

Judiciary

The following twenty-six provisions comprise what is commonly referred to as “fix-it” tickets; correctable violations related to equipment (such as a broken tail light) or motor vehicle insurance that are dismissed if proof of correction is submitted to the Court. The purpose/intent of these rules (authorized through the Alaska Administrative Code, Alaska Statutes or Administrative Rules of the Court) is to encourage corrective action. The cost to administer them is absorbed in the Courts’ budget.

Correctable Violations	Revenue Impact: FY 2011	Revenue Impact: FY 2012	Revenue Impact: FY 2013	Revenue Impact: FY 2014	Revenue Impact: FY 2015
Additional Lighting Requirements	\$80	\$280	\$120	\$80	\$0
Additional Lights Required For Emergency Vehicle	\$0	\$0	\$0	\$0	\$0
Anti-Spray Devices Required	\$4,240	\$4,730	\$2,160	\$3,540	\$8,460
Brake Requirements	\$270	\$180	\$180	\$180	\$270
Emission Control System Requirements	\$0	\$0	\$0	\$0	\$0
Energy Absorption System Requirements	\$1,200	\$1,875	\$825	\$1,500	\$1,200
Fail To Provide Child Safety Device 1st Offense	\$0	\$800	\$0	\$310	\$440
Headlight Requirements	\$41,570	\$60,830	\$53,550	\$61,240	\$51,920
Horn/Warning Device Requirements	\$0	\$120	\$0	\$0	\$0
License Carried/ Exhibited On Demand	\$5,250	\$9,500	\$6,400	\$10,150	\$8,450
Mirror Requirements	\$2,340	\$2,340	\$2,100	\$1,620	\$1,860
Muffler Requirements	\$2,550	\$2,370	\$2,160	\$4,500	\$2,700
Operating Vehicle w/Studded/Chained Tires When Prohibited	\$19,650	\$18,055	\$16,750	\$25,950	\$25,200
Other Equipment Required: Horn/Mirrors/Tires/Etc. (Bicycle)	\$0	\$40	\$0	\$0	\$0
Parking Light Requirements	\$80	\$120	\$40	\$80	\$0
Proof of Insurance To Be Carried And Exhibited on Demand	\$2,758,250	\$2,964,500	\$2,188,000	\$2,593,500	\$2,894,410
Reflector Requirements	\$280	\$440	\$240	\$240	\$320
Restrictions On Lighting Equipment	\$700	\$590	\$160	\$420	\$200
Safety Belt Requirements	\$375	\$225	\$225	\$450	\$300
Steering Assembly / Wheel Align/Body Condition	\$0	\$400	\$0	\$200	\$0
Stop Light Requirements	\$8,760	\$10,200	\$7,520	\$10,320	\$10,040
Taillight Requirements	\$18,600	\$24,760	\$20,160	\$24,560	\$15,160
Tinted Windows	\$92,472	\$72,900	\$62,650	\$56,900	\$57,000
Tire Restrictions And Requirements	\$250	\$200	\$550	\$300	\$100
Turn Light Requirements	\$880	\$800	\$280	\$1,040	\$760
Windshield and wiper requirements	\$1,460	\$2,150	\$800	\$2,050	\$1,350
TOTAL	\$2,959,257	\$3,178,405	\$2,364,870	\$2,799,130	\$3,080,140

Recommendation: Continue - these programs are intended to improve public safety, not to generate revenue.

Judiciary

Applicable Program

Trial Courts

Indirect Expenditure Name

Community Work Service order in Lieu of Fine or Surcharge

Department of Revenue Submission per AS 43.05.095

(1) Description of Provision

The court may order a defendant to perform Community Work Service instead of imposing fines and surcharges in instances of probation, suspended sentence and suspended imposition of sentence.

(2) Type

Fee/Fine/Cost Dismissal or Credit

(3) Authorizing Statute, Regulation or Other Authority

As 12.55.055

(4) Year Enacted

2005

(5) Sunset or Repeal Date

None

(6) Legislative Intent

Encourage corrective behavior

(7) Public Purpose

Encourage corrective behavior

(8) Estimated Revenue Impact

FY 2011 - \$47,922

FY 2012 - \$44,538

FY 2013 - \$46,951

FY 2014 - \$48,121

FY 2015 - \$38,880

(9) Cost to Administer

Not provided.

(10) Number of Beneficiaries / Who Benefits

Not tracked.

Legislative Finance Analysis per AS 24.20.235

(1) Estimate of Annual Revenue Foregone by the State

\$38,880

(2) Estimate of Annual Monetary Benefit to Recipients

Indeterminate

(3) Legislative Intent Met?

Yes

Judiciary

Applicable Program

Trial Courts

Indirect Expenditure Name

Community Work Service order in Lieu of Fine or Surcharge

Legislative Finance Analysis per AS 24.20.235**(4) Should it be continued, modified or terminated?**

Recommend continue - the program provides an appropriate alternative to individuals unable to pay court fines or surcharges.

Judiciary

Applicable Program

Trial Courts

Indirect Expenditure Name

Defensive Driving Course Completion Credit
against Fines

Department of Revenue Submission per AS 43.05.095

(1) Description of Provision

The prosecution may defer prosecution in instances where an agreement has been reached for the defendant to instead complete a defensive driving course.

(2) Type

Fee/Fine/Cost Dismissal or Credit

(3) Authorizing Statute, Regulation or Other Authority

Administrative Rules of Court, Minor Offense Rule 11

(4) Year Enacted

n/a

(5) Sunset or Repeal Date

None

(6) Legislative Intent

Legislative intent not applicable as provision is Court ordered

(7) Public Purpose

Encourage corrective behavior

(8) Estimated Revenue Impact

FY 2011 - \$192,389

FY 2012 - \$181,509

FY 2013 - \$95,967

FY 2014 - \$3,832

FY 2015 - \$435

(9) Cost to Administer

Not provided.

(10) Number of Beneficiaries / Who Benefits

Not tracked.

Legislative Finance Analysis per AS 24.20.235

(1) Estimate of Annual Revenue Foregone by the State

\$435

(2) Estimate of Annual Monetary Benefit to Recipients

Indeterminate

(3) Legislative Intent Met?

Yes

Judiciary

Applicable Program

Trial Courts

Indirect Expenditure Name

Defensive Driving Course Completion Credit
against Fines

Legislative Finance Analysis per AS 24.20.235**(4) Should it be continued, modified or terminated?**

Recommend continue - the program is intended to improve public safety, not to generate revenue. The significant drop in revenue impact is due to a change in how these cases are processed.

Judiciary

Applicable Program

Trial Courts

Indirect Expenditure Name

Exemption from Payment of Fees due to Determination of Indigency

Department of Revenue Submission per AS 43.05.095

(1) Description of Provision

Allows a judicial officer to use specific guidelines to find a party indigent. In such cases the party is exempt from payment of fees.

(2) Type

Fee/Fine/Cost Dismissal or Credit

(3) Authorizing Statute, Regulation or Other Authority

Administrative Rules of Court, Sections 9 & 10

(4) Year Enacted

1980

(5) Sunset or Repeal Date

None

(6) Legislative Intent

Legislative intent not applicable as provision is Court ordered

(7) Public Purpose

Allows access to court system for disadvantaged individuals

(8) Estimated Revenue Impact

FY 2011 - \$152,613

FY 2012 - \$157,971

FY 2013 - \$200,547

FY 2014 - \$166,712

FY 2015 - \$148,016

(9) Cost to Administer

Not provided.

(10) Number of Beneficiaries / Who Benefits

Not tracked.

Legislative Finance Analysis per AS 24.20.235

(1) Estimate of Annual Revenue Foregone by the State

\$148,016

(2) Estimate of Annual Monetary Benefit to Recipients

Indeterminate

(3) Legislative Intent Met?

n/a

Judiciary

Applicable Program
Trial Courts

Indirect Expenditure Name
Exemption from Payment of Fees due to
Determination of Indigency

Legislative Finance Analysis per AS 24.20.235

(4) Should it be continued, modified or terminated?

Recommend continue - equal protection and access to justice for indigent litigants should continue.

Judiciary

Applicable Program

Trial Courts

Indirect Expenditure Name

Ignition Interlock Device Credit against Fines

Department of Revenue Submission per AS 43.05.095

(1) Description of Provision

Drivers ordered to have an Ignition Interlock Device installed in their vehicle as a consequence of an alcohol-related offense may deduct the cost of said device from their fines.

(2) Type

Fee/Fine/Cost Dismissal or Credit

(3) Authorizing Statute, Regulation or Other Authority

AS 12.55.102

(4) Year Enacted

1989

(5) Sunset or Repeal Date

None

(6) Legislative Intent

Encourage corrective behavior

(7) Public Purpose

Encourage corrective behavior

(8) Estimated Revenue Impact

FY 2011 - \$162,646

FY 2012 - \$439,340

FY 2013 - \$540,853

FY 2014 - \$518,488

FY 2015 - \$501,385

(9) Cost to Administer

Not provided.

(10) Number of Beneficiaries / Who Benefits

Not tracked.

Legislative Finance Analysis per AS 24.20.235

(1) Estimate of Annual Revenue Foregone by the State

\$501,385

(2) Estimate of Annual Monetary Benefit to Recipients

Indeterminate

(3) Legislative Intent Met?

Yes

(4) Should it be Continued, Modified or Terminated?

Recommend continue - the program is intended to improve public safety, not to generate revenue.

Judiciary

Applicable Program

Trial Courts

Indirect Expenditure Name

State of Alaska Agencies Exempt from Filing,
Copy and Certifying Fees

Department of Revenue Submission per AS 43.05.095

(1) Description of Provision

Exempts Alaska state agencies from paying court fees.

(2) Type

Fee/Fine/Cost Dismissal or Credit

(3) Authorizing Statute, Regulation or Other Authority

Administrative Rules of Court, Section 9(f)(1)

(4) Year Enacted

1980

(5) Sunset or Repeal Date

None

(6) Legislative Intent

Legislative intent not applicable as provision is Court ordered

(7) Public Purpose

n/a

(8) Estimated Revenue Impact

FY 2011 - \$76,571

FY 2012 - \$72,396

FY 2013 - \$78,720

FY 2014 - \$87,520

FY 2015 - \$74,735

(9) Cost to Administer

Not provided.

(10) Number of Beneficiaries / Who Benefits

Not tracked.

Legislative Finance Analysis per AS 24.20.235

(1) Estimate of Annual Revenue Foregone by the State

\$74,735

(2) Estimate of Annual Monetary Benefit to Recipients

Indeterminate

(3) Legislative Intent Met?

Yes

(4) Should it be Continued, Modified or Terminated?

Recommend continue

Judiciary

Applicable Program

Trial Courts

Indirect Expenditure Name

Suspended Court Ordered Fines and Surcharges

Department of Revenue Submission per AS 43.05.095
(1) Description of Provision

The court may suspend imposition of sentence and place a defendant on probation when convinced the best interests of the public and the defendant are achieved by doing so.

(2) Type

Fee/Fine/Cost Dismissal or Credit

(3) Authorizing Statute, Regulation or Other Authority

AS 12.55.080

(4) Year Enacted

1962

(5) Sunset or Repeal Date

None

(6) Legislative Intent

Encourage corrective behavior

(7) Public Purpose

Encourage corrective behavior

(8) Estimated Revenue Impact

FY 2011 - \$6,574,688

FY 2012 - \$5,859,923

FY 2013 - \$5,140,190

FY 2014 - \$4,133,960

FY 2015 - \$3,480,910

(9) Cost to Administer

Not provided.

(10) Number of Beneficiaries / Who Benefits

Not tracked.

Legislative Finance Analysis per AS 24.20.235
(1) Estimate of Annual Revenue Foregone by the State

\$3,480,910

(2) Estimate of Annual Monetary Benefit to Recipients

Indeterminate

(3) Legislative Intent Met?

Yes

Judiciary

Applicable Program
Trial Courts

Indirect Expenditure Name
Suspended Court Ordered Fines and
Surcharges

Legislative Finance Analysis per AS 24.20.235

(4) Should it be continued, modified or terminated?

Recommend continue - the intent is to reform defendants, not to generate revenue.