

Introduced: 1/16/76  
Referred: Judiciary and  
Finance

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 598

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to tort claims against the State of  
7 Alaska arising out of motor vehicle accidents; and  
8 providing for an effective date."

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

10 \* Section 1. AS 09.50.250 is amended by adding a new paragraph to read:

11 (4) arises out of a motor vehicle accident and is based  
12 upon

13 (A) negligent design of a state highway including the  
14 placement of warning or safety signs or markings along the highway;  
15 or

16 (B) negligent maintenance of a highway unless  
17 (i) an employee of the state who had the responsi-  
18 bility for road maintenance at the place of the accident  
19 received actual notice of a dangerous road condition which  
20 required maintenance at the place of the accident;

21 (ii) a reasonable man under similar circumstances  
22 would have taken steps to correct the dangerous condition of  
23 the highway at the place of the accident;

24 (iii) there was adequate opportunity for the  
25 state to render the maintenance service, considering the  
26 length of time in which the state had actual notice,  
27 and the personnel and equipment capabilities of the state  
28 for the area in which the accident occurred; and

29 (iv) the dangerous condition of the road was a

1                   substantial contributing cause of the accident.

2           \* Sec. 2. This Act takes effect immediately in accordance with AS  
3 01.10.070(c) and applies to all legal actions filed after the effective  
4 date of this Act.  
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