

Introduced: 4/19/79
Referred: Commerce

1 IN THE HOUSE

BY METCALFE

2 HOUSE BILL NO. 470

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to speed limits."

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

8 * Section 1. AS 28.15.191(a) is amended to read:

9 (a) A court which convicts a person of an offense under this title
10 or a regulation adopted under this title, or another law or regulation
11 of this state, or a municipal ordinance which regulates the driving of
12 vehicles, shall forward a record of the conviction to the department. A
13 conviction of a standing or parking offense need not be reported. A
14 conviction of a violation of a regulation or ordinance prescribing a
15 maximum speed of 55 miles per hour for driving a motor vehicle may not
16 be reported unless the speed of the vehicle was 20 miles per hour or
17 more over the limit on a paved highway of four lanes or more or 10 miles
18 per hour or more over the limit on any other road or street.

19 * Sec. 2. AS 28.15.221(a) is amended to read:

20 (a) For the purpose of identifying habitually reckless or negli-
21 gent drivers and habitual or frequent violators of traffic laws, the
22 commissioner shall adopt regulations establishing a uniform system for
23 the suspension, revocation, limitation or denial of a driver's license
24 or driving privilege by assigning demerit points for convictions for
25 violations of traffic laws which are required to be reported to the
26 department under AS 28.15.191. The regulations shall assign the follow-
27 ing number of points for a violation, required to be reported under
28 AS 28.15.191, of a regulation or ordinance which prescribes a maximum
29 speed of 55 miles per hour for driving a motor vehicle:

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(1) on a paved highway of four lanes or more:

(A) 20 - 29 miles per hour over the limit - 2 points;

(B) 30 - 39 miles per hour over the limit - 4 points;

(C) 40 or more miles per hour over the limit - 6 points;

(2) on any other road or street:

(A) 10 - 19 miles per hour over the limit - 2 points;

(B) 20 - 29 miles per hour over the limit - 4 points;

(C) 30 or more miles per hour over the limit - 6 points.

* Sec. 3. AS 28.35.230(d) is amended to read:

(d) An infraction, as provided [FOR] in [(c) OF] this section, is not considered a criminal offense and may not result in imprisonment, nor is a fine imposed for the commission of an infraction considered a penal or criminal punishment; nor may the commission of a single infraction result in the loss of a driver's license or privilege to drive in this state except as may result from the accumulation of points under AS 28.15.221 - 28.15.261 [28.15.282 - 28.15.288], or the registration of vehicles; nor does a person cited with an infraction have a right to trial by jury or to court-appointed counsel.

* Sec. 4. AS 28.35.230 is amended by adding a new subsection to read:

(f) A person who violates a regulation or municipal ordinance prescribing a maximum speed of 55 miles per hour for driving a motor vehicle is guilty of an infraction which is punishable only by a \$5 fine if the speed of the vehicle was less than 20 miles per hour over the limit on a paved highway of four lanes or more or less than 10 miles per hour over the limit on any other road or street. Bail for the infraction described in this subsection is \$5. A person cited for the infraction described in this subsection may elect to pay the bail to the person issuing the citation at the time it is issued. The infraction described in this subsection may not be charged against the driver's

1 record of the person convicted of it. An insurance company may not
2 refuse to insure a person or charge a higher premium to him because of
3 conviction of the infraction described in this subsection.
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