

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

5-0097A

1 IN THE SENATE

BY FAIKS

2 SENATE BILL NO. 17

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 vandalism of official traffic
7 control devices and damages to highways and roads."

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

9 * Section 1. AS 19.25.030 is amended to read:

10 Sec. 19.25.030. DAMAGES TO OBSTRUCTIONS [, SIGNS,] AND CON-
11 STRUCTION. The driver or owner, or both, of a vehicle, self-propel-
12 ling or otherwise, which passes through, over, or around an obstruc-
13 tion placed under authority of AS 19.10.100, or a person who opens [,
14 REMOVES OR DEFACES] an obstruction [OR WARNING SIGN] without written
15 permission from the engineer in charge of the highway or the work on
16 the highway, or a person who wilfully, knowingly, or maliciously
17 damages the work under construction, is guilty of a misdemeanor.

18 * Sec. 2. AS 19.25.040 is amended to read:

19 Sec. 19.25.040. DAMAGES TO STATE HIGHWAYS AND ROADS. The com-
20 missioner of administration shall separately account for money depos-
21 ited in the general fund that is derived from damages that are re-
22 covered from vehicle owners, drivers, other persons, or insurance
23 companies for damage to property related to state-owned roads and
24 highways, including bridges, overpasses, signal poles, street lights
25 and poles, traffic control devices [SIGNALS], guardrails, or fences.
26 The annual estimated balance in the account may be used by the legis-
27 lature to make appropriations to the department for the purpose of
28 repairing the damage.

29 * Sec. 3. AS 19.25 is amended by adding new sections to Article 3 to

1 read:

2 Sec. 19.25.050. POSSESSION OF OFFICIAL TRAFFIC CONTROL DEVICES.

3 (a) A person, except an employee or an agent of a state or municipal
4 agency acting in an official capacity, may not possess an official
5 traffic control device.

6 (b) A person who violates this section is guilty of a class B
7 misdemeanor and is punishable by a fine of not less than \$100 or more
8 than \$500 for the first offense or by a fine of \$500 for each
9 subsequent offense.

10 Sec. 19.25.055. INTERFERENCE WITH OFFICIAL TRAFFIC CONTROL

11 DEVICES. (a) A person, except an employee or an agent of a state or
12 municipal agency acting in an official capacity, may not remove, re-
13 locate, deface, alter, obscure, shoot at, destroy, or otherwise tamper
14 with an official traffic control device.

15 (b) A person who violates this section is guilty of a class B
16 misdemeanor and is punishable

17 (i) for the first offense, by a fine of not less than \$300
18 or more than \$500, or by a sentence of not more than six months, or by
19 both; and

20 (ii) for the second and each subsequent offense, by a fine
21 of not less than \$500 or more than \$1,000, or by a sentence of not
22 less than six months or more than one year, or by both.

23 Sec. 19.25.060. FORFEITURE OF PROPERTY UPON CONVICTION. Motor
24 vehicles, firearms, and other personal property used in aid of a
25 violation of AS 19.25.050 - 19.25.055 may be forfeited to the state
26 upon conviction of the offender for the violation.

27 Sec. 19.25.065. DEFINITIONS. In AS 19.25.030 - 19.25.065

28 (1) "official traffic control device" means a traffic
29 control device placed on a highway, road, or trail by authority of a

1 state or municipal agency or its agent;

2 (2) "traffic control device" includes a sign, signal, road
3 marker, barricade, flare, warning light, reflector, railroad sign or
4 signal, shield, insignia, milepost, or similar device intended to
5 warn, inform, or control the flow of pedestrian, equestrian, bicycle,
6 or motor vehicle traffic.