

**IN THE SUPREME COURT OF THE STATE OF ALASKA**  
**ORDER NO. 1949**

Amending Criminal Rule 6(r)(6) and adding a Note to implement the direct court rule amendment made by Chapter 10 SLA 2019 (HB 49); and

Amending Administrative Rule 43.1 traffic bail forfeiture schedule to include failure to use headlights.

**IT IS ORDERED:**

1. Criminal Rule 6(r)(6) is amended to read as follows:

**Rule 6. The Grand Jury.**

\* \* \* \*

**(r) Admissibility of Evidence.**

\* \* \* \*

(6) When a prior conviction is an element of an offense~~In a prosecution for driving while intoxicated under AS 28.35.030(n) or for refusal to submit to a chemical test under AS 28.35.032(p),~~ hearsay evidence received through the Alaska Public Safety Information Network or from other government agencies of prior convictions ~~of driving while intoxicated or refusal to submit to a chemical test~~ may be presented to the grand jury.

\* \* \* \*

2. The following note is added to the end of Criminal Rule 6(r)(6):

**Note:** Chapter 10, SLA 2019 (HB 49) enacted a number of changes relating to criminal procedure. Section 135 of the Act amended paragraph (r)(6) to allow the admissibility of an Alaska Public Safety

Information Network or other government agency report of prior convictions if the prior conviction is an element of the offense. This rule change is adopted for the sole reason that the legislature has mandated the amendment.

2. Administrative Rule 43.1 is amended by the addition of a new offense, to read as follows:

**Rule 43.1. Traffic Bail Forfeiture Schedule.**

\* \* \* \*

<b>Statute or Regulation</b>	<b>Description of Offense</b>	<b>Bail</b>
<u>AS 28.35.191</u>	<u>Failure to use headlights</u>	<u>\$50</u>

\* \* \* \*

DATED: June 27, 2019

EFFECTIVE DATE: July 9, 2019

/s/  
Chief Justice Bolger

/s/  
Justice Winfree

/s/  
Justice Stowers

/s/  
Justice Maassen

/s/  
Justice Carney