

Original sponsors: Croft, Tillion
and Colletta

Offered: 3/10/78
Referred: Rules

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE BILL NO. 38

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to driving under the influence of
7 intoxicating liquor or drugs."

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 intoxi-
12 cating 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. Upon a second
17 conviction within five years after a first conviction under this section,
18 the court shall impose a minimum sentence of imprisonment of not less
19 than five [THREE] days. Upon a third or subsequent conviction within
20 five 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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