
City of Bethel, Alaska

Public Safety and Transportation Commission

January 09, 2013

Regular Meeting

Bethel, Alaska

CALL TO ORDER

A regular meeting of the Public Safety and Transportation Commission was held on January 09, 2013 in the Bethel City Hall Conference Room.

This meeting was called to order at 7:01pm.

ROLL CALL

Present:

Vice Chair Brian Lefferts

Absent:

Paul Gregory

Excused Absent

Council Member Sigmon

Joe Yoon

Annette Sutton

Chair Pat Jennings

A quorum was not established of the Commission.

PEOPLE TO BE HEARD

City Attorney Patty Burley

ADJOURNMENT

Meeting adjourned at 7:04pm.

APPROVED THIS _____ DAY OF _____, 2013.

KaJena Baty, Recorder

Pat Jennings, Chair

City of Bethel, Alaska

Public Safety and Transportation Commission

December 4, 2012

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A regular meeting of the Public Safety and Transportation Commission was held on December 4, 2012 in the Bethel City Hall Conference Room.

This meeting was called to order at 7:01PM.

II. ROLL CALL

Present: Pat Jennings *Chair*
Brian Lefferts *Vice Chair*
Paul Gregory
Annette Sutton
Larry Elarton *Chief of Police*

Absent: George Young *Fire Chief*

Excused Absent: Sharon Sigmon *Council Member*
Joe Yoon

III. PEOPLE TO BE HEARD

No one wished to be heard.

IV. APPROVAL OF AGENDA

MOVED:	Sutton	Motion to approve the agenda.
SECONDED:	Lefferts	
VOTE ON MAIN MOTION	All in favor.	

V. APPROVAL OF MINUTES

MOVED:	Lefferts	Motion to approve the minutes from July 3, September 4, October 2, and November 6, 2012.
SECONDED:	Sutton	
VOTE ON MAIN MOTION	All in favor.	

VI. CHIEFS' COMMENTS

Police Chief Larry Elarton- CSP officers are still in EMT training. A new CSO is being trained by the current CSO, Edward Chase. Two dispatchers are enrolled in the Emergency Medical Dispatching (EMD) courses, after this course they will be trained as instructors in EMD. We have had meetings with the state to try to go regional for the Alaska Land Mobile Radio System (ALMR) we will be able to communicate directly via radio with the villages and surrounding areas. Total calls were down, but number of investigations remained the same. There were 50 arrests and 3 deaths. Police building is moving along, sheet rock is completed and all levels are painted. They are installing the final bit of flooring by the end of the week. It will probably be the 1st of February at the earliest that we can turn on dispatch. Our generator missed the last barge, but we may be able to piggy-back onto the airlift for the pool pilings which are needed this winter. Without the generator we cannot move dispatch.

Fire Chief George Young- Not present to be heard.

VII. TRANSPORTATION INSPECTOR REPORT

Police Chief Larry Elarton- We have had 4 or 5 cars that have driven other cars completely off of the road. One chauffeur has done it 3 times, which needs to be addressed. We had a meeting with all of the cab companies, they all agreed they would support an ordinance that cab drivers cannot use a cell phone while driving. This driver is currently suspended under BMC 5.20.110 for 10 days. We would like to extend his suspension time until a special meeting can be held, and he can appeal if he chooses. If convicted of the citations issued to him his permit will be revoked. There were also a couple of the cab companies that had scannable radios in their cabs.

VIII. COMMISSION MEMBER COMMENTS

Chair Pat Jennings- Would like to see more headlights on patrol cars during times of low-light.

Vice Chair Brian Lefferts- Has been noticing a few fox around town. Encourages people to get their dogs vaccinated. Would like someone to speak to city council about the business discussed at this meeting.

Paul Gregory- There are still sewage issues in city sub.

Annette Sutton- Believes there are some good cab drivers out there.

Sharon Sigmon- Not present to be heard.

IX. UNFINISHED BUSINESS

A. COMPLETE STREETS ORDINANCE

MOVED:	Lefferts	Motion to introduce the complete streets ordinance, which was redrafted as an ordinance from a resolution and agreed to be forwarded to city council.
SECONDED:	Sutton	
VOTE ON MAIN MOTION	All in favor.	

B. RESTAURANT INSPECTION ORDINANCE

MOVED:	Lefferts	Motion to introduce the restaurant inspection ordinance.
SECONDED:	Sutton	
MOVED:	Sutton	Motion to postpone the restaurant inspection ordinance until the next meeting.
SECONDED:	Lefferts	
VOTE ON MOTION	All in favor.	
VOTE ON MAIN MOTION	All in favor.	

C. SUGAR SWEETENED BEVERAGES ORDINANCE

MOVED:	Lefferts	Motion to table the sugar sweetened beverages ordinance until we hear back from the finance committee.
SECONDED:	Sutton	
VOTE ON MAIN MOTION	All in favor.	

X. NEW BUSINESS

A. CONSIDERATION TO DECLARE A COMMISSION VACANCY OF CHARLEY CHUNG PER BMC 2.52.070 (9).

MOVED:	Lefferts	Motion to introduce the matter of Charley Chung.
SECONDED:	Sutton	
MOVED:	Sutton	Motion to declare Charley Chung's seat vacant.
SECONDED:		
VOTE ON MOTION	All in favor.	
VOTE ON MAIN MOTION	All in favor.	

B. STATIONARY DISPATCH FOR ALL CAB COMPANIES

MOVED:	Lefferts	Motion to approve a stationary dispatch for all cab companies.
SECONDED:	Sutton	
MOVED:	Lefferts	Motion to table the matter of a stationary dispatch until next meeting.
SECONDED:		
VOTE ON MOTION	All in favor.	

C. PUBLIC NUISANCE

MOVED:	Lefferts	Motion to open the public nuisance ordinance.
SECONDED:	Sutton	
MOVED:	Jennings	Motion to forward to city council upon revision by the city attorney.
SECONDED:	Lefferts	
VOTE ON MOTION	All in favor.	
VOTE ON MAIN MOTION	All in favor.	

D. CHRONIC OR EXCESSIVE NUISANCE PROPERTIES

MOVED:	Lefferts	Motion to introduce chronic/excessive nuisance.
SECONDED:	Sutton	
MOVED:	Sutton	Motion to table and hear from the city attorney on this ordinance at the next regular meeting.
SECONDED:	Lefferts	
VOTE ON MOTION	All in favor.	
VOTE ON MAIN MOTION	All in favor.	

XI. ADJOURNMENT

MOVED:	Lefferts	Motion to adjourn.
SECONDED:		
VOTE ON MAIN MOTION	All in favor.	

Meeting adjourned at 8:40 PM

APPROVED THIS _____ DAY OF _____, 2013.

KaJena Baty, Recorder

Pat Jennings, Chair

Bethel Police Department, 220 State Hwy, Bethel AK 99559
907-543-3781



January 2013 Monthly Report

Personnel:

Officer Turner has accepted another position in Colorado and we wish him the best of luck in his new position.

Officer Burkinshaw has returned to Utah due to family problems.

Trevor Waddell, CSP, has submitted his resignation to return to his families business in Kansas. We wish Trevor the best in his new endeavors.

During the hiring of Bobbio, CSO Chase expressed his desire to return to CSP due to dog issues. Bobbio has been assigned to the CSO position and Chase was transferred to CSP.

We have been actively recruiting for all positions and first round interviews are set for next week.

Operations:

Officers responded to 835 calls this month, 84 resulting in cases which resulted in 42 adult arrests and 0 juvenile arrests. Out of the 84 cases, 65 cases were cleared by arrest or in another manner (77.4%). Of note were:

- 17 assault calls were responded to.
- 3 Sexual Assaults
- 3 stolen vehicles
- 1 Burglaries were reported
- 8 (2 injury) total accidents.
- 3 animal attacks

Cases of note:

- On 1-26-2013 at approx. 1858 hrs, Officers responded to a report that a male had walked into the Longhouse and threatened the employees with a long gun. Officers arrived and located the individual later identified as Thomas Amik, 24yoa, of Bethel by 3rd and Main. On duty and Off duty Officers responded to both locations. Officer Turner was able to negotiate with Amik, and after a brief standoff, Amik was arrested without incident. Amik was in possession of a loaded "sawed" off shotgun. Amik was arrested for Assault and misconduct involving weapons among other pending charges. No alcohol suspected of being a factor. It was found that LongHouse employees had barricaded themselves inside a room when confronted by Amik.

Several complaints have been aired to council and on radio which we want to address:

1) Title 47 inebriate pickups

With regards to complaints regarding the CSP van's failure to pick up the "drunks" from a private residence, under Title 47.37.170 AS, Officers and CSP units are only allowed to pick up inebriates in a public place and are unable to enter a residence to remove inebriates. While this rule may have been loosely applied prior to the advent of the CSP unit, grant funding requirements mandate strict adherence to the law, hence possibly a change in the perception of how BPD used to do things.

Individual homeowners need to press charges on offending individuals who refuse to leave the residence once invited in. This is needed due to the fact that in Alaska, officers may not arrest for a misdemeanor not committed in their presence (limited exceptions). Therefore, you would need to be willing to press trespass, disturbing the peace or harassment charges, to name of few, on the individuals refusing to leave your residence to allow the officers to deal with the problem, within your residence, once they have been invited inside. Individuals who have entered without permission and committed a crime therein may be arrested for burglary, a felony, but the homeowner, while not the charging party would need to make a statement to that effect and would be a witness for the felony violation.

2) Officer Involved shooting report

BPD did not do the investigation on the officer involved shooting which occurred last year. Alaska Bureau of Investigation handled the investigation. The report is then submitted to the Attorney General's Office for review of charges. While it has been some time, investigations do not occur rapidly and the attorney's review will be thorough. We have no control over when the documents are completed and ready for release. ABI and BPD will have information available for release as soon as practical once the case review is completed.

Salmonberry is approx. 95% completed. Delays have occurred due to outside vendor equipment either not available or delayed. We expect the dispatch consoles somewhere around March 15th, once set by the vendor, ProComm can begin the dispatch move. IT requirements for phone, computer and other items are progressing well even with this delay as the other vendors are attempting to work around the issues.

Dispatch/Admin

Kajena handled 4 cab renewals, 2 new chauffeur licenses, 5 vehicle transfers, 10 Inspections, 1 chauffeur renewal this month.

Dispatch handled 1010 calls for service last month: AST 80, BFD 90, BPD 835, OCS 2, and Probation 1 and 2 taxi complaints.

CSP:

January totals- 52 males, 34 females, 41 residents, 43 nonresidents, 12 went to YKCC, 55 went to Sobering Center, 5 went to private residence, 11 ATCFS, 3 went to YKHC.

CSP officers were in EMT classes during part of January.

These figures do not reflect intoxicated persons contacted and placed by police personnel. CSP was in training for a week and officers placed PC's.

Animal Control:

The following are the dispositions of the animals impounded:

- 10 Returned to owner
- 9 Adopted
- 1 Euthanized
- 2 Dogs still impounded/quarantined
- 0 Cats still impounded

For those that don't know, **Bethel Friends of Canines** have been assisting us in placing dogs and they have developed contacts in sending adoptable dogs to Anchorage. We appreciate their help and we are currently working on volunteer programs which may benefit both groups.

Final 2012 Stats

Calls for Service

- | | |
|------------|-------|
| • Dispatch | 14558 |
| • AST | 1355 |
| • Fire | 1175 |
| • BPD | 11968 |
| • OCS | 31 |
| • Prob | 25 |

BPD handled 1296 cases, 570 cases cleared by arrest, 7 cleared by exception, 18 with juvenile arrest, 1165 cases were cleared (90.9% clearance rate)

184 citations were issued in 2012.

Arrests included, among others, 147 assaults, 41 trespassings, 21 liquor law violations, 42 DUI's, 11 Burglaries and 84 public peace.

Cases by day:

Sunday 180, Mon 166, Tues 158, Wed 234, Thurs 147, Fri 180, Sat 219

Cases by hour:

High was 73 @1700 hrs.

Low was 29 @ 0600 hrs.

0000 hrs to 2300 hrs. respectively:58,51,69,57,41,32,29,37,46,43,67,45,59,67,56,59, 45, 73, 57, 50, 64, 63,64,52

As you review, you will notice that we are fairly consistent over days and hours regarding call volume, this issue is what drives our minimum staffing requirements since there is no shift time that reflects any extended "slow" time. We do review our shift times since seasonally there are some differences.

February 4th, 2013, Larry Elarton, Chief of Police

Department Incident Activity Report



BPD
01/01/2013 -- 1/31/2013

Classification	Events Rptd	Unfounded	Actual	Clr Arrest	Clr Exception	Clr Juveniles	Total Clr	Percent Clr
ANIMAL ATTACK	3	0	3	0	0	0	1	33.3
ANIMAL ATTACK	3	0	3	0	0	0	1	33.3
ANIMAL CALL	1	0	1	0	0	0	1	100.0
ANIMAL CALL, OTHER	1	0	1	0	0	0	1	100.0
ASSAULT	17	0	17	14	1	0	16	94.1
AGGRAVATED ASSAULT, FAMILY, KNIFE/CUT INSTR	1	0	1	1	0	0	1	100.0
AGGRAVATED ASSAULT, NONFAMILY, FIREARM	2	0	2	2	0	0	2	100.0
AGGRAVATED ASSAULT, NONFAMILY, STRONGARM	1	0	1	1	0	0	1	100.0
SIMPLE ASSAULT	13	0	13	10	1	0	12	92.3
ASSIST OTHER AGENCY	1	0	1	0	0	0	1	100.0
ASSIST OTHER AGENCY	1	0	1	0	0	0	1	100.0
BURGLARY	1	0	1	1	0	0	1	100.0
BURGLARY, FORCED ENTRY RESIDENCE	1	0	1	1	0	0	1	100.0
DAMAGED PROPERTY	3	0	3	0	1	0	3	100.0
DAMAGED PROPERTY, PRIVATE	2	0	2	0	1	0	2	100.0
DAMAGED PROPERTY,PUBLIC	1	0	1	0	0	0	1	100.0
DEATH	1	0	1	0	0	0	0	0.0
UNATTENDED DEATH	1	0	1	0	0	0	0	0.0
DUI	6	0	6	4	0	0	5	83.3
ALCOHOL	6	0	6	4	0	0	5	83.3
FRAUD	1	0	1	0	0	0	1	100.0
FRAUD, ILLEGAL USE CREDIT CARDS	1	0	1	0	0	0	1	100.0
HARASSMENT	3	0	3	1	0	0	1	33.3
HARASSMENT, OTHER	2	0	2	1	0	0	1	50.0
SUSPICIOUS/HARASSING PHONE CALLS	1	0	1	0	0	0	0	0.0
OBSTRUCT JUSTICE	2	0	2	1	0	0	2	100.0
OBSTRUCTING COURT ORDER	1	0	1	1	0	0	1	100.0
VIOLATION OF A COURT ORDER	1	0	1	0	0	0	1	100.0
OBSTRUCT POLICE	3	0	3	2	0	0	3	100.0
FALSE POLICE REPORT	1	0	1	0	0	0	1	100.0
OBSTRUCTING POLICE, OTHER	1	0	1	1	0	0	1	100.0
RESISTING/INTERFERING W/POLICE	1	0	1	1	0	0	1	100.0
OTHER CRIMES AGAINST SOCIETY	1	0	1	1	0	0	1	100.0
WARRANT	1	0	1	1	0	0	1	100.0
PERSON CRIMES	1	0	1	0	0	0	1	100.0

CRIMES AGAINST PERSONS	1	0	1	0	0	0	1	100.0
PUBLIC PEACE	8	0	8	8	0	0	8	100.0
DISORDERLY CONDUCT	8	0	8	8	0	0	8	100.0
RECKLESS/DANGEROUS DRIVER	1	0	1	0	0	0	1	100.0
RECKLESS DRIVER	1	0	1	0	0	0	1	100.0
RUNAWAY JUVENILE	1	0	1	0	0	0	1	100.0
RUNAWAY JUVENILE	1	0	1	0	0	0	1	100.0
SEXUAL ASSAULT	3	0	3	0	0	0	1	33.3
RAPE, STRONGARM	1	0	1	0	0	0	0	0.0
SEXUAL ASSAULT, CARNAL ABUSE	1	0	1	0	0	0	1	100.0
SEXUAL ASSAULT, SODOMY GIRL STRONGARM	1	0	1	0	0	0	0	0.0
STOLEN VEHICLE	3	0	3	0	0	0	2	66.7
VEHICLE THEFT, AUTO	1	0	1	0	0	0	0	0.0
VEHICLE THEFT, OTHER VEHICLE	2	0	2	0	0	0	2	100.0
THEFT	1	0	1	0	0	0	0	0.0
THEFT OTHER	1	0	1	0	0	0	0	0.0
TRAFFIC (CRIMINAL VIOLATION)	7	0	7	6	0	0	7	100.0
CRIMINAL TRAFFIC VIOLATION	7	0	7	6	0	0	7	100.0
TRAFFIC ACCIDENT	8	0	8	1	1	0	5	62.5
HIT/RUN, VEHICLE DAMG	2	0	2	0	0	0	0	0.0
TRAFFIC ACCIDENT, PRIVATE PROP DAMG	2	0	2	0	1	0	1	50.0
TRAFFIC ACCIDENT, VEHICLE DAMAGE	4	0	4	1	0	0	4	100.0
TRESPASSING	2	0	2	2	0	0	2	100.0
TRESPASSING, PRIVATE PROPERTY	2	0	2	2	0	0	2	100.0
WEAPONS OFFENSE	1	0	1	1	0	0	1	100.0
CARRYING A PROHIBITED WEAPON	1	0	1	1	0	0	1	100.0
Event Totals	84	0	84	42	3	0	65	77.4

Activity By Month Report (Jan-June)

Year: 2013

Agency	Unit	Jan			Feb			Mar			Apr			May			Jun		
		Clis	TS	Unit	Clis	TS	Unit	Clis	TS	Unit	Clis	TS	Unit	Clis	TS	Unit	Clis	TS	
Alaska state troopers		80	0	19	4	0	0	0	0	0	0	0	0	0	0	0	0	0	
bethel fire department		90	0	4	9	0	0	0	0	0	0	0	0	0	0	0	0	0	
Bethel Police Department		835	0	19	87	0	0	0	0	0	0	0	0	0	0	0	0	0	
Office of child Services		2	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
probation department		1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
TAXI/CHAUFFEUR COMPLAINTS		2	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Totals		1010	0	45	100	0													

Activity By Month Report (Jul-Dec & Totals)

Year: 2013

Agency	Jul			Aug			Sep			Oct			Nov			Dec			Totals		
	Unit	Cls	TS	Cls	TS																
Alaska state troopers	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	29	84	0
bethel fire department	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6	99	0
Bethel Police Department	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	31	920	0
Office of child Services	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	2	0
probation department	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0
TAXI/CHAUFFEUR...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0
Totals	0	69	1108	0																	

Call Type Analysis

01/01/2013 - 01/31/2013

Call Type	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	Total
911 HANG-UP P	0	1	0	0	1	1	1	1	2	1	0	1	0	0	0	0	1	3	2	0	0	0	1	0	16
ABANDONED VEHICLE P	0	0	0	0	0	0	0	0	1	1	0	1	1	1	1	0	0	0	0	0	1	0	0	1	7
ALARMS FIRE	1	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
ALARMS P	0	2	0	0	0	0	0	0	2	2	1	1	0	0	1	0	0	0	0	0	0	0	0	0	12
ALCOHOL INFORMATION P	0	0	0	0	0	1	0	0	0	0	0	1	1	1	0	0	0	0	0	0	0	0	0	0	3
ANIMAL CONTROL P	0	0	0	0	1	0	0	0	2	4	5	6	3	3	5	4	2	7	5	0	8	1	0	1	62
ANIMAL POUND P	0	0	0	3	4	7	0	0	0	0	2	4	7	7	2	3	0	3	0	0	2	2	0	0	41
ASSAULT P	2	2	3	0	3	1	1	0	0	0	0	0	0	0	2	1	1	1	2	0	1	0	0	0	21
ASSIST OTHER AGENCY P	0	0	1	0	0	0	0	1	0	0	1	1	2	2	3	2	2	2	2	0	4	0	0	0	21
AST CALL/AST	6	2	1	4	1	7	4	0	0	0	0	1	0	0	1	4	3	16	7	9	14	6	7	8	101
BURGLARY P	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
CHAUFFEUR/PERMITTED VEHICLE...	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	2
CITIZEN ASSISTS P	0	0	0	0	1	0	0	0	0	0	2	0	1	1	1	0	0	0	0	0	0	0	0	0	2
CIVIL PROBLEM P	0	1	0	1	0	0	0	0	0	0	0	1	2	2	1	1	1	3	1	0	2	1	0	0	9
CONCEALMENT OF MERCHANDISE P	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	16
COURT PAPERWORK P	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	0	1	0	0	0	0	2
DAMAGE PROPERTY P	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	15
DATA ENTRY	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0	1	0	0	1	4
DEATH INVESTIGATION P	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	2	0	1	0	0	0	0	0	5
DISTURBANCE CALL P	3	5	4	3	3	1	1	2	1	1	1	2	2	2	5	2	3	3	2	3	2	4	6	6	66
DRIVING COMPLAINT	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	2
DRUG INFORMATION P	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0	2
DUI P	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	2
EMS CALL EMS	1	1	2	2	1	2	1	1	1	1	3	0	1	1	1	1	1	0	1	1	0	0	0	0	12
EXTRA PATROL P	0	1	0	0	0	0	0	0	0	0	0	0	2	2	3	5	3	5	5	3	0	1	2	4	53
FIRE CALL FIRE	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
FOUND PROPERTY P	0	1	0	0	0	0	0	1	0	0	0	2	0	0	0	0	0	0	0	0	1	0	0	0	6
RAUD P	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	2
WARASSMENT P	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	1
WARASSMENT/ TELEPHONE P	0	0	0	0	0	0	0	0	1	0	0	0	1	1	2	0	0	0	0	0	1	1	0	0	7

Call Type Analysis

01/01/2013 - 01/31/2013

Call Type	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	Total
HEALTH/SAFETY EMS	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	3
HEALTH/SAFETY P	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	2
HIT AND RUN ACCIDENT P	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
INTOXICATED PEDEST P	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
JUVENILE OFFENSES P	8	13	8	4	4	4	1	1	3	0	5	3	8	8	6	6	9	4	1	11	8	9	9	10	143
LOST/FOUND PROPERTY P	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	3
MCA P	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	4
MEDICAL ASSISTANT P	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
MISSING PERSON P	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
NO CALL TYPE	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	4	4
OVERDUE PERSON P	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
PAPER SERVICE P	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	3
PROBATION VIOLATION P	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
PROTECTIVE CUSTODY P	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
PROTECTIVE ORDER VIOLATION P	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	25
PROVIDE TRANSPORT AST	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
PROVIDE TRANSPORT E	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	32
PROVIDE TRANSPORT P	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
PUBLIC PEACE P	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
SEARCH & RESCUE P	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
SECURITY CHECK	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
SECURITY CHECK P	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
SEXUAL ABUSE-MINOR P	1	0	2	1	5	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	11
SEXUAL ASSAULT P	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	0	0	0	3
STOLEN PROPERTY P	0	0	0	0	0	0	0	0	0	0	0	1	1	1	0	0	0	0	0	0	0	0	0	0	4
STOLEN SNOWMACHINE P	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
SUBJECT REMOVAL P	0	0	0	0	0	0	0	0	0	0	1	0	1	1	1	2	0	0	0	0	0	0	0	0	8
SUBP/ SUMMONS SERVICE P	4	4	2	2	6	1	1	1	2	1	2	3	5	5	3	2	5	6	8	3	5	1	2	7	79
SUSPICIOUS INCIDENT P	0	0	0	0	0	0	0	0	0	1	3	2	7	7	5	3	6	1	0	0	4	0	0	0	38
SUSPICIOUS PERSON	2	1	0	1	2	0	0	0	1	0	1	0	0	0	2	0	0	1	1	1	1	2	0	1	17
	1	0	1	1	2	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	1	0	1	10

Call Type Analysis

01/01/2013 - 01/31/2013

Call Type	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	Total
SUSPICIOUS VEHICLE P	1	0	0	0	0	0	0	2	0	0	1	0	0	0	0	0	0	0	1	0	0	0	1	0	6
THEFT P	1	1	0	0	0	0	1	0	0	1	1	0	1	1	0	3	0	2	1	0	1	0	0	0	13
TRAFFIC ACCIDENT AST	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	2
TRAFFIC ACCIDENT P	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	2
TRAFFIC CONTROL P	0	1	0	0	0	1	0	0	0	1	2	2	1	1	2	0	1	1	2	1	0	1	1	0	19
TRAFFIC HAZZARD P	0	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
TRAFFIC STOP	2	0	0	0	0	1	0	0	3	0	1	0	0	0	2	0	2	0	1	0	0	1	0	1	14
TRAFFIC STOP P	0	0	1	0	0	0	0	1	5	0	0	0	1	1	0	2	0	2	2	0	0	1	0	1	15
TRESPASS P	1	1	0	0	0	0	0	1	1	0	0	0	1	1	0	1	0	0	0	0	0	1	0	0	8
VEHICLE THEFT P	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	3
VIOLATING PROTECTION ORDER P	0	0	0	0	0	1	0	0	1	0	0	1	0	0	1	1	1	0	0	0	0	0	0	0	6
WARRANT P	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	2
WEAPONS OFFENSES P	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	2
WELFARE CHECK P	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0	2
NO CALL TYPE ASSIGNED	3	0	2	1	1	1	0	1	3	1	2	1	0	0	4	2	3	4	2	2	2	0	3	3	40
Totals	37	37	33	31	41	30	16	18	43	30	53	53	53	53	60	55	71	54	43	66	42	38	49	1061	

Bulletin

BPD
 01/01/2013 -- 01/31/2013
 City: All
 Grid: All
 SubGrid: All
 District: All
 Shift: All



Event No	Date Rptd	Complainant Name	Location	City	Grid	SubGrid	Time Rptd	Call Dispo
1300011	01/01/2013	NICORI, JONATHAN	623 A WILLOW	BETHEL	BET		02:36	RPT
Initial Investigator: BURKINSHAW, SHAUN Status: CLEARED ADULT ARREST Date & Time Occurred: 12/31/2012 - 01/01/2013 02:30 - 03:00 Classifications: •BURGLARY 11.46.300 - BURGLARY, FORCED ENTRY RESIDENCE •ASSAULT - SIMPLE ASSAULT •ASSAULT 11.41.230 - SIMPLE ASSAULT Comments: On 01-01-13 at approximately 02:55, myself and Officer HERROD responded to the area of Willow St. on report of an individual who had assaulted another individual. Upon our arrival and subsequent investigation, it was determined that the incident involved an act of domestic violence in which the suspect committed burglary and assault. The suspect was arrested for the offenses and remanded to the Y.K.C.C..								
1300029	01/01/2013		BNC 16	BETHEL	BET		08:47	RPT
Initial Investigator: ROBERTS, DONALD Status: CLEARED ADULT ARREST Date & Time Occurred: 01/01/2013 08:47 Classifications: •ASSAULT - SIMPLE ASSAULT Comments: On 01/01/2013 officers responded to ASHA housing on a reported assault, on arrival and after subsequent investigation Gregory Carl was remanded for Assault in the Forth Degree Domestic Violence related.								
1300059	01/02/2013		116 AKAKEEK	BETHEL	ASHA		02:25	RPT
Initial Investigator: DAVIS, AMY Status: CLEARED ADULT ARREST Date & Time Occurred: 01/02/2013 02:25 Classifications: •PUBLIC PEACE - DISORDERLY CONDUCT Comments: On January 2, 2013 at about 0255 hours, a Officer responded to the area of Akakeek for a report that Christopher Herman was outside of the residence yelling and causing a disturbance. It was reported that Herman was also intoxicated. Upon arrival and after subsequent investigation Christopher Herman 30, of Bethel was arrested for Disorderly Conduct.								
1300063	01/02/2013		225 MISSION	BETHEL	BET		04:02	RPT
Initial Investigator: CORBETT, JOSEPH Status: REPORT IN-PROCESS Date & Time Occurred: 01/02/2013 04:02 Classifications: * Comments: CALL TYPE: SUBJECT REMOVAL P								
1300075	01/02/2013		TOWN HOUSE 6	BETHEL	BET		12:21	RPT
Initial Investigator: TURNER, TRAVIS Status: CLEARED Date & Time Occurred: 01/02/2013 12:21 Classifications: •ASSAULT - SIMPLE ASSAULT Comments: On 01/02/2013, Officers responded to the area of Ridgecrest Dr. on a reported disturbance. This case is under investigation.								
1300119	01/03/2013		PD	BETHEL	BET		14:09	RPT
Initial Investigator: ROBERTS, DONALD Status: CLEARED Date & Time Occurred: 01/03/2013 14:09 Classifications: •OBSTRUCT JUSTICE - VIOLATION OF A COURT ORDER Comments: On 01/03/2013 officers received a reported Violation of Conditions of Release, case is under investigation.								
1300139	01/04/2013		AVCP	BETHEL	BET		01:32	RPT

Initial Investigator: DAVIS, AMY
Status: CLEARED ADULT ARREST
Date & Time Occurred: 01/04/2013 01:32
Classifications:

•OBSTRUCT JUSTICE - OBSTRUCTING COURT ORDER
 •OBSTRUCT POLICE - OBSTRUCTING POLICE, OTHER
 •OTHER CRIMES AGAINST SOCIETY - WARRANT

Comments: On January 3, 2013 at approximately 0032 hours, an Officer responded to the area of Ptarmigan for a report of three individuals on a snow machine racing up and down the road. Upon arrival and after subsequent investigation Roy Nick was remanded to YKCC for Failure to stop at the Direction of a Peace Officer First Degree. William Pete was booked in on a misdemeanor warrant.

1300149 01/04/2013 BETHEL PD BETHEL BET 11:04 RPT

Initial Investigator: DAVIS, AMY
Status: ACTIVE
Date & Time Occurred: 01/04/2013 11:04
Classifications:

•SEXUAL ASSAULT - SEXUAL ASSAULT, SODOMY GIRL STRONGARM

Comments: On 1/4/2013, Bethel Police Department received a report of an alleged sexual assault. This case is currently under investigation.

1300157 01/04/2013 225 MISSION LAKE ROAD BETHEL BET 17:29 RPT

Initial Investigator: LIMANI, KADRI
Status: CLEARED
Date & Time Occurred: 01/04/2013 17:29
Classifications:

•ANIMAL CALL - ANIMAL CALL, OTHER

Comments: On 1/4/13 Bethel Police Department was advised about an aggressive sharpei dog in the area of Shwalbe Street. Officers weren't able to capture the dog.

1300166 01/04/2013 SARA, MORTEN TRLR 77 BETHEL BET 22:27 OPN

Initial Investigator: BURKINSHAW, SHAUN
Status: CLEARED ADULT ARREST
Date & Time Occurred: 01/04/2013 22:27
Classifications:

•ASSAULT - SIMPLE ASSAULT

Comments: On 1/4/13 Officers responded to a residence in Trailer Court for a disturbance. After subsequent investigation Ralph Sara, age 37 of Anchorage, was arrested and remanded to YKCC for Assault in the 4th Degree DV.

1300169 01/04/2013 DAVID, IDA 9326 B TUNDRA RIDGE BETHEL BET 23:40 RPT

Initial Investigator: DIAS, NICHOLAS
Status: CLEARED ADULT ARREST
Date & Time Occurred: 01/04/2013 23:40
Classifications:

•ASSAULT - AGGRAVATED ASSAULT, NONFAMILY, STRONGARM

Comments: On 1/5/13 Officers responded to a residence in Tundra Ridge for the report of an assault. After subsequent investigation a warrant was requested for Deric Andrew, age 28 of Bethel. Deric Andrew was located the same day, arrested and remanded to YKCC for the warrant.

1300173 01/05/2013 PD BETHEL BET 00:48 RPT

Initial Investigator: HERROD, JERRY
Status: CLEARED ADULT ARREST
Date & Time Occurred: 01/05/2013 00:45 - 00:48
Classifications:

•DUI 28.35.030(A) - ALCOHOL

Comments: On 01/05/2013 Officers observed a disturbance between a man driving a snowmachine and a woman who was walking in the Bethel Police Department parking lot. Officers made contact with the individuals and identified the man as James Martz, 29 yoa of Bethel. James Martz was subsequently found to be intoxicated. He was arrested for Driving While Intoxicated.

1300180 01/05/2013 IGKURAK, LUELLA 215 CITY SUB BETHEL CSUB 03:00 RPT

Initial Investigator: HERROD, JERRY
Status: CLEARED ADULT ARREST
Date & Time Occurred: 01/05/2013 02:30 - 02:45
Classifications:

•ASSAULT 11.41.220 - AGGRAVATED ASSAULT, FAMILY, KNIFE/CUT INSTR
 •ASSAULT - SIMPLE ASSAULT
 •ASSAULT 11.41.230 - SIMPLE ASSAULT

Comments: On 01/05/2013 officers responded to a disturbance in the City Subdivision. Subsequent investigation showed Rachel Igkurak 58 yoa of Bethel, had committed domestic violence assault. She was arrested for Assault 3rd Degree and Assault 4th Degree.

1300194 01/05/2013 KILLBUCK BETHEL BET 15:40 RPT

Initial Investigator: REID, ANDREW
Status: CLEARED ADULT ARREST

Date & Time Occurred: 01/05/2013 15:40**Classifications:**

- TRAFFIC (CRIMINAL VIOLATION) 28.15.291 - CRIMINAL TRAFFIC VIOLATION
- TRAFFIC (CRIMINAL VIOLATION) 28.22.011 - CRIMINAL TRAFFIC VIOLATION

Comments: On 1/5/2013 Officer conducted a traffic stop in the area of 4th ave. After subsequent investigation, officers arrest Michael McCarr, 28 of Bethel for Driving While License Suspended and Operating a Motor Vehicle Without Insurance.

1300201 01/05/2013 257 C WEBER CIRCLE BETHEL BET 21:37 RPT

Initial Investigator: BURKINSHAW, SHAUN
Status: CLEARED ADULT ARREST

Date & Time Occurred: 01/05/2013 21:00 - 21:30

Classifications:

- ASSAULT - SIMPLE ASSAULT
- HARASSMENT 11.61.120 - HARASSMENT, OTHER

Comments: On 01-05-13 at approximately 21:39, a male individual responded to the police department to report that he had committed an act of domestic violence against his girlfriend in the area of Weber Circle. The victim was also interviewed a short time later at the at the police department. At the completion of the investigation, the male individual was arrested and remanded to Y.K.C.C. Harassment-Domestic Violence and Assault 4-Domestic Violence.

1300214 01/06/2013 DIETERS, MARISHA HOSPITAL APTS J BETHEL BET 05:22 RPT

Initial Investigator: HERROD, JERRY

Status: ACTIVE

Date & Time Occurred: 01/05/2013 - 01/06/2013 23:00 - 04:00

Classifications:

- STOLEN VEHICLE - VEHICLE THEFT, AUTO

Comments: On 01/06/2012 a vehicle was reported missing from Bethel. Subsequent investigation showed a friend of the owner had borrowed the vehicle without notifying the owner. Vehicle was returned after miscommunication between owner and friend. Civil matter.

1300296 01/08/2013 5536 ISAAC HAWK BETHEL BET 12:19 RPT

Initial Investigator: LIMANI, KADRI

Status: CLEARED

Date & Time Occurred: 01/08/2013 12:19

Classifications:

- FRAUD - FRAUD, ILLEGAL USE CREDIT CARDS

Comments:

On 1/8/13 at approximately 1222 hours, I, Officer Limani responded to Bethel Police Department (BPD) for a report of unauthorized use of a debit card.

1300376 01/10/2013 4TH AVE BETHEL BET 12:16 RPT

Initial Investigator: LIMANI, KADRI

Status: CLEARED

Date & Time Occurred: 01/10/2013 12:16

Classifications:

- DUI - ALCOHOL
- TRAFFIC (CRIMINAL VIOLATION) - CRIMINAL TRAFFIC VIOLATION
- RECKLESS/DANGEROUS DRIVER - RECKLESS DRIVER

Comments:

On 1/10/13 Officer Limani observed a blue Polaris snow machine (operated by a single male occupant) crossing the Ridgcrest Drive into 6th Ave, without looking for traffic. After a successful pursuit, Kenneth Larson from Napaskiak, was remanded at YKCC for Failure to Stop at the Direction of a Peace Officer in the First Degree, Driving Under the Influence, and Driving Without a Valid Drivers License.

1300377 01/10/2013 POST OFFICE BETHEL BET 12:23 RPT

Initial Investigator: TURNER, TRAVIS

Status: CLEARED

Date & Time Occurred: 01/10/2013 12:23

Classifications:

- TRAFFIC ACCIDENT - TRAFFIC ACCIDENT, VEHICLE DAMAGE

Comments: On 01/10/2013, Officers were dispatched to the area of State Highway on a reported traffic accident.

1300395 01/10/2013 YKHC BETHEL BET 20:23 RPT

Initial Investigator: ROBERTS, DONALD

Status: CLEARED

Date & Time Occurred: 01/10/2013 20:23

Classifications:

- SEXUAL ASSAULT - SEXUAL ASSAULT, CARNAL ABUSE

Comments: On 01/10/2013 officers responded to a reported sex assault in Uivik Case is under investigation.

1300406 01/11/2013 PD BETHEL BET 07:09 RPT

Initial Investigator: HERROD, JERRY

Status: CLEARED

Date & Time Occurred: 01/10/2013 - 01/11/2013 20:00 - 07:30

Classifications:

•RUNAWAY JUVENILE - RUNAWAY JUVENILE
 •OBSTRUCT POLICE 11.56.800 - FALSE POLICE REPORT
 •ASSIST OTHER AGENCY 11.41.330 - ASSIST OTHER AGENCY

Comments: On 01/11/2013 a juvenile was reported runaway in Bethel. BPD officer investigated the incident and the juvenile was located.

1300430 01/11/2013 265 ALDER BETHEL BET 22:49 RPT

Initial Investigator: DAVIS, AMY
 Status: CLEARED ADULT ARREST
 Date & Time Occurred: 01/11/2013 22:49
 Classifications:

•PUBLIC PEACE - DISORDERLY CONDUCT

Comments: On 1/11/2013 at approximately 2320 hours, Officers responded to the area of Alder for a report that a male was inside of the residence causing a disturbance, and he had assaulted someone inside of the residence. Upon arrival and after subsequent investigation Officers arrested Kenneth Jimmy 47, of Napakiak for Disorderly Conduct.

1300431 01/11/2013 PD BETHEL BET 23:02 RPT

Initial Investigator: DAVIS, AMY
 Status: ACTIVE
 Date & Time Occurred: 01/11/2013 23:02
 Classifications:

•HARASSMENT - HARASSMENT, OTHER

Comments: On 1/11/2012, Bethel Police received a report of a possible sexual assault. This case is currently under investigation.

1300440 01/12/2013 PD BETHEL BET 04:03 RPT

Initial Investigator: REID, ANDREW
 Status: CLEARED ADULT ARREST
 Date & Time Occurred: 01/12/2013 04:03
 Classifications:

•ASSAULT 11.41.230 - SIMPLE ASSAULT

Comments: On 1/13/2013 Officers responded to the area of state highway for a report of an assault. Upon arrival and after subsequent investigation officers requested an arrest warrant for Barbara Engebret, 30 of Bethel for Assault 4 DV.

1300444 01/12/2013 235 B SCHWALBIE BETHEL BET 06:37 RPT

Initial Investigator: DAVIS, AMY
 Status: CLEARED ADULT ARREST
 Date & Time Occurred: 01/12/2013 06:37
 Classifications:

•PUBLIC PEACE - DISORDERLY CONDUCT

•ASSAULT - SIMPLE ASSAULT

•OBSTRUCT POLICE - RESISTING/INTERFERING W/POLICE

Comments: On 1/12/2013 at approximately 0642 hours, Officers responded to the area of Schwalbe for a report of an assault. Upon arrival and after subsequent investigation Officers arrested Sarah Engebret 29, of Bethel for Disorderly Conduct, Resisting Arrest, and Assault in the Fourth Degree.

1300446 01/12/2013 GARCIA, JULIAN 578 5TH AVE A BETHEL BET 08:02 RPT

Initial Investigator: BURKINSHAW, SHAUN
 Status: INACTIVE
 Date & Time Occurred: 01/12/2013 01:00 - 06:30
 Classifications:

•TRAFFIC ACCIDENT - HIT/RUN, VEHICLE DAMG

Comments: On 01-12-13 at approximately 08:02, Myself and Officer HERROD responded to a residence on 5th Avenue on a snowmobile that had been struck by and unknown vehicle causing approximately \$800.00 at estimated by the owner. There are no leads or suspect information at this time so this case will be inactive.

1300452 01/12/2013 JORDAN, MOSES 325 A MISSION RD BETHEL ASHA 10:45 RPT

Initial Investigator: BURKINSHAW, SHAUN
 Status: INACTIVE
 Date & Time Occurred: 01/12/2013 00:01 - 10:45
 Classifications:

•TRAFFIC ACCIDENT - HIT/RUN, VEHICLE DAMG

Comments: On 01-12-13 at approximately 10:59, I responded to the area of Mission Road on report of a hit and run accident involving a snowmobile and a Toyota truck. The Toyota truck was unoccupied at the time of the crash and the rider of the snowmobile left the scene of the accident and appeared to be bleeding in the snow. A registration check on the snowmobile did not show that it had ever been registered and no suspect or leads are available at this time. This case will be inactive.

1300453 01/12/2013 , JOHN ALBA'S COFFEE SHOP BETHEL BET 11:59 RPT

Initial Investigator: DIAS, NICHOLAS
 Status: ACTIVE
 Date & Time Occurred: 01/12/2013 11:59
 Classifications:

•TRAFFIC ACCIDENT - TRAFFIC ACCIDENT, PRIVATE PROP DAMG

Comments: On 1/12/13 Officers responded to a place of business on Ridgcrest Drive for the report of a motor vehicle accident. After subsequent investigation, Officers learned a vehicle drove into a building. The driver was issued a citation and nobody else was injured during the incident.

1300459	01/12/2013		Q2	BETHEL	BET	14:26	RPT
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Initial Investigator: HERROD, JERRY
Status: CLEARED ADULT ARREST
Date & Time Occurred: 01/12/2013 14:26
Classifications:
 •TRAFFIC ACCIDENT 28.15.291 - TRAFFIC ACCIDENT, VEHICLE DAMAGE

Comments: On 01/12/13 officers responded to a minor damage traffic collision. One of the drivers, Steven Steven 52 yoa of Bethel, was found to have a suspended drivers license. He was arrested on the charge of Driving While License Suspended.

1300480	01/13/2013		STANDARD OIL RD AND STATE HWY	BETHEL	BET	05:44	RPT
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Initial Investigator: DAVIS, AMY
Status: CLEARED ADULT ARREST
Date & Time Occurred: 01/13/2013 05:44
Classifications:
 •DUI - ALCOHOL
 •TRAFFIC (CRIMINAL VIOLATION) - CRIMINAL TRAFFIC VIOLATION
 •TRAFFIC (CRIMINAL VIOLATION) - CRIMINAL TRAFFIC VIOLATION
 •TRAFFIC (CRIMINAL VIOLATION) - CRIMINAL TRAFFIC VIOLATION

Comments: On 1/13/2013, at approximately 0544 hours, an Officer observed a vehicle parked parallel to State Hwy in the intersection of Standard Oil Road obstructing the normal flow of traffic. After subsequent investigation Thomas Angaiak 26, of Bethel was arrested for DUI, Driving with a Revoked License, Avoidance of an IID, and Driving without Motor Vehicle Insurance.

1300484	01/13/2013	PETE, RAYMOND	430 7TH AVE	BETHEL	DNTW	07:52	RPT
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Initial Investigator: DIAS, NICHOLAS
Status: ACTIVE
Date & Time Occurred: 01/13/2013 07:52
Classifications:
 •DEATH - UNATTENDED DEATH

Comments: On 1/13/13 Officers responded to a place on 7th Ave for the report of a death. Officers are currently investigating the incident.

1300489	01/13/2013	WHITMAN, EUNICE	219 PTARMIGAN	BETHEL	ASHA	11:59	RPT
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Initial Investigator: BURKINSHAW, SHAUN
Status: CLEARED ADULT ARREST
Date & Time Occurred: 01/13/2013 06:00 - 11:59
Classifications:
 •ASSAULT - SIMPLE ASSAULT

Comments: On 01-13-13 at approximately 12:01, myself and Officer HERROD responded to Ptarmigan on report of an individual who felt threatened by other occupants of the residence. Upon further investigation, one male individual was arrested for A4-Domestic Violence.

1300513	01/14/2013	LACKEY, ED	NEXT TO 871 3RD AVE AREA IN FRONT OF SUITE 881	BETHEL	DNTW	11:40	RPT
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Initial Investigator: HERROD, JERRY
Status: CLEARED ADULT EXCEPTION
Date & Time Occurred: 01/14/2013 08:00 - 09:00
Classifications:
 •TRAFFIC ACCIDENT - TRAFFIC ACCIDENT, PRIVATE PROP DAMG

Comments: On January 14, 2013 a property damage was reported from a 3rd Avenue residence. Subsequent investigation concluded accidental damage occurred.

1300514	01/14/2013		BABBS	BETHEL	BET	12:08	RPT
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Initial Investigator: DRAKE, GWEN
Status: ACTIVE
Date & Time Occurred: 01/14/2013 12:08
Classifications:

Comments: CALL TYPE: SEXUAL ASSAULT P

1300518	01/14/2013		PUBLIC HEALTH	BETHEL	BET	13:43	RPT
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Initial Investigator: DIAS, NICHOLAS
Status: ACTIVE
Date & Time Occurred: 01/14/2013 13:43
Classifications:
 •SEXUAL ASSAULT - RAPE, STRONGARM

Comments: CALL TYPE: SEXUAL ASSAULT P

1300544	01/15/2013		115 PTARMIGAN ST	BETHEL	BET	14:32	RPT
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Initial Investigator: LIMANI, KADRI
Status: CLEARED
Date & Time Occurred: 01/15/2013 14:32
Classifications:

•STOLEN VEHICLE - VEHICLE THEFT, OTHER VEHICLE
 •STOLEN VEHICLE - VEHICLE THEFT, OTHER VEHICLE

Comments:

On 1/21/13, Officers, responded Ayalpik Apartments for a report of two stolen snow machines that occurred during the night. This case is currently under investigation.

1300763 01/22/2013 BABS BETHEL BET 10:20 RPT
 Initial Investigator: DRAKE, GWEN
 Status: ACTIVE
 Date & Time Occurred: 01/22/2013 10:20
 Classifications:

Comments: CALL TYPE: SEXUAL ABUSE-MINOR P

1300767 01/22/2013 AVCP HEADSTART BETHEL BET 11:41 RPT
 Initial Investigator: LIMANI, KADRI
 Status: CLEARED
 Date & Time Occurred: 01/22/2013 11:41
 Classifications:

•DAMAGED PROPERTY - DAMAGED PROPERTY,PUBLIC

Comments:

On 1/22/13, Officers, responded to AVCP Headstart School for a report of damaged property. This case is currently under investigation.

1300774 01/22/2013 ME SCHOOL BETHEL BET 15:29 RPT
 Initial Investigator: DRAKE, GWEN
 Status: ACTIVE
 Date & Time Occurred: 01/22/2013 15:29
 Classifications:

•THEFT - THEFT OTHER

Comments: On 1/22/13 BPD officers were informed of a theft that occurred at a Bethel School. The case is under investigation.

1300779 01/22/2013 SMITH, SHERRI 169 CRANBERRY BETHEL BET 17:54 OPN
 Initial Investigator: BOBBIO, EMANUELE
 Status: CLEARED
 Date & Time Occurred: 01/22/2013 17:54
 Classifications:

•ANIMAL ATTACK - ANIMAL ATTACK

Comments: On 01-22-2013 Bethel Police Department was dispatched to Cranberry Street for a report of a dog bite. The owner surrender the dog to BPD and the owner was issued a verbal warning about Animals at Large.

1300834 01/24/2013 TRAILER 43 BETHEL BET 17:33 RPT
 Initial Investigator: LIMANI, KADRI
 Status: ACTIVE
 Date & Time Occurred: 01/24/2013 17:33
 Classifications:

•ANIMAL ATTACK - ANIMAL ATTACK

Comments:

On 1/24/2013 officers responded to Trailer Court for a report of dog bite. The owner of the dog was issued a citation for Animals at large.

1300839 01/24/2013 PD BETHEL BET 20:07 RPT
 Initial Investigator: ROBERTS, DONALD
 Status: CLEARED
 Date & Time Occurred: 01/24/2013 - 01/25/2013 20:07
 Classifications:

•DAMAGED PROPERTY - DAMAGED PROPERTY, PRIVATE

Comments: On 01/24/2013 a complaint of damaged property on Ptramigan was reported to the Bethel police department, case is under investigation.

1300869 01/25/2013 CHRISTENSEN, JOSEPHINE 116 AKAKEEK BETHEL ASHA 16:41 RPT
 Initial Investigator: DIAS, NICHOLAS
 Status: CLEARED ADULT ARREST
 Date & Time Occurred: 01/25/2013 16:41
 Classifications:

•TRESPASSING - TRESPASSING, PRIVATE PROPERTY

Comments: On 1/25/13 Officers responded to a residence on Akakeek St. for the report of a male forcing his way into a residence. Upon arrival and after subsequent investigation Joel Andrew, age 38 of Bethel, was cited for Criminal Trespass in the 1st Degree.

1300900 01/26/2013 LINDSEY AC MAIN BETHEL BET 16:44 RPT
 Initial Investigator: DIAS, NICHOLAS
 Status: CLEARED ADULT ARREST
 Date & Time Occurred: 01/26/2013 16:44
 Classifications:

•TRESPASSING - TRESPASSING, PRIVATE PROPERTY

Comments: On 1/26/13 Officers responded to a place of business for the report of a male trespassing. Officers located and arrested Daniel Black, age 53 of Kongiganak, was arrested and remanded to YKCC for Criminal Trespass in the 2nd Degree.

1300904 01/26/2013 TONY, DOUGLAS 162 BLACKBERRY BETHEL BET 18:35 RPT
 Initial Investigator: HERROD, JERRY
 Status: CLEARED JUVENILE EXCEPTION
 Date & Time Occurred: 01/26/2013 18:00 - 19:00
 Classifications:

•ASSAULT 11.41.230 - SIMPLE ASSAULT
•DAMAGED PROPERTY 11.46.484 - DAMAGED PROPERTY, PRIVATE

Comments: On 01/26/2013 officers responded to a domestic disturbance on Blackberry St. Subsequent investigation showed a juvenile had committed domestic violence against a parent. Charges filed with Department of Juvenile Justice.

1300905 01/26/2013 LONG HOUSE/3RD AND MAIN BETHEL BET 18:58 RPT
 Initial Investigator: DAVIS, AMY
 Status: CLEARED ADULT ARREST
 Date & Time Occurred: 01/26/2013 18:58
 Classifications:

•ASSAULT - AGGRAVATED ASSAULT, NONFAMILY, FIREARM
•ASSAULT - AGGRAVATED ASSAULT, NONFAMILY, FIREARM
•WEAPONS OFFENSE - CARRYING A PROHIBITED WEAPON

Comments: On 1/26/2013 at approximately 1858 hours, officers from the Bethel Police Department responded to the area of 3rd and Main Street for report of a male having walked into the Longhouse Hotel with a shotgun, and then walked out and traveled by foot to the area of 3rd and Main Street. The male was later identified as Thomas Amik 24, of Bethel. Upon the Conclusion of the investigation conducted it was founded that Thomas Amik violated several state and federal laws while brandishing the weapon at the Long House Hotel and on 3rd and Main Street. Thomas Amik was arrested without incident after a brief standoff with police for Misconduct Involving Weapons and two counts of Assault in the Third Degree. Alcohol is not suspected at this time and no one was injured during the incident.

1300938 01/27/2013 ALASKA AIR BETHEL ARPT 21:03 RPT
 Initial Investigator: LIMANI, KADRI
 Status: CLEARED ADULT ARREST
 Date & Time Occurred: 01/27/2013 21:03
 Classifications:

•PUBLIC PEACE - DISORDERLY CONDUCT

Comments: On 1/27/2013 Officers responded to Alaska Airlines for a report of an intoxicated male party yelling and screaming outside the terminal. After a subsequent investigation Michael Carl from Toksook Bay was remanded at YKCC for Disorderly Conduct.

1300948 01/28/2013 SARAH ER BETHEL BET 14:11 RPT
 Initial Investigator: HERROD, JERRY
 Status: INACTIVE
 Date & Time Occurred: 01/26/2013 21:00 - 22:00
 Classifications:

•ASSAULT - SIMPLE ASSAULT

Comments: On January 28, 2013 an assault was reported from the hospital area. Investigation ongoing at this time.

1301005 01/30/2013 ID VARIETY BETHEL BET 16:54 RPT
 Initial Investigator: DIAS, NICHOLAS
 Status: CLEARED ADULT ARREST
 Date & Time Occurred: 01/30/2013 16:54
 Classifications:

•PUBLIC PEACE - DISORDERLY CONDUCT

Comments: On 1/30/13 Officers responded to the area of 4th Ave. for the report of an intoxicated male. Jonathan Dock, age 28 of Kipnuk, was subsequently arrested for Disorderly Conduct and remanded to YKCC without incident.

1301006 01/30/2013 JACKSON, DEANA ER BETHEL BET 17:07 RPT
 Initial Investigator: BOBBIO, EMANUELE
 Status: ACTIVE
 Date & Time Occurred: 01/30/2013 17:07
 Classifications:

•ANIMAL ATTACK - ANIMAL ATTACK

Comments: On 01/30/2013 an animal attack was reported from the hospital. Incident under Investigation by animal control officer.

1301020 01/31/2013 NEAR BNC 16 BETHEL BET 05:47 RPT
 Initial Investigator: ROBERTS, DONALD
 Status: CLEARED ADULT ARREST
 Date & Time Occurred: 01/31/2013 05:47
 Classifications:

•DUI - ALCOHOL

Comments: On 01/31/2013 Officers responded to a traffic accident on Akakeek, on arrival and after subsequent investigation, Jocelyn Alikar was remanded for DUI.

1301024 01/31/2013 AC QUICK STOP BETHEL BET 10:08 RPT

Initial Investigator: LIMANI, KADRI
Status: CLEARED ADULT ARREST
Date & Time Occurred: 01/31/2013 10:08
Classifications:

•DUI - ALCOHOL
 •TRAFFIC (CRIMINAL VIOLATION) - CRIMINAL TRAFFIC VIOLATION

Comments:

On 2/1/13 Officers responded to AC Quick Stop for a report of an intoxicated male party driving a snow machine. After a subsequent investigation Sam Liskey of Bethel was remanded at YKCC for DUI, Refusal to Submit to a Chemical Test, and Driving Without a Valid License.

1301026 01/31/2013 HOFFMAN, DOROTHEA 9129 TUNDRA RIDGE BETHEL TR 10:43 RPT

Initial Investigator: HERROD, JERRY
Status: CLEARED
Date & Time Occurred: 01/30/2013 - 01/31/2013 10:43
Classifications:

•PERSON CRIMES 11.56.740 - CRIMES AGAINST PERSONS

Comments: On 01/31/13 officers responded to report of a protective order violation. Investigation showed the suspect had been contacting the victim via phone. Officers later contacted the suspect who admitted to contacting the victim. Investigation active at this time pending warrant issue.

1301029 01/31/2013 AC MAIN AND BNC BETHEL DNTW 12:18 RPT

Initial Investigator: HERROD, JERRY
Status: CLEARED ADULT ARREST
Date & Time Occurred: 01/31/2013 12:18
Classifications:

•PUBLIC PEACE 11.61.110 - DISORDERLY CONDUCT

Comments: On 01/31/13 officers responded to a removal of an intoxicated woman at a local store. Officers contacted Martha Langmade of Kwethluk. Martha Langmade subsequently committed Disorderly Conduct and was arrested.

January 2013 CSP Monthly Log Sheet

Date	DEMOGRAPHIC				WENT TO					TOTAL
	(M) P.C.	(F) P.C.	Resident	Non-Resident	YKCC	Sobering Center	Private Residence	ATCFs	YKHC/ER	
1/1/2013	0	0	0	0	0	0	0	0	0	0
1/2/2013	3	2	1	4	0	4	1	0	0	15
1/3/2013	4	3	5	2	0	3	0	4	0	21
1/4/2013	2	2	3	1	0	2	0	2	0	12
1/5/2013	2	1	1	2	0	3	0	0	0	9
1/6/2013	0	2	1	1	0	2	0	0	0	6
1/7/2013	0	2	0	2	0	2	0	0	0	6
1/8/2013	3	1	0	4	0	4	0	0	0	12
1/9/2013	2	2	1	3	0	3	1	0	0	12
1/10/2013	0	0	0	0	0	0	0	0	0	0
1/11/2013	11	0	6	5	3	6	0	0	2	33
1/12/2013	3	2	4	1	0	4	0	0	1	15
1/13/2013	1	1	2	0	1	1	0	0	0	6
1/14/2013	2	2	1	3	1	3	0	0	0	12
1/15/2013	2	1	0	3	1	2	0	0	0	9
1/16/2013	1	0	1	0	0	0	1	0	0	3
1/17/2013	0	0	0	0	0	0	0	0	0	0
1/18/2013	1	1	0	0	1	1	0	0	0	4
1/19/2013	2	2	1	3	2	1	0	1	0	12
1/20/2013	0	0	0	0	0	0	0	0	0	0
1/21/2013	1	0	1	0	0	0	1	0	0	3
1/22/2013	1	1	2	0	0	2	0	0	0	6
1/23/2013	0	2	0	2	0	2	0	0	0	6
1/24/2013	2	2	2	2	0	3	1	0	0	12
1/25/2013	1	2	3	0	0	3	0	0	0	9
1/26/2013	3	1	2	2	2	2	0	0	0	12
1/27/2013	2	0	1	1	0	0	0	2	0	6
1/28/2013	0	0	0	0	0	0	0	0	0	0
1/29/2013	1	0	0	1	0	1	0	0	0	3
1/30/2013	2	2	3	1	1	1	0	2	0	12
1/31/2013	0	0	0	0	0	0	0	0	0	0
TOTAL	52	34	41	43	12	55	5	11	3	



■ (M) P.C.
 ■ (F) P.C.
 ■ Resident
 ■ Non-Resident
 ■ YKCC
 ■ Sobering Center
 ■ Private Residence
 ■ ATCFs
 ■ YKHC/ER

**CITY OF
BETHEL**

Laurance (Larry) Elarton <lelarton@cityofbethel.net>

January Transportation Inspector Activity

1 message

KaJena Baty <kbaty@cityofbethel.net>

Mon, Feb 4, 2013 at 12:58 PM

To: Larry Elarton <lelarton@cityofbethel.net>

January 2013:

Taxi Cab Co. had their inspections in January instead of December. Quyana Cab Co. inspections will start on Wednesday, February 6th.

All chauffeurs and permitted vehicle owners are required to make an appointment. There is a sign up sheet in the lobby of the PD.

2013	January
New Chauffeurs	2
Chauffeur Renewals	1
Vehicle Permit Renewals	4
Vehicle Transfers	5
Inspections	10
Revocations	0
Temporary Permits	0

In Council Chambers during the Regular Meeting of the Public Safety and Transportation Commission (Tuesday, February 5th at 7:00pm) the commission will be holding the first public hearing of the year on the quality of services of all Regulated Vehicles, Chauffeurs, and Dispatch Services.

--

Bethel Police Department**KaJena Baty**

Administrative Assistant

kbaty@cityofbethel.net

907-543-3781 Office

907-543-5086 Fax

Resolution # 13-??

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BETHEL PROVIDING FOR THE REQUIREMENT THAT FOOD ESTABLISHMENTS POST STATE HEALTH INSPECTION RESULTS OR SCORES

WHEREAS, public safety and health are critical to the general welfare of its inhabitants; and

WHEREAS, a safe and sanitary food supply is essential for every inhabitant of the City of Bethel; and

WHEREAS, the State of Alaska regularly inspects all commercial food preparation facilities to ensure safe and sanitary handling of food and provides a written report as to the compliance with applicable standards of food safety; and

WHEREAS, every food preparation facility is required by State law to provide such report to anyone asking to see the report; and

WHEREAS, not every inhabitant is willing or knowledgeable concerning the availability of such report; and

WHEREAS, informing the inhabitants of Bethel as to the safety and sanitation of their food sources is critical to their general welfare; and

WHEREAS, the average patron of a food preparation facility has neither the access nor the skill and training to identify and evaluate a majority of the factors affecting food safety and sanitation beyond the obvious; and

WHEREAS, requiring the posting of an inspection report will not impose new regulations nor significant costs to existing and future food preparation facilities, but simply inform the public as to the results of existing inspection reports complete by the State; and

NOW THEREFORE BE IT RESOLVED, by the City Council of Bethel, Alaska that an ordinance be adopted requiring inspection results and scores from inspections by the State of Alaska Division of Environmental Conservation be posted in the restaurant at a location visible to the public immediately upon completion.

ENACTED THIS _ DAY OF _ 2013, BY A VOTE OF _ IN FAVOR AND _ OPPOSED.

**CITY OF
BETHEL**

KaJena Baty <kbaty@cityofbethel.net>

Sugar Sweetened Beverage Ordinance

1 message

Bobby Sutton <bsutton@cityofbethel.net>

Fri, Jan 25, 2013 at 6:19 AM

To: "Laurance (Larry) Elarton" <l Barton@cityofbethel.net>, George Young <gyoung@cityofbethel.net>, KaJena Baty <kbaty@cityofbethel.net>

Cc: Sharri Salyers <ssalyers@cityofbethel.net>, Lee Foley <lfoley@cityofbethel.net>

Good morning:

As you all know, the Finance Committee was asked to review the Sugar Sweetened Beverage Ordinance which was originally approved by the Public Safety and Transportation Commission. The Finance Committee has taken considerable time on the ordinance over the past few months and has received a large volume of public input through both direct communication and through people to be heard at its meetings.

Last night, the Committee voted 5-0 against passage of the ordinance. It asked me to pass the results of its vote to the Public Safety and Transportation Commission as a courtesy. The Finance Committee chose to ultimately communicate to City Council that it is completely against the ordinance.

Should you or the Commission members have any questions, just let me know.

--

Bobby Sutton
Finance Director
City of Bethel, Alaska
P.O. Box 1388
Bethel, AK 99559
bsutton@cityofbethel.net
Phone: (907) 543-1376
Cell: (907) 545-0115
Fax: (907) 543-3817

Proposed Ordinance
09.38 Chronic or Excessive Nuisance Properties

09.38.010	Purpose
09.38.020	Definitions
09.38.030	Civil Penalties
09.38.040	Notice to Liable Persons
09.38.050	Appropriate Corrective Action
09.38.060	Lien on Property
09.38.070	Appeal

09.38.010 Purpose

Chronic nuisance properties present grave health, safety and welfare concerns where the persons or entities responsible for such properties have failed to take corrective action to abate the nuisance condition. Chronic nuisance properties have a tremendous negative impact upon the quality of life, safety and health of the neighborhoods where they are located. Chronic nuisance properties are also a financial burden to the city by the repeated calls for service to the properties because of the nuisance activities that repeatedly occur or exist on such property.

09.38.020 Definitions

1. *Chronic Nuisance Property* means:
 - a. Property on which ten (10) or more nuisance activities have occurred during any calendar year;
 - b. Property on which or within two hundred (200) feet of which any person associated with the property has engaged in ten (10) or more nuisance activity during any calendar year;
2. *Commercial Unit* means an area within a commercial property that is readily identifiable by visual inspection as an area used by a single business or commercial enterprise.
3. *Control* means the ability to regulate, restrain, dominate, counteract or govern conduct that occurs on a property.
4. *Excessive Police Response* means:
 - a. For residential property, each police response in excess of ten (10) in a dwelling unit in a calendar year.
 - b. For a commercial property, each police response in excess of twenty-five (25) in a commercial unit in a calendar year.
5. *Dwelling Unit* means a structure or portion thereof providing independent and complete cooking, living, sleeping and toilet facilities for a person or group of persons living as a single housekeeping unit.
6. *False Information* in this section means any untrue information delivered by any means, including but not limited to, telephone, cellular phone, e-mail, mail, radio, television, or written or oral communication.
7. *Permit* means to suffer, allow, consent to or acquiesce by failure to prevent or expressly assent or agree to the doing of an act.
8. *Person* means any natural person, agent, association, firm, partnership or corporation capable of owning, occupying or using property in the City.

9. *Person Associated With* means any person, who, on the occasion of the nuisance activity, has entered, patronized, visited or attempted to enter, patronize or visit, or waited to enter, patronize or visit a property or person present on property, including without limitation any officer, director, customer, agent, employee, or any independent contractor of a property, person in charge, or owner.
10. *Police Response* means one or more police or peace officers goes to a property in response to a call for assistance, a complaint, an emergency, a potential emergency, or a reasonable suspicion of unlawful activity witnessed by a police officer, and any response determined by a sergeant or higher ranking police officer to be related to activities on the property premises and reasonably preventable; however, the term "police response" does not include a response to:
- a. Receipt of false information as defined above unless the false information was provided by an occupant or owner of the property;
 - b. A call involving potential child neglect, potential domestic violence as defined in AS 18.66, or potential stalking as defined in AS 11.41;
 - c. A report of a sexual assault as defined in AS 11.41.260 or AS 11.41.270;
 - d. A medical emergency for serious bodily injury or death;
 - e. A call from the tenant or owner of a commercial property used as a retail store for police assistance with:
 - i. Theft or attempted theft, or
 - ii. A report of the presence or identification of a person under state or federal warrant;
11. *Property* means any property, including land and that which is affixed, incidental or appurtenant to land, including but not limited to any business or residential premises, room, house, parking area, loading area, landscaping, building or structure or any separate part, unit or portion, or any business equipment, whether or not permanent. For property consisting of more than one unit, property is limited to the unit or the portion of the property on which any nuisance activity has occurred or is occurring, but includes areas of property used in common by all units of property, including but without limitation other structures erected on the property and areas used for parking, loading and landscaping.

09.38.030 Civil Penalties

1. Subject to subsection 2 below, the owner of a property and the tenant thereon shall jointly pay the City a fee of Three Hundred Fifty (\$350) per excessive police response to the dwelling unit or commercial unit during a calendar year.
2. A person is exempt from liability for the fee established in subsection (1) if:
 - a. The person is a federal, state or local government agency;
 - b. The property or unit responded to is used exclusively for nonprofit religious, charitable, cemetery, hospital or educational purposes;
 - c. The City has not provided notice to the person in writing as provided for in Section 09.38.040.
 - d. Any person has taken appropriate corrective action, given written notice to the Chief of Police of the action as required by subsection 09.38.050 and such action has been approved by the Chief of Police or his designee.

3. If a property has more than one owner, all owners shall be jointly liable with the tenant for any fee imposed under this section. Actual notice to one owner creates a rebuttable presumption of actual notice to all other owners.
4. A tenant shall not be liable for the fee if the tenant's conduct did not require the police response and the tenant's right to possession commenced on a date subsequent to the date of the first police response that is counted for purposes of the fee imposed under this chapter.
5. If a sergeant or higher ranking official of the police department determines appropriate corrective action was taken with respect to a specific unit, the count of police responses to the unit shall reset to zero, effective the date of the determination. After resetting, all provisions in this chapter referring to a "calendar year" shall mean "remainder of the calendar year beginning from the date the previous corrective action was taken."
6. The fee may be collected in any lawful manner, including bringing action in court for a personal judgment against any one or more of the persons liable.
7. An owner or tenant liable for a fee under this chapter may bring an action in court against a person whose conduct required the excessive police response to recover the amount of the fee and related costs. An owner or tenant shall not be granted any extension of time or continuance to pay the fee based on a pending action against a third party.

09.38.040 Notice to Liable Persons

1. The City shall notify the owner and tenant of a property, in writing, when there have been three (3) police responses in the current calendar year to a single dwelling or ten (10) police responses to a commercial unit.
2. Notice under this section shall be given in a manner reasonably calculated, under all of the circumstances, to provide actual notice to the person of the potential liability for a fee. At a minimum, the notice shall be sent by certified mail, return receipt requested, to the mailing address of the person as shown on the City's records. If the mailed notice is returned refused for signature by the recipient, actual notice shall be conclusively presumed on the date of the refusal. If the mailed notice is returned unclaimed or undeliverable, the City shall accomplish notice by another method and attest to the date notice is accomplished by affidavit or in a police report. Notice may be accomplished in any lawful manner.
3. The notice shall:
 - a. Identify the property that is the subject of the notice by street address and description and identify the dwelling unit to which the police responses have been made if there is more than one dwelling unit on the property;
 - b. State that there have been three (3) or more police responses to the property during the current calendar year if the property is residential or that there have been ten (10) or more police responses to the property during the current calendar year if the property is commercial;
 - c. State the owner shall be liable for a fee for each excessive police response to the property during the calendar year, unless, within thirty (30) days, any person takes appropriate corrective action promptly and gives written notice to the Chief of Police, or their designee, of the action taken;

- d. State the amount of the fee per excessive police response to the property; and
- e. State the name and phone number of a representative of the City to contact concerning the notice.

09.38.050 Appropriate Corrective Action

1. An owner or tenant of a property shall have thirty (30) days from the date notice is accomplished, as required under BMC 09.38.040, to promptly take appropriate corrective action.
2. Appropriate corrective action is action reasonably expected to correct the cause of the police responses to the property. Police officers holding rank of sergeant or higher are authorized to determine whether the corrective action is appropriate under the circumstances. The officer's determination shall be in writing and issued within ten (10) days of receipt of the person's written notice of the action taken. Should the officer determine the action taken is not appropriate corrective action, the officer shall explain the reasons and the person shall have fifteen (15) days from the date of the determination to take appropriate corrective action. The fifteen (15) day extension shall be provided only once in a calendar year for each unit receiving excessive police responses. Examples of appropriate corrective action, subject to a police officer's determination whether it is appropriate, may include, without limitation:
 - a. Written notice to quit under AS 09.45.100 – AS 09.45.110;
 - b. Eviction notice served on the tenant or lessee requiring vacation of the premises within thirty (30) days or less;
 - c. Obtaining a restraining order, if appropriate;
 - d. Installation or implementation of new or additional security measures; or
 - e. Action recommended by the Bethel Police Department in writing and implemented to the satisfaction
3. Appropriate corrective action does not include:
 - a. Relocating a tenant or lessee of a unit to a different unit on the same property, unless a police officer the rank of sergeant or higher determines the relocation is appropriate. If a person is relocated, the City may transfer the number of police responses from the former unit to the new unit.
 - b. Communicating orally with the person causing the police responses.
4. No fee may be imposed for additional police responses to the property that is the subject of the Notice during the fifteen (15) day period allowed under subsection (1) if any person takes appropriate corrective action and gives written notice to the Bethel Police Department of the action taken during the fifteen (15) day period. There is a conclusive presumption that appropriate corrective action was taken if there are no additional police responses to the property from the end of the fifteen (15) day period until the end of the earlier of:
 - a. The end of the calendar year; or
 - b. Ninety (90) days.

09.38.060 Lien on Property

1. A fee imposed under BMC 09.38.030 is a lien on the property to which there have been an excessive number of police responses.

2. The lien becomes effective upon the recording of a notice of lien that:
 - a. Describes the property that is the subject of the lien;
 - b. States the amount of fees accrued at the time of the recording; and
 - c. States the lien has been recorded pursuant to this section.
3. When notice of a lien has been recorded under subsection 2 of this section, the lien has priority over all other liens except:
 - a. Liens for property taxes, special assessments, and sales and use taxes;
 - b. Liens that were perfected before the recording of the lien under this section; and
 - c. Mechanics' and materialmen's liens for which claims of lien under AS 34.35.070 or notices of right to lien under AS 34.35.064 have been recorded before the recording of the lien under this section.
4. A person determined liable for excessive police responses under this chapter may, within twenty (20) days of receiving notice of imposition of fees, file objections with the Chief of Police of the Bethel Police Department.
 - a. If objections of either the property owner or tenant are received by the Chief of Police prior to the expiration of the twenty (20) day period, the Chief of Police shall refer the matter to the City Manager for administrative review.
 - b. Upon conclusion of its administrative review, the City Manager shall make a written determination that the amount of the charges shall be canceled, reduced, or remain the same. A copy of this determination shall be furnished to the person making the objections together with the notice of such person's right to appeal to the Appeals Board.
 - a. If no appeal of a determination by the City Manager is filed within the time period allowed, a copy of the determination will be furnished to the Finance Director who shall cause a notice of the lien to be recorded as provided in subsection (a)

09.38.070 Appeal

1. *Form of Appeal.* Any person entitled to service under this chapter may appeal any final decision of the City Manager by submitting an application and the filing fee to the City Attorney at the City Offices of the City Clerk. The appeal shall be filed within thirty (30) days from the date of the City Manager's final decision. The appeal must clearly state the issues being appealed and the basis for appeal.
2. *Processing of Appeal.* Upon receipt of any properly filed appeal filed pursuant to this section, the City Clerk shall present it at the next regularly scheduled City Council meeting to the City Council.
3. *Scheduling and Noticing for Hearings.* As soon as practicable after receiving the written appeal, the City Clerk shall inform the appellant of the next City Council meeting date and time. Such date shall be no less than ten (10) days nor more than forty-five (45) days from the date the appeal was filed with the City Attorney. Written notice of the time and place of the hearing shall be given at least ten (10) days prior to the date of the hearing to each appellant by the City Clerk by causing a copy of such notice to be delivered to appellant personally or by mailing a copy thereof, postage prepaid, addressed to appellant at the address shown on the appeal.

4. *Effect of Failure to Appeal.* Failure of any person to file an appeal in accordance with the provisions of this chapter shall constitute a waiver of the right to an administrative hearing and adjudication of the notice and order or any portion thereof.
5. *Scope of hearing of appeal.* Only those matters or issues specifically raised in the notice and order or actions by persons with authority under this chapter shall be considered in the appeal hearing.

Chapter 9
PUBLIC PEACE, MORALS AND WELFARE

Suggested Additions:

9.12.15 Intoxicated Persons on Roadway

- A. It is unlawful for any person to be upon any public street, road, or highway while intoxicated in such a manner as to be hazardous to motor vehicle traffic.
- B. Violation of this section shall be punishable by a fine of not more than five hundred (\$500) dollars.

9.12.100 Littering; Defacing Building or other Structure

- A. It is unlawful for any person to knowingly:
 1. Litter in or on any property not his own on which he is not an invitee or licensee, or on any public building, park, recreation area, parking lot, street, or highway; or
 2. Mar or deface private or public property, including parks and recreation areas, without permission.
 3. In addition to all other fines and penalties provided for in subsection 7 of this section, persons violating this section shall remove or cause the removal of the litter and restore the property defaced at their sole expense and at the direction and under the supervision of the property owner or the City.
 4. If the person violating this section fails to remove the litter or restore the property as the case may be, the owner thereof may cause the same to be accomplished and charge the person responsible for doing so for the reasonable expense incurred and recover such expenses by civil action.
 5. Any act in violation of this section committed by a minor under the age of eighteen (18) years who is not a runaway, as that term is defined by AS 47.10.390, when the violation occurred, shall be imputed to that minor's parent or legal guardian who shall be liable for payment of the fine and expense of restoration.
 6. Subject to AS 47.10, persons under the age of eighteen (18) years, shall be subject to the provisions of this section, provided however, that in the event any such provision conflicts with or cannot be effected under the provisions of AS 47.10, the latter shall prevail and the person, court or agency having jurisdiction over such minor shall, whenever consistent with AS 47.10, apply the penalties, fines, repair and restoration provisions hereof as a part of its final disposition or as a condition of pre-trial/hearing diversion. Subject to the discretion of the court, agency or official having jurisdiction, the parent or legal guardian of a person under the age of eighteen (18) years violating this section shall accompany the minor to some or all of the minor's community service and repair, removal or restoration work.
 7. Nothing contained in this section shall in any way limit, abridge or deny the authority or discretion of any court under AS title 12 or any agency or official under AS title 47 and such court, agency or official may vary the sentence or other disposition imposed pursuant to such authority or jurisdiction for a violation of this section.
 8. Violation of this section shall be punishable by a fine or not more than One Hundred Fifty (\$150) Dollars which may be substituted by no less than One Hundred Fifty (150) hours of Community Work Service.

9.12.110 – Public Excretion

- A. It is unlawful for any person to knowingly urinate or defecate in or on any public street, road, highway, alley, sidewalk, park or other public place open to public view which is not a lavatory facility.
- B. Violation of this section shall be punishable by a fine of not more than Two Hundred (\$200) Dollars.

9.12.120 – Shoplifting Under \$10.00

- A. *Removal of Merchandise.* It is unlawful for any person to take or remove any merchandise or thing valued at less than Ten (\$10) dollars from the premises where such merchandise or thing of value is kept for purposes of sale, barter or storage without the consent of the owner or person lawfully entitled to its possession.
- B. *Concealment of Merchandise.* It is unlawful for any person, without authority, willfully to conceal upon or about his person any merchandise or thing valued at less than Ten (\$10) Dollars upon the premises where such merchandise or thing of value is kept for the purposes of sale, barter or storage. Any merchandise or thing of value found concealed upon or about the person and which has not therefore been purchased by the person is prima facie evidence of willful concealment.
- C. As used in this section, the term “consent” shall mean express consent, or consent implied by possession of a sales ticket, slip or receipt issued for and accompanied by the article of merchandise or thing of value.
- D. Violation of this section shall be punishable by a fine of not more than One Hundred (\$100) Dollars.

9.20.060 Habitual Truancy

A. *Definitions in this section:*

- 1. “Habitual Truant” means a youth who is subject to compulsory full-time education under Alaska Statute AS 14.30.010 and who has accumulated unexcused absences during a school semester to the extent that the youth has been determined by the Bethel School District to be a habitual truant for that semester pursuant to its attendance policy.
- 2. “Knowingly” means with respect to conduct or to a circumstance described by a provision of law defining an offense, that a person is aware that his or her conduct is of that nature or that the circumstance exists; when knowledge of the existence of a particular fact is an element of an offense, that knowledge is established if a person is aware of a substantial probability of its existence, unless the person actually believes it does not exist.
- 3. “Youth” means a child between seven (7) and sixteen (16) years of age, which are the ages that school attendance is compulsory according to Alaska Statute 14.30.010.

B. *Offenses.*

- 1. A youth who is subject to compulsory full-time education under Alaska Statute 14.30.010 and does not fit within an exception set out in Alaska Statute 14.30.010(b) commits an offense if he or she knowingly fails or refuses to attend school, resulting in the accumulation of unexcused absences during a school semester to the extent that the youth has been determined by the Bethel School District to be a habitual truant for that semester pursuant to its attendance policy, and has been given notice of such determination.

2. A parent, guardian, or other person having the responsibility for control of a youth who is subject to compulsory full-time education under Alaska Statute 14.30.010 and does not fit within an exception set out in Alaska Statute AS 14.30.010(b) commits an offense if he or she knowingly fails or refuses to ensure that the youth attends school, resulting in the accumulation of unexcused absences during a school semester to the extent that the youth has been determined by the Bethel School District to be a habitual truant for that semester pursuant to its attendance policy, and has been given notice of such determination.
 3. Notice of the determination that a youth is a habitual truant shall be given either by personal delivery to the person to be notified or by certified mail, with return receipt requested and restricted delivery, addressed to the person at his or her address as shown in the records of the Bethel School District. The giving of notice by mail is considered complete upon the return of the receipt or upon return of the notice as undeliverable, refused or unclaimed. Proof of the giving of notice in either manner may be made by the affidavit of the person giving the notice by personal delivery or by mail, naming the person to whom the notice was given and specifying the time, place, and manner of giving the notice.
- C. *Option of satisfaction of fine by maintenance of perfect attendance and community restitution.* Notwithstanding any other provision of law, a youth or other person upon whom a fine for violation of this section has been imposed may elect to satisfy such fine by presenting evidence satisfactory to the administrative hearing officer that the youth has had no additional unexcused absences as determined by the Bethel School District after the date of the citation for the remainder of the semester during which the youth was determined to be a habitual truant. Notwithstanding any other provision of law, a youth or other person upon whom a fine has been imposed for violation of this section may elect to satisfy such fine by presenting evidence satisfactory to the administrative hearing officer that the person upon whom the fine has been imposed performed community restitution during a period of performance specified by the administrative hearing officer.
- D. *Ordinance Review.* Within one year after implementation, and annually thereafter, the City Manager, in conjunction with the Bethel School District Superintendent and Bethel Police Chief, shall review the Ordinance and make a report to the assembly and Bethel School Board concerning the effectiveness of and continuing need for the ordinance. The report shall include, but not be limited to, the following information:
1. The practicality of enforcing the ordinance and any problems with enforcement;
 2. The impact of the ordinance on truancy and school attendance;
 3. The number of habitual truancy referrals made by the Bethel School District to the Bethel Police Department;
 4. The number of citations issued; and
 5. The City's net cost of enforcing the ordinance.
- E. *Penalties:* Violation of this section shall be an infraction and shall be punishable by a fine not to exceed Five Hundred (\$500) Dollars. The minimum fine for this offense shall not be less than Two Hundred (\$200) Dollars but the fine may be waived as provided in subsection C above.

09.12.110 – Sale of Tobacco Products

- A. It is unlawful for any person Nineteen (19) years of age or older to negligently sell, exchange or give cigarettes, cigars or tobacco in any form to any person under Nineteen (19) years of age.
- B. Violation of this section shall be punishable by a fine of not more than Five Hundred (\$500) Dollars.

09.12.120 – Possession of Tobacco Products

- A. A person under nineteen (19) years of age may not knowingly possess a cigarette, a cigar, tobacco, or any product containing tobacco.
- B. Violation of this section shall be punished by a fine of not more than Five Hundred (\$500) Dollars.

9.12.130 – Endangering the Welfare of a Minor in the 2nd Degree

- A. A person commits the offense of endangering the welfare of a child in the second degree if the person, while caring for a child under 10 years of age,
 - 1. Causes or allows the child to enter or remain in a dwelling or vehicle in which a controlled substance is stored in violation of AS 11.71; or
 - 2. Is impaired by an intoxicant, whether or not prescribed for the person under AS 17.30, and there is no third person who is at least 12 years of age and not impaired by an intoxicant present to care for the child.
- B. In this section,
 - 1. "Impaired" means that a person is unconscious or a person is physically or mentally affected so that the person does not have the ability to care for the basic safety or personal needs of a child with the caution characteristic of a sober person of ordinary prudence;
 - 2. "Intoxicant" has the meaning given in AS 47.10.990.
- C. Endangering the welfare of a child in the second degree is a violation punishable by a fine not to exceed Five Hundred (\$500) Dollars.

**Title 10
Vehicles and Traffic**

Chapters:

- 10.01 Adoption of State Traffic Laws and Penalties**
 - 10.02 Motor Vehicle and Driving Offenses – Rules of the Road (Repealed)**
 - 10.04 Motor Vehicle and Driving Offenses – Vehicle Equipment and Inspection (Repealed)**
 - 10.05 Motion Vehicles and Driving Offenses – Non-Moving Violations (Repealed)**
 - 10.06 Inspection of Vehicles (Repealed)**
 - 10.08 Miscellaneous Traffic Regulations**
 - 10.15 ~~Motor Vehicle Impoundment~~ Abandoned Vehicles**
-

10.01 Adoption of State Traffic Laws and Penalties

Sections:

- 10.01.010 Adoption of state traffic laws
- 10.01.020 Adoption of state penalties
- 10.01.030 Violation – Infraction
- 10.01.040 Police Training Surcharge
- 10.01.050 Applicability of traffic regulations to public employees

10.01.010 – Adoption of State traffic laws.

The City adopts all statutes and regulations of the State of Alaska, as they presently exist and as they may be revised in the future, relating to motor vehicles offenses, as the traffic code for the City.

10.01.020 – Adoption of State penalties

The City adopts all applicable penalties, fines, bail and bail forfeiture schedules and procedures and other penalty related provisions of the statutes and regulations of the State of Alaska and the Alaska Rules of Court, as they presently exist and as they may be revised in the future, as the provisions applicable to the violation of any provisions adopted by Section 10.01.010.

10.01.030 – Violation – Infraction

A violation of the traffic code of the City is an infraction within the terms of AS 28.40.050, and is punishable by a fine not to exceed three hundred dollars (\$300).

10.01.040 – Police Training Surcharge

The City adopts AS 12.55.039 which adds a surcharge of Ten (\$10) Dollars to the fine or other penalty for all offenses cited by the City under this chapter. The surcharge is not part of the fine. It must be assessed separately, listed separately on the citation and on the judgment, and receipted using a separate accounting code.

The surcharge is mandatory. It may not be waived, deferred or suspended. However, a judge may allow a defendant who is unable to pay the surcharge to perform community work service under AS 12.55.055(c) in lieu of the surcharge.

In imposing the fine, the court may not reduce the fine by the amount of the surcharge or otherwise consider the applicability of a surcharge to the offense. AS 12.55.035(f).

10.01.050 – Applicability of Traffic Regulations to Public Employees

The provisions of this title shall apply to the drivers of all vehicles owned or operated by the United States, the State or any borough, town, district or any other political subdivision of the State, subject to the specific exemptions as are set forth in this title or the state Vehicle Code.

10.02 Motor Vehicle and Driving Offenses – Rules of the Road

This section is Repealed

10.04 Motor Vehicle and Driving Offenses – Vehicle Equipment Inspection

This section is Repealed

10.05 Motor Vehicles and Driving Offenses – Non-Moving Violations

This section is Repealed

10.06 Inspection of Vehicles

This section is Repealed

10.08 Miscellaneous Traffic Regulations

Sections:

10.08.010 Duty of Police Department and Fire Department

10.08.020 Speed Limit

10.08.030 Obstructing Right-of-Way

10.08.040 Two-Way Left-Turn Lanes

10.08.050 Remedies and Penalties

10.08.060

10.08.010 Duty of Police Department and Fire Department

- A. It shall be the duty of the Police Department to enforce the street traffic regulations of the City and the State vehicle laws and regulations applicable to street traffic in this City, to make arrests for traffic violations, to investigate accidents, and to cooperate with other officers in the administration of the traffic laws and regulations. Also in developing ways and means to improve traffic conditions, and to make out those duties specifically imposed upon said department by this chapter and any other traffic ordinances of the City.
- B. Officers of the Police Department or such officers thereof as are assigned by the Chief of Police, are authorized to direct all traffic voice, hand, or signal in conformance with traffic laws, regulations, and ordinances; provided that in the event of a fire or other emergency, or to expedite traffic or safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws, regulations and ordinances.
- C. Officers of the Fire Department, when at the scene of a fire or other emergency, may direct or assist the Police in directing traffic threat or in the immediate vicinity.

10.08.020 Speed Limit

- A. It is unlawful for any motor driven vehicle, including motor scooters, motorcycles, motor driven bicycles, snowmobiles, snow planes, wheel and tracked vehicles, to travel at a speed exceeding the posted speed limits.
- B. Unless otherwise posted, the speed limit on the State highway shall not exceed...
- C. Unless otherwise posted, the speed limit on any paved city road shall not exceed...
- D. Unless otherwise posted, the speed limit on any unpaved city road shall not exceed...
- E. Unless otherwise posted, the speed limit on Ptarmigan Road shall not exceed...
- F. The violation of this section shall be treated as an infraction and shall be punishable by a fine of three hundred (\$150) dollars plus two (\$2) dollars per mile over the speed limit. Points shall be assessed as per DMV schedule.

10.08.030 Obstructing Right-of-Way

- A. Parking of boats, airplanes, trailers or any other object obstructing the right-of-way is prohibited.
- B. Where the standing of a vehicle will reduce the usable width of the roadway for moving traffic to less than twenty-four (24) feet is prohibited.

10.08.040 Two-Way Left-Turn Lanes

- A. A vehicle shall not be driven in a designated two-way left-turn lane except when preparing for, or making, a left turn from the roadway, or when merging onto the roadway. A left turn shall not be made from any other lane in a roadway where a two-way left turn lane is designated.
- B. No vehicle shall be driven a distance exceeding one hundred fifty (150) feet within a designated two-way left-turn lane.

10.08.050 Remedies and Penalties

Unless another penalty is specifically provided by this code for the violation of any particular provision, any person who violates any of the provisions or fails to comply with any of the mandatory requirements of this code, upon conviction, shall be punished by a fine not to exceed three hundred dollars (\$300.00) and the violation shall be treated as an infraction.

10.09 Off-Road Vehicles

Sections:

- 10.09.010 Definitions
- 10.09.020 Off-Road Vehicle Operation
- 10.09.030 Age
- 10.09.040 Helmet
- 10.09.050 Parent and Guardian Responsibility
- 10.09.060 Speed Limits
- 10.09.070 Lawful Operation – Police
- 10.09.080 Equipment
- 10.09.090 Remedies, Penalties and Impoundment

10.09.010 Definitions

When used in this chapter, the following words and phrases shall have the meanings set forth in this section:

- A. Off Road Vehicle: means any vehicle not authorized for travel or operation on a public roadway according to state or city laws or regulations.
- B. Property: means any land, public or private, which is owned, leased, rented or to which a person or persons have an interest including, but not limited to:
 - (1) Parking Lots;
 - (2) Easements;
 - (3) Private and public rights of-way;
 - (4) Municipal, state and federal lands;
 - (5) School grounds;
 - (6) Parks and playgrounds;
 - (7) Recreational areas;
 - (8) Private Property;
 - (9) Golf Courses;
 - (10) Airports; and
 - (11) Public Facilities

10.09.020 Off Road Vehicle Operation

It is unlawful for any person to operate an off-road vehicle in the city.

- A. On private or public property without the express or implied consent of the owner, his authorized agent or representative, except the city streets' rights-of-way unless posted against the use of such vehicles;
- B. On a roadway or sidewalk unless such travel is necessary to go around an obstruction or for the purpose of crossing a roadway and only after coming to a complete stop and yielding to all pedestrian and vehicle traffic;
- C. In such a manner as to produce sufficient noise to disturb the peace and quiet of another;
- D. Without a license if required by any government agency;

10.09.030 Age

- A. No person under the age of sixteen (16) shall ride an off-road vehicle in the right-of-way of any public road unless:
- (1) Accompanied by a parent or guardian; or
 - (2) They have in their possession a valid motor driven cycle permit issued by the State of Alaska.

10.09.040 Helmets

No person shall be allowed to ride an off-road vehicle in the city without wearing a helmet which meets safety standards set out by the State of Alaska.

10.09.050 Parental and Guardian Responsibility.

When a person under the age of eighteen (18) years violates any part of this chapter, his or her parent or guardian is also in violation if:

- A. The parent or guardian knowingly allows the violation to take place; or
- B. The parent or guardian fails to take reasonable precautions to prevent the violation; or
- C. The parent or guardian reasonably should have known the violation would take place.

10.09.060 Speed Limits

The speed limit shall be:

- A. Five (5 mph) miles per hour in a parking lot or when near pedestrian traffic;
- B. Ten (10 mph) miles per hour while riding in a right-of-way of a residential neighborhood or business area.

10.09.070 Lawful Operation – Police

Sections 10.09.010 through 10.09.060 shall not apply to police, public safety officers or their agents in the lawful performance of their duty.

10.09.080 Equipment

No person may drive or operate an off-road vehicle unless the vehicle is equipped with:

- A. A headlamp, with the beam aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least one hundred (100) feet ahead during the hours of darkness. Such headlamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming driver;
- B. At least one rear lamp exhibiting a red light plainly visible from a distance of five hundred (500) feet to the rear during the hours of darkness;
- C. Adequate brakes to control the movement of and to stop and hold the vehicle.

10.09.090 Remedies, Penalties and Impoundment

- A. Unless another penalty is specifically provided by this code for the violation of any particular provision, any person who violates any of the provisions or fails to comply with any of the mandatory requirements of this code, upon conviction, shall be punished by a fine not to exceed three hundred dollars (\$300.00) and the violation shall be treated as an infraction.
- B. An off-road vehicle in violation or whose owner or operator is in violation of this chapter, or as incident to an arrest or other situation where the vehicle may require protection, may be impounded immediately by a police officer or other authorized official. The vehicle may be released upon proof of ownership, payment in full of transportation and storage charges, and the position of a bond for court appearance when such bond is required.

10.15 Abandoned Vehicles – See previously written draft sent to Rachel Pitts

Sections:

- ~~[10.15.010](#) Definitions.~~
- ~~[10.15.020](#) Presumption of abandonment.~~
- ~~[10.15.030](#) Removal of abandoned vehicles.~~
- ~~[10.15.040](#) Removal of junk vehicles.~~
- ~~[10.15.050](#) Notice to be given to owner.~~

10.15.060 Disposition of junk vehicles and motor vehicles removed under this chapter.

10.15.070 Recovery of costs and forfeiture.

10.15.080 Waiver of claims for damages.

10.15.010 Definitions.

Unless otherwise expressly stated in this chapter:

A. "Abandoned vehicle" means a motor vehicle left unattended in violation of BMC 10.15.020.

B. "Highway" means the entire width between the boundary lines of every way that is publicly maintained when a part of it is opened to the public for purposes of travel by motor vehicle, including but not limited to every street.

C. "Impounded vehicle" means any motor vehicle which has been taken into the possession of an authorized person or company because the vehicle was left unattended in violation of BMC 10.15.020.

D. "Junk vehicle" means any motor vehicle that has been wholly or partially dismantled, wrecked or otherwise inoperable and does not have a current motor vehicle registration in this or any other state.

E. "Motor vehicle" means a vehicle which is self-propelled except a vehicle moved by a human or animal power.

F. "Vehicle" means a junk vehicle or motor vehicle removed under this chapter. [Ord. 198, 1990.]

10.15.020 Presumption of abandonment.

A. It shall be unlawful for a person to leave unattended a motor vehicle on the traveled portion or within ten (10) feet of the traveled portion of a highway in excess of forty-eight (48) hours.

B. It is unlawful for a person to leave unattended a motor vehicle on private property in excess of twenty-four (24) hours or on other public property in excess of thirty (30) days.

C. It shall be unlawful to leave unattended any motor vehicle on a highway such that it disrupts the normal flow of traffic on the highway or impedes or interferes with emergency vehicle operation. [Ord. 198, 1990.]

10.15.030 Removal of abandoned vehicles.

A. A police officer of the Bethel police department or representative of the Bethel police department may remove or have removed to a place of storage a vehicle presumed to be abandoned under BMC 10.15.020.

B. Removal of a motor vehicle left unattended on private property in violation of BMC 10.15.020 shall be upon the written request of the property owner or person in lawful possession or control of the property on a form prescribed by the Bethel police department.

C. An officer of the Bethel police department or representative of the Bethel police department may remove a motor vehicle, not otherwise presumed to be abandoned under this chapter, when that motor vehicle has been involved in criminal activity and it is necessary to remove the motor vehicle in order to prevent a violation of BMC 10.15.020 or to ensure the safety of the motor vehicle. [Ord. 198, 1990.]

10.15.040 Removal of junk vehicles.

A. It is unlawful to store, keep or maintain any junk vehicle upon public or private property such that it creates a public nuisance or public health or safety hazard.

B. Any junk vehicle stored, left or maintained in violation of subsection A of this section may be subject to removal by the Bethel police department. [Ord. 198, 1990.]

10.15.050 Notice to be given to owner.

A. When a motor vehicle is removed pursuant to BMC 10.15.030, notice shall be provided to the registered owner of record, lien holders of record and any party known to have an ownership interest in the motor vehicle within ten (10) days from the date the motor vehicle was removed.

B. When a junk vehicle is to be removed pursuant to BMC 10.15.040, notice shall be given to the registered owner of record, lien holders of record and any other party known to have an ownership interest in the motor vehicle within thirty (30) days prior to the date the junk vehicle is to be removed.

C. The notice required by this section shall contain the following:

1. A description of the motor vehicle or junk vehicle and any property therein;

2. The date, time and place of removal;

3. The location the motor vehicle or junk vehicle has been or will be removed to for storage;

4. A statement that unless the right to possession of the motor vehicle is established to the satisfaction of the chief of police of the Bethel police department or his designee and the vehicle reclaimed within thirty (30) days from the date of mailing or publication of the notice, or unless arrangements are made for the storage of the motor vehicle within the thirty (30) day period, the vehicle and its contents may be sold at public auction, or if the vehicle is inoperable or is worth less than two hundred dollars (\$200) as determined by the National Automobile Dealer's Association Blue Book, the motor vehicle or junk vehicle may, at the discretion of the Bethel police department, be destroyed; and

5. A statement that the registered owner or other persons with a legal interest in the motor vehicle may at any time during the thirty (30) day period request a hearing before the chief of police of the Bethel police department concerning whether the vehicle was or is subject to removal under this chapter or concerning any amounts due.

D. Adequate notice for purposes of this chapter shall be given by a qualified person, either by personal delivery to the person to be notified or by registered or certified mail return receipt requested, addressed to the person at the address of the person as shown in the records of the Motor Vehicle Division of the Department of Public Safety in the state. If the motor vehicle is not registered in the state or the name and address of the registered or legal owner or lien holder cannot be ascertained, notice shall be given by the publication in the manner prescribed in Alaska Rule of Civil Procedure 4(3)(2). [Ord. 198, 1990.]

10.15.060 Disposition of junk vehicles and motor vehicles removed under this chapter.

A. If a motor vehicle or junk vehicle removed pursuant to the provisions of this chapter is not redeemed within the thirty (30) day period set forth in BMC 10.15.050, the chief of police of the Bethel police department may publish in a newspaper of general circulation notice of public auction for disposal of the removed motor vehicle or junk vehicle.

B. The notice of public auction shall contain a description of the vehicle, the name of the registered owner, if known, and a provision stating that the vehicle described shall be sold to the highest responsible bidder by closed, sealed bid, and a certificate of sale issued for the vehicle sold.

C. Such auction may be held not less than twenty (20) days following the date of publication of the notice of public auction.

D. A person who presents satisfactory proof of ownership or right to possession may redeem a vehicle removed under this chapter at any time before an auction under this section by paying the accrued charges for towing, storage, notice, other costs of removal and any applicable penalty imposed by law.

E. Vehicles not redeemed by the owner or those with legal interest in the vehicle and not sold at public auction and those which are deemed inoperable or worth less than two hundred dollars (\$200) according to the National Automobile Dealer's Association Blue Book may, without further notice, be destroyed. When such a vehicle is destroyed, the chief of police shall notify the Alaska Department of Public Safety Division of Motor Vehicles of the vehicle's destruction.

F. The Bethel police department shall keep a record of all vehicles and junk vehicles, including the date, time and place of removal, a description of the vehicle and its contents, its estimated retail value, the vehicle's operating condition, the cause for which the vehicle was removed, the location where the vehicle is stored, the date of redemption if redeemed, the amount paid upon redemption, the date of and means of notice to the owner or other party required to receive notice under this chapter, the date of notice of sale, record of sale, price paid and name of purchaser, or record of other means of disposal. Such record shall be kept for a period of four (4) years and thereafter will be destroyed by the department.

G. Nothing in this section shall impair any lien rights created under AS 28.11.090. [Ord. 198, 1990.]

10.15.070 Recovery of costs and forfeiture.

A. All proceeds from the sale of removed vehicles shall be forwarded to the city. All costs of removing, storing, selling and destroying removed vehicles, including court costs, may be charged or assessed by the city against the vehicle, the registered owner of the vehicle, and any person who has acquired an ownership interest in the vehicle from or through the registered owner. The actual amount of the charges shall be established and may be periodically adjusted by noncode ordinance. Any funds that are remaining after all of the above-mentioned costs have been accounted for will remain in a separate account and any owner or lienholder that has a legal right to funds remaining from the sale of a particular vehicle will have sixty (60) days after the date of the sale to file a claim for those funds and if no claim is filed, the funds will become the property of the city.

B. Any removed vehicle that is not sold at the time of auction shall become the property of the city.

~~C. Any vehicle, which has been removed by the city and has been in storage, has not been claimed and whose owner has not made acceptable arrangements to reimburse the city for removal fees for a period exceeding one hundred eighty (180) days shall have its title vested with the city and the vehicle shall be forfeited and subsequently become the property of the city. If any vehicle is forfeited to the city, notice shall be given to the owner of the vehicle, if known, or if the owner is not known, notice shall be given by publication. [Ord. 01-09 § 7; Ord. 198, 1990.]~~

~~**10.15.080 Waiver of claims for damages.**~~

~~Should a vehicle purchased at auction pursuant to BMC 10.15.060(B) be damaged or destroyed prior to release, the purchaser's remedy is limited to a return of the purchase price. [Ord. 198, 1990.]~~

CITY OF BETHEL, ALASKA

Ordinance #13-

AN ORDINANCE AMENDING THE BETHEL MUNICIPAL CODE SECTION 5.40 CHAUFFEURS

WHEREAS, operating a motor vehicle is a multi-task function and dispatching via radio and telephone complicates and distracts from the safe and professional operation of a "for hire" commercial vehicle.

WHEREAS, using a cell-phone while operating a taxicab has proven to be distracting to chauffeurs and therefore dangerous to the public.

WHEREAS, the State of Alaska and the US Department of Transportation have enacted rules and regulations regarding cell phones and other devices which distract drivers in an effort to promote traffic safety for commercial drivers and the public.

WHEREAS, prohibiting the use of cell-phones by chauffeurs would increase safe driving practices and prevent dangerous driving action.

THEREFORE BE IT ORDAINED by the City Council of Bethel, Alaska, that:

SECTION 1. Classification. This ordinance is of permanent nature and shall be codified within the Bethel Municipal Code.

SECTION 2. Amendment. Section 5.40 of the Bethel Municipal Code Chauffeurs is amended as follows (new language is underlined and old language is stricken out).

CHAPTER 5.40 CHAUFFEURS

5.40.110 Two-way radio prohibited.

No chauffeur may possess in a taxicab or allow another to operate a scanner capable of monitoring a frequency used by a dispatch service other than that used by the taxicab's dispatch service. [Ord. 02-07 § 3; Ord. 01-02 § 3.]

5.40.120 Records. Cell-phone use prohibited.

A. ~~Repealed by Ord. 07-16. [Ord. 01-20 § 2.] A chauffeur may not operate a regulated vehicle while using a cell-phone unless the chauffeur is using his or her cell-phone to report illegal activity, summon medical or other emergency help, prevent injury to a person or property, or when parked without any passengers in the vehicle.~~

B. A chauffeur operating a permitted vehicle while holding a cell-phone to his or her ear is guilty of violating this subsection of the BMC.

Introduced by: Public Safety & Transportation Commission
Date: February 05, 2013
Public Hearing:
Action:
Vote:

1. A written warning to be added to the Chauffeur's file for the first (1st) offense.
2. Suspension of Chauffeur's permit for up to five (5) days for the second (2nd) offense.
3. Chauffeur's permit is susceptible to suspension or revocation for the third (3rd) offense.

5.40.130 Requirement of check-in and check-out.

Each chauffeur of a taxicab must check in with the dispatch service engaged by the permittee when the chauffeur begins a work shift and check out when the chauffeur departs a work shift.
[Ord. 01-02 § 3.]

SECTION 3. Effective Date. This ordinance shall become effective immediately, upon passage by the City Council.

ENACTED THIS DAY OF 2013, BY A VOTE OF IN FAVOR AND OPPOSED.

Joseph A. Klejka, Mayor

ATTEST:

Lori Strickler, City Clerk

AN OVERVIEW OF THE 100-CAR NATURALISTIC STUDY AND FINDINGS

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Paper Number 05-0400

ABSTRACT

A key to the development of effective crash countermeasures is an understanding of pre-crash causal and contributing factors. This research effort was initiated to provide an unprecedented level of detail concerning driver performance, behavior, environment, driving context and other factors that were associated with critical incidents, near crashes and crashes for 100 drivers across a period of one year. A primary goal was to provide vital exposure and pre-crash data necessary for understanding causes of crashes, supporting the development and refinement of crash avoidance countermeasures, and estimating the potential of these countermeasures to reduce crashes and their consequences.

The 100-Car Naturalistic Driving Study database contains many extreme cases of driving behavior and performance, including severe fatigue, impairment, judgment error, risk taking, willingness to engage in secondary tasks, aggressive driving, and traffic violations. The data set includes approximately 2,000,000 vehicle miles, almost 43,000 hours of data, 241 primary and secondary drivers, 12 to 13 months of data collection for each vehicle, and data from a highly capable instrumentation system including five channels of video and vehicle kinematics. From the data, an "event" database was created, similar in classification structure to an epidemiological crash database, but with video and electronic driver and vehicle performance data. The events are crashes, near crashes and other "incidents." Data was classified by pre-event maneuver, precipitating factor, event type, contributing factors, and the avoidance maneuver exhibited. Parameters such as vehicle speed, vehicle headway, time-to-collision, and driver reaction time are also recorded.

This paper presents the 100-Car Naturalistic Driving Study method, including instrumentation and vehicle characteristics, and a sample of study results. Presented analyses address the driver characteristics,

the role of inattention and distraction in rear-end and lane change events. In addition, the methodological attributes of naturalistic data collection and the implications for a larger-scale naturalistic data collection effort are provided.

INTRODUCTION

Although the crash rate is declining, the number of driving related deaths is approximately 43,000 per year. While the development of mechanistic safety features, such as seat belts, air bags, and collapsible steering wheels, have been extremely important in lowering the vehicle-related death rate, it is plausible that the next significant decrease in roadway fatalities will require systems to assist drivers in preventing crashes. However, driver assistance systems require a more precise understanding of the driver behaviors prior to an adverse driving event to be more effective.

Data collected to study driver behavior have historically relied on epidemiological, simulator, and test track studies. While these are valuable techniques that certainly have their place in the study of driver behavior, they are not well suited to explain the combination of factors leading to an adverse driving event. For example, a police crash report form might list the cause of a rear-end collision as "following too close." However, contributing factors might be fatigue, distraction, traffic backed up from the intersection, and/or a blind corner leading up to the same intersection. For this hypothetical case, there are both driver and infrastructure related causes of the event. Likewise, simulator and test track studies cannot mimic the combination of complex driving environments and the simultaneous array of driver behaviors that lead to many events.

As demonstrated in only a small handful of studies, naturalistic data collection fills the gap in current data collection methods. "Naturalistic" data includes data from a suite of vehicle sensors and

unobtrusively placed video cameras. The drivers are given no special instructions, no experimenter is present, and the data collection instrumentation is unobtrusive. This naturalistic data collection method was applied to study fatigue and resulting driver performance in truck drivers making local/short haul deliveries [1]. In this study, 42 drivers drove 4 instrumented vehicles while they made deliveries. The study resulted in approximately 1000 hours of data that included five video views and a host of vehicle sensor data.

In a long-haul truck driving study, naturalistic data was collected from 56 single and team drivers who drove one of two instrumented vehicles [2]. Data was collected to assess sleep quality, driver alertness, and driver performance on normal revenue-producing trips averaging up to eight days in length. This data collection effort resulted in 250 hours of data that was triggered based upon vehicle sensor data. The results showed that single drivers suffered the worst bouts of fatigue and had the most severe critical incidents (by about 4 to 1).

A key to the development of effective crash countermeasures is an understanding of pre-crash causal and contributing factors. This research effort was initiated to provide an unprecedented level of detail concerning driver performance, behavior, environment, driving context and other factors that were associated with critical incidents, near crashes and crashes for 100 drivers across a period of one year. A primary goal was to provide vital exposure and pre-crash data necessary for understanding causes of crashes, supporting the development and refinement of crash avoidance countermeasures, and estimating the potential of these countermeasures to reduce crashes and their consequences.

The 100-Car Naturalistic Driving Study (100-Car Study) was the first instrumented vehicle study undertaken with the primary purpose of collecting large-scale naturalistic driving data. Unique to the 100-Car Study was that the majority of the drivers drove their own vehicles (78 out of 100 vehicles). There is every indication that the drivers rapidly disregarded the presence of the instrumentation, as is indicated by the resulting database containing many extreme cases of driving behavior and performance including: severe fatigue, impairment, judgment error, risk taking, willingness to engage, aggressive driving, and traffic violations (just to name a few). These types of driving events have been heretofore greatly attenuated by other empirical techniques.

Due to the scale of the 100-Car Study and the fact that private vehicles were instrumented, new

techniques had to be created and existing methods modified to make the study successful. The data collection effort resulted in the following data set contents:

- Approximately 2,000,000 vehicle miles
- Almost 43,000 hours of data
- 241 primary and secondary drivers participated
- 12 to 13 month data collection period for each vehicle
- Five channels of video and many vehicle state and kinematic variables

This paper presents a sample of the analysis results from the 100-Car Study data collected. The full study report is available through the National Highway Traffic Safety Administration [3].

METHOD

Instrumentation

The 100-Car instrumentation package was engineered by VTTI to be rugged, durable, expandable, and unobtrusive. It constituted the seventh generation of hardware and software, developed over a 15 year period that has been deployed for a variety of purposes. The system consisted of a Pentium-based computer that received and stored data from a network of sensors distributed around the vehicle. Data storage was achieved via the system's hard drive, which was large enough to store data for several weeks of driving before requiring data downloading.

Each of the sensing subsystems in the car was independent, so that any failures that occurred were constrained to a single sensor type. Sensors included a vehicle network box that interacted with the vehicle network, an accelerometer box that obtained longitudinal and lateral kinematic information, a headway detection system to provide information on leading or following vehicles, side obstacle detection to detect lateral conflicts, an incident box to allow drivers to flag incidents for the research team, a video-based lane tracking system to measure lane keeping behavior, and video to validate any sensor-based findings. The video subsystem was particularly important as it provided a continuous window into the happenings in and around the vehicle. This subsystem included five camera views monitoring the driver's face and driver side of the vehicle, the forward view, the rear view, the passenger side of the vehicle, and an over-the-shoulder view for the driver's hands and surrounding areas. An important feature of the video system is

that it was digital, with software-controllable video compression capability. This allowed synchronization, simultaneous display, and efficient archiving and retrieval of 100-Car data. A frame of compressed 100-Car video data is shown in Figure 1.

The modular aspect of the data collection system allowed for integration of instrumentation that was not essential for data collection, but which provided the research team with additional and important information. These subsystems included automatic collision notification that informed the research team of the possibility of a collision; cellular communications that were used by the research team to communicate with vehicles on the road to determine system status and position; system initialization equipment that automatically controlled system status; and a GPS positioning subsystem that collected information on vehicle position. The GPS positioning subsystem and the cellular communications were often used in concert to allow for vehicle localization and tracking.



Figure 1. A compressed video image from the 100-Car data. The driver's face (upper left quadrant) is distorted to protect the driver's identity. The lower right quadrant is split with the left-side (top) and the rear (bottom) views.

The system included several major components and subsystems that were installed on each vehicle. These included the main Data Acquisition System (DAS) unit that was mounted under the package shelf for the sedans (Figure 2) and behind the rear seat in the SUVs.

Doppler radar antennas were mounted behind special plastic license plates on the front and rear of the vehicle (Figure 3). The location behind the plates allowed the vehicle instrumentation to remain inconspicuous to other drivers.



Figure 2. The main Data Acquisition System (DAS) unit mounted under the "package shelf" of the trunk.



Figure 3. Doppler radar antenna mounted on the front of a vehicle, covered by one of the plastic license plates used for this study.

The final major components in the 100-Car hardware installation were mounted above and in front of the center rear-view mirror. These components included an "incident" pushbutton box which housed a momentary pushbutton that the subject could press whenever an unusual event happened in the driving environment. Also contained in the housing was an unobtrusive miniature camera that provided the driver face view. The camera was invisible to the driver since it was mounted behind a "smoked" Plexiglas cover.

Mounted behind the center mirror were the forward-view camera and the glare sensor (Figure 4). This location was selected to be as unobtrusive as possible and did not occlude any of the driver's normal field of view.



Figure 4. The incident push button box mounted above the rearview mirror. The portion on the right contains the driver face/left vehicle side camera hidden by a smoked plexiglass cover.

Subjects

One-hundred drivers who commuted into or out of the Northern Virginia/Washington, DC metropolitan area were initially recruited as primary drivers to have their vehicles instrumented or receive a leased vehicle for this study. Drivers were recruited by placing flyers on vehicles as well as by placing newspaper announcements in the classified section. Drivers who had their private vehicles instrumented (78) received \$125.00 per month and a bonus at the end of the study for completing necessary paperwork. Drivers who received a leased vehicle (22) received free use of the vehicle, including standard maintenance, and the same bonus at the end of the study for completing necessary paperwork. Drivers of leased vehicles were insured under the Commonwealth of Virginia policy.

As some drivers had to be replaced for various reasons (for example, a move from the study area or repeated crashes in leased vehicles), 109 primary drivers were included in the study. Since other family members and friends would occasionally drive the instrumented vehicles, data were collected on 132 additional drivers.

A goal of this study was to maximize the potential to record crash and near-crash events through the selection of subjects with higher than average crash- or near-crash risk exposure. Exposure was manipulated through the selection of a larger sample of drivers below the age of 25, and by the selection of a sample that drove more than the average number of miles. The age by gender distribution of the primary drivers is shown in Table 1. The distribution of miles driven by the subjects

during the study appears as Table 2. As presented, the data are somewhat biased compared to the national averages in each case, based on TransStats, 2001 [4]. Nevertheless, the distribution was generally representative of national averages when viewed across the distribution of mileages within the TransStats data.

One demographic issue with the 100-Car data sample that needs to be understood is that the data were collected in only one area (i.e., Northern Virginia/Metro Washington, DC). This area represents primarily urban- and suburban driving conditions, often in moderate to heavy traffic. Thus, rural driving, as well as differing demographics within the U.S., are not well represented.

Table 1. Driver age and gender distributions.

Age	N % of total	Gender		Grand Total
		Female	Male	
18-20	9 8.3%	7 6.4%	16 14.7%	
21-24	11 10.1%	10 9.2%	21 19.3%	
25-34	7 6.4%	12 11.0%	19 17.4%	
35-44	4 3.7%	16 14.7%	20 18.3%	
45-54	7 6.4%	13 11.9%	20 18.3%	
55+	5 4.6%	8 7.3%	13 11.9%	
Total N	43	66	109	
Total Percent	39.4%	60.6%	100.0%	

Table 2. Actual miles driven during the study.

Actual miles driven	Number of Drivers	Percent of Drivers
0-9,000	29	26.6%
9,001-12,000	22	20.2%
12,001-15,000	26	23.9%
15,001-18,000	11	10.1%
18,001-21,000	8	7.3%
More than 21,000	13	11.9%

A goal of the recruitment process was to attempt to avoid extreme drivers in either direction (i.e., very safe or very unsafe). Self reported historical data indicate that a reasonably diverse distribution of drivers was obtained.

Vehicles

Since 100 vehicles had to be instrumented with a number of sensors and data collection hardware, and since the complexity of the hardware required a number of custom mounting brackets to be manufactured, the number of vehicle types had to be limited for this study. Six different vehicle models were selected based upon their prevalence in the Northern Virginia area. These included five sedan models (Chevrolet Malibu and Cavalier, Toyota Camry and Corolla, and Ford Taurus) and one SUV model (Ford Explorer). The model years were limited to those with common body types and accessible vehicle networks (generally 1995 to 2003). The distribution of these vehicle types was:

- Toyota Camry – 17%
- Toyota Corolla – 18%
- Chevy Cavalier – 17%
- Chevy Malibu – 21%
- Ford Taurus – 12%
- Ford Explorer – 15%

Classification of events

Table 3 provides definitions of traffic “events” that served as a basis for the classifications that follow. The distinction between *near crashes* and *incidents* was based on the subjective assessment of reviewers in concert with kinematic and proximity data associated with adjacent vehicles or objects.

RESULTS

Table 4 shows the relative frequency of crashes, near-crashes, and incidents for each conflict type. Of the 82 crashes, 13 either occurred while the system was initializing after the vehicle ignition was started (approximately 90 seconds), or has incomplete data for other reasons (e.g., camera failure), leaving a total of 69 crashes for which data could be completely reduced. These data also included 761 near-crashes and 8,295 incidents. The first eight conflict types shown in Table 4 accounted for all of the crashes, 87 percent of the near-crashes and 93 percent of the incidents.

Table 3. Classification of Events.

Event Category	Definition
Crashes	Any contact between the subject vehicle and another vehicle, fixed object, pedestrian, bicyclist, animal
Near Crashes	Defined as a conflict situation requiring a rapid, severe evasive maneuver to avoid a crash.
Incidents	Conflict requiring an evasive maneuver, but of lesser magnitude than a near crash

It is important to note that all of the crashes, including low speed collisions that were not police reported, are shown in Table 5. A “crash” was operationally defined as “any measurable dissipation or transfer of energy due to the contact of the subject vehicle with another vehicle or object.” A benefit of the naturalistic approach is that it was possible to record all of these events; however the severity of the crashes must be delineated to better understand the data. Thus, the 69 crashes are parsed into the following four crash categories. Note that 75 percent of the single vehicle crashes were low-g force physical contact or tire strikes; in other words, most of the crashes involved very minor physical contact.

- Level I: Police-reported air bag deployment and/or injury
- Level II: Police-reported property damage only
- Level III: Non-police-reported property damage only
- Level IV: Non-police-reported low-g physical contact or tire strike (greater than 10 mph)

Since it was possible to detect all crashes regardless of severity, it is interesting to note the large number of drivers who experienced one or more collisions during the 12 to 13 month data collection period. Of all drivers, 7.5% of drivers never experienced an event of any severity. In contrast, 7.4% of the drivers experienced many incidents and 3 or 4 crashes. Thus, a handful of subjects were either very risky drivers or very safe, with the majority of drivers demonstrating a relatively normal distribution of events across the data collection period.

Table 4. Number of crashes, near-crashes, and incidents for each conflict type.

Conflict Type	Crash	Near-crash	Incident
Single vehicle	24	48	191
Lead-vehicle	15	380	5783
Following vehicle	12	70	766
Object/obstacle	9	6	394
Parked vehicle	4	5	83
Animal	2	10	56
Vehicle turning across subject vehicle path in opposite direction	2	27	79
Adjacent vehicle	1	115	342
Other	0	2	13
Oncoming traffic	0	27	184
Vehicle turning across subject vehicle path in same direction	0	3	10
Vehicle turning into subject vehicle path in same direction	0	28	90
Vehicle turning into subject vehicle path in opposite direction	0	0	1
Vehicle moving across subject vehicle path through intersection	0	27	158
Merging vehicle	0	6	18
Pedestrian	0	6	108
Pedalcyclist	0	0	16
Unknown	0	1	3

Table 5. Crash type by crash severity level.

Conflict Type	Total	Level I	Level II	Level III	Level IV
Single vehicle	24	1	0	5	18
Lead-vehicle	15	1	3	5	6
Following vehicle	12	2	2	5	3
Object/obstacle	9	0	1	3	5
Parked vehicle	4	0	0	2	2
Animal	2	0	0	0	2
Oncoming vehicle turning across subject vehicle path	2	1	1	0	0
Adjacent vehicle	1	0	0	1	0

Characterization of Driver Inattention

Historically, driver distraction has been typically discussed as a secondary task engagement. Fatigue has also been described as relating to driver inattention. In this study, it became clear that the definition of driver distraction needed to be expanded to a more encompassing ‘driver inattention’ construct that includes *secondary task engagement* and *fatigue* as well as two new categories, ‘*Driving-related inattention to the forward roadway*’ and ‘*non-specific*

eye glance’. ‘*Driving-related inattention to the forward roadway*’ involves the driver checking rear-view mirrors or their blind spots. This new category was added after viewing multiple crashes, near-crashes, and incidents for which the driver was clearly paying attention to the driving task, but was not paying attention to the *critical aspect* of the driving task (i.e., forward roadway) at an inopportune moment involving a precipitating factor.

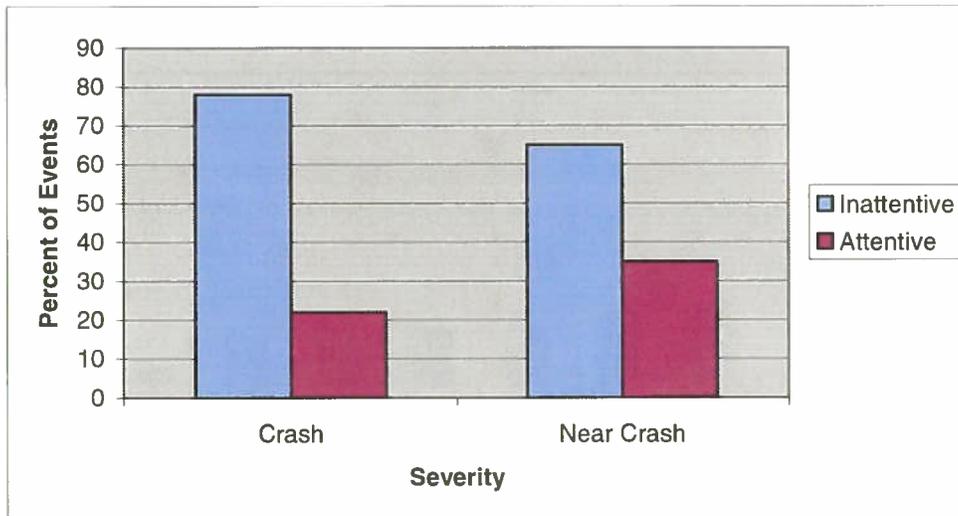


Figure 5. Percentage of events for attention by severity level.

A second analysis of the crashes and near-crashes in the 100-Car database was also conducted using the eye glance analysis performed manually by data reductionists. The ‘*non-specific eyeglance away from the forward roadway*’ describes cases for which drivers glanced, usually momentarily, away from the roadway, but at no discernable object or person. For this project, eye glance reduction was accomplished for crash and near-crash events only, so this category can only be used for the more severe events. The four inattention categories identified above and considered together, suggested that driver’s glances away from the forward roadway potentially contribute to a much greater percentage of events than has been previously thought. As shown in Figure 5, 78 percent of the crashes and 65 percent of the near crashes had one of these four inattention categories as a contributing factor.

An analysis of these types of inattention revealed that secondary task distraction was the largest of the four categories. The sources of inattention that generally contributed to the highest percentages of events (Figure 6) were wireless devices (primarily cell phones) internal distractions, and passenger-related secondary tasks (primarily conversations). It is important to note that “exposure,” the frequency and duration of inattention associated with each source of inattention, is not considered in these data. Since it is exposure that determines the overall risk of a distraction source, an analysis of frequency of device use is currently being conducted for a future

report that will allow calculations of event rates to determine estimates of the relative risk associated with these tasks.

Figure 7 shows a breakdown of the wireless device tasks and associated events. For these data, all of the crashes (about 8.7 percent of total study crashes) and a majority of the near crashes and incidents occurred during a cell phone conversation, although the dialing task was relatively high in term of total conflicts and was associated with the largest number of near crashes for this source of inattention. Although these data are important in that they represent the factors that contribute to events, they also highlight the need for the exposure data described above to establish the degree of risk.

Inattention for Rear End Lead-Vehicle Scenarios

Of particular interest in the analyses of rear-end conflict contributing factors was the prevalence of distraction. An important aspect in rear-end crash countermeasure development is the degree to which an un-alerted driver can be warned and make a proper response. Of course, the 100-Car data can provide great insight into the degree to which distraction is an issue in such conflicts. The important finding in this regard is that 93 percent of all lead vehicle crashes (13 out of 14) involved *inattention to the forward roadway* as a contributing factor (Figure 8). Note also that a majority (68 percent) of the near crashes have inattention identified as a contributing factor.

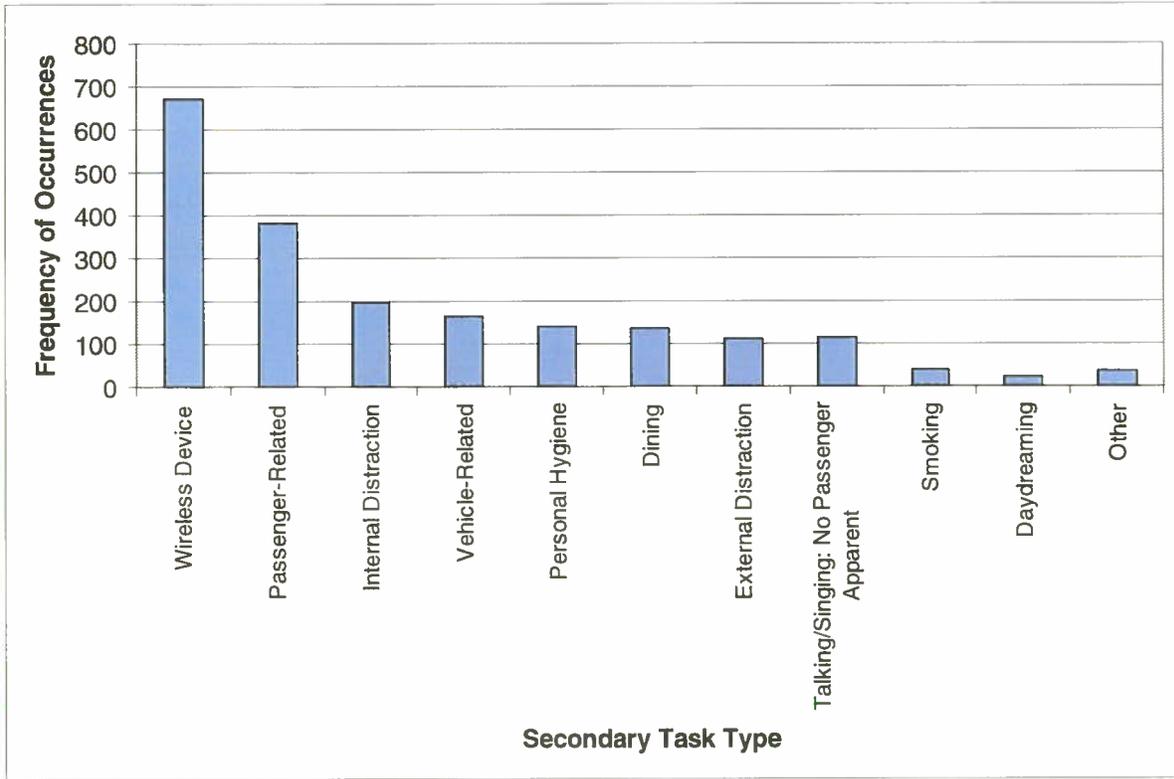


Figure 6. Frequency of occurrence of secondary tasks for crashes, near crashes and incidents.

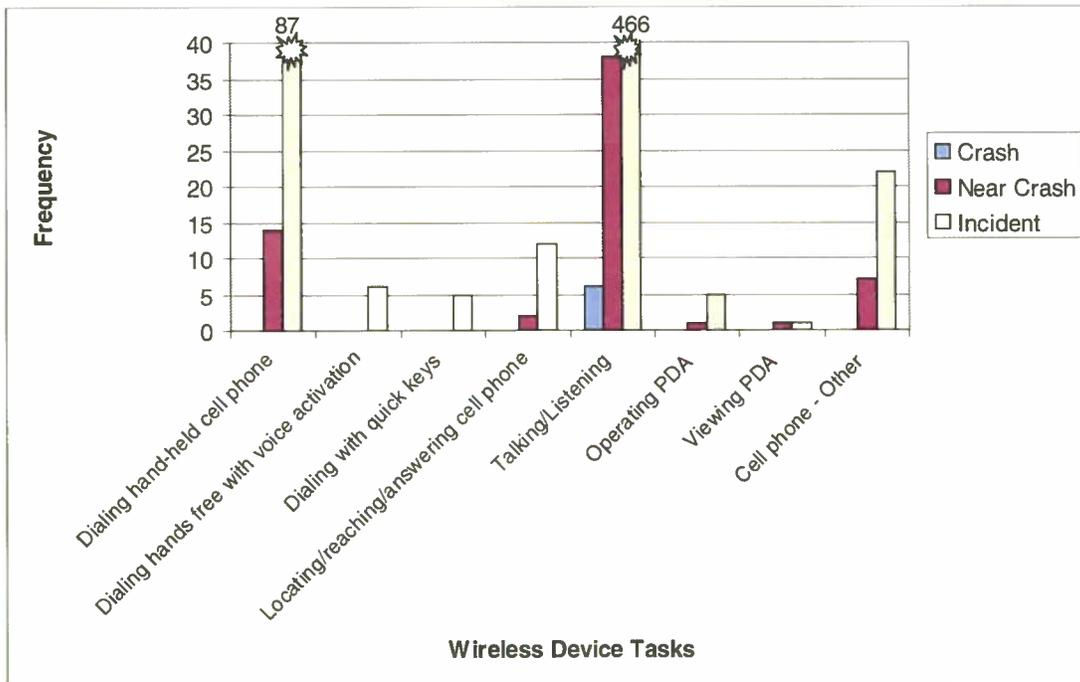


Figure 7. Frequency of occurrences in which the contributing factor was wireless device use by level of severity.

Figure 9 shows the frequency of each source of inattention for each of the secondary tasks. This allows comparison of the actual contribution of each of these sources of inattention to lead vehicle conflicts. Wireless devices (primarily cell phones, but also including PDAs) were the most frequent contributing factor for lead vehicle events, followed by passenger-related inattention. The trend was very similar for near-crashes. Interior distractions were the most frequent source of inattention for crashes.

While cell phone use contributed much more frequently to incidents and near-crashes than any other secondary task, cell phone use did not contribute to any lead vehicle conflict crashes. Nevertheless, cell phone use did contribute to other types of crashes, such as run off road, single vehicle conflict (driver ran into a barricade), and following vehicle conflict (subject vehicle was struck).

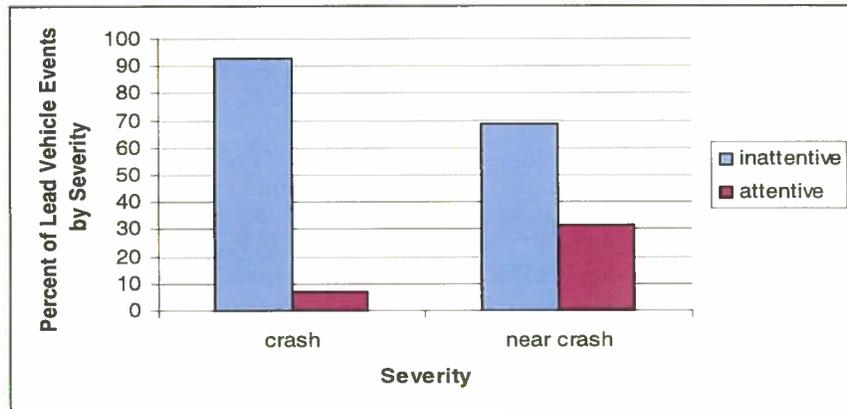


Figure 8. Percent of lead vehicle events for which inattention was listed as a contributing factor (includes the non-specific eye glance events for crashes and near crashes).

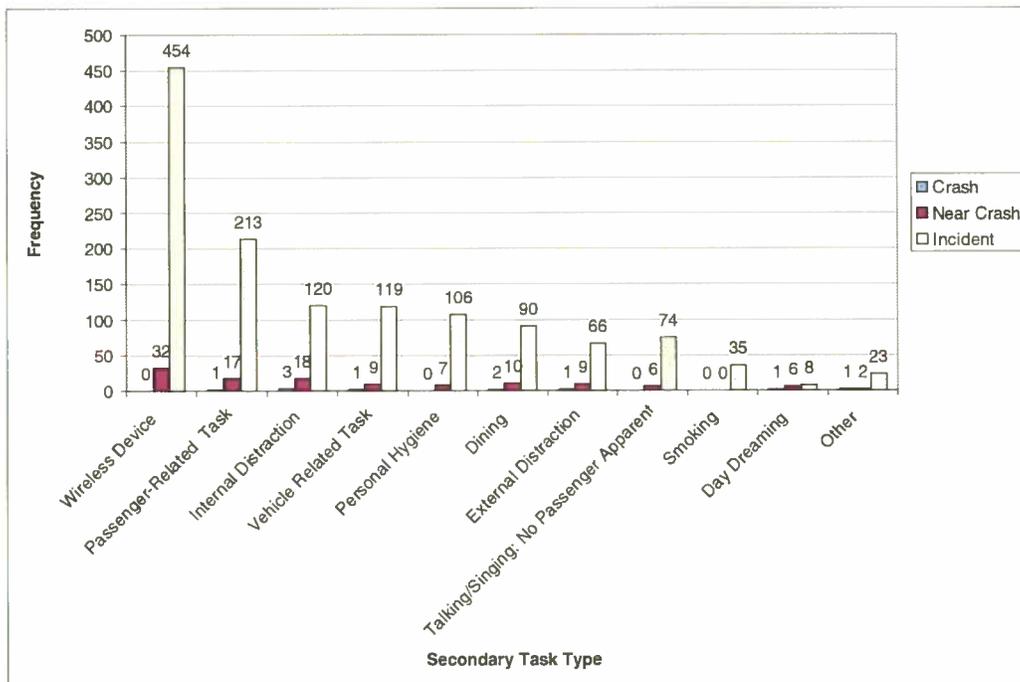


Figure 9. Total frequency of secondary task type by severity.

SUMMARY AND CONCLUSIONS

The event database that was created during the 100-Car Study can be useful for a variety of purposes; for example, evaluation of risky driving behavior and crash risk, calculation of relative risk of engaging in secondary tasks, and evaluation of driver response to lead vehicle brake lights. To facilitate this process, the initial event database will be made publicly accessible via the Internet. In addition, the initial event database can be expanded to address additional issues, since all of the video and electronic data for the entire study have been archived. The 100-Car Study contract specified ten objectives or goals that would be addressed through the initial analysis of the event database. However, as of the time of this writing, there are three additional data reduction and analysis efforts underway for the purpose of addressing another eight goals, and there is considerable interest in using the data for even more purposes. Progressing toward this potential for a multi-purpose, highly flexible and adaptable tool for driving safety may be the most important aspect of this study.

Despite the massive scope of the current effort, it was designed to serve as an exploratory study to a determine the feasibility, value, and methods for initiating a larger, more representative study. From an epidemiological viewpoint, the study was small with the presence of 15 police-reported and 82 total crashes, including minor collisions. Furthermore, drivers were represented from one area of the country (Northern Virginia/Washington, DC metro area). One purpose of a large-scale study would be to have a statistically representative sample of crashes (perhaps 2,000) and a more representative driver/environment sample.

The challenge of a large-scale study is not only the expense of such data collection but the management and analysis of such a large body of data. Nevertheless, it is believed that a large-scale database would be an enormous asset and would be used by transportation researchers for many years to gain insight and understanding into a wide array of driving behavior issues and potentially serve as a basis for decision making and program development within both the government and business sectors. This belief is based upon the robustness of the study results and the expectation that these data will continue to be analyzed and the results made available, from a variety of researchers and research organizations. Clearly, these data can provide unique insights into issues that have eluded the highway safety community for years.

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Friday, December 17, 2010
Contact: Candice Tolliver
Tel: 202-366-9999 or 202-306-4580

U.S. DOT Proposes Rule to Ban Hand-Held Cell Phone Use for Commercial Truck and Bus Drivers

WASHINGTON - As part of its campaign to put an end to the practice of distracted driving, the U.S. Department of Transportation today proposed a new safety regulation that would specifically prohibit interstate commercial truck and bus drivers from using hand-held cell phones while operating a commercial motor vehicle (CMV).

"Every time a commercial truck or bus driver takes his or her eyes off the road to use a cell phone, even for a few seconds, the driver places everyone around them at risk," said U.S. Transportation Secretary Ray LaHood. "This proposed rule will go a long way toward keeping a driver's full attention focused on the road."

The proposed Federal Motor Carrier Safety Administration (FMCSA) rule would prohibit commercial drivers from reaching for, holding or dialing a cell phone while operating a CMV. Drivers who violate these restrictions would face federal civil penalties of up to \$2,750 for each offense and disqualification of their commercial driver's license (CDL) for multiple offenses. Additionally, states would suspend a driver's CDL after two or more violations of any state law on hand-held cell phone use.

Motor carriers that allow their drivers to use hand-held cell phones while driving would face a maximum penalty of \$11,000. Approximately four million interstate commercial drivers would be affected by this proposal.

"We are committed to using every resource at our disposal to ensure commercial drivers and vehicles are operating safely at all times," said FMCSA Administrator Anne S. Ferro. "Implementation of this proposal would help make our roads safer and target a leading cause of distracted driving."

FMCSA research shows that using a hand-held cell phone while driving requires a commercial driver to take several risky steps. In particular, commercial drivers reaching for an object, such as a cell phone, while driving are three times more likely to be involved in a crash or other safety-critical event. Drivers dialing a hand-held cell phone while driving increase their risk by six times. Many of the largest carriers, such as UPS, Covenant Transport, and Wal-Mart, already have company policies in place banning their drivers from using hand-held phones. In September 2010, FMCSA issued a regulation banning text messaging while operating a commercial motor vehicle.

Nearly 5,500 people died and half a million were injured in crashes involving a distracted driver in 2009. Distraction-related fatalities represented 16 percent of overall traffic fatalities in 2009, according to National Highway Traffic Safety Administration (NHTSA) research.

FMCSA is providing 60 days for the public to comment on this rulemaking. The comment period begins once the proposed rule is published in the Federal Register. The proposal and information about how to submit comments is [here](#).

To learn more about the U.S. Department of Transportation's efforts to stop distracted driving, please visit <http://www.distraction.gov>.

###



Alaska Department of Transportation & Public Facilities/ Alaska Highway Safety Office

Distracted Driving



A teen driver applies make-up and talks while driving



Scene from an actual crash caused by distracted driving



A male driver talks on his cell while driving

Report Shows States Increasing Efforts on Distracted Driving

Stronger Laws, Better Data and Greater Focus Among Findings

WASHINGTON, DC -- Today, the Governors Highway Safety Association (GHSA) released a new report that provides the first comprehensive look at state activities and programs to address the growing problem of distracted driving. The report, "Curbing Distracted Driving: 2010 Survey of State Safety Programs," details a host of approaches states are implementing. The survey found that states are aggressively pursuing solutions to distracted driving including: stronger laws, increased data collection, new education programs, public/private partnerships and a growing reliance on new media to spread the message.

State highway safety agencies from every state as well as the District of Columbia, Guam and American Samoa participated in the survey. Key findings are noted below.

- **Distracted driving has emerged as a priority for state highway safety agencies.** Twenty-seven states, D.C., and Guam indicated that distracted driving is included in their Strategic Highway Safety Plans (SHSPs). These plans reflect the statewide highway safety priorities of state safety-related agencies including Departments of Transportation, Departments of Motor Vehicles, as well as highway safety offices and many other state and local agencies. The detailed plans are only updated every few years; to already have more than half of the states listing distraction as a priority reflects the states' commitment on this serious issue. GHSA expects additional states to include distraction as SHSPs are updated.
- **States have improved data collection efforts.** In 2003, only 17 states collected information about distraction as a factor in crashes. Today, 43 states and D.C. report they collect this crucial data. Good data is a key component of a strong highway safety program, and GHSA is confident every state will include distraction in the near future.
- **States are educating new drivers about distraction.** In 2003, AAA reported that only five states had distinct distracted driving sections in their driver license manuals. Today, 32

states and D.C. have these sections. Additionally, distracted driving is a component of driver education in 18 states and D.C., and it is a question on the driver license test in 17 states and D.C.

- **States have been passing a variety of distracted driving laws.** Twenty-eight states, D.C. and Guam now ban text messaging by all drivers. The first state to do this was Washington in 2007, so states have been moving very quickly in this area. Seven states, D.C. and the U.S. Virgin Islands ban hand-held cell phone use behind the wheel for all drivers. School bus drivers are prohibited from talking behind the wheel in 18 states and D.C.
- **States are emphasizing public education.** Thirty-seven states and D.C. have public information/education campaigns to warn about the dangers of driver distraction. Eight states noted they have initiated efforts to provide training or technical assistance to the judiciary on this topic.
- **Public/private partnerships are increasing.** Thirty-five states are working with other state agencies and private employers to address distracted driving. Sixteen states and D.C. have worked with other state agencies or private companies to develop distracted driving policies for their employees.
- **States are using new technology to educate motorists.** Fifteen states and D.C. are using social networking sites like Twitter and Facebook to promote anti-distracted driving messages.

"As a nation, if we are going to successfully address driver distraction, it must be done comprehensively, through a multifaceted approach including education, laws and enforcement, data collection, and private sector involvement," says GHSA Chairman Vernon F. Betkey, Jr. "Our new report shows states are already going down this road. We know from our experiences with drunk driving and seat belt use that there is no magic bullet, and the same holds true with distracted driving."

To continue building momentum on distracted driving countermeasures as well as sharing best practices on a host of highway safety and technology issues, GHSA's 2010 Annual Meeting theme is "Technology and Highway Safety: What's Driving Our Future?" The conference takes place September 26-29 in Kansas City. More information is [online](#).[Ⓐ]

"Curbing Distracted Driving: 2010 Survey of State Safety Programs" was completed for GHSA by The Vermette Group in Ashburn, Virginia. Electronic copies are available [online](#).[Ⓐ] Printed copies will be mailed to GHSA Members.

The Governors Highway Safety Association (GHSA)[®] is a nonprofit association representing the highway safety offices of states, territories, the District of Columbia and Puerto Rico. GHSA provides leadership and representation for the states and territories to improve traffic safety, influence national policy and enhance program management. Its members are appointed by their Governors to administer federal and state highway safety funds and implement state highway safety plans. Contact GHSA at 202-789-0942 or visit www.ghsa.org [Ⓐ].

National & Statewide Organizations

- National Highway Traffic Safety Administration (NHTSA) [Ⓐ]
- DistractedDriving.org [Ⓐ]
- AAA Exchange [Ⓐ]

- [Driver's Educational School, Inc](#)
- [CarInsurance.org](#)
- [Centers for Disease Control and Prevention](#)

Relevant Articles and Statistics

- [C.H.O.P: Teen Driving Risk Factors](#) (94 KB)
- [C.H.O.P: 10 Things People Don't Know About Teen Driving](#) (92 KB)
- [C.H.O.P: Three Ways Parents Can Help Their Teens Be Safe On The Road](#) (94 KB)
- [IIHS: 1st Evidence of Effects of Cell Phone Use on Injury Crashes](#) (33 KB)
- [NHTSA Traffic Safety Facts Overview](#) (313 KB)
- [NHTSA Driver Cell Phone Use Facts](#) (196 KB)
- [Virginia Tech. Cell Phone Study](#) (388 KB)
- [2002-2004 Cell Phone Related Crash Rates on Alaska Roads](#) (40 KB)
- [2002-2004 Cell Phone Related Crash Rates at Alaska Intersections](#) (40 KB)
- [2002-2008 Crashes Involving Cell Phone Use](#) (86 KB)

Cell Phones

Several leading studies have shown that using a cell phone while driving increases your chance of getting into a crash by nearly 400%. When dialing a phone number or engaging in intense conversation, you're not watching the road like you should. A "hands-free" apparatus is helpful, but they can't prevent you from becoming involved in a conversation and losing concentration. Your best defense is to pull off the road and stop in a safe place before using your phone.

However, states are increasing their efforts to ban drivers from using cell phones altogether. Below are some links to those efforts:

- [Cell Phone Driving Laws In All 50 States](#)
- [Curbing Distracted Driving - 2010 Survey of State Safety Programs](#)
- [GHSA News Release - New Report Shows States Increasing Efforts on Distracted Driving](#)
- [Countries That Ban Cell Phones While Driving](#)
- [Zoom Safer driving software](#)

Avoid Being A Statistic

- **Stay focused and pay attention on the road!**
- **Avoid driving when you're tired**

- **Avoid taking any drugs, legal or otherwise, while driving**
- **Try not to drive when you're angry or upset**
- **Limit your interaction with passengers and other drivers**
- **Keep both hands on or close to the steering wheel**
- **Keep your eyes on the road!**

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Safety Topics

- » DEC / DRE
- » Distracted Driving
- » Fatality Analysis Reporting System (FARS)
- » Headlights
- » LEL - Law Enforcement Liaisons
- » Low Speed Vehicles
- » Media Campaigns
- » Mock Crashes
- » Moose Safety
- » Motorcycle Safety
- » Occupant Protection
- » REDDI
- » Red Light Running
- » Safe Communities
- » DUI Information & Impaired Driving
 - › State DUI Driver Information
 - › Impaired Driving
- » Safety Corridor
 - › Safety Corridor
 - › Safety Corridor Maps
- » Senior Driving in Alaska
- » Teen Driving in Alaska
- » Snowmobiles and ATVs
- » Traffic Records
 - › Traffic Records Committee

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Cell Phone and Texting Laws

January 2013



This chart outlines state distracted driving laws. Some localities have additional regulations. Enforcement type is shown in parenthesis.

- **Handheld Cell Phone Use:** 10 states, D.C., Puerto Rico, Guam and the U.S. Virgin Islands prohibit **all drivers** from using handheld cell phones while driving. Except for Maryland and West Virginia (until July 2013), all laws are **primary enforcement**—an officer may cite a driver for using a handheld cell phone without any other traffic offense taking place.
- **All Cell Phone Use:** No state bans all cell phone use for all drivers, but many prohibit use by certain subsets:
 - 33 states and D.C. ban all cell phone use by **novice drivers**.
 - **School bus drivers** in 19 states and D.C. may not use a cell phone when passengers are present.
- **Text Messaging:** 39 states, D.C., Puerto Rico, Guam and the U.S. Virgin Islands ban text messaging for all drivers. All but 4 have primary enforcement.
 - An additional 5 states prohibit text messaging by **novice drivers**.
 - 3 states restrict **school bus drivers** from texting.
- Some states such as Maine, N.H. and Utah treat cell phone use as part of a broader distracted driving issue. In Utah, cellphone use is an offense *only* if a driver also commits another moving violation (other than speeding).

Learn More About Distracted Driving

[Key Research Findings](#)

[What Research Shows and What States Can Do](#)
Published 2011

[State Media Campaigns](#)

[Tips to Avoid Distractions](#)

[Curbing Distracted Driving: 2010 Survey of State Safety Programs](#)

[Related Links](#)

Crash Data Collection: Many states include a category for cell phone/electronic equipment distraction on police accident report forms. Proposed federal legislation would require states to collect this data in accordance with [Model Minimum Uniform Crash Criteria guidelines](#) to qualify for certain federal funding.

Preemption Laws: Many localities have passed their own distracted driving bans. However, some states – such as Florida, Kentucky, Louisiana, Mississippi, Nevada, Pennsylvania, and Oklahoma – prohibit localities from enacting such laws.

NOTE: GHSA does not compile any additional data on distracted driving laws other than what is presented here. For more information, consult the appropriate [State Highway Safety Office](#).

State	Handheld Ban	All Cell Phone Ban		Text Messaging Ban			Crash Data
		School Bus Drivers	Novice Drivers	All Drivers	School Bus Drivers	Novice Drivers	
Alabama			16, or 17 w / Intermediate License <6 months (Primary)	Yes (Primary)	Covered under all driver ban		
Alaska				Yes (Primary)	Covered under all driver ban		Yes
Arizona		Yes (Primary)					
Arkansas ¹	18 - 20 years old (Primary)	Yes (Primary)	<18 (Secondary)	Yes (Primary)	Covered under all driver ban		Yes
California	Yes (Primary)	Yes (Primary)	<18 (Secondary)	Yes (Primary)	Covered under all driver ban		Yes
Colorado			<18 (Primary)	Yes (Primary)	Covered under all driver ban		Yes
Connecticut	Yes (Primary)	Yes (Primary)	<18 (Primary)	Yes (Primary)	Covered under all driver ban		
Delaware	Yes (Primary)	Yes (Primary)	Learner or Intermediate License (Primary)	Yes (Primary)	Covered under all driver ban		Yes

D.C.	Yes (Primary)	Yes (Primary)	Learners Permit (Primary)	Yes (Primary)	Covered under all driver ban		Yes
Florida							Yes
Georgia		Yes (Primary)	<18 (Primary)	Yes (Primary)	Covered under all driver ban		Yes
Guam	Yes (Primary)			Yes (Primary)	Covered under all driver ban		
Hawaii ²	See footnote						
Idaho ³				Yes (Primary)	Covered under all driver ban		See footnote
Illinois ⁴	See footnote	Yes (Primary)	<19 (Primary)	Yes (Primary)	Covered under all driver ban		Yes
Indiana			<18 (Primary)	Yes (Primary)	Covered under all driver ban		Yes
Iowa			Restricted or Intermediate License (Primary)	Yes (Secondary)	Covered under all driver ban		Yes
Kansas			Learner or Intermediate License (Primary)	Yes (Primary)	Covered under all driver ban		Yes
Kentucky		Yes (Primary)	<18 (Primary)	Yes (Primary)	Covered under all driver ban		
Louisiana	Learner or Intermediate License (regardless of age)	Yes (Primary)	1st year of License (Primary for <18)	Yes (Primary)	Covered under all driver ban		Yes
Maine			<18 (Primary)	Yes (Primary)	Covered under all driver ban		Yes
Maryland	Yes (Secondary)		<18 w/ Learner or Provisional License (Secondary)	Yes (Primary)	Covered under all driver ban		Yes
Massachusetts		Yes (Primary)	<18 (Primary)	Yes (Primary)	Covered under all driver ban		Yes
Michigan			Level 1 or 2 License (Primary) (<i>eff. 3/28/13</i>)	Yes (Primary)	Covered under all driver ban		Yes
Minnesota		Yes (Primary)	<18 w/ Learner or Provisional License (Primary)	Yes (Primary)	Covered under all driver ban		Yes
Mississippi		Yes (Primary)			Yes (Primary)	Learner or Provisional License (Primary)	
Missouri						<21 (Primary)	
Montana							Yes
Nebraska			<18 w/ Learner or Intermediate License (Secondary)	Yes (Secondary)	Covered under all driver ban		Yes
Nevada	Yes (Primary)			Yes (Primary)	Covered under all driver ban		Yes
New Hampshire ⁵				Yes (Primary)	Covered under all driver ban		
New Jersey	Yes (Primary)	Yes (Primary)	Permit or Provisional License (Primary)	Yes (Primary)	Covered under all driver ban		Yes
New Mexico	In State vehicles		Learner or Provisional License (Primary)			Learner or Provisional License	Yes

						(Primary)	
New York	Yes (Primary)			Yes (Primary)	Covered under all driver ban		Yes
North Carolina		Yes (Primary)	<18 (Primary)	Yes (Primary)	Covered under all driver ban		
North Dakota			<18 (Primary)	Yes (Primary)	Covered under all driver ban		Yes
Ohio			<18 (Primary)	Yes (Secondary)	Covered under all driver ban		
Oklahoma	Learner or Intermediate License (Primary)	Yes (Primary)			Yes (Primary)	Learner or Intermediate License (Primary)	Yes
Oregon	Yes (Primary)		<18 (Primary)	Yes (Primary)	Covered under all driver ban		Yes
Pennsylvania				Yes (Primary)	Covered under all driver ban		Yes
Puerto Rico	Yes (Primary)			Yes (Primary)	Covered under all driver ban		
Rhode Island		Yes (Primary)	<18 (Primary)	Yes (Primary)	Covered under all driver ban		Yes
South Carolina ⁶							See footnote
South Dakota							Yes
Tennessee		Yes (Primary)	Learner or Intermediate License (Primary)	Yes (Primary)	Covered under all driver ban		Yes
Texas ⁷		Yes, w/ passenger ≤17 (Primary)	Intermediate License, 1st 12 mos. (Primary)		Yes, w/ passenger ≤17 (Primary)	Intermediate License, 1st 12 mos. (Primary)	Yes
Utah ⁸	See footnote			Yes (Primary)	Covered under all driver ban		Yes
Vermont			<18 (Primary)	Yes (Primary)	Covered under all driver ban		
Virgin Islands	Yes			Yes	Covered under all driver ban		Yes
Virginia		Yes (Primary)	<18 (Secondary)	Yes (Secondary)	Covered under all driver ban (Primary)	Covered under all driver ban	Yes
Washington	Yes (Primary)		Learner or Intermediate Licence (Primary)	Yes (Primary)	Covered under all driver ban		Yes
West Virginia	Yes (Secondary until 7/1/13)		<18 w/ Learner or Intermediate Licence (Primary)	Yes (Primary)	Covered under all driver ban		
Wisconsin			Learner or Intermediate Licence (Primary)	Yes (Primary)	Covered under all driver ban		
Wyoming				Yes (Primary)	Covered under all driver ban		Yes
Total States	10 + D.C., PR, Guam, Virgin Islands Primary (8 + D.C., PR, Guam) Secondary (2)	19 + D.C. All Primary	33 + D.C. Primary (28 + D.C.) Secondary (5)	39 + D.C., PR, Guam, Virgin Islands Primary (35 + D.C., PR, Guam) Secondary (4)	3 All Primary	5 All Primary	35 + D.C., Virgin Islands

¹ Arkansas also bans the use of handheld cell phones while driving in a school zone or in a highway construction zone. This law is secondarily enforced.

² Hawaii does not have a state law banning the use of handheld cell phones. However, all of the state's counties have enacted distracted driving ordinances.

³ Idaho has a "Distraction in/on Vehicle (List)" attribute as part of its Contributing Circumstances element, and officers are supposed to list the distractions in the

narrative.

⁴ Illinois bans the use of handheld cell phones while driving in a school zone or in a highway construction zone.

⁵ Dealt with as a distracted driving issue; New Hampshire enacted a comprehensive distracted driving law.

⁶ South Carolina has a Distracted/inattention attribute under Contributing Factors.

⁷ Texas has banned the use of hand-held phones and texting in school zones.

⁸ Utah's law defines careless driving as committing a moving violation (other than speeding) while distracted by use of a handheld cellphone or other activities not related to driving.

Sources: [Insurance Institute for Highway Safety](#) (IIHS) and [State Highway Safety Offices](#).

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