

Original sponsor: Abood

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 CS FOR SENATE BILL NO. 3 (State Affairs)
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 forfeiture of motor vehicle
7 registration and 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 who has forfeited registration and registration plates under AS 28.-
17 35.039. The owner shall return the special registration plates to the
18 department following expiration of the temporary registration or
19 transfer of ownership of the vehicle.

20 * Sec. 2. AS 28.10.421(d) is amended by adding a new paragraph to read:

21 (14) special request plates issued under AS 28.10.181(n)...
22 \$25;
23 plus the fee required for that vehicle under (b), (c), or (d) of this
24 section; the fee required by this paragraph shall be collected on the
25 first issuance of the special request plates.

26 * Sec. 3. AS 28.35 is amended by adding a new section to article 2 to
27 read:

28 Sec. 28.35.039. FORFEITURE OF MOTOR VEHICLE REGISTRATION AND
29 LICENSE PLATES. (a) In addition to any other penalty provided by

1 law, the court shall require the registered owner, including an owner
2 registered jointly with another owner, to surrender to the court the
3 registration and registration plates of the motor vehicle involved in
4 the commission of the following offenses:

5 (1) a second conviction within a five-year period or a
6 third conviction within a 10-year period, for driving while intoxicat-
7 ed under AS 28.35.030 or refusal to submit to a chemical test of
8 breath under AS 28.35.032, or another law or ordinance with substan-
9 tially similar elements; or

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11 vehicle when that person's driver's license has been revoked and the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

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

19 (c) For purposes of this section, convictions for driving while
20 intoxicated under AS 28.35.030, and for refusal to submit to a chemi-
21 cal test of breath under AS 28.35.032, if arising out of a single
22 transaction and a single arrest, are considered one previous convic-
23 tion.

24 (d) Registration and registration plates surrendered under this
25 section shall be transmitted to the department, and may not be reis-
26 sued by the department until the period of driver's license revocation
27 imposed by the court is completed. A person who surrenders registra-
28 tion or registration plates under this section may apply to the
29 department for temporary registration and registration plates under

1 AS 28.10.181(n). An application may not be accepted by the department
2 unless a member of the applicant's household has a valid driver's
3 license.

4 (e) A person required to surrender registration and registration
5 plates under this section and whose driver's license has been revoked,
6 shall also identify to the court all persons residing in the person's
7 household who are 16 years of age or older. These names shall be
8 reported to the department along with the name of the person in the
9 household whose driver's license has been revoked. The department
10 shall provide to each named person written notice of the fact that the
11 driver's license of the person identified in the report has been
12 revoked, and that if a vehicle owner knowingly permits a person who
13 does not have a valid driver's license to drive the owner's vehicle,
14 the owner will be required to surrender the vehicle's registration and
15 registration plates.

16 (f) An owner who has surrendered a motor vehicle registration
17 and registration plates under (a) of this section, and who wishes to
18 sell the vehicle, may apply to the department for permission to trans-
19 fer title to the motor vehicle. The department may, after trans-
20 ferring ownership of the vehicle, issue new registration and registra-
21 tion plates. When title to a motor vehicle is transferred by foreclo-
22 sure, conditional sale contract, execution sale, or by a court decree,
23 the department shall transfer the registration to the new owner and
24 may reissue the registration plates.