

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 68(TRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE HOUSE TRANSPORTATION COMMITTEE

Offered: 3/30/01

Referred: Judiciary

Sponsor(s): REPRESENTATIVE ROKEBERG

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, who is not paying for the transportation,
8 and who suffers personal injury or death during the transport may not bring a civil
9 action to recover damages from the owner or driver of the taxicab if the owner or
10 driver is acting in good faith.

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

14 (1) to the owner's residence at the request of the owner or a law

1 enforcement officer; and

2 (2) by an owner or employee of a taxicab business because the motor
3 vehicle owner was intoxicated.

4 (c) A person may not bring a civil action against an owner or employee of a
5 taxicab business to recover for personal injury, death, or property damage if the
6 personal injury, death, or property damage resulted from a motor vehicle accident and
7 the accident involved a motor vehicle being driven

8 (1) by the owner or an employee of a taxicab business, but the motor
9 vehicle driven by the owner or employee of the taxicab business is not owned by the
10 owner or employee of the taxicab business;

11 (2) to the motor vehicle owner's residence at the request of the motor
12 vehicle owner or a law enforcement officer; and

13 (3) by the owner or employee of a taxicab business because the motor
14 vehicle owner or operator was intoxicated.

15 (d) This section does not preclude liability for civil damages as a result of
16 gross negligence or reckless or intentional misconduct.

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

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

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