

HOUSE BILL NO. 7

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES JOSEPHSON, Kito, Gruenberg

Introduced: 1/21/15

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the offense of reckless driving."

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

3 * **Section 1.** AS 28.35.400(a) is amended to read:

4 (a) A person **commits the crime of reckless driving in the second degree if**
5 **the person** [WHO] drives a motor vehicle [IN THE STATE] in a manner that creates
6 a substantial and unjustifiable risk of harm to a person or to property [IS GUILTY OF
7 RECKLESS DRIVING]. A substantial and unjustifiable risk is a risk of such a nature
8 and degree that the conscious disregard of it or a failure to perceive it constitutes a
9 gross deviation from the standard of conduct that a reasonable person would observe
10 in the situation.

11 * **Sec. 2.** AS 28.35.400(b) is amended to read:

12 (b) **Reckless** [A PERSON CONVICTED OF RECKLESS] driving **in the first**
13 **degree is a class C felony and is punishable as provided in AS 12.55. Reckless**
14 **driving in the second degree** is [GUILTY OF] a misdemeanor and is punishable by a
15 fine of not more than \$1,000 or by imprisonment for not more than one year or by

1 both.

2 * **Sec. 3.** AS 28.35.400 is amended by adding a new subsection to read:

3 (d) A person commits the crime of reckless driving in the first degree if the
4 person violates (a) of this section and, as a result of the person's driving, a pedestrian
5 or bicyclist suffers physical injury.

6 * **Sec. 4.** AS 28.35.410(b) is amended to read:

7 (b) The offense of negligent driving is a lesser offense than, and included in,
8 the offense of reckless driving **in the second degree**, and a person charged with
9 reckless driving **in the second degree** may be convicted of the lesser offense of
10 negligent driving.