

Original Sponsor: Rules Committee

Offered: 3/25/65  
Referred: Rules

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE

2 SENATE CS FOR 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 an 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 WATERCRAFT OR AIR-  
13 CRAFT WITHOUT THE OWNER'S CONSENT. (a) A person who drives,  
14 tows away, or takes a watercraft or an aircraft not his own  
15 without the consent of the owner, with intent temporarily to  
16 deprive the owner of possession of the watercraft or aircraft  
17 or a person who is a party or accessory to or an accomplice  
18 in the unauthorized driving, towing, or taking, is guilty of  
19 a misdemeanor, and upon conviction is punishable by imprison-  
20 ment for not more than one year, or by a fine of not more  
21 than \$1,000, or by both. The consent of the owner of a  
22 watercraft or an aircraft to its driving, towing away, or  
23 taking shall not be presumed or implied because of the owner's  
24 consent on previous occasions to the driving, towing away or  
25 taking of the watercraft or aircraft by the same or a differ-  
26 ent person.

27 (b) When a minor is accused of violations under this  
28 section he may be charged, prosecuted and sentenced in the  
29 same manner as an adult, except that a parent, guardian or

1 legal custodian shall be present at all proceedings against  
2 the minor.

3 (c) In this section

4 (1) "watercraft" means and includes any device  
5 upon or by which a person or property is or may be transport-  
6 ed or drawn upon water;

7 (2) "aircraft" means a device which was designed  
8 and meant to be used for the transportation of person or  
9 property above the surface of the earth or water;

10 (3) "person" does not include a United States  
11 marshal or his deputy, a state policeman, or any other peace  
12 officer who drives, tows away, or otherwise takes a water-  
13 craft or an aircraft with authority under law to do so.

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

19 \* Sec. 2. AS 28.35.010 is amended by adding a new paragraph to  
20 read:

21 (d) When a minor is accused of violations under this  
22 section he may be charged, prosecuted and sentenced in the  
23 same manner as an adult, except that a parent, guardian or  
24 legal custodian shall be present at all proceedings against  
25 the minor.

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