

Introduced: 1/28/77
Referred: Judiciary

1 IN THE HOUSE

BY MEEKINS, DANKWORTH AND
SWANSON

2 CS HOUSE BILL NO. 127

3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to penalties for driving while intoxi-
7 cated."

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

9 * Section 1. AS 28.35.030 is amended to read:

10 Sec. 28.35.030. DRIVING WHILE UNDER THE INFLUENCE OF INTOXICATING
11 LIQUOR OR DRUGS. A person who, while under the influence of intoxica-
12 ting liquor, depressant, hallucinogenic or stimulant drugs or narcotic
13 drugs as defined in AS 17.10.230(13) and AS 17.12.150(3) operates or
14 drives an automobile, motorcycle or other motor vehicle in the state,
15 upon conviction, is punishable by a fine of not more than \$1,000, or by
16 imprisonment for not more than one year, or by both and [. UPON A
17 SECOND CONVICTION WITHIN FIVE YEARS AFTER A FIRST CONVICTION UNDER THIS
18 SECTION,] the court shall impose a minimum sentence of imprisonment of
19 not less than three days. Upon a subsequent conviction within five
20 years after a [SECOND] conviction under this section, the court shall
21 impose a minimum sentence of imprisonment of not less than 10 days. The
22 execution of sentence may not be suspended nor may probation or parole
23 be granted until the minimum imprisonment provided in this section has
24 been served, nor may imposition of sentence be suspended, except upon
25 the condition that the defendant be imprisoned for no less than the
26 minimum period provided in this section, nor may the punishment provided
27 for in this section be reduced under AS 11.05.150. In addition, his
28 operator's license shall be revoked in accordance with AS 28.15.210(c).

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