

**CS FOR HOUSE BILL NO. 361(TRA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE TRANSPORTATION COMMITTEE

Offered: 2/20/98

Referred: Rules

Sponsor(s): REPRESENTATIVE MASEK

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to private maintenance of state highways."**

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

3 \* **Section 1.** AS 19.10 is amended by adding a new section to read:

4           **Sec. 19.10.095. Private maintenance of state highways.** A person who  
5 undertakes to maintain a state highway that the department normally maintains but has  
6 determined not to maintain during the winter shall, to the extent feasible, provide for  
7 two lanes of travel or, if two lanes are not feasible, pull-outs at regular intervals to aid  
8 the flow of two-way traffic and for parking areas at regular intervals to allow public  
9 access to public lands adjacent to the highway. A person who undertakes to maintain  
10 a highway that is not maintained by the department shall obtain written approval from  
11 the department and may not recover compensation from the state or the public for the  
12 costs that the person incurs in maintaining a highway. A person may not recover civil  
13 damages from the state for personal injury, death, or property damage resulting from  
14 the private maintenance of a highway that the department has determined not to  
15 maintain during the winter.