

**CS FOR SENATE BILL NO. 255(STA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

**BY THE SENATE STATE AFFAIRS COMMITTEE**

**Offered: 3/5/04**

**Referred: Judiciary, Finance**

**Sponsor(s): SENATOR THERRIAULT**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to traffic preemption devices."**

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

3 **\* Section 1.** AS 11.56 is amended by adding a new section to read:

4 **Sec. 11.56.825. Unlawful possession or use of traffic preemption device.**

5 (a) A person commits the crime of unlawful possession or use of a traffic preemption  
6 device if the person possesses or uses a traffic preemption device and that person is  
7 not at the time of the possession or use operating an emergency vehicle.

8 (b) This section does not apply to

9 (1) an employee of the state or a municipality who at the time of the  
10 possession or use of a traffic preemption device is authorized to install, repair, or  
11 maintain traffic preemption devices and only uses a device in the process of installing,  
12 repairing, and maintaining the devices; or

13 (2) a person operating a motor vehicle involved in highway  
14 maintenance or public transit that has been authorized by the Department of  
15 Transportation and Public Facilities or a municipality to possess or use a traffic

1           preemption device.

2                   (c) In this section,

3                           (1) "emergency vehicle" means a police, fire, or emergency medical  
4           service vehicle that only uses a traffic preemption device when responding to a fire or  
5           other emergency or when transporting a patient to a hospital or clinic or for transfer to  
6           another emergency vehicle;

7                           (2) "traffic preemption device" means a system that uses infrared light  
8           or other technology on a motor vehicle to transmit a signal to a receiver connected to a  
9           traffic light or other traffic control device for the purpose of giving the vehicle  
10          transmitting the signal the right-of-way by changing the traffic light or control device.

11                   (d) Unlawful possession or use of a traffic preemption device is a class A  
12          misdemeanor.