



LAWS OF ALASKA

2010

Source

HCS CSSB 194(JUD) am H

Chapter No.

AN ACT

Relating to penalties and civil damages for certain alcohol violations relating to minors and persons under 21 years of age and relating to expiration of identification cards issued to persons under 21 years of age.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to penalties and civil damages for certain alcohol violations relating to minors and
2 persons under 21 years of age and relating to expiration of identification cards issued to
3 persons under 21 years of age.

4 _____

5 * **Section 1.** AS 04.16.049(e) is amended to read:

6 (e) A licensee may bring a civil action against a person who violates this
7 section if the violation occurs on the premises of that licensee. If judgment is entered
8 in favor of the licensee, the court shall award civil damages in the amount of **\$1,500**
9 ~~[\$1,000]~~ and award reasonable costs and reasonable attorney fees allowed under the
10 Alaska Rules of Civil Procedure.

11 * **Sec. 2.** AS 04.16.065(a) is amended to read:

12 (a) A person who has attained 18 years of age, or an emancipated minor, who
13 violates AS 04.16.060 is, in addition to any criminal penalty provided by law, liable in
14 a civil action to the licensee for a penalty of **\$1,500** ~~[\$1,000]~~ plus costs and reasonable

1 attorney fees.

2 * **Sec. 3.** AS 04.16.180 is amended by adding a new subsection to read:

3 (e) In addition to other penalties provided in this chapter, the court may
4 require a person convicted of an offense under this chapter who was less than 21 years
5 of age at the time the person committed the offense to pay for and enroll in a juvenile
6 alcohol safety action program if one is available.

7 * **Sec. 4.** AS 04.21.080 is amended by adding a new paragraph to read:

8 (18) "juvenile alcohol safety action program" means

9 (A) a juvenile alcohol safety action program developed and
10 implemented or approved by the Department of Health and Social Services
11 under AS 47.37;

12 (B) any other alcohol education or treatment program approved
13 by the Department of Health and Social Services under AS 47.37 if a program
14 described in (A) of this paragraph is not available in the community in which
15 the person resides; or

16 (C) a program or counseling approved by the court if a program
17 or treatment described in (A) of this paragraph is not available in the
18 community where the person resides.

19 * **Sec. 5.** AS 18.65.310 is amended by adding a new subsection to read:

20 (k) An identification card issued to a person under 21 years of age expires 90
21 days after the person reaches 21 years of age.

22 * **Sec. 6.** AS 28.15.183(g) is amended to read:

23 (g) Except as provided under (h) of this section, the department may not issue
24 a new license or reissue a license to a person whose driver's license, permit, or
25 privilege to drive has been revoked under this section unless the person, if required to
26 participate in a juvenile alcohol safety action program, as defined in **AS 04.21.080**
27 [AS 04.16.050], has successfully completed any education or treatment recommended.

28 * **Sec. 7.** AS 28.15.211(g) is amended to read:

29 (g) Except as provided under AS 28.15.183(h), the department may not issue a
30 new license or reissue a license to a person whose driver's license has been revoked
31 under AS 04.16.050, AS 28.15.183, or 28.15.185 unless the person, if required to

1 participate in a juvenile alcohol safety action program, has successfully completed any
2 education or treatment recommended. In this subsection, "juvenile alcohol safety
3 action program" has the meaning given in **AS 04.21.080** [AS 04.16.050].

4 * **Sec. 8.** AS 04.16.050(*l*)(2) is repealed.