

Introduced: 1/19/87
Referred: State Affairs and
Transportation

5-0137A

1 IN THE SENATE BY ABOOD
2 SENATE BILL NO. 3
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 motor vehicle registration and
7 registration plates."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 28.10.181 is amended by adding a new subsection to
10 read:
11 (n) Vehicles used in certain driving offenses. The department
12 shall design special registration plates, numbered in a separate
13 numerical series, for issuance under this subsection. The department
14 may, upon proper application, issue temporary registration and special
15 registration plates designed under this subsection to a vehicle owner.
16 The owner shall return the special registration plates to the depart-
17 ment following expiration of the temporary registration or transfer of
18 ownership of the vehicle.
19 * Sec. 2. AS 28.35 is amended by adding a new section to art. 2 to
20 read:
21 Sec. 28.35.039. FORFEITURE OF MOTOR VEHICLE REGISTRATION AND
22 LICENSE PLATES. (a) In addition to any other penalty provided by
23 law, the court shall require the registered owner, including an owner
24 registered jointly with another owner, to surrender to the court the
25 registration and registration plates of the motor vehicle involved in
26 the commission of the following offenses:
27 (1) a second conviction within a five-year period or a
28 third conviction within a 10-year period, for driving while intoxicat-
29 ed under AS 28.35.030 or refusal to submit to a chemical test of

1 breath under AS 28.35.032, or another law or ordinance with substan-
2 tially similar elements; or

3 (2) a conviction under AS 28.15.291 for driving a motor
4 vehicle when that person's driver's license has been revoked and the
5 revocation was imposed under AS 28.15.181(a)(5), or another law or
6 ordinance with substantially similar elements.

7 (b) This section does not apply if the registered owner of the
8 motor vehicle was not driving the vehicle during the commission of the
9 offense, unless the vehicle was used with the permission of the owner
10 and the owner knew, prior to the commission of the offense, that the
11 person was operating the vehicle without a valid driver's license.

12 (c) For purposes of this section, convictions for driving while
13 intoxicated under AS 28.35.030, and for refusal to submit to a chemi-
14 cal test of breath under AS 28.35.031, if arising out of a single
15 transaction and a single arrest, are considered one previous convic-
16 tion.

17 (d) Registration and registration plates surrendered under this
18 section shall be transmitted to the department, and may not be reis-
19 sued by the department until the period of driver's license revocation
20 imposed by the court is completed. A person who surrenders that
21 person's registration or registration plates under this section may
22 apply to the department for temporary registration and registration
23 plates under AS 28.10.181(n). An application may not be accepted by
24 the department unless a member of the applicant's household has a
25 valid driver's license, or the applicant has a limited license issued
26 under AS 28.15.181.

27 (e) A person required to surrender that person's registration
28 and registration plates under this section and whose driver's license
29 has been revoked, shall also identify to the court all persons

1 residing in the person's household who are 17 years of age or older.
2 These names shall be included in the record of conviction forwarded to
3 the department under AS 28.15.191. The department shall provide to
4 each named person written notice of the fact that the driver's license
5 of the person described by the record of conviction has been revoked,
6 and that if a vehicle owner knowingly permits a person who does not
7 have a valid driver's license to drive the owner's vehicle, the owner
8 will be required to surrender the vehicle's registration and registra-
9 tion plates.

10 (f) An owner who has surrendered a motor vehicle registration
11 and registration plates under (a) of this section, and who wishes to
12 sell the vehicle, may apply to the court that ordered the surrender of
13 the registration and registration plates for permission to transfer
14 title to the motor vehicle. If the court finds that the proposed sale
15 is in good faith and for valid consideration, and that the owner will
16 be deprived of custody and control of the vehicle, the court may grant
17 permission to transfer ownership. The department shall, after receiv-
18 ing notice from the court and upon proper application, transfer owner-
19 ship of the vehicle and may issue new registration and registration
20 plates. When title to a motor vehicle is transferred by foreclosure,
21 conditional sale contract, execution sale, or by a court decree, the
22 department shall transfer the registration to the new owner and may
23 reissue the registration plates.