

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 68

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE ROKEBERG

Introduced: 3/19/01

Referred: Transportation, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to civil liability for transporting an intoxicated person or for driving an**
2 **intoxicated person's motor vehicle; and providing for an effective date."**

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

4 * **Section 1.** AS 09.65 is amended by adding a new section to read:

5 **Sec. 09.65.280. Damages resulting from transportation of an intoxicated**
6 **person or damage to an intoxicated person's motor vehicle.** (a) An intoxicated
7 person who is being transported in a taxicab and who suffers personal injury or death
8 during the transport may not bring a civil action to recover damages from the owner or
9 driver of the taxicab if the owner or driver is acting in good faith.

10 (b) The owner of a motor vehicle may not bring a civil action to recover for
11 damage to the motor vehicle if the motor vehicle damage occurred when the motor
12 vehicle was being driven

13 (1) to the owner's residence at the request of the owner or a law
14 enforcement officer; and

1 (2) by another person because the owner was intoxicated.

2 (c) This section does not preclude liability for civil damages as a result of
3 gross negligence or reckless or intentional misconduct.

4 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
5 read:

6 **APPLICABILITY.** This Act applies to a civil action that accrues on or after the
7 effective date of this Act.

8 * **Sec. 3.** This Act takes effect July 1, 2001.