

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1220

Amending Administrative Rule 43.6, Oversize Vehicle Bail Forfeiture Schedule, to delete two offenses and renumber and revise the description of several others.

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>
3 AAC 35.110 AS 45.75.380(a) (11)	Failure to stop at weigh station	\$ 100
3 AAC 35.120(b) AS 45.75.380(a) (11)	Driving without permit when required	200
3 AAC 35.120(b) AS 45.75.380(a) (10)	Permit has expired	100

<u>Regulation and Statute</u>	<u>Description of Offense</u>	<u>Bail Forfeiture Amount</u>
3 AAC 35.120(b) AS 45.75.380(a) (10)	Load is reducible and not specifically authorized by permit	100
3 AAC 35.120(b) AS 45.75.380(a) (10)	Moving during a period of time not authorized by permit	100
3 AAC 35.120(b) AS 45.75.380(a) (10)	Traveling off route specified on permit	100
3 AAC 35.120(b) AS 45.75.380(a) (10)	Exceeds maximum size stated on permit	100
3 AAC 35.120(b) AS 45.75.380(a) (10)	Has overhang not authorized by permit <del>and is in excess of ten feet</del>	100
3 AAC 35.120(b) AS 45.75.380(a) (10)	Does not have proper signs, beacons, pilot cars, communications, flags or police escort (where required by permit)	100
3 AAC 35.120(b) AS 45.75.380(a) (10)	Does not conform with special conditions described on permit (other than speed)	100
3 AAC 35.120(b) AS 45.75.380(a) (10)	Speeding: 3-9 MPH over limit set in permit	4/mile
	10-19 MPH over limit set in permit	4/mile
3 AAC 35.140 AS 45.75.380(a) (11)	No permit on vehicle; or, issuance cannot be readily verified	100
<del>17 AAC 25.020(a)</del> <u>17 AAC 25.012(a)</u> AS 45.75.380(a) (11)	Overwidth, 8'6" maximum	50/ft. or fraction thereof
<del>17 AAC 25.030(a)</del> <u>17 AAC 25.012(b)</u> AS 45.75.380(a) (11)	Overheight, 14' maximum, <u>except:</u> <u>Anchorage - 15' maximum</u> <u>Dalton &amp; Elliott Hwys. - 17' maximum</u>	50
<del>17 AAC 25.030(b)</del> <u>17 AAC 25.012(c)</u> AS 45.75.380(a) (11)	Overlength single <u>power</u> vehicle(40' maximum)	50/ft. or fraction thereof

<u>Regulation and Statute</u>	<u>Description of Offense</u>	<u>Bail Forfeiture Amount</u>
<del>17 AAC 25.030(e)</del> <u>17 AAC 25.012(c)</u> AS 45.75.380(a)(11)	Overlength semi-trailer, 45' <del>48'</del> maximum ( <del>non-</del> <del>designated highways</del> )	50/ft. or fraction thereof
<del>17 AAC 25.030(e)</del> <u>17 AAC 25.012(c)</u> AS 45.75.380(a)(11)	Overlength <u>combination</u> <u>of vehicles, truck</u> <del>tractor semi trailer,</del> 70' <u>75'</u> maximum, <u>including</u> <u>load bumper to bumper</u> ( <del>non-designated highways</del> )	50/ft. or fraction thereof
<del>17 AAC 25.030(d)</del> <del>AS 45.75.380(a)(11)</del>	<del>Overlength truck tractor</del> <del>and and trailers, 75'</del> <del>maximum bumper to bumper</del> ( <del>non-designated highways</del> )	<del>50/ft. or</del> <del>fraction</del> <del>thereof</del>
<del>17 AAC 25.030(e)</del> <u>17 AAC 25.012(d)</u> AS 45.75.380(a)(11)	Overhangs-3' front, 4' rear maximum	20/ft. or fraction thereof
<del>17 AAC 25.060(a)(3)</del> <u>17 AAC 25.013(a)(1)</u> AS 45.75.380(a)(11) &(b)	Overweight tires	.05/lb
<del>17 AAC 25.060(a)(2)</del> <u>17 AAC 25.013(a)(2)</u> AS 45.75.380(a)(11) &(b)	Overweight axle	.05/lb
<del>17 AAC 25.060(a)(1)</del> <u>17 AAC 25.013(a)(3)</u> AS 45.75.380(a)(11) &(b)	Overweight gross	.05/lb
<del>17 AAC 25.032(a)</del> <u>17 AAC 25.013(b)</u> AS 45.75.380(a)(11)	Overweight distribution	200
<del>17 AAC 25.032(e)</del> <u>17 AAC 25.013(b)</u> AS 45.75.380(a)(11) &(b)	Overweight inner gross (tractor and first <del>trailer</del> <u>cargo</u> <u>vehicle</u> )	.05/lb
<del>17 AAC 25.032(b)</del> <u>17 AAC 25.013(c)</u> AS 45.75.380(a)(11) &(b)	Overweight axle combination	.05/lb

<u>Regulation and Statute</u>	<u>Description of Offense</u>	<u>Bail Forfeiture Amount</u>
<del>17 AAC 25.030(h)</del> <u>17 AAC 25.014(a)</u> <del>AS 45.75.380(a)(11)</del>	Trailers prohibited <u>without permit</u> (three cargo carrying units)	300
<del>17 AAC 25.030(g)</del> <u>17 AAC 25.014(b)</u> <del>AS 45.75.380(a)(11)</del>	<del>Overlength truck tractor &amp; trailers, 95' front of first trailer to rear of second trailer maximum (designated highways)</del> <u>Overlength long combination vehicle (LCV)</u> <u>- 120' maximum overall</u> <u>- 90' or 95' maximum length of cargo vehicles (designated highways)</u>	50/ft. or fraction thereof
<del>17 AAC 25.030(k)</del> <u>17 AAC 25.014(c)</u> <del>AS 45.75.380(a)(11)</del>	<del>Overlength truck trailer, 90' maximum, bumper to bumper (designated highways)</del> <u>Overlength combination of vehicles, 85' maximum (designated highways)</u>	50/ft. or fraction thereof
<del>17 AAC 25.030(f), (g) or (j)</del> <u>17 AAC 25.014(d)</u> <del>AS 45.75.380(a)(11)</del>	Overlength semi-trailer, <del>or trailer, 48' 53' maximum</del> <u>if in combination with truck tractor</u> (designated highways)	50/ft. or fraction thereof
<del>17 AAC 25.030(i)</del> <u>17 AAC 25.014(e)(2)</u> <del>AS 45.75.380(a)(11)</del>	Oversize sign required on combinations over 75' (designated highways)	50
<del>17 AAC 25.035</del> <u>17 AAC 25.014(f)</u> <del>AS 45.75.380(a)(11)</del>	Reasonable access, 5 miles maximum	150
<del>17 AAC 25.040(a)</del> <del>AS 45.75.380(a)(11)</del>	Leaking load on highway	100
<del>17 AAC 25.040(b)</del> <del>AS 45.75.380(a)(11)</del>	Unsecure load	100

Supreme Court Order No. 1220  
Effective Date: August 15, 1995  
Page 5

DATED: August 8, 1995

EFFECTIVE DATE: August 15, 1995

/s/  
Chief Justice Moore

/s/  
Justice Rabinowitz

/s/  
Justice Matthews

/s/  
Justice Compton

/s/  
Justice Eastaugh