

4, 1951, and 3 hours on December 5, 1951, at \$2.00 per hour.

Section 2. An emergency is hereby declared to exist and this Act shall become effective immediately upon its passage and approval.

Emergency clause.

Approved March 30, 1953.

CHAPTER 103

AN ACT

[S. B. 27]

Making it a crime to drive a vehicle without consent of owner and amending Sections 50-5-1 and 50-5-2 ACLA 1949.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. Section 50-5-1 ACLA 1949 is amended to read as follows:

Section 50-5-1. DRIVING VEHICLE WITHOUT OWNER'S CONSENT: PRIOR CONSENT: PUNISHMENT.

(a) Any person who drives, tows away, or otherwise takes a vehicle not his own without the consent of the owner, and with intent to temporarily deprive the owner of his possession of such vehicle, or any person who is a party or accessory to or an accomplice in any such driving or unauthorized taking is guilty of a crime, and upon conviction shall be punished by imprisonment for not more than two years, or by a fine of not more than \$2,000.00, or by both such fine and imprisonment. The consent of the owner of a vehicle to its driving, towing away, or otherwise taking shall not in any case be presumed or implied because of such owner's consent on a previous occasion or occasions to the driving, towing away or otherwise taking of

Penalty.

Previous consent not a defense.

such vehicle by the same or a different person. It shall not constitute a defense to a violation of this Act, nor shall it vitiate the intent required herein, that such person was under the influence of any drug or alcoholic beverage.

Vehicle defined.

(b) The word "vehicle" as used herein shall mean every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human power.

Persons excluded.

(c) The word "person" as used herein shall not include a United States Marshal or his deputy, a Highway Patrolman, or any other peace officer who drives, tows away, or otherwise takes a vehicle with authority under law to do so.

Section 2. Section 50-5-2 ACLA 1949 is amended to read as follows:

Larceny prosecution.

Section 50-5-2 CONVICTION IN LARCENY PROSECUTION. Where, in a criminal prosecution for larceny of a vehicle, as the term "vehicle" as defined in Section 50-5-1 herein, the facts do not warrant a conviction of the defendant for larceny, he may, nevertheless, be convicted of a violation of the provisions of Section 50-5-1 as amended herein if the facts warrant a conviction for the violation thereof.

Approved March 30, 1953.

CHAPTER 104

AN ACT

[S. B. 33]

Pertaining to teachers' and superintendents salaries; amending Sections 37-6-1 and 37-6-2 ACLA 1949, as last amended by