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Kane
3/25/10

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

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

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

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

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

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

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

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

28 (b) A person using a snow machine as allowed under (a)(3) of this section is
29 required annually to obtain a permit from the department. The department shall issue a
30 permit at no fee to any person requesting one and shall keep an accurate count of the
31 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.