



LAWS OF ALASKA

1996

Source
2d FCCS SB 6

Chapter No.
47

AN ACT

Relating to suspension of a driver's license for failure to appear in court or failure to pay a fine; relating to court and collection costs for traffic offenses; and relating to citations and court procedures for municipal traffic and parking offenses.

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

THE ACT FOLLOWS ON PAGE 1

Approved by the Governor: May 29, 1996
Actual Effective Date: August 27, 1996

AN ACT

1 Relating to suspension of a driver's license for failure to appear in court or failure to pay a
2 fine; relating to court and collection costs for traffic offenses; and relating to citations and
3 court procedures for municipal traffic and parking offenses.

4

5 * **Section 1.** PURPOSE AND INTENT OF SECTION 5. The purpose of sec. 5 of this Act
6 is to create a mechanism to enforce citations issued for offenses involving a moving motor
7 vehicle. It is the intent of the legislature that after a person has made a required court
8 appearance or paid a fine required by the court, any driver's license suspension imposed by
9 the court be terminated as quickly as possible.

10 * **Sec. 2.** AS 12.25.200(b) is amended to read:

11 (b) A citation issued under AS 12.25.180 must indicate

12 (1) the amount of bail or fine applicable to the offense;

13 (2) [,] the procedure a person must follow in responding to the citation;

14 (3) [, AND] that if the person fails to pay the bail or fine the person

15 must appear in court;

1 (4) that failure to pay the bail or fine or appear in court for an
2 offense involving a moving motor vehicle may result in

3 (A) suspension of the person's driver's license, privilege to
4 drive, or privilege to obtain a license; or

5 (B) attachment of the person's permanent fund dividend to
6 pay the fine plus court and collection costs under AS 28.05.155; and

7 (5) [. IN ADDITION, A CITATION MUST INDICATE] that the
8 person has a right to

9 (A) [(1)] a trial;

10 (B) [(2)] engage counsel;

11 (C) [(3)] confront and question witnesses;

12 (D) [(4)] testify; and

13 (E) [(5)] subpoena witnesses on the person's behalf.

14 * Sec. 3. AS 28.01.010 is amended by adding new subsections to read:

15 (h) A municipality may issue a citation for a traffic offense only if the citation
16 complies with the provisions of AS 12.25.200.

17 (i) A municipal parking citation trial or appeal process and fees charged for
18 it must be substantially similar to the applicable trial or appeal process adopted by the
19 Alaska Supreme Court or imposed by law.

20 * Sec. 4. AS 28.05 is amended by adding a new section to read:

21 Sec. 28.05.155. COURT AND COLLECTION COSTS. If a person's
22 permanent fund dividend is attached to pay the bail or fine for an offense involving
23 a moving motor vehicle, the court shall increase the bail or fine of that person by at
24 least

25 (1) \$25 for court costs; and

26 (2) \$10 for collection costs.

27 * Sec. 5. AS 28.15.181 is amended by adding a new subsection to read:

28 (h) The court may suspend the driver's license, privilege to drive, or privilege
29 to obtain a license of a person who fails to appear in court as required by a citation
30 for an offense involving a moving motor vehicle, or who fails to pay a fine as required
31 by the court for an offense involving a moving motor vehicle. If the court suspends

1 a driver's license under this subsection, the court shall also provide notice of the
2 suspension to the department. A suspension imposed under this subsection remains
3 in effect until the person appears in court as required by the citation, or pays the fine
4 as required by the court. When the person appears in court or pays the required fine,
5 the court shall terminate the suspension imposed under this subsection and provide the
6 department and the person with written notice of the termination.