

CS FOR SENATE BILL NO. 255(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered: 4/16/04

Referred: Rules

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 by the municipal assembly or council, as

1 appropriate, to possess or use a traffic 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.