

CS FOR HOUSE BILL NO. 438(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 3/12/04

Referred: Judiciary

Sponsor(s): REPRESENTATIVE HOLM

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 safely vacate the
9 lane 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.