

MEMORANDUM

State of Alaska

Department of Transportation & Public Facilities
Measurement Standards and Commercial Vehicle Compliance

TO: Ryan Anderson, P.E., Commissioner

DATE: April 7, 2025

PHONE NO: 907-365-1210

FROM: Daniel Smith, Division Director,
MSCVC

SUBJECT: Waiver of Provisions

Issue:

A request has been made to waive portions of 17 AAC 25.380 to temporarily reduce Health & Safety Permit fees. Under current regulation, these fees impose an unintended financial burden on essential service carriers and their end users. The allowance to implement a fee reduction would be beneficial for the following reasons:

- It would ensure continued access to critical services such as potable water delivery, sewage, utility repair and garbage removal etc.
- Seasonal weight restrictions and associated fees disproportionately impact essential service providers due to unpredictable weather conditions.
- Reducing fees to a nominal amount would alleviate financial strain on businesses and communities while maintaining the integrity of the permitting system.

History:

Health & Safety Permits were introduced in 2016 after the removal of historical exemptions for essential services from seasonal weight restriction bulletins. Since then, fluctuating permit fees have created challenges for essential services carriers. Given the precedent of modifying 17 AAC 25.380 in 1985, 1989, 2001, 2006, 2009, and 2016, an adjustment in the fee structure is warranted.

Recommended Action:

It is in the State's best interest to implement a waiver of provisions as outlined in 17 AAC 25.800. This waiver applies specifically to Health & Safety Permits and reduces fees as follows:

- The fee for a one-month Health & Safety Permit shall be reduced from \$85.00 to \$10.00.
- The waiver applies to essential service providers transporting potable water, sewage, garbage and utilities during seasonal weight restrictions.

This action is recommended based on the following criteria outlined in 17 AAC 25.800:

1. The state's best interests are served by the waiver;

- This reduction would alleviate financial strain on essential services without significantly impacting program receipts. Department resources would be relieved of processing exemption requests for these services.

2. The usefulness of the highways traveled is not diminished;

- Essential service vehicles will continue to operate under otherwise legal weight limits as outlined in 17 AAC 25.013.

3. The safety of other users is not compromised; and

- Carriers must comply with all safety and operational regulations, ensuring no adverse impact on public safety.

4. The traveling public will not be unreasonably inconvenienced;

- Essential services will maintain regular operations, preventing potential service disruptions. Traffic volumes would remain the same if not less.

Finding:

As the Commissioner of DOT&PF, I find that it is in the State's best interest to align Chapter 25 Operations, Wheeled Vehicles regulations with the needs of transportation for health and sanitation services. This adjustment contributes to public welfare by ensuring access to critical services.

Decision:

Therefore, pursuant to the authority granted the Commissioner of DOT&PF in 17 AAC 25.800, I approve this waiver on an interim basis until a formal regulation process can be implemented. The waiver will take effect immediately after signature.

Signed:

X  _____

Ryan Anderson, P.E.

Commissioner, Alaska Department of Transportation & Public Facilities

Date: 4/7/2025