

1 IN THE HOUSE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2

HOUSE BILL NO. 256

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to driving motor vehicles in the
7 vicinity of the James Dalton Highway; providing
8 penalties for violations of motor vehicle laws; and
9 providing for an effective date."

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

11 * Section 1. AS 19.40.210 is amended to read:

12 Sec. 19.40.210. PROHIBITION OF MOTOR [OFF-ROAD] VEHICLES. A
13 person may not drive a motor vehicle, as defined in AS 28.40.100,
14 [OFF-ROAD VEHICLES ARE PROHIBITED] on land within five miles of the
15 [RIGHT-OF-WAY OF THE] highway. However, this prohibition does not
16 apply to

17 (1) motor [OFF-ROAD] vehicles necessary for oil and gas
18 exploration, development, production, or transportation;

19 (2) [OR TO] a person who holds an interest in land [A
20 MINING CLAIM] in the vicinity of the highway and who must use land
21 within five miles of the [RIGHT-OF-WAY OF THE] highway to gain access
22 to that person's interest in land [THE MINING CLAIM]; or

23 (3) motor vehicle use on another highway, road, easement,
24 or other valid right-of-way on land within five miles of the James
25 Dalton Highway.

26 * Sec. 2. AS 19.40.210 is amended by adding new subsections to read:

27 (b) Violation of this section is a strict liability offense.
28 Except as provided in (c) of this section, a person who violates this
29 section is guilty of a violation as defined in AS 11.81.900, and is

1 punishable under AS 12.55.035.

2 (c) A person who, with criminal negligence, violates this sec-
3 tion is guilty of a class B misdemeanor.

4 * Sec. 3. AS 19.45.002 is amended to read:

5 Sec. 19.45.002. PENALTIES. (a) A person who violates any
6 provision of AS 19.05 -- AS 19.25, or a regulation adopted under
7 AS 19.05 -- AS 19.25, is guilty of a class B misdemeanor [AND UPON
8 CONVICTION IS PUNISHABLE BY A FINE OF NOT LESS THAN \$10 NOR MORE THAN
9 \$500, OR BY IMPRISONMENT IN JAIL FOR A PERIOD NOT TO EXCEED ONE YEAR,
10 OR BY BOTH].

11 (b) Notwithstanding the maximum fine provided under (a) of this
12 section, overweight penalties, for the violation of regulations or
13 special permits issued governing vehicle weight limits, shall be
14 imposed at the rate of five cents for each pound of weight over the
15 authorized weight limit for that vehicle.

16 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).