

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1767

Revising Administrative Rule 43.3, Parks Bail Forfeiture Schedule, to amend offense descriptions, increase current bail amounts, add nine offenses, and delete three offenses.

IT IS ORDERED:

Administrative Rule 43.3 is amended to read as follows:

Rule 43.3. Parks Bail Forfeiture Schedule.

Pursuant to AS 41.21.960(b), the following offenses committed within a park or recreational facility are amenable to 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 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>Regulation</u>	<u>Description of Offense</u>	<u>Bail</u>
11 AAC 12.020(a)	Failure to comply with traffic or parking control sign	\$50
11 AAC 12.020(b)	Placing or operating a vehicle beyond boundaries established by barriers	100
11 AAC 12.020(c)	Placing or operating a vehicle except on a road or parking area	200
11 AAC 12.050(a)	Bringing refuse or waste into park for disposal	200
11 AAC 12.050(b)	Contaminating state park water	200
11 AAC 12.050(c)	Littering in a state park	150

<u>Regulation</u>	<u>Description of Offense</u>	<u>Bail</u>
11 AAC 12.110	Operating motor vehicle under age 14	50
11 AAC 12.120	Use of horses in closed areas	50
11 AAC 12.130(a)	Bringing pets into prohibited areas; failure to use leash/control pets	50
<u>11 AAC 12.130(b)</u>	<u>Allowing pet to create excessive noise, hazard, or unsanitary conditions</u>	<u>50</u>
11 AAC 12.150	Construction or display of signs without permit	50
11 AAC 12.160	Assembly of more than 20 people without permit	50
11 AAC 12.180	Fire not in campstove or <u>provided</u> authorized park structure	100
11 AAC 12.190	Illegal Use of firearm or other weapon in park (not for legal hunting)	150 <u>300</u>
11 AAC 12.195	Discharge of explosives without permit	400
<u>11 AAC 12.197</u>	<u>Discharging fireworks without permit</u>	<u>200</u>
11 AAC 12.200	Failure to use diver's flag while engaged in underwater diving	50
<u>11 AAC 12.210</u>	<u>Exceeding limits on numbers of vehicles or campers per campsite</u>	<u>100</u>
11 AAC 12.220(a)	Leaving camps and equipment unattended in developed campground	150
11 AAC 12.220(b)	Leaving camps and equipment unattended in undeveloped area	150
11 AAC 12.230(a)	Camping outside developed camp site or designated camping space	100
11 AAC 12.230(b)	Unauthorized camping over 15 days	50
11 AAC 12.230(c)	Return to developed campground in 15 days or less	200
11 AAC 12.230(f)	Excessive noise during campground quiet hours (11 p.m. to 6 a.m.)	75 <u>150</u>

<u>Regulation</u>	<u>Description of Offense</u>	<u>Bail</u>
11 AAC 12.230(h)	Camping where prohibited	50 <u>100</u>
11 AAC 12.230(j)	Leaving food/food container accessible to bears	50 <u>300</u>
11 AAC 12.230(l)	Camping in undeveloped area more than 10 days	100
11 AAC 12.230(m)	Camping within 300 feet of a public use cabin	100
11 AAC 12.235(a)	Unauthorized anchoring and mooring of a boat <u>or structure on saltwater</u> for more than 30 days	50
11 AAC 12.235(b)	Anchoring and mooring of a boat or structure <u>on saltwater</u> where prohibited	50
11 AAC 12.235(c)	Unauthorized anchoring and mooring of a boat or structure <u>on saltwater</u> when left unattended more than 72 hours	50
11 AAC 12.240	Vandalizing park resources or property	300
11 AAC 12.245	Use of park cabin, facility, or site without permit	100
11 AAC 12.250(a)	Failure to pay fees or obtain permit	50
11 AAC 12.335(e)	Violation of closure or use restriction	100
11 AAC 18.030(c)	Violation of non-competitive commercial permit stipulation	400 <u>200</u>
11 AAC 18.040(g)	Violation of competitive commercial permit stipulation	400 <u>200</u>
11 AAC 20.015(b)	Operating off-road vehicle on Eklutna Lakeside Trail when prohibited (Chugach State Park)	100
11 AAC 20.045 (6)	Recreational gold panning using illegal means (Chugach State Park)	100
11 AAC 20.115(a)	Use of motorized boats in closed areas (Kachemak Bay State Park)	100
11 AAC 20.115(b)	Use of personal watercraft in closed areas (Kachemak Bay State Park)	200

<u>Regulation</u>	<u>Description of Offense</u>	<u>Bail</u>
11 AAC 20.115(c)	Operating motor boat in violation of no wake zone (Kachemak Bay State Park)	100
11 AAC 20.365(4)	Use of generators (Wood-Tikchik State Park)	100 ¹
11 AAC 20.365(5)	Operating motorized boats or aircraft in violation of no wake zones (Lake Aleknagik State Recreation Site)	100 ¹
11 AAC 20.365(5)	Operating aircraft in violation of designated aircraft landing zones (Lake Aleknagik State Recreation Site)	200
11 AAC 20.375(b)	Unauthorized landing of helicopter (Wood-Tikchik State Park)	300
11 AAC 20.380(b)	Use of airboats (Wood-Tikchik State Park)	200
11 AAC 20.380(c)	Use of personal watercraft (Wood-Tikchik State Park)	200
11 AAC 20.380(d)(1)	Use of hovercraft during closed season (Wood-Tikchik State Park)	200
11 AAC 20.380(d)(2)	Use of hovercraft in closed areas (Wood-Tikchik State Park)	200
11 AAC 20.380(e)	Use of motorized boat (Lake Chikuminuk) (Wood-Tikchik State Park)	200
11 AAC 20.383	Violation of watercraft use zones (Agulowak River) (Wood-Tikchik State Park)	200 ¹
11 AAC 20.395	Violation of commercial permit use limitations <u>(Wood-Tikchik State Park)</u>	300 ¹
11 AAC 20.397(a)(1)	Boating without permit (Tikchik River) (Wood-Tikchik State Park)	100
11 AAC 20.397(a)(2)	Camping without permit in restricted areas (Wood-Tikchik State Park)	100
11 AAC 20.397(b)	Party size exceeds 10 people (Wood-Tikchik State Park)	100 ¹
<u>11 AAC 20.460</u>	<u>Illegal use of weapons (Chena River SRA)</u>	<u>300</u>

<u>Regulation</u>	<u>Description of Offense</u>	<u>Bail</u>
<u>11 AAC 20.540</u>	<u>Use of bow and arrow or trap within ¼ mile of developed facility (Nancy Lake State Recreation Area)</u>	<u>300</u>
11 AAC 20.860(b)	Operating motor rated greater than 35 horsepower in restricted areas (Kenai River Special Management Area)	150
11 AAC 20.860(e)(d)	Failure to clearly mark boat horsepower rating (Kenai River Special Management Area)	50
<u>11 AAC 20.860(e)</u>	<u>Operating boat by using a motor other than a four-stroke or direct fuel injected two-stroke (Kenai River Special Management Area)</u>	<u>500</u>
<u>11 AAC 20.861</u>	<u>Operating a boat that exceeds boat size specifications (Kenai River Special Management Area)</u>	<u>300</u>
11 AAC 20.862(a)	Operating motor boat with more than six persons on board (Kenai River Special Management Area)	100
11 AAC 20.862(b)	Anchored boat obstructing channel (Kenai River Special Management Area)	100
11 AAC 20.862(c)	Anchored buoy left unattended (Kenai River Special Management Area)	100
11 AAC 20.862(g)(1)	Operating or towing a motorized boat in areas closed to motorized boats per 5 AAC 56.023 <u>57.121</u> (Kenai River Special Management Area)	100
11 AAC 20.862(g)(2)	Operating or towing a motorized boat in areas closed to motorized boats per 11 AAC 20.865 (Kenai River Special Management Area)	100
<u>11 AAC 20.867</u>	<u>Use of personal watercraft in closed areas (Kenai River Special Management Area)</u>	<u>200</u>

<u>Regulation</u>	<u>Description of Offense</u>	<u>Bail</u>
11 AAC 20.870	Operating boat or aircraft at speed greater than 5 mph in designated no wake area (Kenai Lake Outlet) (Kenai River Special Management Area)	50
11 AAC 20.875	Water skiing except on Kenai Lake (Kenai River Special Management Area)	50
11 AAC 20.880	Camping on Kenai River islands or other prohibited areas (Kenai River Special Management Area)	50
11 AAC 20.885(e)	Operating boat with expired, suspended, or revoked guide number or sticker (Kenai River Special Management Area)	50
11 AAC 20.885(f)	Sale of guide boat without notification or removal of sticker (Kenai River Special Management Area)	100
11 AAC 20.885(h)	Failure to remain within sight or sound of clients during guided activity (Kenai River Special Management Area)	100
11 AAC 20.890(a)	Renting boats without permit (Kenai River Special Management Area)	400
11 AAC 20.905	Unauthorized use of alcoholic beverages	50
11 AAC 20.918(7)	Recreational gold panning in prohibited areas <u>using illegal means</u> (Kenai State Parks)	100
11 AAC 20.919(5)	Recreational gold panning in prohibited areas <u>using illegal means</u> (Independence Mine State Historical Park)	100
11 AAC 20.958	Use of bicycle in prohibited area or manner not allowed (Perseverance State Trail)	50
11 AAC 21.010(a)	Bringing refuse or waste into preserve for disposal (Alaska Chilkat Bald Eagle Preserve)	200

<u>Regulation</u>	<u>Description of Offense</u>	<u>Bail</u>
11 AAC 21.010(b)	Placing refuse or waste that contaminates preserve water (Alaska Chilkat Bald Eagle Preserve)	200
11 AAC 21.015(a)	Use of weapon within ½ mile of developed facility (Alaska Chilkat Bald Eagle Preserve)	150
11 AAC 21.035	Vandalizing preserve property or facility (Alaska Chilkat Bald Eagle Preserve)	300
11 AAC 21.045	Unauthorized construction or display of signs (Alaska Chilkat Bald Eagle Preserve)	50
11 AAC 21.050	Use of explosives without permit (Alaska Chilkat Bald Eagle Preserve)	400
<u>11 AAC 21.051</u>	<u>Discharging fireworks without permit (Alaska Chilkat Bald Eagle Preserve)</u>	<u>200</u>
11 AAC 21.055	Use of cabin without payment of fee (Alaska Chilkat Bald Eagle Preserve)	100
11 AAC 21.100(e)	Engaging in commercial activities without permit <u>Violation of non-competitive commercial permit stipulation</u> (Alaska Chilkat Bald Eagle Preserve)	400 <u>200</u>
11 AAC 21.105(f)	Violation of permit conditions <u>closure or use restriction</u> (Alaska Chilkat Bald Eagle Preserve)	100

¹ 11 AAC 20.365 adopts the *Wood-Tikchik State Park Management Plan* by reference. The Plan may be found at <http://www.dnr.state.ak.us/parks/plans/woodt/woodtpln.htm>.

DATED: August 24, 2011

EFFECTIVE DATE: September 1, 2011

/s/
Chief Justice Carpeneti

/s/
Justice Fabe

/s/
Justice Winfree

/s/
Justice Christen

/s/
Justice Stowers