

HOUSE BILL NO. 329

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE BY REQUEST

Introduced: 1/16/02

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring that a chemical test be administered to determine the presence of**
2 **alcohol or a controlled substance after the commission of an offense while operating a**
3 **motor vehicle, aircraft, or watercraft."**

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

5 * **Section 1.** AS 28.35.035(a) is amended to read

6 (a) If a person is under arrest for an offense arising out of acts alleged to have
7 been committed while the person was operating a motor vehicle, aircraft, or watercraft
8 [WHILE INTOXICATED], and that arrest results from an accident that causes death
9 or physical injury to another person, a chemical test **shall** [MAY] be administered
10 [WITHOUT THE CONSENT OF THE PERSON ARRESTED] to determine the
11 amount of alcohol in that person's breath or blood or to determine the presence of
12 controlled substances in that person's blood and urine.