



LAWS OF ALASKA

2006

Source

HCS CSSB 261(JUD)

Chapter No.

45

AN ACT

Relating to the designation of traffic safety corridors; relating to the bail or fine for an offense committed in a traffic safety corridor and to separately accounting for such fines; relating to the license point penalty; relating to damage claims regarding a highway work zone; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

AN ACT

1 Relating to the designation of traffic safety corridors; relating to the bail or fine for an offense
2 committed in a traffic safety corridor and to separately accounting for such fines; relating to
3 the license point penalty; relating to damage claims regarding a highway work zone; and
4 providing for an effective date.

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6 * **Section 1.** AS 19.10 is amended by adding a new section to read:

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Sec. 19.10.075. Designation of traffic safety corridors; fines. (a) To promote traffic safety, the department may designate a portion of a highway to be a traffic safety corridor. The commissioner shall establish criteria for the designation and continuation of traffic safety corridors. In establishing the criteria, the commissioner may consider accident data and reports, the type and volume of vehicular traffic, engineering and traffic studies, and other relevant factors. Before the department designates a traffic safety corridor, the commissioner shall consult with the commissioner of public safety and shall consult with other local, state, and federal

1 agencies with responsibility for traffic safety. A motor vehicle or traffic offense
2 committed in a traffic safety corridor is subject to a double fine as provided in
3 AS 28.40.070. The department shall erect signs designating traffic safety corridors and
4 alerting the public that motor vehicle and traffic offenses committed within a corridor
5 are subject to double fines. A claim for damages may not be made against the state or
6 its officers, employees, or agents for an act or omission relating to the designation of
7 and erection of signs regarding a traffic safety corridor.

8 (b) The legislature may appropriate 50 percent of the fines for offenses
9 committed in a traffic safety corridor imposed under AS 28.40.070 and collected and
10 separately accounted for by the state under AS 37.05.142, to the division of the
11 Department of Transportation and Public Facilities responsible for highway safety
12 planning, for highway safety programs.

13 * **Sec. 2.** AS 28.05.151(d) is amended to read:

14 (d) The supreme court, in establishing scheduled amounts of bail under this
15 section, and each municipality that establishes or has established a fine schedule under
16 this section shall provide that the scheduled amount of bail or fine, as applicable, for a
17 motor vehicle or traffic offense that is committed in a highway work zone **or traffic**
18 **safety corridor** shall be double the amount of the bail or fine for the offense if it had
19 not been committed in a highway work zone **or traffic safety corridor**.

20 * **Sec. 3.** AS 28.15.221 is amended by adding a new subsection to read:

21 (c) The regulations adopted under (a) of this section shall include a two-point
22 addition to a licensee's assessed total if the licensee, while in a designated traffic
23 safety corridor, overtakes and passes another vehicle in a zone designated by a safety
24 control device that prohibits passing.

25 * **Sec. 4.** AS 28.40.070 is amended to read:

26 **Sec. 28.40.070. Fines for offenses committed within highway work zones**
27 **and traffic safety corridors doubled.** Whenever a person violates a provision of this
28 title or a regulation adopted under the authority of this title within a highway work
29 zone **or traffic safety corridor**, notwithstanding the amount of the fine or the
30 maximum fine set under this title, the fine, or maximum fine, is double the amount
31 provided in this title.

1 * **Sec. 5.** AS 28.40.070 is amended by adding new subsections to read:

2 (b) Fines imposed and collected under this section for offenses that are
3 committed in a traffic safety corridor shall be separately accounted for under
4 AS 37.05.142.

5 (c) Notwithstanding the requirements of (b) of this section and AS 37.05.142,
6 the Alaska Court System shall deposit fines collected under this section for offenses
7 committed in a traffic safety corridor in the general fund if the fine is collected at a
8 court location where separate accounting for traffic safety corridor fines is not
9 achievable.

10 (d) The administrative director of the Alaska Court System shall notify the
11 Department of Administration

12 (1) of court locations where separate accounting under (b) of this
13 section is not achievable; and

14 (2) when a court location identified under (1) of this subsection
15 becomes able to separately account for fines under (b) of this section.

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

17 **Sec. 28.40.072. Prohibition of damage claims regarding highway work**
18 **zone signs.** A claim for damages may not be made against the state or its officers,
19 employees, or agents for an act or omission relating to the designation of and erection
20 of signs regarding a highway work zone.

21 * **Sec. 7.** AS 28.40.100(a) is amended by adding a new paragraph to read:

22 (27) “traffic safety corridor” means a portion of a highway on which
23 signs have been erected designating that portion as a traffic safety corridor under
24 AS 19.10.075.

25 * **Sec. 8.** This Act takes effect immediately under AS 01.10.070(c).