

**CS FOR HOUSE BILL NO. 267(TRA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

**BY THE HOUSE TRANSPORTATION COMMITTEE**

**Offered: 3/26/10**

**Referred: Resources**

**Sponsor(s): REPRESENTATIVES KELLY AND NEUMAN, Tammie Wilson**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to travel by snow machine within five miles of the right-of-way of the**  
2 **James Dalton Highway; and providing for an effective date."**

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

4 **\* Section 1.** AS 19.40.210 is amended to read:

5 **Sec. 19.40.210. Prohibition of off-road vehicles.** Off-road vehicles are  
6 prohibited on land within five miles of the right-of-way of the highway. However, this  
7 prohibition does not apply to

8 (1) off-road vehicles necessary for oil and gas exploration,  
9 development, production, or transportation;

10 (2) a person who holds a mining claim in the vicinity of the highway  
11 and who must use land within five miles of the right-of-way of the highway to gain  
12 access to the mining claim; or

13 (3) the use of a snow machine to travel south of highway milepost  
14 176 between October 1 and April 30 across the highway and on or across the

1        **highway** corridor [FROM LAND OUTSIDE THE CORRIDOR TO ACCESS LAND  
 2        OUTSIDE THE OTHER SIDE OF THE CORRIDOR; THIS PARAGRAPH DOES  
 3        NOT PERMIT THE USE OF A SNOW MACHINE FOR ANY PURPOSE WITHIN  
 4        THE CORRIDOR IF THE USE BEGINS OR ENDS WITHIN THE CORRIDOR OR  
 5        WITHIN THE RIGHT-OF-WAY OF THE HIGHWAY OR IF THE USE IS FOR  
 6        TRAVEL WITHIN THE CORRIDOR THAT IS PARALLEL TO THE RIGHT-OF-  
 7        WAY OF THE HIGHWAY]; in this paragraph, "highway corridor" means land within  
 8        five miles of the right-of-way of the highway.

9        \* **Sec. 2.** AS 19.40.210, as amended by sec. 1 of this Act, is amended to read:

10        **Sec. 19.40.210. Prohibition of off-road vehicles.** Off-road vehicles are  
 11        prohibited on land within five miles of the right-of-way of the highway. However, this  
 12        prohibition does not apply to

13                (1) off-road vehicles necessary for oil and gas exploration,  
 14        development, production, or transportation;

15                (2) a person who holds a mining claim in the vicinity of the highway  
 16        and who must use land within five miles of the right-of-way of the highway to gain  
 17        access to the mining claim; or

18                (3) the use of a snow machine to travel [SOUTH OF MILEPOST 176  
 19        BETWEEN OCTOBER 1 AND APRIL 30] across the highway **corridor from land**  
 20        **outside the corridor to access land outside the other side of the corridor; this**  
 21        **paragraph does not permit the use of a snow machine for any purpose within the**  
 22        **corridor if the use begins or ends within the corridor or within the right-of-way**  
 23        **of the highway or if the use is for travel within the corridor that is parallel to the**  
 24        **right-of-way of the highway;** [AND ON OR ACROSS THE HIGHWAY  
 25        CORRIDOR] in this paragraph, "highway corridor" means land within five miles of  
 26        the right-of-way of the highway.

27        \* **Sec. 3.** AS 19.40.210 is amended by adding new subsections to read:

28                (b) A person using a snow machine as allowed under (a)(3) of this section is  
 29        required annually to obtain a permit from the department. The department shall issue a  
 30        permit at no fee to any person requesting one and shall keep an accurate count of the  
 31        number of permits issued.

1                   (c) A person using a snow machine as allowed under (a)(3) of this section  
2                   without a permit is guilty of a violation and upon conviction is punishable by a fine of  
3                   not more than \$375.

4                   \* **Sec. 4.** AS 19.40.210(b) and 19.40.210(c), as enacted by sec. 3 of this Act, are repealed on  
5                   May 1, 2012.

6                   \* **Sec. 5.** Section 2 of this Act takes effect May 1, 2012.