

IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 1429

Adding new Administrative Rule 43.8,
Watercraft Bail Forfeiture Schedule.

IT IS ORDERED:

Administrative Rule 43.8 is adopted to read as follows:

Administrative Rule 43.8. Watercraft Bail Forfeiture Schedule.

Pursuant to AS 05.25.090(c), the following offenses listed in AS 05.25.090(b) may be disposed of 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 fine 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>Statute</u>	<u>Description of Offense</u>	<u>Bail</u>
<u>AS 05.25.010(a)(1)</u>	<u>Failure to have or use Coast Guard approved sound producing device and visual distress signals.</u>	<u>\$ 50</u>
<u>AS 05.25.010(a)(2)</u>	<u>Failure to have Coast Guard approved ventilation and backfire flame control devices.</u>	<u>\$ 50</u>
<u>AS 05.25.010(a)(3)</u>	<u>Coast Guard approved fire extinguishers required.</u>	<u>\$100</u>
<u>AS 05.25.010(c)</u>	<u>Failure to display Coast Guard approved navigational lights.</u>	<u>\$ 50</u>
<u>AS 05.25.010(d)</u>	<u>Personal flotation device required for each person on board.</u>	<u>\$100 plus \$50 for each additional person</u>

<u>AS 05.25.010(e)</u>	<u>Throwable type 4 personal flotation device required on boats that are 16 feet and longer. (Except canoes and kayaks.)</u>	<u>\$100</u>
<u>AS 05.25.010(f)</u>	<u>Unlawful use of flashing or revolving red or blue emergency lights.</u>	<u>\$ 50</u>
<u>AS 05.25.010(g)</u>	<u>Transporting on deck or in open boat persons under 13 years of age that are not wearing a personal flotation device. (Operator responsible.)</u>	<u>\$100</u>
<u>AS 05.25.020(a)</u>	<u>Towing a person on water skis, surfboard, or a similar device without either an observer 12 years or older or a rear view mirror.</u>	<u>\$100</u>
<u>AS 05.25.020(b)</u>	<u>Towing a person under 13 years of age, who is not wearing a personal flotation device, on water skis, surfboard, or similar device. (Operator responsible.)</u>	<u>\$100</u>
<u>AS 05.25.030(b)</u>	<u>Failure to file an accident report when an injury occurs or damage greater than \$500 occurs.</u>	<u>\$150</u>
<u>AS 05.25.055(a)</u>	<u>Failure to register powerboat.</u>	<u>\$ 50</u>
<u>AS 05.25.055(a)</u>	<u>Failure to register boat greater than 10 ft in length that is exclusively rowed, paddled, poled, or powered by wind.</u>	<u>\$ 25</u>
<u>AS 05.25.055(d)</u>	<u>Failure to display properly issued identification number and a validation decal.</u>	<u>\$ 50</u>

This rule is in effect until such time as the statutes listed above are amended or repealed pursuant to sec. 30, ch. 28 SLA 2000.

DATED: March 15, 2001

EFFECTIVE DATE: April 15, 2001

/s/
Chief Justice Fabe

/s/
Justice Matthews

/s/
Justice Eastaugh

/s/
Justice Bryner

/s/
Justice Carpeneti