

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1805

Amending Administrative Rules
43.1 to 43.11 concerning offenses
on bail forfeiture schedules

IT IS ORDERED:

1. Administrative Rule 43.1 is revised as follows:

Rule 43.1. Traffic Bail Forfeiture Schedule.

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 convicted~~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.~~

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2. Administrative Rule 43.2 is revised as follows:

Rule 43.2. Fish and Game Bail Forfeiture Schedule.

Pursuant to AS 16.05.165(b), the following fish and game offenses are appropriate for disposition without court appearance upon payment and forfeiture of the bail amounts listed and forfeiture of all seized items listed on the citation. If a person charged with one of these offenses appears in court and is ~~found guilty~~convicted, the fine imposed for the offense may not exceed the bail amount for that offense listed below. In addition, fish, game, or equipment may

~~be forfeited under AS 16.05.190 or AS 16.05.195. 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.~~

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3. Administrative Rule 43.3 is revised 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~~convicted, 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.~~

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4. Administrative Rule 43.4 is revised as follows:

Rule 43.4. Smoking Bail Forfeiture Schedule.

Pursuant to AS 18.35.341(d), the following bail forfeiture amounts are established for violations of the laws prohibiting smoking in designated public places. If a person charged with one of these offenses appears in court and is ~~found guilty~~convicted, 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.~~

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5. Administrative Rule 43.5 is revised as follows:

Rule 43.5. Alcohol Bail Forfeiture Schedule.

Pursuant to AS 04.16.205(c), the following bail forfeiture amount is established for violation of AS 04.11.501 or an ordinance adopted under this statute. If a person charged with this offense appears in court and is ~~found guilty~~convicted, the penalty imposed for a first or second offense may not exceed the bail amount listed below in addition to any forfeiture required by statute. ~~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.~~

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6. 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~~convicted, 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.~~

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7. Administrative Rule 43.7 is revised as follows:

Rule 43.7. Warning Signs Bail Forfeiture Schedule.

Pursuant to AS 04.21.065(g), the following bail forfeiture amount is established for violation of the law requiring the posting of warning signs. If a person charged with this offense appears in court and is ~~found guilty~~convicted, the penalty imposed for the offense may not exceed the bail amount 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.~~

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8. Administrative Rule 43.8 is revised as follows:

Administrative Rule 43.8. Watercraft Bail Forfeiture Schedule.

Pursuant to AS 05.25.090(c), the following offenses listed in AS 05.25.090(b) may be disposed of 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~~convicted, 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.~~

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9. Administrative Rule 43.9 is revised as follows:

Rule 43.9. Skiing Bail Forfeiture Schedule.

Pursuant to AS 05.45.100(i), the following offenses listed in AS 05.45.100(c) and (g) may be disposed of 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~~convicted, 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.~~

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10. Administrative Rule 43.10 is revised as follows:

Rule 43.10. Knik River Public Use Area Bail Forfeiture Schedule.

Pursuant to AS 41.23.220(b), the following offenses committed within the Knik River Public Use Area (KRP UA) shall be disposed of 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~~convicted, 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.~~

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11. Administrative Rule 43.11 is revised as follows:

Rule 43.11. Weights and Measures 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~~convicted, 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.~~

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DATED: July 18, 2013

EFFECTIVE DATE: October 15, 2013

/s/
Chief Justice Fabe

/s/
Justice Winfree

/s/
Justice Stowers

/s/
Justice Maassen

/s/
Justice Bolger