

Introduced: 3/22/88
Referred: Transportation and
Judiciary

5-2082B

1 IN THE SENATE BY THE TRANSPORTATION COMMITTEE
2 SENATE BILL NO. 497
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act redefining the crime of motor vehicle theft
7 and increasing the penalty for that crime."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 11.46.482(a) is amended to read:
10 (a) A person commits the crime of criminal mischief in the
11 second degree if, having no right to do so or any reasonable ground to
12 believe the person has such a right,
13 (1) with intent to damage property of another, the person
14 damages property of another in an amount of \$500 or more;
15 (2) the person tampers with an oil or gas pipeline or
16 supporting facility or an airplane or helicopter with reckless disre-
17 gard for the risk of harm to or loss of the property;
18 (3) the person recklessly creates a risk of damage in an
19 amount exceeding \$100,000 to property of another by the use of widely
20 dangerous means; or
21 (4) the person drives, tows away, or takes
22 (A) the motor [PROPELLED] vehicle of another; or
23 (B) [AND] the propelled vehicle of another, other than
24 a motor vehicle, and the vehicle or any other property of another
25 is damaged or the owner incurs reasonable expenses as a result of
26 the loss of use of the vehicle in a total amount of \$500 or more.
27 * Sec. 2. AS 11.46.482 is amended by adding a new subsection to read:
28 (c) The court shall impose on a person convicted under (a)(4)(A)
29 of this section a fine of not less than \$200.

1 * Sec. 3. AS 11.46.484(a) is amended to read:

2 (a) A person commits the crime of criminal mischief in the third
3 degree if, having no right to do so or any reasonable ground to be-
4 lieve the person has such a right

5 (1) with intent to damage property of another, the person
6 damages property of another in an amount of \$50 or more but less than
7 \$500;

8 (2) the person drives, tows away, or takes a [THE] pro-
9 pelled vehicle, other than a motor vehicle, of another;

10 (3) having custody of a propelled vehicle under a written
11 agreement with the owner of the vehicle that includes an agreement to
12 return the vehicle to the owner at a specified time, the person know-
13 ingly retains or withholds possession of the vehicle without the
14 consent of the owner for so long a period beyond the time specified as
15 to render the retention or possession of the vehicle an unreasonable
16 deviation from the agreement;

17 (4) the person tampers with a fire protection device in a
18 building that is a public place;

19 (5) the person knowingly accesses a computer, computer
20 system, computer program, computer network, or any part of a computer
21 system or network; or

22 (6) the person uses a device to descramble an electronic
23 signal that has been scrambled to prevent unauthorized receipt or
24 viewing of the signal unless the device is used only to descramble
25 signals received directly from a satellite or unless the person owned
26 the device before September 18, 1984.

27 * Sec. 4. AS 11.46.484(c) is repealed and reenacted to read:

28 (c) A person convicted under (a)(2) of this section is guilty of
29 a class C felony if, within the preceding seven years, the person was

1 convicted under

2 (1) the provisions of (a)(2) of this section;

3 (2) an offense involving the theft of a propelled vehicle
4 under AS 11.46.120 - 11.46.140; or

5 (3) a law or ordinance of this or another jurisdiction with
6 elements substantially similar to those of the offenses described in
7 (1) of this subsection.

8 * Sec. 5. AS 11.81.900(44) is amended to read:

9 (44) "propelled vehicle" means a device upon which or by
10 which a person or property is or may be transported, and which is
11 self-propelled, including motor vehicles [AUTOMOBILES], vessels,
12 airplanes, [MOTORCYCLES, SNOW MACHINES,] all-terrain vehicles, sail-
13 boats, and construction equipment;

14 * Sec. 6. AS 11.81.900 is amended by adding a new paragraph to read:

15 (58) "motor vehicle" has the meaning given in AS 28.40.-
16 100(a).