

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1328

Amending Administrative Rule 43.1
concerning the traffic bail forfeiture schedule.

IT IS ORDERED:

1. Administrative Rule 43.1 is amended to read as follows:

Pursuant to AS 28.05.151, the following vehicle and traffic offenses 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 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.

Pursuant to AS 28.15.131 and 13 AAC 04.008, a citation for an offense listed as "Corr" must be dismissed (or voided) if proof of correction is presented to an inspection official within the time allowed. If the required repair is not made, the offense may be disposed of without court appearance upon payment and forfeiture of the bail amount listed.

Effective January 1, 1996, as a condition of the disposition without appearance of an offense under AS 28 or a regulation adopted under AS 28, the defendant shall pay a surcharge of \$10 in addition to the bail forfeiture amount listed below. The surcharge applies only to offenses occurring after December 31, 1995. A court may allow a defendant who is unable to pay the surcharge to perform community work under AS 12.55.055(c) in lieu of the surcharge. The surcharge must be deposited into the general fund in a separate account designated for such surcharges.

2. Administrative Rule 43.1 is amended to add the following offenses.

<u>STATUTE OR REGULATION</u>	<u>DESCRIPTION OF OFFENSE</u>	<u>BAIL</u>
AS 05.30.080(a)(1)-(4)	Snow Vehicle Equipment Required	Corr/60
AS 28.15.131	License to be Carried and Exhibited on Demand	Corr/20
AS 28.35.155	Operating Vehicle w/Studded/Chained Tires When Prohibited	Corr/50
AS 28.35.253	Anti-Spray Devices Required	Corr/30
13 AAC 04.020(a)&(f-g)	Headlight Requirements	Corr/30
13 AAC 04.025(a-c)	Taillight Requirements	Corr/30
13 AAC 04.030(a)	Reflector Requirements	Corr/30
13 AAC 04.035(a-c)	Stop Light Requirements	Corr/30
13 AAC 04.037(a-c)	Turn Light Requirements	Corr/30
13 AAC 04.040(a-q)	Additional Lighting Requirements	Corr/30
13 AAC 04.070(a-d)	Parking Light Requirements	Corr/30
13 AAC 04.090(a),(c),(g)	Additional Lights Required for Emergency Vehicle	Corr/30
13 AAC 04.095(c-i)	Flashing Yellow Vehicular Light Requirements	Corr/30
13 AAC 04.097(a-c)	Special School Bus Lighting Equipment	Corr/30
13 AAC 04.145(a-e)	Restrictions on Lighting Equipment	Corr/30
13 AAC 04.205(a-c)	Brake Requirements	Corr/60
13 AAC 04.210(a-d)	Horn/Warning Device Requirements	Corr/30
13 AAC 04.215(a-b)	Muffler Requirements	Corr/30
13 AAC 04.220(a-c)	Mirror Requirements	Corr/30
13 AAC 04.223	Tinted Windows	Corr/60

13 AAC 04.225(a-g)	Windshield and Wiper Requirements	Corr/30
13 AAC 04.230(a-e)	Tire Restrictions and Requirements	Corr/50
13 AAC 04.247(a-c)	Color/Special Equipment on School Buses	Corr/100
13 AAC 04.250	Compressed Gas Fuel Requirements: Venting and Signage	Corr/100
13 AAC 04.255(b-d)	Air-Conditioning Equipment Requirements	Corr/30
13 AAC 04.257	Emission Control System Requirements	Corr/50
13 AAC 04.265(a-b)	Anti-Spray Device Requirements (see AS 28.35.253 also)	Corr/30
13 AAC 04.270(a),(c)	Safety Belt Requirements	Corr/30
13 AAC 04.272	Energy Absorption System Req.	Corr/30
13 AAC 04.320(a-b)	Motorcycle Headlight Requirements	Corr/30
13 AAC 04.320(c)	Bicycle Headlight Requirements	Corr/20
13 AAC 04.325(a)	Bicycle Taillight Requirements	Corr/20
13 AAC 04.325(a-b)	Motorcycle Taillight Requirements	Corr/30
13 AAC 04.330(a-b)	Motorcycle Stop/Turn Light Requirements	Corr/30
13 AAC 04.335(a)	Motorcycle Reflector Requirements	Corr/30
13 AAC 04.335(b)	Bicycle Reflector Requirements	Corr/20
13 AAC 04.340(a)	Motorcycle Brake Requirements	Corr/60
13 AAC 04.340(b)	Bicycle Brakes	Corr/20
13 AAC 04.345(a)	Motorcycle Handgrips and Foot-rests for Passengers	Corr/30

13 AAC 04.345(b)	Motorcycle Handlebar Requirements	Corr/30
13 AAC 04.355(a)	Other Equipment Required (horn, mirrors, tiers, emission control system)	
	Bicycle	Corr/20
	Motor-Driven Cycle	Corr/30
13 AAC 04.355(b)	Motorcycle Windshield Requirements	Corr/30
13 AAC 04.400(a-b)	Snowmobile/Off Hwy Vehicle Lights and Reflectors	Corr/30
13 AAC 04.405	Snowmobile/Off Hwy Vehicle Brakes	Corr/60
13 AAC 04.410	Snowmobile/Off Hwy Vehicle Throttle	Corr/60
13 AAC 04.415(a-b)	Snowmobile/Off Hwy Vehicle Muffler/Emission Controls	Corr/50
13 AAC 04.420(a-b)	Snowmobile/Off Hwy Vehicle Other Equipment	Corr/30

<u>State Regulation</u>	<u>Federal Regulation</u>	<u>Offense</u>	<u>Bail</u>
13 AAC 05.020(a)	49 CFR 393.9	Lamps Operable	10/lamp
13 AAC 05.020(a)	49 CFR 393.11	Lighting Devices and Reflectors	10/lamp
13 AAC 05.020(a)	49 CFR 393.17	Lamps and Reflectors-Combinations in Driveaway-Towaway Operation	10/lamp
13 AAC 05.020(a)	49 CFR 393.19	Requirements For Turn Signaling Systems	100
13 AAC 05.020(a)	49 CFR 393.20	Clearance Lamps to Indicate Extreme Width and Height	10/lamp
13 AAC 05.020(a)	49 CFR 393.22	Combination of Lighting Devices and Reflectors	10/lamp

13 AAC 05.020(a)	49 CFR 393.23	Lighting Devices to be Electric	10/lamp
13 AAC 05.020(a)	49 CFR 393.24	Requirements for Head Lamps and Auxiliary Road Lighting Lamps	10/lamp
13 AAC 05.020(a)	49 CFR 393.25	Requirements for Lamps Other Than Head Lamps	10/lamp
13 AAC 05.020(a)	49 CFR 393.26	Requirements for Reflectors	10/reflector
13 AAC 05.020(a)	49 CFR 393.27	Wiring Specifications	50
13 AAC 05.020(a)	49 CFR 393.28	Wiring to be Protected	50
13 AAC 05.020(a)	49 CFR 393.29	Grounds	50
13 AAC 05.020(a)	49 CFR 393.30	Battery Installation	50
13 AAC 05.020(a)	49 CFR 393.31	Overload Protective Devices	50
13 AAC 05.020(a)	49 CFR 393.32	Detachable Electrical Connections	50
13 AAC 05.020(a)	49 CFR 393.33	Wiring, Installation	50
13 AAC 05.020(a)	49 CFR 393.40	Required Brake Systems	100
13 AAC 05.020(a)	49 CFR 393.41	Parking Brake System	100
13 AAC 05.020(a)	49 CFR 393.42	Brakes Required on All Wheels	300
13 AAC 05.020(a)	49 CFR 393.43	Breakaway and Emergency Braking	300
13 AAC 05.020(a)	49 CFR 393.44	Front Brake Lines, Protection	300
13 AAC 05.020(a)	49 CFR 393.45	Brake Tubing and Hose, Adequacy	100
13 AAC 05.020(a)	49 CFR 393.46	Brake Tubing and Hose Connections	100
13 AAC 05.020(a)	49 CFR 393.47	Brake Lining	100
13 AAC 05.020(a)	49 CFR 393.48	Brakes to be Operative	300
13 AAC 05.020(a)	49 CFR 393.49	Single Valve to Operate All Brakes	300
13 AAC 05.020(a)	49 CFR 393.50	Reservoirs Required	200
13 AAC 05.020(a)	49 CFR 393.51	Warning Devices and Gauges	200

13 AAC 05.020(a)	49 CFR 393.52	Brake Performance	300
13 AAC 05.020(a)	49 CFR 393.53	Automatic Brake Adjusters and Brake Adjustment Indicators	300
13 AAC 05.020(a)	49 CFR 393.60	Glazing in Specified Openings	50
13 AAC 05.020(a)	49 CFR 393.61	Window Construction	100
13 AAC 05.020(a)	49 CFR 393.62	Window Obstructions	100
13 AAC 05.020(a)	49 CFR 393.63	Windows, Markings	100
13 AAC 05.020(a)	49 CFR 393.65	All Fuel Systems	50
13 AAC 05.020(a)	49 CFR 393.67	Liquid Fuel Tanks	50
13 AAC 05.020(a)	49 CFR 393.69	Liquefied Petroleum Gas Systems	50
13 AAC 05.020(a)	49 CFR 393.70	Coupling Devices and Towing Methods, Except for Driveaway- Towaway Operations	200
13 AAC 05.020(a)	49 CFR 393.71	Coupling Devices and Towing Methods, Driveaway-Towaway Operations	200
13 AAC 05.020(a)	49 CFR 393.75	Tires	50/Tire
13 AAC 05.020(a)	49 CFR 393.76	Sleeper Berths	50
13 AAC 05.020(a)	49 CFR 393.77	Heaters	100
13 AAC 05.020(a)	49 CFR 393.78	Windshield Wipers	100
13 AAC 05.020(a)	49 CFR 393.79	Defrosting Device	100
13 AAC 05.020(a)	49 CFR 393.80	Rear-Vision Mirrors	100
13 AAC 05.020(a)	49 CFR 393.81	Horn	50
13 AAC 05.020(a)	49 CFR 393.82	Speedometer	100
13 AAC 05.020(a)	49 CFR 393.83	Exhaust Systems	100
13 AAC 05.020(a)	49 CFR 393.84	Floors	50
13 AAC 05.020(a)	49 CFR 393.86	Rear End Protection	300
13 AAC 05.020(a)	49 CFR 393.87	Flags on Projecting Loads	50
13 AAC 05.020(a)	49 CFR 393.88	Television Receivers	100

13 AAC 05.020(a)	49 CFR 393.89	Buses, Driveshaft Protection	100
13 AAC 05.020(a)	49 CFR 393.90	Buses, Standee Line or Bar	100
13 AAC 05.020(a)	49 CFR 393.91	Buses, Aisle Seats Prohibited	100
13 AAC 05.020(a)	49 CFR 393.92	Buses, Marking Emergency Doors	200
13 AAC 05.020(a)	49 CFR 393.93	Seats, Seat Belt Assemblies and Seat Belt Assembly Anchorages	100
13 AAC 05.020(a)	49 CFR 393.94	Vehicle Interior Noise Levels	100
13 AAC 05.020(a)	49 CFR 393.95	Emergency Equipment on All Power Units	100
13 AAC 05.020(a)	49 CFR 393.100	General Rules For Protection Against Shifting or Falling Cargo	200
13 AAC 05.020(a)	49 CFR 393.102	Securement Systems	100
13 AAC 05.020(a)	49 CFR 393.104	Blocking and Bracing	100
13 AAC 05.020(a)	49 CFR 393.106	Front-End Structure	300
13 AAC 05.020(a)	49 CFR 393.201	Frames	200
13 AAC 05.020(a)	49 CFR 393.203	Cab and Body Components	200
13 AAC 05.020(a)	49 CFR 393.205	Wheels	50/wheel
13 AAC 05.020(a)	49 CFR 393.207	Suspension Systems	100
13 AAC 05.020(a)	49 CFR 393.209	Steering Wheel Systems	100
13 AAC 05.020(a)	49 CFR 399.207	Truck and Truck-Tractor Access Requirements	50

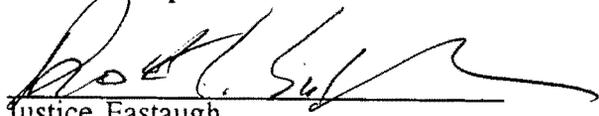
<u>STATUTE OR REGULATION</u>	<u>DESCRIPTION OF OFFENSE</u>	<u>BAIL</u>
13 AAC 08.030	School Bus Driver Permit Must Be Carried and Displayed Upon Demand	Corr/20

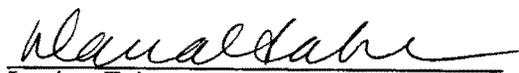
DATED: June 25, 1998

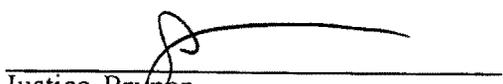
EFFECTIVE DATE: July 15, 1998


Chief Justice Matthews

Justice Compton


Justice Eastaugh


Justice Fabe


Justice Bryner