

Original Sponsor: Judiciary Committee

1 IN THE SENATE BY THE HOUSE JUDICIARY COMMITTEE
2 HOUSE CS FOR SENATE BILL NO. 138
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRD LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the fraudulent obtaining
7 or wrongful withholding of a rental motor
8 vehicle."

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

10 * Section 1. AS 28.35 is amended by adding new sections to
11 read:

12 Sec. 28.35.025. OBTAINING RENTAL VEHICLE WITH INTENT
13 TO DEFRAUD. (a) A person who, with intent to defraud, ob-
14 tains possession of a motor vehicle from its owner or a per-
15 son who has possession of the vehicle with the owner's
16 consent, by agreeing in writing to pay a rental for use of
17 the vehicle based in whole or in part on the length of time
18 and distance the vehicle is driven, upon conviction, is
19 punishable by imprisonment for not more than five years, or
20 by a fine of not more than \$1,000, or by both.

21 (b) Obtaining possession of the vehicle by means of
22 trick, false or fraudulent representations or false persona-
23 tion of another or by giving a bad or worthless check as a
24 deposit or for rental in connection with obtaining posses-
25 sion of the vehicle is prima facie evidence of a violation
26 of (a) of this section.

27 Sec. 28.35.026. FAILURE TO RETURN RENTED VEHICLE. (a)
28 A person in possession of a motor vehicle under an agreement
29 in writing which requires him to return the vehicle to a

1 particular place or at a particular time who refuses or
2 wilfully neglects to return it to the place and at the time
3 specified in the agreement in writing, or who secretes,
4 converts, sells or attempts to sell the vehicle or any part
5 of it is, upon conviction, punishable by imprisonment for
6 not more than five years, or by a fine of not more than
7 \$1,000, or by both.

8 (b) As used in this section, "wilfully neglects" means
9 omits, fails, or forbears, with a conscious purpose to injure,
10 or without regard for the rights of the owner, or with in-
11 difference whether a wrong is done the owner or not.

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