

1 IN THE SENATE

BY SENATOR OWEN

2 SENATE BILL NO. 92

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-THIRD SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the suspension and for-
7 feiture of the motor vehicle operator's
8 license upon conviction of certain crimes,
9 and the offense of driving while under the
10 influence of intoxicating liquor, amending
11 Sections 50-3-2, 50-3-4, ACLA 1949, and
12 Sec. 50-5-3, ACLA 1949, as amended by
13 Ch. 107, SLA 1955."

14 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

15 Section 1. Sec. 50-3-2, ACLA 1949, is hereby amended by add-
16 ing a new subsection (7), to read as follows:

17 (7) Taking a vehicle without the owner's permission as
18 hereinafter defined in Sec. 50-5-1, ACLA 1949, as amended by
19 Chapters 103, SLA 1953 and 42, SLA 1955.

20 Sec. 2. Sec. 50-3-4, ACLA 1949, is hereby amended to read
21 as follows:

22 Sec. 50-3-4. FORFEITURE AND FORWARDING OF LICENSE TO
23 THE DEPARTMENT OF TERRITORIAL POLICE: ~~TAX COMMISSIONER~~
24 CONTEMPT: CHARGE FOR OPERATION WITHOUT A LICENSE. Whenever
25 the vehicle operator's license of any person, including
26 juveniles, is suspended by the Court for any violation, the
27 judge passing such sentence shall forthwith secure the im-
28 mediate forfeiture of the vehicle operator's license of such
29 convicted person and immediately forward such vehicle

1 operator's license to the Department of Territorial Police
2 TAKE COMMISSIONER, with written notification of the length
3 of such suspension, and on failure of such convicted person
4 to deliver up such vehicle operator's license the judge shall
5 forthwith cause COMMIT such person to be cited for contempt
6 of court. PROVIDED, IN

7 In the event such CONVICTED person SHALL SHOW THAT
8 HE does not, and at the time of the offense did not, have a
9 current and valid vehicle operator's license, then the JUDGE
10 SHALL CAUSE SUCH person shall also TO be charged with the
11 operation of a motor vehicle without a current and valid
12 vehicle operator's license.

13 Upon conviction thereof, the judge shall suspend the
14 right of such person to obtain a motor vehicle operator's
15 license for a period not to exceed two years.

16 Sec. 3. Sec. 50-5-3, ACLA 1949, as amended by Ch. 107,
17 SLA 1955, is hereby amended to read as follows;

18 Sec. 50-5-3. DRIVING WHILE UNDER THE INFLUENCE OF
19 INTOXICATING LIQUOR OR DRUGS: MANDATORY FORFEITURE OF LICENSE
20 FOR SECOND OR SUBSEQUENT OFFENSE. Any person who, while
21 under the influence of intoxicating liquor or narcotic drugs,
22 operates or drives any automobile, motorcycle or other motor
23 vehicle upon any public street or highway in Alaska, shall,
24 upon conviction thereof, be punished by a fine of not more
25 than One Thousand Dollars, or by imprisonment for a period
26 of not more than one year, or by both such fine and
27 imprisonment.

28 Any person who is convicted on or after July 1, 1957,
29 of the offense of driving while under the influence of in-

1 toxicating liquor or narcotic drugs in the Territory of
2 Alaska, and who, within three years immediately preceding
3 such conviction, has been previously convicted under any
4 state or territorial law for the criminal offense of driving
5 while under the influence of intoxicating liquors or drugs,
6 shall be denied the right to obtain a license to operate a
7 motor vehicle for a period of three years from the date of
8 his conviction hereunder, and this shall be in addition to
9 any other punishment fixed by the court /UPON CONVICTION
10 FOR A SECOND OR SUBSEQUENT OFFENSE IN VIOLATION OF THIS
11 SECTION, THE OFFENDER'S LICENSE, AND HIS RIGHT TO OBTAIN A
12 LICENSE, TO OPERATE A MOTOR VEHICLE SHALL BE SUSPENDED, IN
13 ACCORDANCE WITH THE PROVISIONS OF SECTION 50-3-2 ACLA 1949,
14 FOR A PERIOD OF THREE YEARS, AND THIS SHALL BE IN ADDITION
15 TO ANY OTHER PUNISHMENT FIXED BY THE COURT7.
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