

Introduced: 2/25/65
Referred: Judiciary

1 IN THE HOUSE

BY THE RULES COMMITTEE

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 watercraft or an aircraft without the
8 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
14 drives, tows away, or takes a watercraft or an aircraft not
15 his own without the consent of the owner, with intent tempo-
16 rarily to deprive the owner of possession of the watercraft
17 or aircraft, or who is a party or accessory to or an accom-
18 plice in the unauthorized driving, towing, or taking of a
19 watercraft or an aircraft, is guilty of a misdemeanor and
20 upon conviction is punishable by imprisonment for not more
21 than one year, or by a fine of not more than \$1,000, or both.
22 The consent of the owner of a watercraft or an aircraft to
23 its driving, towing away, or taking is not presumed or implied
24 if the owner consented on previous occasions to the driving,
25 towing away or taking of the watercraft or aircraft by the
26 same or a different person.

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

29 (1) "watercraft" means and includes any device

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

upon or by which a person or property is or may be transported or drawn upon water;

(2) "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;

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

L