

Offered: 2/6/84
Referred: Rules

Original sponsors: Liska and
Szymanski

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 446 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the duty to stop at the direction
7 of a peace officer."

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

9 * Section 1. AS 28.35 is amended by adding a new section to read:

10 Sec. 28.35.182. STOPPING AT DIRECTION OF PEACE OFFICER. (a) A
11 person driving or operating a vehicle or motor vehicle, or operating
12 an aircraft or watercraft, shall stop as soon as practical and in a
13 reasonably safe manner under the circumstances, if requested or
14 signalled to do so for a lawful purpose by a peace officer.

15 (b) If the peace officer is driving or operating a vehicle or
16 motor vehicle or is operating an aircraft or watercraft when making
17 the request or giving the signal to stop, the peace officer's vehicle,
18 motor vehicle, aircraft or watercraft must be marked appropriately so
19 that a reasonable person would recognize it as one related to law
20 enforcement, or it must meet lighting and audible signalling require-
21 ments of law for law enforcement vehicles. If the peace officer is
22 not driving or operating a vehicle or motor vehicle, or operating an
23 aircraft or watercraft, the officer shall wear the uniform of office
24 or display a badge or other symbol of authority so as to be reasonably
25 identifiable as a peace officer.

26 (c) A person who knowingly fails to stop in violation of (a) of
27 this section is guilty of a class B misdemeanor.

28 (d) In this section

29 (1) "lawful purpose" includes making an arrest or issuing a

1 citation, preventing personal injury or property damage in an
2 emergency, and investigating a situation when the peace officer
3 has a reasonable suspicion that imminent public danger exists or
4 that serious harm has recently occurred;

5 (2) "signal" means a hand motion, audible mechanical or
6 electronic noise device, visual light device, or combination of them,
7 used in a manner that a reasonable person would understand to mean
8 that the peace officer intends that the person stop.