

Introduced: 5/1/78
Referred: Judiciary

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 SENATE BILL NO. 608

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to chemical tests of the breath
7 administered to a person arrested for driving while
8 intoxicated."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 28.35.033(e) is amended to read:

11 (e) The person tested may have a physician, or a qualified techni-
12 cian, chemist, registered nurse, or other qualified person of his own
13 choosing administer a chemical test in addition to and contemporaneously
14 with the test administered at the direction of a law enforcement officer.
15 Law enforcement officers shall assist persons to secure such an addi-
16 tional test; however, the [THE] failure or inability to obtain an addi-
17 tional test by a person does not preclude the admission of evidence
18 relating to the test taken at the direction of a law enforcement officer;
19 the fact that the person under arrest sought to obtain such an additional
20 test, and failed or was unable so to do, is likewise admissible in
21 evidence.

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