

BY MESSRS. RAY, BOARDMAN, BRADY,
CHRISTIANSEN, DITMAN, HAUGEN,
HILLSTRAND, JOHNSON, KERTTULA,
LEFEVRE, MCCOMBE, METCALF, MOSES,
ORBECK, PLOTNICK, POLAND, RADER,
SEE, STRANDBERG AND TILLION

1 IN THE HOUSE

2 HOUSE BILL NO. 179

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the driving or taking of
7 a vehicle, watercraft, or aircraft without
8 the owner's consent."

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

10 * Section 1. AS 11.20 is amended by adding new sections to
11 read:

12 Sec. 11.20.145[✓]. DRIVING OR TAKING VEHICLE, WATERCRAFT,
13 OR AIRCRAFT WITHOUT THE OWNER'S CONSENT. (a) A person who
14 drives, tows away, or takes a vehicle, watercraft, or aircraft
15 not his own without the consent of the owner, with intent
16 temporarily to deprive the owner of possession of the vehicle,
17 watercraft or aircraft, or who is a party or accessory to or
18 an accomplice in the unauthorized driving, towing, or taking
19 of a vehicle, watercraft, or aircraft, is guilty of a mis-
20 demeanor and upon conviction is punishable by imprisonment
21 for not more than one year, or by a fine of not more than
22 \$1,000, or both. The consent of the owner of a vehicle,
23 watercraft, or aircraft to its driving, towing away, or
24 taking is not presumed or implied if the owner consented on
25 previous occasions to the driving, towing away or taking of
26 the vehicle, watercraft or aircraft by the same or a different
27 person.

28 (b) As used in (a) of this section, unless context
29 otherwise requires

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

(1) "vehicle" means a device in, upon or by which a person or property is or may be transported or drawn upon land, except a device moved by human power.

(2) "watercraft" means and includes any device upon or by which a person or property is or may be transported or drawn upon water.

(3) "aircraft" means a device which was designed and meant to be used for the transportation of person or property above the surface of the earth or water.

(4) "person" does not include a United States marshal or his deputy, a state policeman, or any other peace officer who drives, tows away, or otherwise takes a vehicle, watercraft, or aircraft with authority under law to do so.

Sec. 11.20.146, CONVICTION IN LARCENY PROSECUTION. In a criminal prosecution for larceny, if the facts do not warrant a conviction of the defendant for larceny, he may, nevertheless, be convicted of a violation of sec. 145 of this chapter if the facts so warrant.

* Sec. 2. The following laws are repealed: AS 28.35.010 and AS 28.35.020.