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Kane
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CS FOR HOUSE BILL NO. 267(TRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY THE HOUSE TRANSPORTATION COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES KELLY AND NEUMAN, Tammie Wilson

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to travel by snow machine within five miles of the right-of-way of the**
2 **James Dalton Highway; and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 19.40.210 is amended to read:

5 **Sec. 19.40.210. Prohibition of off-road vehicles.** Off-road vehicles are
6 prohibited on land within five miles of the right-of-way of the highway. However, this
7 prohibition does not apply to

8 (1) off-road vehicles necessary for oil and gas exploration,
9 development, production, or transportation;

10 (2) a person who holds a mining claim in the vicinity of the highway
11 and who must use land within five miles of the right-of-way of the highway to gain
12 access to the mining claim; or

13 (3) the use of a snow machine to travel south of highway milepost
14 176 between October 1 and April 30 across the highway and on or across the

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highway corridor [CORRIDOR FROM LAND OUTSIDE THE CORRIDOR TO ACCESS LAND OUTSIDE THE OTHER SIDE OF THE CORRIDOR; THIS PARAGRAPH DOES NOT PERMIT THE USE OF A SNOW MACHINE FOR ANY PURPOSE WITHIN THE CORRIDOR IF THE USE BEGINS OR ENDS WITHIN THE CORRIDOR OR WITHIN THE RIGHT-OF-WAY OF THE HIGHWAY OR IF THE USE IS FOR TRAVEL WITHIN THE CORRIDOR THAT IS PARALLEL TO THE RIGHT-OF-WAY OF THE HIGHWAY]; in this paragraph, "highway corridor" means land within five miles of the right-of-way of the highway.

* **Sec. 2.** AS 19.40.210, as amended by sec. 1 of this Act, is amended to read:

Sec. 19.40.210. Prohibition of off-road vehicles. Off-road vehicles are prohibited on land within five miles of the right-of-way of the highway. However, this prohibition does not apply to

(1) off-road vehicles necessary for oil and gas exploration, development, production, or transportation;

(2) a person who holds a mining claim in the vicinity of the highway and who must use land within five miles of the right-of-way of the highway to gain access to the mining claim; or

(3) the use of a snow machine to travel [SOUTH OF MILEPOST 176 BETWEEN OCTOBER 1 AND APRIL 30] across the highway **corridor from land outside the corridor to access land outside the other side of the corridor; this paragraph does not permit the use of a snow machine for any purpose within the corridor if the use begins or ends within the corridor or within the right-of-way of the highway or if the use is for travel within the corridor that is parallel to the right-of-way of the highway;** [AND ON OR ACROSS THE HIGHWAY CORRIDOR] in this paragraph, "highway corridor" means land within five miles of the right-of-way of the highway.

* **Sec. 3.** AS 19.40.210 is amended by adding new subsections to read:

(b) A person using a snow machine as allowed under (a)(3) of this section is required annually to obtain a permit from the department. The department shall issue a permit at no fee to any person requesting one and shall keep an accurate count of the number of permits issued.

1 (c) A person using a snow machine as allowed under (a)(3) of this section
2 without a permit is guilty of a violation and upon conviction is punishable by a fine of
3 not more than \$25.

4 * **Sec. 4.** AS 19.40.210(b) and 19.40.210(c), as enacted by sec. 3 of this Act, are repealed on
5 May 1, 2012.

6 * **Sec. 5.** Section 2 of this Act takes effect May 1, 2012.