IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1858

Amending Administrative Rule 43.6, Oversize Vehicle Bail Forfeiture Schedule to Implement Changes in Oversize Vehicle Regulations and Add an Offense.

IT IS ORDERED:

Administrative Rule 43.6 is revised as follows:

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.

Statute or Regulation	Description of Offense	Bail
17 AAC 25.012(a) AS 45.75.380(a)(11)	Overwidth, 8 ft. 6 in. maximum	100/ft. or fraction thereof
17 AAC 25.012(b) AS 45.75.380(a)(11)	Overheight, ~~14~~15 ft. maximum, except: ~~Anchorage – 15 ft. maximum~~ ~~Fairbanks – 15 ft. maximum~~ Dalton & Elliott Hwys. <u>between Fox Weigh Station & Prudhoe Bay</u> – 17 ft. maximum	100/ft. or fraction thereof
17 AAC 25.012(c) or (d) AS 45.75.380(a)(11)	Overlength power vehicle (45 ft. maximum)	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 ft. maximum cargo-carrying length	100/ft. or fraction thereof

Statute or Regulation	Description of Offense	Bail
17 AAC 25.012(c) or (d) AS 45.75.380(a)(11)	Overlength combination of vehicles, 75 ft. maximum	100/ft. or fraction thereof
17 AAC 25.012(c) or (d) AS 45.75.380(a)(11)	Overhangs-3 ft. front, 4 ft. rear maximum	100/ft. or fraction thereof
17 AAC 25.012(d)(2) AS 45.75.380(a)(11)	Overlength semitrailer or trailer on state highway system (5~~3~~48 ft. 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 5~~3~~48 ft. 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	400

17 AAC 25.013(a)(1)
AS 45.75.380(a)(11)&(b)
	Overweight tires
	  - 1,001 - 2000 lbs
	  - 2,001 - 4,000 lbs
	  - 4,001 - 6,000 lbs
	  - 6,001 - 10,000 lbs
	  -10,001 or more lbs
		
		100
		.07/lb
		.09/lb
		.12/lb
		.15/lb

17 AAC 25.013(a)(4~~2~~)
AS 45.75.380(a)(11)&(b)
	Overweight axle or axle group
	  - 1,001 - 2000 lbs
	  - 2,001 - 4,000 lbs
	  - 4,001 - 6,000 lbs
	  - 6,001 - 10,000 lbs
	  -10,001 or more lbs
		
		100
		.07/lb
		.09/lb
		.12/lb
		.15/lb

17 AAC 25.013(a)(5)
AS 45.75.380(a)(11)&(b)
	Overweight three-axle group
	  - 1,001 - 2000 lbs
	  - 2,001 - 4,000 lbs
	  - 4,001 - 6,000 lbs
	  - 6,001 - 10,000 lbs
	  -10,001 or more lbs
		
		100
		.07/lb
		.09/lb
		.12/lb
		.15/lb

Statute or Regulation	Description of Offense	Bail
17 AAC 25.013(a)(63) AS 45.75.380(a)(11)&(b)	Overweight gross - 1,001 - 2000 lbs - 2,001 - 4,000 lbs - 4,001 - 6,000 lbs - 6,001 - 10,000 lbs -10,001 or more lbs	 100 .07/lb .09/lb .12/lb .15/lb
17 AAC 25.013(b) AS 45.75.380(a)(11)	Overweight distribution	300
17 AAC 25.013(b) AS 45.75.380(a)(11)&(b)	Overweight inner gross (tractor and first cargo vehicle) - 1,001 - 2000 lbs - 2,001 - 4,000 lbs - 4,001 - 6,000 lbs - 6,001 - 10,000 lbs -10,001 or more lbs	 100 .07/lb .09/lb .12/lb .15/lb
17 AAC 25.013(c) AS 45.75.380(a)(11)&(b)	Overweight axle combination - 1,001 - 2000 lbs - 2,001 - 4,000 lbs - 4,001 - 6,000 lbs - 6,001 - 10,000 lbs -10,001 or more lbs	 100 .07/lb .09/lb .12/lb .15/lb
17 AAC 25.014(a) AS 45.75.380(a)(11)	Overlength long combination vehicle (LCV) - 120 ft. maximum overall - 95 ft. 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 ft. 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, 95 ft. 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

Statute or Regulation	Description of Offense	Bail
17 AAC 25.014(e)(2) AS 45.75.380(a)(11)	Oversize sign required on combinations over 75 ft.	200
17 AAC 25.014(f) AS 45.75.380(a)(11)	Reasonable access, 5 miles maximum (long combination vehicles)	400
17 AAC 25.014(g) AS 45.75.380(a)(11)	Headlights must be illuminated at all times (long combination vehicles)	200
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
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

Statute or Regulation	Description of Offense	Bail

17 AAC 25.320(b)
AS 45.75.380(a)(10)
	Speeding:
	   - 3-9 MPH over limit set in permit
	   -10-19 MPH over limit set in permit
		12/mile
		20/mile

<u>17 AAC 25.340(b)</u>	<u>Refusal to submit to vehicle inspection</u> <u>and/or tests</u>	<u>500</u>
17 AAC 25.340(<u>c</u>) AS 45.75.380(a)(11)	No permit on vehicle; or, issuance cannot be readily verified	200

DATED: June 4, 2015

EFFECTIVE DATE: June 15, 2015

/s/
Chief Justice Fabe

/s/
Justice Winfree

/s/
Justice Stowers

/s/
Justice Maassen

/s/
Justice Bolger