

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1594

Revising Administrative Rule 43.3, Parks Bail Forfeiture Schedule, to amend current bail amounts and add twenty-one 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 |
| 11 AAC 12.110 | Operating motor vehicle under age 14 | 50 |

| <u>Regulation</u> | <u>Description of Offense</u> | <u>Bail</u> |
|--------------------------|---|--------------------|
| 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 |
| 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 authorized park structure | 100 |
| 11 AAC 12.190 | Use of firearm or other weapon in park (not for legal hunting) | 150 |
| 11 AAC 12.195 | Discharge of explosives without permit | 100 |
| 11 AAC 12.200 | Failure to use diver's flag while engaged in underwater diving | 50 |
| 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 |
| 11 AAC 12.230(h) | Camping where prohibited | 50 |
| 11 AAC 12.230(j) | Leaving food/food container accessible to bears | 50 |
| 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 |

| <u>Regulation</u> | <u>Description of Offense</u> | <u>Bail</u> |
|--------------------------|--|--------------------|
| 11 AAC 12.235(a) | Unauthorized anchoring and mooring of a boat for more than 30 days | 50 |
| 11 AAC 12.235(b) | Anchoring and mooring of a boat or structure where prohibited | 50 |
| 11 AAC 12.235(c) | Unauthorized anchoring and mooring of a boat or structure 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 | 100 |
| 11 AAC 18.040(g) | Violation of competitive commercial permit stipulation | 100 |
| 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 |
| 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 |

| <u>Regulation</u> | <u>Description of Offense</u> | <u>Bail</u> |
|--------------------------|---|--------------------|
| 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 | 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 |
| 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) | Failure to clearly mark boat horsepower rating (Kenai River Special Management Area) | 50 |
| 11 AAC 20.862(a) | Operating motor boat with more than six persons on board (Kenai River Special Management Area) | 100 |

| <u>Regulation</u> | <u>Description of Offense</u> | <u>Bail</u> |
|--------------------------|---|--------------------|
| 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 (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 |
| 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) | 100 |
| 11 AAC 20.905 | Unauthorized use of alcoholic beverages | 50 |

| <u>Regulation</u> | <u>Description of Offense</u> | <u>Bail</u> |
|--------------------------|---|--------------------|
| 11 AAC 20.918(7) | Recreational gold panning in prohibited areas (Kenai State Parks) | 100 |
| 11 AAC 20.919(5) | Recreational gold panning in prohibited areas (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 |
| 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) | 100 |
| 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 (Alaska Chilkat Bald Eagle Preserve) | 100 |
| 11 AAC 21.105(f) | Violation of permit conditions (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: February 9, 2006

EFFECTIVE DATE: April 15, 2006

/s/
Chief Justice Bryner

/s/
Justice Matthews

/s/
Justice Eastaugh

/s/
Justice Fabe

/s/
Justice Carpeneti