

SB

304

CS FOR SENATE BILL NO. 304()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATOR DONLEY

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the bail or fine for an offense committed in a highway work**
2 **zone; and providing for an effective date."**

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

4 *** Section 1.** AS 28.05.151 is amended by adding a new subsection to read:

5 (d) The supreme court, in establishing scheduled amounts of bail under this
6 section, and each municipality that establishes or has established a fine schedule under
7 this section shall provide that the scheduled amount of bail or fine, as applicable, for
8 a motor vehicle or traffic offense that is committed in a highway work zone shall be
9 double the amount of the bail or fine for the offense if it had not been committed in
10 a highway work zone.

11 *** Sec. 2.** AS 28.40 is amended by adding a new section to read:

12 **Sec. 28.40.070. Fines for offenses committed within highway work zones**
13 **doubled.** Whenever a person violates a provision of this title or a regulation adopted
14 under the authority of this title within a highway work zone, notwithstanding the

1 amount of the fine or the maximum fine set under this title, the fine, or maximum fine,
2 is double the amount provided in this title.

3 * Sec. 3. AS 28.40.100(a) is amended by adding a new paragraph to read:

4 (25) "highway work zone" means an area identified by advance signing
5 where road construction, repair, or maintenance work is being done on or adjacent to
6 a highway, whether or not work is actually being done at that time.

7 * Sec. 4. This Act takes effect April 30, 1999.

CS FOR SENATE BILL NO. 304()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATOR DONLEY



A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the bail or fine for an offense committed in a highway work
2 zone; relating to operating a motor vehicle in the left lane of a divided highway;
3 and providing for an effective date."

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

5 * Section 1. AS 28.05.151 is amended by adding a new subsection to read:

6 (d) The supreme court, in establishing scheduled amounts of bail under this
7 section, and each municipality that establishes or has established a fine schedule under
8 this section shall provide that the scheduled amount of bail or fine, as applicable, for
9 a motor vehicle or traffic offense that is committed in a highway work zone shall be
10 double the amount of the bail or fine for the offense if it had not been committed in
11 a highway work zone.

12 * Sec. 2. AS 28.35 is amended by adding a new section to read:

13 Sec. 28.35.165. Operation of vehicle on state highways or vehicular ways
14 or areas. (a) A person operating a motor vehicle on a divided highway with at least

1 two traffic lanes on each side may not drive in the far left lane unless the person is
2 overtaking another vehicle, the person is making a left turn from the divided highway,
3 or traffic or road conditions require driving in the left lane.

4 (b) A person who violates this section is subject to a fine of up to \$50.

5 * Sec. 3. AS 28.40 is amended by adding a new section to read:

6 **Sec. 28.40.070. Fines for offenses committed within highway work zones**
7 **doubled.** Whenever a person violates a provision of this title or a regulation adopted
8 under the authority of this title within a highway work zone, notwithstanding the
9 amount of the fine or the maximum fine set under this title, the fine, or maximum fine,
10 is double the amount provided in this title.

11 * Sec. 4. AS 28.40.100(a) is amended by adding a new paragraph to read:

12 (25) "highway work zone" means an area identified by advance signing
13 where road construction, repair, or maintenance work is being done on or adjacent to
14 a highway, whether or not work is actually being done at that time.

15 * Sec. 5. This Act takes effect June 30, 1999.

by DONLEY

0-LS0151Y

Ford

3/31/98

CS FOR SENATE BILL NO. 304()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY

Offered:

Referred:

Sponsor(s): SENATOR DONLEY

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to regulation of highways and motor vehicles; and providing for
2 an effective date."

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

4 * **Section 1.** AS 28.05.151 is amended by adding a new subsection to read:

5 (d) The supreme court, in establishing scheduled amounts of bail under this
6 section, and each municipality that establishes or has established a fine schedule under
7 this section shall provide that the scheduled amount of bail or fine, as applicable, for
8 a motor vehicle or traffic offense that is committed in a highway work zone shall be
9 double the amount of the bail or fine for the offense if it had not been committed in
10 a highway work zone.

11 * **Sec. 2.** AS 28.35 is amended by adding a new section to read:

12 **Sec. 28.35.165. Operation of vehicle on state highways or vehicular ways**
13 **or areas.** (a) A person operating a motor vehicle on a divided highway with at least
14 two traffic lanes on each side may not drive in the far left lane unless

- 1 (1) the person is overtaking another vehicle;
2 (2) the person is making a left turn from the divided highway;
3 (3) traffic or road conditions require driving in the left lane; or
4 (4) the person is traveling at a speed greater than the traffic flow.

5 (b) A person who violates this section is subject to a fine of up to \$50.

6 * Sec. 3. AS 28.40 is amended by adding a new section to read:

7 **Sec. 28.40.070. Fines for offenses committed within highway work zones**
8 **doubled.** Whenever a person violates a provision of this title or a regulation adopted
9 under the authority of this title within a highway work zone, notwithstanding the
10 amount of the fine or the maximum fine set under this title, the fine, or maximum fine,
11 is double the amount provided in this title.

12 * Sec. 4. AS 28.40.100(a) is amended by adding a new paragraph to read:

13 (25) "highway work zone" means an area identified by advance signing
14 where road construction, repair, or maintenance work is being done on or adjacent to
15 a highway, whether or not work is actually being done at that time.

16 * Sec. 5. This Act takes effect June 30, 1999.



SENATOR DAVE DONLEY

ALASKA STATE LEGISLATURE

States with Laws Requiring Driving in the Right Lane on Divided Highways

Oklahoma

For not Driving in the Right Lane When Proceeding at Less than the Normal Speed of Traffic:

1st offense - Not more than 10 days, \$10 to \$100

2nd offense (within 1 year) - Not more than 20 days,)-\$20 to \$200

3rd or subsequent offense (within 1 year) - Not more than 6 month, Not more than \$500.

Oregon

Driving at Less Than the Normal Speed of Traffic and Not Driving in the Right Lane - Class B Traffic Infraction - Not more than \$300

Wisconsin

Failing to Maintain Speed Except in Right Lane-\$30 to \$300

Washington

on a multi-lane highway, failure to drive in the right lane except when traveling at a speed greater than the traffic flow. Washington Court Rule 6.2

Virginia

A person, driving at less than the normal speed of traffic, shall drive in the lane nearest the right edge or right curb of the highway when such lane is available for travel. There is an exception to this requirement if the right lane of a particular highway has been reserved for slow-moving traffic. §46.2-804(1)

Vermont

The following points have been assigned to speeding and speed related offenses: Violation of regulations governing speed on interstate highways-2 points; violation of basic speed rule and maximum speed limit-2 points; violation of slow moving vehicle law/driving at less than the normal speed of traffic and except in the right lane-2 points;

Missouri

Driving at less than the normal speed of traffic and not driving in the right lane is an infraction.

January-May: STATE CAPITOL • JUNEAU, AK • 99801-1182 • (907) 465-3892 • FAX: (907) 465-6595
June-December: 716 W. 4TH AVE. • STE. 430 • ANCHORAGE, AK • 99501 • (907) 258-8181 • FAX: (907) 258-1648

MEMBER: Senate Finance Committee • Legislative Budget & Audit Committee
• Senate Community & Regional Affairs Committee

Rhode Island

Violation Fine Schedule. The following administrative fines are assessed for certain speed law violations. Driving too slow (impeding traffic/not driving in the right lane when not driving at the normal speed of traffic)-\$30

New York

Violating the Minimum Speed Law (including not driving in the right lane when proceeding at less than the normal speed of traffic) or Posted Minimum Speed Limit-1st offense-Not more than 15 days 2nd offense (within 18 months)-Not more than 45 days Subsequent offense (within 18 months)-Not more than 90 days

Kansas

For not driving in the right-lane when proceeding at a speed less than the normal speed of traffic, the fine is \$20.

* Four other states have "infractions" but they does not call for any fines and/or penalties.