

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 1102

Revision of Administrative Rule 43.6, Oversize Vehicle Bail Forfeiture Schedule to change two offenses and add three offenses.

IT IS ORDERED:

Administrative Rule 43.6 is revised as follows:

Administrative Rule 43.6. Oversize Vehicle Bail Forfeiture Schedule.

Pursuant to AS 45.75.133, the following offenses are appropriate for 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 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.

<u>Regulation and Statute</u>	<u>Description of Offense</u>	<u>Bail Forfeiture Amount</u>
3 AAC 35.110 AS 45.75.380(a)(11)	Failure to stop at weigh station	\$ 100
3 AAC 35.120(b) AS 45.75.380(a)(11)	Driving without permit when required	200
3 AAC 35.120(b) AS 45.75.380(a)(10)	Permit has expired	100
3 AAC 35.120(b) AS 45.75.380(a)(10)	Load is reducible and not specifically authorized by permit	100
3 AAC 35.120(b) AS 45.75.380(a)(10)	Moving during a period of time not authorized by permit	100
3 AAC 35.120(b) AS 45.75.380(a)(10)	Traveling off route specified on permit	100
3 AAC 35.120(b) AS 45.75.380(a)(10)	Exceeds maximum size stated on permit	100

<u>Regulation and Statute</u>	<u>Description of Offense</u>	<u>Bail Forfeiture Amount</u>
3 AAC 35.120(b) AS 45.75.380(a)(10)	Has overhang not authorized by permit and is in excess of ten feet	100
3 AAC 35.120(b) AS 45.75.380(a)(10)	Does not have proper signs, beacons, pilot cars, communications, flags or police escort (where required by permit)	100
3 AAC 35.120(b) AS 45.75.380(a)(10)	Does not conform with special conditions described on permit (other than speed)	100
3 AAC 35.120(b) AS 45.75.380(a)(10)	Speeding: 3-9 MPH over limit set in permit	4/mile
	10-19 MPH over limit set in permit	4/mile
3 AAC 35.140 AS 45.75.380(a)(11)	No permit on vehicle; or, issuance cannot be readily verified	100
17 AAC 25.020(a) AS 45.75.380(a)(11)	Overwidth, 8'6" maximum	50/ft. or fraction thereof
17 AAC 25.030(a) AS 45.75.380(a)(11)	Overheight, 14' maximum	50
17 AAC 25.030(b) AS 45.75.380(a)(11)	Overlength single vehicle (40' maximum)	50/ft. or fraction thereof
17 AAC 25.030(c) AS 45.75.380(a)(11)	Overlength semi-trailer, 45' maximum (non-designated highways)	50/ft. or fraction thereof
17 AAC 25.030(c) AS 45.75.380(a)(11)	Overlength truck tractor-semi trailer, 70' maximum bumper to bumper (non-designated highways)	50/ft. or fraction thereof
17 AAC 25.030(d) AS 45.75.380(a)(11)	Overlength truck tractor and trailers, 75' maximum bumper to bumper (non-designated highways)	50/ft. or fraction thereof
17 AAC 25.030(e) AS 45.75.380(a)(11)	Overhangs-3' front, 4' rear maximum	20/ft. or fraction thereof

<u>Regulation and Statute</u>	<u>Description of Offense</u>	<u>Bail Forfeiture Amount</u>
17 AAC 25.030(f), (g) or (j) AS 45.75.380(a)(11)	Overlength semi-trailer or trailer, 48' maximum (designated highways)	50/ft. or fraction thereof
17 AAC 25.030(g) AS 45.75.380(a)(11)	Overlength truck tractor & trailers 95' [90'] front of first trailer to rear of second trailer maximum (designated highways)	50/ft. or fraction thereof
17 AAC 25.030(h) AS 45.75.380(a)(11)	Triples prohibited (three cargo carrying units)	300
17 AAC 25.030(i) AS 45.75.380(a)(11)	Oversize sign required on combinations over 75' (designated highways)	50
17 AAC 25.030(k) AS 45.75.380(a)(11)	Overlength truck-trailer, 90' maximum, bumper to bumper (designated highways)	50/ft. or fraction thereof
<u>17 AAC 25.032(a) AS 45.75.380(a)(11)</u>	<u>Overweight distribution</u>	<u>200</u>
<u>17 AAC 25.032(b) AS 45.75.380(a)(11) & (b)</u>	<u>Overweight axle combination</u>	<u>.05/lb</u>
<u>17 AAC 25.032(c) AS 45.75.380(a)(11) & (b)</u>	<u>Overweight inner gross (tractor and first trailer)</u>	<u>.05/lb</u>
17 AAC 25.035 AS 45.75.380(a)(11)	Reasonable access, 5 [25] miles maximum	150
17 AAC 25.040(a) AS 45.75.380(a)(11)	Leaking load on highway	100
17 AAC 25.040(b) AS 45.75.380(a)(11)	Unsecure load	100
17 AAC 25.060(a)(1) AS 45.75.380(a)(11)&(b)	Overweight gross	.05/lb
17 AAC 25.060(a)(2) AS 45.75.380(a)(11)&(b)	Overweight axle	.05/lb

<u>Regulation and Statute</u>	<u>Description of Offense</u>	<u>Bail Forfeiture Amount</u>
17 AAC 25.060(a)(3) AS 45.75.380(a)(11)&(b)	Overweight tires	.05/lb

DATED: _____

EFFECTIVE DATE: _____

Chief Justice Rabinowitz

Justice Burke

Justice Matthews

Justice Compton

Justice Moore