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**98**

1 IN THE SENATE

BY FAHRENKAMP, COGHILL  
AND ELIASON

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SENATE BILL NO. 98

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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For an Act entitled: "An Act relating to the penalty imposed for certain traffic offenses."

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

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\* Section 1. AS 28.05.151 is amended to read:

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Sec. 28.05.151. CITATIONS FOR SCHEDULED VEHICLE AND TRAFFIC OFFENSES. The supreme court shall determine by rule or order those motor vehicle and traffic offenses, except for offenses subject to a scheduled municipal fine, that are amenable to disposition without court appearance and shall establish a scheduled amount of bail, not to exceed fines prescribed by law, for each offense. A municipality shall determine by ordinance the municipal motor vehicle and traffic offenses that may be disposed of without court appearance and shall establish a fine schedule for each offense. A schedule of bail established by the supreme court or a schedule of fines established by a municipality must incorporate the reduction applicable under AS 28.40.050(f).

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\* Sec. 2. AS 28.40.050 is amended by adding a new subsection to read:

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(f) A person who is cited for committing a moving traffic infraction for which the supreme court or a municipality has established a scheduled amount of bail or fine shall receive a 10 percent reduction in the amount of bail or fine otherwise applicable to the offense if the person and all passengers were wearing seat belts or appropriate safety devices at the time of the commission of the infraction.

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6-0462E ✓  
Ford  
3/8/89

Original sponsors: Fahrenkamp, Coghill,  
Eliason, and Zharoff

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 98 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing a reduction in the scheduled bail  
7 or fine imposed against certain persons cited for  
8 committing a moving traffic infraction; and providing  
9 for an effective date."

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

11 \* Section 1. AS 28.05.151 is amended to read:

12 Sec. 28.05.151. CITATIONS FOR SCHEDULED VEHICLE AND TRAFFIC  
13 OFFENSES. The supreme court shall determine by rule or order those  
14 motor vehicle and traffic offenses, except for offenses subject to a  
15 scheduled municipal fine, that are amenable to disposition without  
16 court appearance and shall establish a scheduled amount of bail, not  
17 to exceed fines prescribed by law, for each offense. A municipality  
18 shall determine by ordinance the municipal motor vehicle and traffic  
19 offenses that may be disposed of without court appearance and shall  
20 establish a fine schedule for each offense. A schedule of bail estab-  
21 lished by the supreme court or a schedule of fines established by a  
22 municipality must incorporate the reduction applicable under AS 28.-  
23 40.050(f).

24 \* Sec. 2. AS 28.40.050 is amended by adding a new subsection to read:

25 (f) A person who is cited for committing a moving traffic in-  
26 fraction for which the supreme court or a municipality has established  
27 a scheduled amount of bail or fine shall receive a 10 percent re-  
28 duction in the amount of bail or fine otherwise applicable to the  
29 offense if the person and all passengers were wearing seat belts or

1 were secured in child safety devices as required under AS 28.05.095,  
2 at the time of the commission of the infraction.

3 \* Sec. 3. This Act takes effect immediately under AS 01.10.070(c).  
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# Alaska State Legislature

SENATOR BETTYE FAHRENKAMP  
CHAIRMAN, RESOURCES COMMITTEE  
119 N. CUSHMAN STREET, SUITE 201  
FAIRBANKS, ALASKA 99701  
OFFICE (907) 452-4882  
HOME (907) 456-2899



Senate

WHILE IN JUNEAU  
P.O. BOX V  
JUNEAU, ALASKA 99811  
CAPITOL, ROOM 125  
OFFICE (907) 465-3834  
HOME (907) 780-6027

## MEMORANDUM

TO: Senator Al Adams, Chairman  
Senate Community & Regional Affairs Committee

FROM: Senator Bettye Fahrenkamp

DATE: February 20, 1989

RE: Sectional Analysis of SB 98

SB 98 "An Act Relating to the penalty imposed for certain traffic offenses".

Section 1. AS 28.05.151 Citations for scheduled vehicle and traffic offenses.

Amended to include reference to proposed Section 2 of the bill.

Section 2. AS 28.40.050 Penalty for violations of law, regulations, and municipal ordinances.

Adds a new subsection (f) which would give a 10% reduction in the amount of a bail or fine if the driver and any passengers were wearing seatbelts at the time of a commission of a moving traffic infraction for which the Supreme Court has established a scheduled amount of bail.\*

\*Examples of such infractions are speeding, ignoring a stop sign or red light, i.e. infractions that do not carry jail time or require a court appearance. It does not apply to felonies, misdemeanors, or infractions requiring court appearances. For instance, if a driver was charged with driving while intoxicated, reckless driving, or negligent homicide, he or she would not receive a reduction.

**STATE OF ALASKA 1989 LEGISLATIVE SESSION  
FISCAL NOTE**

JAN 26 1989

**REQUEST:**

Bill Version: SB 98  
Publish Date: 1/10/89

Revision Date:  
Title: An act relating to the penalty  
imposed for certain traffic offenses  
Sponsor:  
Requestor: Fahrenkamp

Agency Affected: Alaska Court System  
BRU: Trial Courts  
Components:

EXPENDITURES/REVENUES: (Thousands of Dollars)						
OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
Personal Services	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Travel	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Contractual	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Supplies	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Equipment	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Land & Structures	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Grants & Claims	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL</b>	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
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<b>REVENUE</b>	. . . .	(19.2)	(19.2)	(19.2)	(19.2)	(19.2)
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FUNDING: (Thousands of Dollars)						
General Funds	0.0	0.0	0.0	0.0	0.0	0.0
Federal Funds	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Other	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

POSITIONS:						
Full-time	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Part-time	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Temporary	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .

**ANALYSIS:** (Attach a separate page if necessary)

See attached analysis.

Prepared by: *Jan Strandberg*  
Jan Strandberg, General Counsel  
Division: Alaska Court System

Phone: 264-8228  
Date: 01/23/89

Approved by: *Stephanie Cole, for*  
Arthur H. Snowden, II, Administrative Director  
Agency: Alaska Court System

Date: 01/23/89

- Distribution (by preparer):
- Legislative Finance
  - Legislative Sponsor
  - Requestor
  - Office of Management & Budget
  - Impacted Agency(ies)
  - Senate Secretary

Alaska Court System

Fiscal Analysis for SB 98

This legislation allows a 10 percent reduction in traffic bail or fine amounts for moving violations, if all persons in the vehicle are wearing seatbelts at the time of committing the infraction. This legislation will reduce fine and forfeiture revenues to the state.

To estimate the fiscal impact, the court obtained information from the Alaska Seatbelt Use Coalition on seatbelt utilization. The Coalition's studies indicate that approximately 35 percent of Anchorage drivers and 39 percent of Fairbanks drivers wear seatbelts or a simple average of 37 percent for both areas. Information is not available for other areas of the state or for passenger seatbelt usage. For estimating the impact of this legislation on revenues, it is assumed that driver and passenger seatbelt utilization will average 37 percent for the entire state.

The fiscal impact is estimated as follows:

Estimated statewide traffic violation revenues from moving violations	\$520,000
Estimated percentage of seatbelt usage	37% -----
Estimated statewide revenues for traffic violations involving drivers and passengers using seatbelts	192,400
Bail or fine reduction percentage for seatbelt use	10% -----
Estimated reduction in statewide traffic violation revenues	\$19,240 =====

STATE OF ALASKA  
1989 LEGISLATIVE SESSION

BILL VERSION: SB 98  
PUBLISH DATE: \_\_\_\_\_

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: "An Act relating to the penalty imposed for certain traffic offenses."  
Sponsor: Senator Fahrenkamp  
Requestor: Senate C&RA

Agency Affected: Public Safety  
BRU: Alaska State Troopers  
Component: Detachments & C.I.B.

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)  
No fiscal impact is anticipated.

Prepared by: Francis C. Allan *G.C.A.*  
Division: Alaska State Troopers

Phone: 269-5691  
Date: 01/20/89

Approved by Commissioner: U.H. English  
Agency: Department of Public Safety

Date: 1-24-89

Hearings.

Unless otherwise specified, title or regulations of the department under existing practice and proceedings shall be in force. A person who requesting officer shall be removed from the department must be impartial which is under review. A hearing officer must state the evidence received and be recorded. A hearing shall be held at the request of the person if the person agrees that the hearing shall be granted. If a person fails to appear at the hearing, the department may order the person to appear. If it appears that the hearing, limitation, denial, or title and, if necessary, total accruing officer may, pursuant to rescind the order in accordance with the matters. The court

shall conduct a hearing de novo. The decision of the department suspending, revoking, canceling, limiting, restricting or denying a license, registration, title, permit or privilege is stayed and does not take effect during the pendency of an appeal. (§ 6 ch 178 SLA 1978; am § 2 ch 60 SLA 1986)

Effect of amendments. — The 1986 amendment in subsection (c) inserted "registration, or title."

**Article 4. Disposition of Certain Vehicle and Traffic Offenses.**

**Section**

151. Citations for scheduled vehicle and traffic offenses



**Sec. 28.05.151. Citations for scheduled vehicle and traffic offenses.** The supreme court shall determine by rule or order those motor vehicle and traffic offenses, except for offenses subject to a scheduled municipal fine, that are amenable to disposition without court appearance and shall establish a scheduled amount of bail, not to exceed fines prescribed by law, for each offense. A municipality shall determine by ordinance the municipal motor vehicle and traffic offenses that may be disposed without court appearance and shall establish a fine schedule for each offense. (§ 6 ch 178 SLA 1978; am § 8 ch 76 SLA 1987)

Effect of amendments. — The 1987 amendment, effective January 1, 1988, rewrote this section.

**Chapter 10. Vehicle Registration and Title.**

**Article**

1. Registration (§§ 28.10.011, 28.10.021, 28.10.041, 28.10.051, 28.10.101 — 28.10.151, 28.10.165, 28.10.181)
2. Title (§ 28.10.201)
3. Transfer of Vehicle (§ 28.10.321)
5. Fees and Charges (§§ 28.10.411 — 28.10.441)
7. General Provisions (§§ 28.10.495, 28.10.502)

**Article 1. Registration.**

**Section**

- 11. Vehicles subject to registration
- 21. Application for registration
- 41. Grounds for refusing registration
- 51. Department may suspend or revoke registration
- 101. [Repealed]
- 105. [Repealed]

**Section**

- 107. [Repealed]
- 108. Registration procedures
- 111. Renewal of registration
- 121. Vehicles of nonresidents
- 131. Vehicles previously registered in other jurisdictions
- 141. Interstate use of vehicles

(b) The administrator of each party state shall furnish to the administrator of each other party state the information or documents reasonably necessary to facilitate the administration of the compact. (§ 18 ch 60 SLA 1986)

**Sec. 28.37.180. Compact as law; withdrawal procedure.**

(a) The compact shall become effective as to any state in which the compact becomes effective as the law of that state.

(b) A party state may withdraw from the compact by enacting a statute repealing the compact as the law of the state, but a withdrawal may not take effect until six months after the executive head of the withdrawing state has given notice of the withdrawal to the executive heads of all other party states. Withdrawal does not affect the validity or applicability by the licensing authorities of states remaining party to the compact of any report of conviction occurring before the withdrawal. (§ 18 ch 60 SLA 1986)

**Sec. 28.37.190. Construction and validity; severability.** The compact shall be liberally construed so as to effectuate its purposes. The provisions of the compact are severable and if any phrase, clause, sentence, or provision of the compact is declared to be contrary to the constitution of any party state or of the United States or the applicability of it to a government, agency, person or circumstance is held invalid, the validity of the remainder of the compact and the applicability of it to any government, agency, person or circumstance shall not be affected by it. If the compact is held contrary to the constitution of any party state, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters. (§ 18 ch 60 SLA 1986)

**Chapter 40. General Provisions.**

<b>Section</b>	<b>Section</b>
50. Penalty for violations of law, regulations, and municipal ordinances	100. Definitions for title

\* **Sec. 28.40.050. Penalty for violations of law, regulations, and municipal ordinances.** (a) It is a misdemeanor for a person to violate a provision of this title unless the violation is by this title or other law declared to be a felony or an infraction.

(b) A person convicted of a misdemeanor for a violation of a provision of this title for which another penalty is not specifically provided is punishable by a fine of not more than \$500, or by imprisonment for not more than 90 days, or by both. In addition, the privilege to drive or the registration of vehicles may be suspended or revoked.

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(c) Unless otherwise specified by law a person convicted of a violation of a regulation adopted under this title, or a municipal ordinance regulating vehicles or traffic when the municipal ordinance does not correspond to a provision of this title, is guilty of an infraction and is punishable by a fine not to exceed \$300.

(d) An infraction, as provided for in (c) of this section, is not considered a criminal offense and may not result in imprisonment, nor is a fine imposed for the commission of an infraction considered a penal or criminal punishment; nor may the commission of a single infraction result in the loss of a driver's license or privilege to drive in this state except as may result from the accumulation of points under AS 28.15.221 — 28.15.261, or the registration of vehicles; nor does a person cited with an infraction have a right to trial by jury or to court-appointed counsel.

(e) [Repealed, § 5 ch 85 SLA 1987.] (§ 50-1-8 ACLA 1949; am § 12 ch 241 SLA 1976; am §§ 22, 23 ch 144 SLA 1977; am § 5 ch 85 SLA 1987)

Effect of amendments. — The 1987 amendment repealed subsection (e), concerning overweight penalties.

NOTES TO DECISIONS

Prerequisite to suspension of license or privilege to drive. — A driver's license or privilege to drive cannot properly be suspended unless the driver was in fact licensed or otherwise actually privileged to drive a motor vehicle within the state. *Roberts v. State*, Ct. App. Op. No. 478 (File No. A-342), 700 P.2d 815 (1985).  
Generic penalty provision. — Subsec-

tion (b) is not a penalty provision dealing specifically with the offense of driving while license suspended; rather it is a generic penalty provision, broadly applicable to violations of all Title 28 provisions for which the specific penalties are given. *Roberts v. State*, Ct. App. Op. No. 478 (File No. A-342), 700 P.2d 815 (1985).

Sec. 28.40.100. Definitions for title. (a) Unless otherwise specifically defined or unless the context otherwise requires, in this title and in regulations adopted under this title

(1) "cancel" means the annulment or termination by formal action of the department of a certification, registration, license, permit or privilege issued or allowed under this title or regulations adopted under this title, because of an error or defect in the document issued or the application for issuance or because the person holding the document is no longer entitled to it;

(2) "commissioner" means the commissioner of public safety;

(3) "department" means the Department of Public Safety;

(4) "driver" means a person who drives or is in actual physical control of a vehicle;

(5) "driver's license", or "license" when used in relation to driver licensing, means a license, permit, or privilege to obtain a driver's

Lists of other persons available to provide required services will be compiled from names of qualified persons who have indicated their willingness to provide the required services.

(D) When the court appoints an attorney or other person under the provisions of section (d)(2) of this rule, the clerk of the court from which the appointment was made shall immediately send a copy of the appointment order to the administrative director.

(E) All claims for compensation must be submitted within 30 days following the disposition of a case on forms provided by the court. Claims will be submitted to the assigned trial judge, who shall make a recommendation regarding approval and forward the recommendation to the administrative director. The administrative director shall approve or disapprove the claim.

(F) Attorneys will be compensated at the rate of \$40.00 per hour; provided, that total compensation for any case will not exceed \$500.00 without prior approval of the administrative director.

(G) A person other than an attorney appointed to provide services will receive compensation if the court deems it appropriate not to exceed \$25.00 per hour; provided, that total compensation for any case will not exceed \$300.00 without prior approval of the administrative director.

(H) Extraordinary expenses will be reimbursed only if prior authority has been obtained from the administrative director, upon recommendation by the assigned trial judge or the presiding judge. The assigned trial judge may recommend extraordinary expenses up to a total amount not to exceed \$1,000.00, and the presiding judge may recommend an amount not to exceed an additional \$1,500.00. Extraordinary expenses exceeding \$2,500.00 may be authorized only in extremely complex cases by the administrative director upon the recommendation of the presiding judge. In this paragraph, "extraordinary expenses" are limited to expenses for:

(1) Investigation;

(2) Expert witnesses; and

(3) Necessary travel and per diem expenses. Travel and per diem may not exceed the rate authorized for state employees.

(I) If necessary to prevent manifest injustice, the administrative director may authorize payment of compensation or expenses in excess of the amounts allowed under this rule.

(Added by SCO 652 effective July 1, 1985; amended by SCO 676 effective April 25, 1986; by SCO 680 effective April 25, 1986; by SCO 703 effective May 12, 1986; by SCO 714 effective September 15, 1986; by SCO 889 effective July 15, 1988; and by SCO 909 effective January 15, 1989)

### Rule 37.5. Public Access to Public Records Within the Alaska Court System.

(a) All public records within the Alaska Court System shall be open to inspection by any member of the public at all times during the regular office hours of the courts as prescribed in these rules. The administrative director shall establish written guidelines to insure that all members of the public will upon request be given reasonable access and opportunity to inspect such public records and to insure the preservation and safekeeping of such public records for such period of time as they may be kept by the Alaska Court System.

(b) "Public records" means all or any portion of: any written, typed or printed document; any magnetic or electronic recording of sounds, pictures and symbols; any papers, maps, photographic film or prints, any electronic or magnetic tapes or punched cards; or any other document or item filed with, or prepared, owned, or used, by the Alaska Court System which contains information relating to the conduct of the public's business and which does not contain any information or subject matter within the following categories:

(1) Personal information, performance evaluations or disciplinary matters of or relating to any past or present employee of the Alaska Court System or any other person who has applied for employment with the Alaska Court System; except that employment applications for magistrate positions and for other positions as provided by Alaska Court System Personnel Rule 3.04 are open to public inspection;

(2) Memoranda, notes or preliminary drafts prepared by or under the direction of any judicial officer of the Alaska Court System which relate to the adjudication, resolution or disposition of any past, present or future case, controversy or legal issue;

(3) The work product of any attorney or law clerk employed by or representing the Alaska Court System which is produced in the regular course of business or representation of the Alaska Court System;

(4) Matters which are required to be kept sealed or confidential pursuant to statute, court rule or order of a court for good cause.

(SCO 503 effective February 1, 1982; amended by SCO 943 effective January 15, 1989)

### Rule 43.1. Traffic Bail Forfeiture Schedule. \*

Pursuant to AS 28.05.151(b), the following vehicle and traffic offenses are amenable to disposition without court appearance upon payment and forfeiture of the bail amounts listed. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the bail amount for that offense listed below. An offense for which a bail forfeiture

# ADMINISTRATION RULES

## Rule 43.1

amount has been established shall be charged on a citation which meets the requirements of District Court Criminal Rule 8(c) and shall not be filed, numbered or processed as a criminal case.

Statute or Regulation	Description of Offense	Fine	13 AAC 02.010(b)	Position of vehicle stopping at intersection	30
AS 05.30.010	Operating an unregistered snow vehicle	\$20	13 AAC 02.015	Failure to obey pedestrian control signal	20
AS 05.30.040(a)	Failure to display snow vehicle numbered registration decal	20	13 AAC 02.020(a)(1)	Failure to yield after stopping for flashing red signal	50
AS 28.10.451	Failure to register vehicle	50	13 AAC 02.020(a)(1)	Failure to stop for flashing red signal	50
AS 28.10.461	Plates/decals/permits must be properly attached and displayed	20	13 AAC 02.025	Lane use control signals	30
AS 28.10.461	Failure to carry certificate of registration in vehicle	20	13 AAC 02.030(a)	Display of unauthorized signs, signals, or markings	20
AS 28.10.471	Operating vehicle w/expired registration	50	13 AAC 02.050(a)	Failure to drive on right side of roadway	30
AS 28.15.011(b)	Driving with expired license	30	13 AAC 02.050(a)(3)	FTY when driving left of obstructed roadway	50
AS 28.35.029	Open Container of Alcoholic Beverage In Motor Vehicle	50	13 AAC 02.050(b)	Vehicle not to use left lane at less than speed limit	30
AS 28.35.031(e)	Refusal to submit to a preliminary breath test	50	13 AAC 02.050(b)	Turn off required when 5 or more vehicles are behind	50
AS 28.35.135(b)	Failure to notify dept. of change of name/address	20	13 AAC 02.055(a)	Improper overtaking on right	30
AS 28.35.140	Obstructing or blocking traffic	20	13 AAC 02.055(b)	Return to lane only when clear	50
AS 18.35.145(e)	Ownership of a Vehicle Which Illegally Passes a School Bus	50	13 AAC 02.060(a)	Limitations on driving left of center	30
AS 28.35.180	Disobedience to signal of officer regulating traffic	30	13 AAC 02.065(a)	Improper overtaking on the left	30
AS 28.35.235	Unauthorized Use of Handicapped Parking	100	13 AAC 02.065(a)	FTY to overtaking vehicle	50
AS 28.35.251	Contained or confined loads	100	13 AAC 02.065(b)	FTY to on-coming traffic when passing	50
13 AAC 02.005(a)	Disobedience to traffic control devices	30	13 AAC 02.070	FTY 1/2 of roadway to on-coming vehicle and failure to pass on right of on-coming vehicle	50
13 AAC 02.010(a)(1)(A&B)	FTY to vehicle in intersection after green signal	50	13 AAC 02.075(b)	Passing/driving left of center in no pass zone	50
13 AAC 02.010(a)(1)(A&B)	FTY to pedestrian in crosswalk after green signal	50	13 AAC 02.080(b—c)	Wrong way on one-way roadway	30
13 AAC 02.010(a)(3)(A)	Failure to stop for steady red traffic signal	50	13 AAC 02.085(a)	Improper lane change	30
13 AAC 02.010(a)(3)(B)	FTY when turning on red signal	50	13 AAC 02.085(b)	Improper use of center lane of 3-lane roadway	30
13 AAC 02.010(a)(3)(B)	Turning on red signal when prohibited	30	13 AAC 02.090(a—c)	Following too closely	50
13 AAC 02.010(a)(3)(C)	Failure to stop for steady red arrow	50	13 AAC 02.095(a)	Driving over, across or within barrier/median	50
			13 AAC 02.095(a)	Failure to stay on right side of divided highway	50
			13 AAC 02.095(c)	Improper entry/exit—controlled-access highway	30
			13 AAC 02.107	Drive nearest right edge on narrow/winding roadway	30

# Rule 43.1

# ALASKA RULES OF COURT

13 AAC 02.120(a)	FTY to vehicle on right at unsigned intersection	50	13 AAC 02.250(a)	Certain vehicles to stop at all railroad crossings	50
13 AAC 02.120(b)	FTY to vehicle entering intersection after stop	50	13 AAC 02.255(a&b)	Heavy equipment to give notice of RR crossing	20
13 AAC 02.125	FTY when turning left	50	13 AAC 02.255(a&c)	Heavy equipment to stop at RR crossing	50
13 AAC 02.130(b)	Improper position of vehicle stopping at stop sign	30	13 AAC 02.257	Give warning w/horn when vision restricted/alley/driveway/bldgs.	30
13 AAC 02.130(bc)	FTY after stopping or at yield sign	50	13 AAC 02.257	Stop: Emerging from alley/driveway/building	50
15 AAC 02.130(b)	Failure to stop for stop sign	50	13 AAC 02.257	Position of stop when emerging from alley/driveway/bldg.	30
13 AAC 02.135(b)	FTY when entering roadway from non-roadway	50	13 AAC 02.265	Stop when traffic may be obstructed	30
13 AAC 02.140(c)	Driver of emergency vehicle not to disregard safety	30	13 AAC 02.275(a)	Basic speed: Reasonable & prudent for road conditions	30
13 AAC 02.150(a—b)	Pedestrians subject to traffic regulations	20	13 AAC 02.275(b)	Speeding:	
13 AAC 02.155(a)	FTY to pedestrian to crosswalk	50		3—9 mph over posted limit	4/mi.
13 AAC 02.155(b)	Pedestrian to exercise due caution	20		10—19 mph over posted limit	4/mi.
13 AAC 02.155(c)	Vehicle not to pass vehicle stopped for pedestrian	50	13 AAC 02.280(a—d)	Altered speed limits:	
13 AAC 02.155(e)	Not to drive within or through pedestrian safety zone	30		3—9 mph over posted limit	4/mi.
13 AAC 02.160(a—f)	Pedestrian crossing at other than crosswalks	20		10—19 mph over posted limit	4/mi.
13 AAC 02.175(a—c)	Pedestrian to use sidewalk/left edge of roadway and not interfere, sleep, loiter or obstruct	20	13 AAC 02.295	Minimum speed regulation	30
13 AAC 02.180	Pedestrian not to distract drivers when soliciting rides and pedestrian not to solicit employment, business or contributions from vehicle occupants	20	13 AAC 02.325(a)	Speed limitation on motor-driven cycles at night	30
13 AAC 02.190(a)	FTY to pedestrian w/white cane/guide dog	50	13 AAC 02.325(b), (c), (e)	Special speed limit when: towing mobile home/equipped with lighted headlights/passing school bus with flashing yellow lights	
13 AAC 02.190(b)	Not to use white cane/guide dog unless blind	20		3—9 mph over	4/mi.
13 AAC 02.195(a)	Pedestrian FTY to authorized emergency vehicle	20	13 AAC 02.325(f)	Overweight, oversize or excess speed when crossing over bridge or through tunnel	
13 AAC 02.200(a—c)	Improper position/method turning at intersection	30		3—9 mph over	4/mi.
13 AAC 02.205(a—b)	U-turn only when safe/not on hill, crest or curve	30	13 AAC 02.340(a—d)	Overwidth	25/ft.
13 AAC 02.210	Improper start from parked/stopped standing	30		Overlength	10/ft.
13 AAC 02.215(a—f)	Signals required turn/stop/slowing-discontinue after	30	13 AAC 02.365(a—g)	Overweight	.05/lb.
13 AAC 02.240(a—b)	Obedience to train signals and barriers	50	13 AAC 02.367(d)	Stopping/standing/parking on highway/other location	10
			13 AAC 02.372(b)	Additional parking regulations	10
				Not to stop/stand/park in loading zone	10
				Position of bus stopping to load/unload passengers	10

# ADMINISTRATION RULES

# Rule 43.1

13 AAC 02.372(c)	Taxi cab restrictions on standing/parking	10	13 AAC 02.517(a—g)	Emergency vehicle regulations	30
13 AAC 02.372(d)	Stop/stand in bus stop/taxi stand	10	13 AAC 02.520(a)	Following emergency vehicle closer than 500 feet	50
13 AAC 02.377(c—f)	Parking meter violations	7	13 AAC 02.520(b)	Improper stopping/parking at emergency scene	20
13 AAC 02.395(b—c)	Special bicycle violations	20	13 AAC 02.520(c)	Crossing fire hose	30
13 AAC 02.400(a—h)	Riding bicycles on roadways/bike paths	20	13 AAC 02.530(d)	Haul/drag material causing damage to highway	30
13 AAC 02.420(a—c)	Parking of bicycles	10	13 AAC 02.532	RR trains not to block roadways	20
13 AAC 02.425(a—d)	Special motorcycle violations	30	13 AAC 02.545(a)	Drinking while driving	50
13 AAC 02.427(a)	Motor vehicle not to deprive motorcycle of full lane use	30	13 AAC 02.545(b)	Drivers to exercise due care to avoid collision	30
13 AAC 02.427(a)	Motorcycles more than two abreast	30	13 AAC 04.003	Minimum equipment required for sale/rent/lease/loan	20
13 AAC 02.427(b)	Motorcycle passing in same lane as other motor vehicle	30	13 AAC 04.004(a—c)	Sale or use of equipment	20
13 AAC 02.445	Snowmobile and other off-highway vehicle violations	20	13 AAC 04.005	Disconnection/alteration of equipment	20
13 AAC 02.455(a—g)	Snowmobile and other off-highway vehicle operation on highways and other locations	20	13 AAC 04.006(b—c)	Submit to roadside vehicle inspection	30
13 AAC 02.480	Requirements for unattended motor vehicle	20	13 AAC 04.009(a—c)	Prohibited practices — inspection/repair	20
13 AAC 02.482(a)	Bicycles/pedestrians traveling in prohibited area	20	13 AAC 04.010	Illuminate lights as required	30
13 AAC 02.482(a)	Driving a motor vehicle where prohibited	30	13 AAC 04.015(a)	Lights in good working order/not obstructed	20
13 AAC 02.482(b)	Non-motorized vehicle to yield to traffic on roadway	20	13 AAC 04.024(e)(1&2)	Headlight dimming requirements	30
13 AAC 02.485(a—b)	Limitation on backing	30	13 AAC 04.070(e)	Parking lights not used when vehicle in motion	30
13 AAC 02.487	Driving vehicle on sidewalk	30	13 AAC 04.095(d), (g), (i)	Flashing yellow lights used when required	30
13 AAC 02.495(a—c)	Obstructing driver's view/control of vehicle	30	13 AAC 04.097(a)	Use of flashing red light school bus	30
13 AAC 02.495(d)	Opening doors/entering or leaving when vehicle in motion	20	13 AAC 04.100(a—h)	Improper use of flashing blue lights	30
13 AAC 02.495(c—f)	Person riding outside vehicle or in trailer	20	13 AAC 04.145(a—c)	Improper use of auxiliary/spot lights	30
13 AAC 02.497(a)	Interfering w/funeral procession	30	13 AAC 04.210(a)	Failure to give audible warning as required	20
13 AAC 02.497(b)	Requirements for drivers in funeral procession	30	13 AAC 04.225(a—b)	View not to be obstructed	30
13 AAC 02.497(c)	Permit requirements for funeral procession/parade	20	13 AAC 04.240(a—c)	Flares/other warning devices requirements	20
13 AAC 02.505(d—e)	Motor vehicle drivers to exercise due care re/animals	30	13 AAC 04.245(a—i)	Display of warning lights/devices	20
13 AAC 02.515	Coasting prohibited	30	13 AAC 04.247(d)	Improper use of signs/stop arm on school bus	30
			13 AAC 04.250(a), (d)	Requirements for transporting hazardous material	20

# Rule 43.1

# ALASKA RULES OF COURT

13 AAC 04.250(b)	Give notice of transporting hazardous material	20	17 AAC 40.030(a)(2), (c)(3)	Speeding: 3—9 mph over prescribed limits	4/mi.
13 AAC 04.252(a—c)	Slow moving vehicle emblem requirements	20		10—19 mph over prescribed limits	4/mi.
13 AAC 04.260(a—c)	Restrictions on television/headset in motor vehicle	20	17 AAC 40.030(b)(1—4)	For-hire vehicles must obtain permit	20
13 AAC 04.275(a—e)	Connections/safety devices—towed vehicles	20	17 AAC 40.030(b)(5)	For-hire vehicles not to solicit passengers	20
13 AAC 04.320(d)	Lights turned on when on Hwy. — Motor driven cycle	30	17 AAC 40.030(c)(1)	Improper operation on runways, taxiways, etc.	30
13 AAC 04.350(a)	Helmet Required Minors/passengers (AS 28.35.245 exempts adults)	20	17 AAC 40.030(c)(4)	Ramp operator's permit required for ramp operation	20
13 AAC 04.350(b)	Eye-protective device required when no wind-screen	20	17 AAC 40.030(d)(1)&(d)(3)	Illegal parking/abandoning vehicle	10
13 AAC 04.350(c)	Minimum equip. for rent/lease/loan of motorcycle	20	17 AAC 40.030(d)(2)	Expired parking meter	7
13 AAC 06.020(a)	Refusing to submit vehicle to inspection or test	30	17 AAC 40.030(e)	Improper operation of vehicle inside buildings	30
13 AAC 06.020(b)	Operating vehicle after being directed to have it repaired	20	17 AAC 40.420(a)	Permit required for operation on landing area/apron/etc.	20
13 AAC 06.040(a)	Failure to stop & submit to roadside inspection	30	17 AAC 40.420(b)	Operate vehicle for disposing garbage/waste material	20
13 AAC 08.140	Unlawful use of classified license	30	17 AAC 40.440(b)	Vehicles to have proper identification	20
17 AAC 40.030(a)(1)	Operate vehicle in accordance with general rules at airport	30			

(Added by SCO 775 effective January 1, 1987; amended by SCO 910 effective September 1, 1988; and by SCO 944 effective September 30, 1988)

SB 98

The Community and Regional Affairs Committee considered SENATE BILL NO. 98 (An Act relating to the penalty imposed for certain traffic offenses) and a majority of the committee recommended do pass. The report was signed by Senator Adams, Chair, and concurred in by Senators Frank, Szymanski and Pearce. Senator Pourchot signed "no recommendation."

Fiscal note published today from Alaska Court System. Zero fiscal note published today from Department of Public Safety.

SENATE BILL NO. 98 was referred to the Judiciary Committee.