

CS FOR HOUSE BILL NO. 438(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/7/04

Referred: Rules

Sponsor(s): REPRESENTATIVES HOLM, McGuire

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. 28.35.185. Overtaking and passing a parked emergency vehicle. (a)**

5 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 a reasonable and prudent speed below the speed limit.

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

13 (1) a class A misdemeanor if personal injury results from the person's
14 failure to vacate the lane or slow as required by this section;

15 (2) an infraction, under circumstances other than in (1) of this

1 subsection.