

Original sponsors: Meekins, Dankworth  
and Swanson

Offered: 2/9/77  
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR 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 consecutive days. Upon a subsequent conviction  
20 within five years after a [SECOND] conviction under this section, the  
21 court shall impose a minimum sentence of imprisonment of not less than  
22 10 consecutive days. The execution of sentence may not be suspended nor  
23 may probation or parole be granted until the minimum imprisonment pro-  
24 vided in this section has been served, nor may imposition of sentence be  
25 suspended, except upon the condition that the defendant be imprisoned  
26 for no less than the minimum period provided in this section, nor may  
27 the punishment provided for in this section be reduced under AS 11.05.-  
28 150. In addition, his operator's license shall be revoked in accordance  
29 with AS 28.15.210(c).