

BY MESSRS. STRATTON,  
SANDERS AND GARRISON

1 IN THE HOUSE

2

HOUSE BILL NO. 395

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SECOND LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act increasing the penalty for driving  
7 a vehicle without the owner's consent and  
8 providing for a civil action for damages  
9 in certain cases."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 Section 1. Sec. 50-5-1(a), ACLA 1949, as last amended by  
12 Ch. 42, SLA 1955, is amended to read:

13 (a) (1) Any person who drives, tows away, or otherwise  
14 takes a vehicle not his own without the consent of the  
15 owner, with intent temporarily to deprive the owner of his  
16 possession of the [SUCH] vehicle, or any person who is a  
17 party or accessory to or an accomplice in any such driving  
18 or unauthorized taking is guilty of a felony [MISDEMEANOR],  
19 and upon conviction shall be punished by imprisonment  
20 for not more than two [ONE] years, or by a fine of not  
21 more than \$2,000 [\$1,000.00], or by both [SUCH] fine and  
22 imprisonment. The consent of the owner of a vehicle to  
23 its driving, towing away, or otherwise taking shall not  
24 in any case be presumed or implied because of the [SUCH]  
25 owner's consent on a previous occasion or occasions to the  
26 driving, towing away or otherwise taking of the [SUCH]  
27 vehicle by the same or a different person.

28 (2) If an unemancipated minor violates subsection

29 (a) (1) of this section, the owner of the vehicle is

1 entitled to recover, in a civil action, damages and court  
2 costs resulting from the violation, from either or both  
3 parents or from the guardian or legal custodian of the  
4 minor. A state agency or its agent, including a person  
5 working in or responsible for the operation of a foster,  
6 receiving or detention home or children's institution, is  
7 not liable for a minor's violation of subsection (a) (1)  
8 of this section. A parent whose parental rights over and  
9 responsibilities for a minor have been terminated by court  
10 order is not liable under this subdivision for the minor's  
11 violations of subsection (a) (1) of this section after the  
12 court order is effective.  
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