

Introduced: 2/14/69  
Referred: Health, Welfare  
and Education and Judiciary

1 IN THE HOUSE

BY KAY

2 HOUSE BILL NO. 155

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to refusal to take chemical tests to  
7 determine alcohol content in the blood."

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

9 \* Section 1. AS 28.15.210(a) is amended by adding a new paragraph to  
10 read:

11 (5) refusal of an operator to submit to a chemical test of  
12 his breath, blood, urine or saliva for purposes of determining the  
13 alcohol content of his blood as provided for in AS 28.35.035.

14 \* Sec. 2. AS 28.35 is amended by adding a new section to read:

15 Sec. 28.35.035. CHEMICAL TESTS. (a) A person who operates an  
16 automobile, motorcycle or other motor vehicle in the state is considered  
17 to have given his consent to a chemical test of his breath, blood, urine  
18 or saliva for the purpose of determining the alcohol content of his  
19 blood; provided that the test is administered at the direction of a  
20 police officer having reasonable grounds to believe the person to have  
21 been operating a motor vehicle while under the influence of intoxicating  
22 liquor. If a person suspected of operating a motor vehicle while under  
23 the influence of intoxicating liquor is requested to submit to a  
24 chemical test and he refuses, his driver's license and his privilege to  
25 operate a motor vehicle in the state shall be immediately revoked for a  
26 period of one year.

27 (b) A person whose license is revoked under this section may appeal  
28 in accordance with the Administrative Procedure Act (AS 44.62).

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