

**HOUSE BILL NO. 438**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVE HOLM**

**Introduced: 2/5/04**

**Referred: Transportation, State Affairs, Judiciary**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to motorists moving over or slowing down for emergency vehicles."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 \* **Section 1.** AS 28.35 is amended by adding a new section to read:

4 **Sec. AS 28.35.185. Overtaking and passing a parked emergency vehicle.**

5 (a) The driver of a vehicle that approaches a stationary emergency, fire, or law  
6 enforcement vehicle displaying flashing emergency lights on a highway or roadway

7 (1) with two or more lanes traveling in the same direction, unless  
8 otherwise directed by a law enforcement officer or fire fighter, shall vacate the lane  
9 closest to the emergency, fire, or law enforcement vehicle; or

10 (2) unless otherwise directed by a law enforcement officer or fire  
11 fighter, shall slow to 20 miles an hour below the speed limit when the speed limit is  
12 greater than 25 miles an hour or to 5 miles an hour when the posted speed is 25 miles  
13 an hour or less.

14 (b) A person who violates this section is guilty of

15 (1) a class A misdemeanor if personal injury results from the person's

1 failure to vacate the lane or slow as required by this section;  
2 (2) an infraction, under circumstances other than in (1) of this  
3 subsection.