STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES **Policy and Procedure**		POLICY AND PROCEDURE NUMBER **06.04.002**	PAGE 1 of 3
		EFFECTIVE DATE May 1, 2006	
SUBJECT **Collection for Damage to State Highways, Vehicles, and Equipment Caused by the Public**		SUPERSEDES FMOM 05.90.011	DATED October 20, 1993
CHAPTER **Finance**	SECTION **Revenues**	APPROVED BY Mike Barton	

PURPOSE

This formalizes the policy and procedure (P&P) of the department on collection for damage to state highways, vehicles, and equipment caused by the public.

POLICY

Collection for damage to state highways, vehicles, and equipment caused by the public will be carried out according to the procedure below.

PROCEDURE

Definitions

State highways, vehicles, and equipment means highways (except the marine highway) and their appurtenances, such as guardrails, light poles, and signs, and vehicles and equipment owned by the State of Alaska and under this department's responsibility and control when they are on the highway system.

Damage caused by the public means both partial and total destruction and partial and total loss of serviceability arising from an accident, a deliberate act, or negligence on the part of someone who is not a state employee.

Reporting the Damage

An employee who becomes aware of damage that was caused or may have been caused by the public will report the damage to a department employee responsible for repair or replacement of the property. The report will be made in a manner appropriate to the circumstances.

An employee who receives a copy of a police report or other documentation of damage to state highways, vehicles, or equipment that was caused or may have been caused by

the public will provide copies of the document to a department employee responsible for repair or replacement and to the department finance office.

An employee responsible for carrying out repair or replacement will obtain repair estimates or replacement costs, proceed with repair or replacement according to procedures stated elsewhere, and provide the department finance office with documentation of the actual or estimated cost of repair or replacement.

Collection for Damage

On receipt of the documentation of damage and documentation of the actual or estimated cost of repair or replacement, the department finance office will pursue collection in accordance with section 45 of the Alaska Administrative Manual and desk manual procedures.

If the responsible party is known, or if a reasonable level of certainty exists about the identity of the responsible party, collection is pursued immediately. If the responsible party is not known, or if a reasonable level of certainty does not exist about the identity of the responsible party, the department finance office will follow up as appropriate with the local police, state troopers, or other agency to determine the identity of the responsible party.

The responsible party may wish to settle a claim through an insurance policy. This makes no difference in how or when the claim for damage is recorded or handled as an account receivable.

Damage Caused by Non-State-Owned Motor Vehicles

Of particular concern is damage to state highways, vehicles, and equipment caused by non-state-owned motor vehicles.

If the non-state-owned motor vehicle is subject to registration under Alaska laws, Alaska Statute (AS) 28.20.050 gives the department finance office additional leverage in pursuing collection. Generally, if the damage exceeds $501 and the vehicle owner or driver did not have automobile liability insurance at the time of the accident, the Division of Motor Vehicles (DMV) will require the owner or driver to provide a security deposit in an amount equal to the cost of repairs. If the owner or driver fails to make the deposit within 10 days, his or her driver's license may be suspended. These provisions also apply to residents of some other states who hold driver's licenses in those states (AS 28.20.160). The threat of a suspended driver's license is a strong incentive for many

people to pay the department the amount owed. The department finance office will work in concert with DMV in accordance with these statutes.

Recording Revenue

When collection is successful, the department finance office will deposit revenue to the appropriation to which expenditures for repairs or replacement were recorded or would have been recorded.

AUTHORITY

AS 44.17.030
AS 28.20.010-240
AAM 45

IMPLEMENTATION RESPONSIBILITY

Regional maintenance and operations chiefs, regional SEF office supervisors, finance office staff, and all department employees generally

DISTRIBUTION

All department employees via the DOT&PF website