

HOUSE BILL NO. 255

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES OGAN, Kohring, Bunde

Introduced: 3/15/95

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act creating the crime of negligent vehicular homicide."**

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

3 * **Section 1.** AS 09.55.580(f) is amended to read:

4 (f) A person whose act or omission constitutes the felonious killing of another
5 person may not recover damages for the death of that person either directly or as a
6 personal representative of that person's estate. In this subsection, a "felonious killing"
7 means a crime defined by AS 11.41.100 - 11.41.140, **other than AS 11.41.133.**

8 * **Sec. 2.** AS 11.41 is amended by adding a new section to read:

9 Sec. 11.41.133. NEGLIGENT VEHICULAR HOMICIDE. (a) A person
10 commits the crime of negligent vehicular homicide if, with negligence, the person
11 operates a propelled vehicle in a manner that causes the death of another person.

12 (b) In this section, a person acts with "negligence" when the person fails to
13 perceive an unjustifiable risk of harm to a person; the risk must be of such a nature
14 and degree that the failure to perceive it constitutes a deviation from the standard of
15 care that a reasonable person would observe in the situation.

1 (c) Negligent vehicular homicide is a class A misdemeanor.

2 * **Sec. 3.** AS 13.11.305(g) is amended to read:

3 (g) In this section, a "felonious killing" means a crime defined under

4 AS 11.41.100 - 11.41.140, **other than AS 11.41.133.**