

AMENDMENT [#]33

OFFERED IN THE HOUSE

BY REPRESENTATIVE REINBOLD

TO: HCS CSSB 54(FIN)

1 Page 25, following line 6:

2 Insert new bill sections to read:

3 **** Sec. 39.** AS 28.15.291(a) is repealed and reenacted to read:

4 (a) A person is guilty of a class A misdemeanor if the person

5 (1) drives a motor vehicle on a highway or vehicular way or area at a
6 time when that person's driver's license, privilege to drive, or privilege to obtain a
7 license has been canceled, suspended, or revoked in this or another jurisdiction; or

8 (2) drives in violation of a limitation placed on that person's license or
9 privilege to drive in this or another jurisdiction.

10 *** Sec. 40.** AS 28.15.291(b) is repealed and reenacted to read:

11 (b) Upon conviction under (a) of this section, the court

12 (1) shall impose a minimum sentence of imprisonment

13 (A) if the person has not been previously convicted, of not less
14 than 10 days with 10 days suspended, including a mandatory condition of
15 probation that the defendant complete not less than 80 hours of community
16 work service;

17 (B) if the person has been previously convicted, of not less than
18 10 days;

19 (C) if the person's driver's license, privilege to drive, or
20 privilege to obtain a license was revoked under circumstances described in
21 AS 28.15.181(c)(1), if the person was driving in violation of a limited license
22 issued under AS 28.15.201(d) following that revocation, or if the person was
23 driving in violation of an ignition interlock device requirement following that

1 revocation, of not less than 20 days with 10 days suspended, and a fine of not
2 less than \$500, including a mandatory condition of probation that the
3 defendant complete not less than 80 hours of community work service;

4 (D) if the person's driver's license, privilege to drive, or
5 privilege to obtain a license was revoked under circumstances described in
6 AS 28.15.181(c)(2), (3), or (4), if the person was driving in violation of a
7 limited license issued under AS 28.15.201(d) following that revocation, or if
8 the person was driving in violation of an ignition interlock device requirement
9 following that revocation, of not less than 30 days and a fine of not less than
10 \$1,000;

11 (2) may impose additional conditions of probation;

12 (3) may not

13 (A) suspend execution of sentence or grant probation except on
14 condition that the person serve a minimum term of imprisonment and perform
15 required community work service as provided in (1) of this subsection;

16 (B) suspend imposition of sentence;

17 (4) shall revoke the person's license, privilege to drive, or privilege to
18 obtain a license, and the person may not be issued a new license or a limited license
19 nor may the privilege to drive or obtain a license be restored for an additional period
20 of not less than 90 days after the date that the person would have been entitled to
21 restoration of driving privileges; and

22 (5) may order that the motor vehicle that was used in commission of
23 the offense be forfeited under AS 28.35.036."
24

25 Renumber the following bill sections accordingly.

26
27 Page 42, following line 30:

28 Insert new paragraphs to read:

29 "(21) AS 28.15.291(a), as repealed and reenacted by sec. 39 of this Act;

30 (22) AS 28.15.291(b), as repealed and reenacted by sec. 40 of this Act;"
31

1 Renumber the following paragraphs accordingly.

2

3 Page 42, line 31:

4 Delete "sec. 39"

5 Insert "sec. 41"

6

7 Page 43, line 1:

8 Delete "sec. 59"

9 Insert "sec. 61"

10

11 Page 43, line 13:

12 Delete "sec. 49"

13 Insert "sec. 51"

14

15 Page 43, line 14:

16 Delete "sec. 49"

17 Insert "sec. 51"

18

19 Page 43, line 17:

20 Delete "69"

21 Insert "71"

22

23 Page 43, line 20:

24 Delete "Section 69"

25 Insert "Section 71"

26

27 Page 43, line 24:

28 Delete "SEC. 66"

29 Insert "SEC. 68"

30

31 Page 43, line 25:

- 1 Delete "Section 66"
- 2 Insert "Section 68"
- 3
- 4 Page 44, line 4:
 - 5 Delete "41"
 - 6 Insert "43"
 - 7
- 8 Page 44, line 5:
 - 9 Delete "sec. 72"
 - 10 Insert "sec. 74"
 - 11 Delete "sec. 66"
 - 12 Insert "sec. 68"
 - 13
- 14 Page 44, line 7:
 - 15 Delete "Section 40"
 - 16 Insert "Section 42"
 - 17
- 18 Page 44, line 8:
 - 19 Delete "sec. 71(a)"
 - 20 Insert "sec. 73(a)"
 - 21
- 22 Page 44, line 10:
 - 23 Delete "sec. 69"
 - 24 Insert "sec. 71"
 - 25 Delete "sec. 71(b)"
 - 26 Insert "sec. 73(b)"
 - 27
- 28 Page 44, line 12:
 - 29 Delete "Section 68"
 - 30 Insert "Section 70"
 - 31

1 Page 44, line 13:

2 Delete "sec. 76"

3 Insert "sec. 78"

4

5 Page 44, line 15:

6 Delete "secs. 73 - 78"

7 Insert "secs. 75 - 80"