

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1552

Amending Administrative Rule 43.6,
Oversize Vehicle Bail Forfeiture
Schedule.

IT IS ORDERED:

Administrative Rule 43.6 is revised as follows, including reorganizing the offenses to list them in the order of their new regulation numbers rather than their old regulation numbers:

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>
17 AAC 25.012(a) AS 45.75.380(a)(11)	Overwidth, 8'6" maximum	100/ft. or fraction thereof
17 AAC 25.012(b) AS 45.75.380(a)(11)	Overheight, 14' maximum, except: Anchorage - 15' maximum Fairbanks – 15' maximum Dalton & Elliott Hwys. - 17' maximum	100
17 AAC 25.012(c) or (d) AS 45.75.380(a)(11)	Overlength single power vehicle(45' maximum)	100/ft. or fraction thereof

<u>Regulation and Statute</u>	<u>Description of Offense</u>	<u>Bail Forfeiture Amount</u>
17 AAC 25.012(c)(2) AS 45.75.380(a)(11)	Overlength semitrailer or trailer- distance from king pin to rearmost axle group exceeds 41' (National Highway System)	100/ft. or fraction thereof
17 AAC 25.012(c)(3) AS 45.75.380(a)(11)	Overlength semitrailer on National Highway System (NHS), 53' maximum cargo-carrying length	100/ft. or fraction thereof
17 AAC 25.012(c) or (d) AS 45.75.380(a)(11)	Overlength combination of vehicles, 75' maximum	100/ft. or fraction thereof
17 AAC 25.012(c) or (d) AS 45.75.380(a)(11)	Overhangs-3' front, 4' rear maximum	50/ft. or fraction thereof
17 AAC 25.012(d)(2) AS 45.75.380(a)(11)	Overlength semitrailer or trailer on state highway system (48' maximum cargo-carrying length)	100/ft. or fraction thereof
17 AAC 25.012(e) AS 45.75.380(a)(11)	Overlength semitrailer in combination (maximum 48' per trailer) or more than two cargo-carrying vehicles in combination	100/ft. or fraction thereof
17 AAC 25.012(f) AS 45.75.380(a)(11)	Reasonable access, 5 miles maximum	300
17 AAC 25.013(a)(1) AS 45.75.380(a)(11) &(b)	Overweight tires	.05/lb
17 AAC 25.013(a)(2) AS 45.75.380(a)(11) &(b)	Overweight axle	.05/lb
17 AAC 25.013(a)(3) AS 45.75.380(a)(11) &(b)	Overweight gross	.05/lb
17 AAC 25.013(b) AS 45.75.380(a)(11)	Overweight distribution	300

<u>Regulation and Statute</u>	<u>Description of Offense</u>	<u>Bail Forfeiture Amount</u>
17 AAC 25.013(b) AS 45.75.380(a)(11) & (b)	Overweight inner gross (tractor and first cargo vehicle)	.05/lb
17 AAC 25.013(c) AS 45.75.380(a)(11) & (b)	Overweight axle combination	.05/lb
17 AAC 25.014(a) AS 45.75.380(a)(11)	Overlength long combination vehicle (LCV) - 120' maximum overall - 95' maximum length of cargo vehicles (designated routes)	100/ft. or fraction thereof
17 AAC 25.014(b) AS 45.75.380(a)(11)	Overlength combination of vehicles, 90' maximum overall length (designated routes)	100/ft. or fraction thereof
17 AAC 25.014(c) AS 45.75.380(a)(11)	Overlength combination of vehicles, 85' maximum overall length (designated routes)	100/ft. or fraction thereof
17 AAC 25.014(d) AS 45.75.380(a)(11)	Triples prohibited without permit (three cargo carrying units)	500
17 AAC 25.014(e)(2) AS 45.75.380(a)(11)	Oversize sign required on combinations over 75'	100
17 AAC 25.014(f) AS 45.75.380(a)(11)	Reasonable access, 5 miles maximum	300
17 AAC 25.014(g) AS 45.75.380(a)(11)	Headlights must be illuminated at all times (long combination vehicles)	100
17 AAC 25.310 AS 45.75.380(a)(11)	Failure to stop at weigh station	300
17 AAC 25.320(b) AS 45.75.380(a)(11)	Driving without permit when required	400
17 AAC 25.320(b) AS 45.75.380(a)(10)	Permit has expired	200

<u>Regulation and Statute</u>	<u>Description of Offense</u>	<u>Bail Forfeiture Amount</u>
17 AAC 25.320(b) AS 45.75.380(a)(10)	Load is reducible and not specifically authorized by permit	200
17 AAC 25.320(b) AS 45.75.380(a)(10)	Moving during a period of time not authorized by permit	200
17 AAC 25.320(b) AS 45.75.380(a)(10)	Traveling off route specified on permit	200
17 AAC 25.320(b) AS 45.75.380(a)(10)	Exceeds maximum size stated on permit	200
17 AAC 25.320(b) AS 45.75.380(a)(10)	Has overhang not authorized by permit	200
17 AAC 25.320(b) AS 45.75.380(a)(10)	Does not have proper signs, beacons, pilot cars, communications, flags or police escort (where required by permit)	200
17 AAC 25.320(b) AS 45.75.380(a)(10)	Does not conform with special conditions described on permit (other than speed)	200
17 AAC 25.320(b) AS 45.75.380(a)(10)	Speeding: 3-9 MPH over limit set in permit	12/mile
	10-19 MPH over limit set in permit	20/mile
17 AAC 25.340 AS 45.75.380(a)(11)	No permit on vehicle; or, issuance cannot be readily verified	200

DATED: May 20, 2004

EFFECTIVE DATE: July 1, 2004

/s/Chief Justice Bryner

/s/Justice Matthews

/s/Justice Eastaugh

/s/Justice Fabe

/s/Justice Carpeneti