe for a change of address for a boat, consistent with vehicle and license notification timeframes and wording changes to retroactively comply with the new boat titling requirements in AS 05.25.055 and AS 05.25.056 that took effect January 1, 2019.
- (3) 2 AAC 70 is proposed to be amended to add a new section dealing with release of boat records and boat record fees.
- (4) 2 AAC 90.110, 2 AAC 90.240, and 2 AAC 90.510, including the Editor's Notes, are proposed to be amended to update both the division office location and address where a crash report can be submitted.
- (5) 2 AAC 90.220 is proposed to be amended to change the criteria for waiving the road skills test for a non-commercial driver's license in an off highway area of the state from "no DMV access for road testing" to "without land-connected road access to a location where the road test is conducted at least once every 12 months".
- (6) 2 AAC 90.430 is proposed to be amended to include Alaska residents who are United States Foreign Service Personnel and volunteers of the United States Government as eligible for a driver's license extension. A new section is proposed to be added to clarify when a new card displaying a future expiration date may be

issued to personnel who are unable to renew their driver's licensing using the department's website or mail in renewal process.

- (7) 2 AAC 90.470 is proposed to be amended to remove the \$5 fee for an electronic batch record for a driving records that are confidential and private under AS 28.15.151, prohibiting electronic batch release.
- (8) 2 AAC 90.520 is proposed to be amended to include electronic verification of motor vehicle insurance.
- (9) 2 AAC 90 is proposed to be amended to add a new section dealing with federal Entry Level Driver Training requirements for holders of commercial learner's permits and commercial driver licenses in anticipation of the compliance date of February 7, 2022.
- (10) 2 AAC 90 is proposed to be amended to add a new section dealing with self-insurers under AS 28.20.400.
- (11) 2 AAC 92.170 is proposed to be repealed and readopted to include the requirements to junk a vehicle when the insurance company cannot surrender the title to the department because the title is lost, stolen, or destroyed.

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 Jenna Wright at 1300 W. Benson Blvd, Ste. 900, Anchorage, Alaska 99503. Additionally, the Division of Motor Vehicles will accept comments by facsimile at 907-269-5081 and by electronic mail at jenna.wright@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System, by accessing this notice on the system and using the comment link. The comments must be received not later than 5:00pm on August 11, 2020.

You may submit written questions relevant to the proposed action to Jenna Wright by email (jenna.wright@alaska.gov), by facsimile at 907-269-5081 or by mail at 1300 W. Benson Blvd, Ste. 900, Anchorage, Alaska 99503. The questions must be received at least 10 days before the end of the public comment period. The Division of Motor Vehicles will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and the Division of Motor Vehicles website (<http://doa.alaska.gov/dmv/>). Written comments are public records subject to public inspection.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jenna Wright by email (jenna.wright@alaska.gov) or at 907-269-5559 not later than 3:00pm, August 11, 2020 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 Jenna Wright by email (jenna.wright@alaska.gov) or at 907-269-5559.

A copy of material proposed for adoption by reference may be viewed at the agency's office at 1300 W. Benson Blvd, Ste. 900, Anchorage, Alaska 99503.

After the public comment period ends, the Division of Motor Vehicles 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 regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

Statutory authority: AS 05.25.055; AS 05.25.056; AS 05.25.095; AS 28.05.011; AS 28.05.041; AS 28.10.011; AS 28.15.011; AS 28.15.041; AS 28.15.051; AS 28.15.101; AS 28.15.121; AS 28.15.151; AS 28.17.041; AS 28.20.020; AS 28.20.080; AS 28.20.400; AS 28.22.021; AS 28.22.031; AS 28.22.041; AS 28.33.100; AS 28.35.080.

Statutes being implemented, interpreted, or made specific: AS 05.25.055; AS 05.25.056; AS 05.25.095; AS 28.05.011; AS 28.05.041; AS 28.15.041; AS 28.15.101; AS 28.15.121; AS 28.17.041; AS 28.20.400; AS 28.22.031; AS 28.33.100.

Fiscal information: The proposed regulation changes do not require an increased appropriation. The estimated annual cost to: a private person, other state agencies, and municipalities or boroughs to comply with the proposed regulations is zero.

Date: 7/6/2020

Jenna Wright, Deputy Director
Division of Motor Vehicles

ADDITIONAL REGULATION NOTICE INFORMATION

(AS 44.62.190(d))

1. Adopting agency: Department of Administration, Division of Motor Vehicles
2. General subject of regulation: Boats, Commercial and Non-Commercial Driver Licensing, Identification Cards, Self-Insurers and Motor Vehicles
3. Citation of regulation (may be grouped): 2 AAC 70; 2 AAC 90 and 92
4. Department of Law file number, if any: 2020200363
5. Reason for the proposed action:

- (x) Compliance with federal law or action (identify): 49 CFR Parts 380 & 383.71
- (x) Compliance with new or changed state statute: AS 05.25.055; AS 05.25.056; AS 05.25.096
- () Compliance with federal or state court decision (identify): _____
- (x) Development of program standards: _____
- (x) Other (identify): Legislative Request

6. Appropriation/Allocation: 2348

7. Estimated annual cost to comply with the proposed action to:

A private person: \$0.00

Another state agency: \$0.00

A municipality: \$0.00

8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY 2021	Subsequent Years
Operating Cost	<u>\$ 0.00</u>	<u>\$ 0.00</u>
Capital Cost	<u>\$ 0.00</u>	<u>\$ 0.00</u>
1002 Federal receipts	<u>\$</u>	<u>\$</u>
1003 General fund match	<u>\$</u>	<u>\$</u>
1004 General fund	<u>\$</u>	<u>\$</u>
1005 General fund/ program	<u>\$</u>	<u>\$</u>
Other (identify)	<u>\$</u>	<u>\$</u>

9. The name of the contact person for the regulation:

Name: Jenna Wright
Title: Deputy Director
Address: 1300 W. Benson Blvd, Ste. 900
Telephone: 907-269-5599
E-mail address: jenna.wright@alaska.gov

10. The origin of the proposed action:

☒ Staff of state agency
☐ Federal government
☐ General public
☒ Petition for regulation change
☒ Other (identify): Legislative request

11. Date: 07/13/2020

Prepared by: Jenna Wright
Name: Jenna Wright
Title: Deputy Director, Division of Motor Vehicles
Telephone: 907-269-5559

ANCHORAGE DAILY NEWS

AFFIDAVIT OF PUBLICATION

Account #: 288758
1300 W. BENSON BLVD, STE 400, ANCHORAGE, AK 99503

Order #: W0016871

Cost: \$697.24

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 afore-said 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

07/13/2020

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 3rd day of September 2020.

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

MY COMMISSION EXPIRES

4/14/21

ANGELA M SIMMONS
NOTARY PUBLIC
State of Alaska
My Commission Expires Apr. 14, 2021

NOTICE OF PROPOSED CHANGES TO CONTENT ON BOAT NUMBERING, DECAL DISPLAY, AND BOAT RECORDS, SUBMISSION OF CRASH REPORTS, ENTRY LEVEL DRIVER TRAINING REQUIREMENTS FOR COMMERCIAL LEARNER'S PERMITS AND COMMERCIAL DRIVER'S LICENSES, OFF-HIGHWAY DRIVER'S LICENSE, EXTENSION OF EXPIRATION OF DRIVER'S LICENSE, DRIVING RECORDS, INSURANCE VERIFICATION, SELF-INSURERS AND JUNK VEHICLES

BRIEF DESCRIPTION

The Division of Motor Vehicles proposes to change regulations in Title 2, Chapters 70, 90, and 92 of the Alaska Administrative Code, dealing with content on display of boat numbers, boat record fees, submission of crash reports, off-highway driver's licenses, federal Entry Level Driver Training requirements for commercial learner's permits and commercial driver's licenses, driver license extension for United States Foreign Service Personnel and volunteers of the United States government, driving record fees, methods of insurance verification, self-insurers, and branding of vehicles junked by an insurance company, including the following:

(1) 2 AAC 70.020, 2 AAC 70.030, are proposed to be amended with additions regarding boats documented by the United States Coast Guard.

(2) 2 AAC 70.200 and 2 AAC 70.210 are proposed to be amended to increase the notification timeframe for a change of address for a boat, consistent with vehicle and license notification timeframes and wording changes to retroactively comply with the new boat titling requirements in AS 05.25.055 and AS 05.25.056 that took effect January 1, 2019.

(3) 2 AAC 70 is proposed to be amended to add a new section dealing with release of boat records and boat record fees.

(4) 2 AAC 90.110, 2 AAC 90.240, and 2 AAC 90.510, including the Editor's Notes, are proposed to be amended to update both the division office location and address where a crash report can be submitted.

(5) 2 AAC 90.220 is proposed to be amended to change the criteria for waiving the road skills test for a non-commercial driver's license in an off-highway area of the state from "no DMV access for road testing" to "without land-connected road access to a location where the road test is conducted at least once every 12 months".

(6) 2 AAC 90.430 is proposed to be amended to include Alaska residents who are United States Foreign Service Personnel and volunteers of the United States Government as eligible for a driver's license extension. A new section is proposed to be added to clarify when a new card displaying a future expiration date may be issued to personnel who are unable to renew their driver's licensing using the department's website or mail in renewal process.

(7) 2 AAC 90.470 is proposed to be amended to remove the \$5 fee for an electronic batch record for a driving records that are confidential and private under AS 28.15.151, prohibiting electronic batch release.

(8) 2 AAC 90.520 is proposed to be amended to include electronic verification of motor vehicle insurance.

(9) 2 AAC 90 is proposed to be amended to add a new section dealing with federal Entry Level Driver Training requirements for holders of commercial learner's permits and commercial driver's licenses in anticipation of the compliance date of February 7, 2022.

(10) 2 AAC 90 is proposed to be amended to add a new section dealing with self-insurers under AS 28.20.400.

(11) 2 AAC 92.170 is proposed to be repealed and readopted to include the requirements to junk a vehicle when the insurance company cannot surrender the title to the department because the title is lost, stolen, or destroyed.

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 Jenna Wright at 1300 W. Benson Blvd, Ste. 900, Anchorage, Alaska 99503. Additionally, the Division of Motor Vehicles will accept comments by facsimile at 907-269-5081 and by electronic mail at jenna.wright@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System, by accessing this notice on the system and using the comment link. The comments must be received not later than 5:00pm on August 11, 2020.

You may submit written questions relevant to the proposed action to Jenna Wright by email jenna.wright@alaska.gov, by facsimile at 907-269-5081 or by mail at 1300 W. Benson Blvd, Ste. 900, Anchorage, Alaska 99503. The questions must be received at least 10 days before the end of the public comment period. The Division of Motor Vehicles will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and the Division of Motor Vehicles website (<http://doa.alaska.gov/dmv>). Written comments are public records subject to public inspection.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jenna Wright by email jenna.wright@alaska.gov or at 907-269-5559 not later than 3:00pm, August 11, 2020 to ensure that any necessary accommodations (DWC1) can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Jenna Wright by email jenna.wright@alaska.gov or at 907-269-5559.

A copy of material proposed for adoption by reference may be viewed at the agency's office at 1300 W. Benson Blvd, Ste. 900, Anchorage, Alaska 99503.

After the public comment period ends, the Division of Motor Vehicles 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 regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

Statutory authority: AS 05.25.055; AS 05.25.056; AS 05.25.095; AS 28.05.011; AS 28.05.041; AS 28.10.011; AS 28.15.011; AS 28.15.041; AS 28.15.051; AS 28.15.101; AS 28.15.121; AS 28.15.151; AS 28.17.041; AS 28.20.020; AS 28.20.080; AS 28.20.400; AS 28.22.021; AS 28.22.031; AS 28.22.041; AS 28.33.100; AS 28.35.080.

Statutes being implemented, interpreted, or made specific: AS 05.25.055; AS 05.25.056; AS 05.25.095; AS 28.05.011; AS 28.05.041; AS 28.15.041; AS 28.15.101; AS 28.15.121; AS 28.17.041; AS 28.20.400; AS 28.22.031; AS 28.33.100.

Fiscal information: The proposed regulation changes do not require an increased appropriation. The estimated annual cost to a private person, other state agencies, and municipalities or boroughs to comply with the proposed regulations is zero.

Date: 7/6/2020
By: /s/ Jenna Wright, Deputy Director
Division of Motor Vehicles
Pub: July 13, 2020

AFFIDAVIT OF NOTICE OF PROPOSED REGULATION
AND FURNISHING OF ADDITIONAL INFORMATION

I, Jenna Wright, Deputy Director, of Division of Motor Vehicles, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 2 AAC 70, 90 and 92: Boats, Commercial and Non-Commercial Driver Licensing, Identification Cards, Self-Insurers and Motor Vehicles has been given by being:

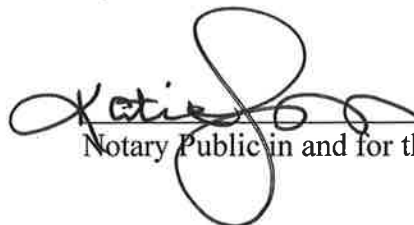
- (1) published in a newspaper or trade publication;
- (2) furnished to every person who has filed a request for notice of proposed action with the state agency;
- (3) furnished to appropriate state officials;
- (4) furnished to interested persons;
- (5) furnished to the Department of Law, along with 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.

Date: 11/5/2020


Jenna Wright, Deputy Director

Subscribed and sworn to before me at 3901 Old Seward Highway Suite 101 on
11/5/2020
(date)


Notary Public in and for the State of Alaska




AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Jenna Wright, Deputy Director for the Division of Motor Vehicles, Department of Administration, being duly sworn, state the following:

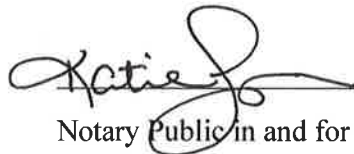
In compliance with AS 44.62.215, the Division of Motor Vehicles, Department of Administration has kept a record of its use or rejection of factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Division of Motor Vehicles, Department of Administration regulations on Boats, Commercial and Non-Commercial Driver Licensing, Self-Insurers and Motor Vehicles Branding of Vehicles Junked by an Insurance Company.

Date: 2/3/21



Jenna Wright, Deputy Director

Subscribed and sworn to before me at 3901 Old Seward Hwy. #12, Anch, AK 99503
2/3/21



Notary Public in and for the State of Alaska

