

1 **APPROACHING STATIONARY EMERGENCY VEHICLE**

2 **AMENDMENTS**

3 2011 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Don L. Ipson**

6 Senate Sponsor: John L. Valentine

7	Cosponsors:	Neal B. Hendrickson	Evan J. Vickers
8	Fred C. Cox	Lee B. Perry	Christine F. Watkins
9	Susan Duckworth	Marie H. Poulson	Mark A. Wheatley
10	Richard A. Greenwood	Douglas Sagers	Larry B. Wiley
11	Lynn N. Hemingway	Jennifer M. Seelig	

12

LONG TITLE

13 **General Description:**

14 This bill modifies the Traffic Code.

15 **Highlighted Provisions:**

16 This bill:

- 17 ▶ requires an individual who approaches emergency vehicles in violation of current
- 18 law to attend a live four hour classroom course or a court traffic school program on
- 19 defensive driving within 90 days of sentencing or pleading guilty;
- 20 ▶ provides a 90 day driver license suspension if an individual fails to attend the
- 21 course; and
- 22 ▶ makes technical changes.

23 **Money Appropriated in this Bill:**

24 None

25 **Other Special Clauses:**

26 None

27 **Utah Code Sections Affected:**

28

29 AMENDS:

30 **41-6a-904**, as renumbered and amended by Laws of Utah 2005, Chapter 2



32 *Be it enacted by the Legislature of the state of Utah:*

33 Section 1. Section **41-6a-904** is amended to read:

34 **41-6a-904. Approaching emergency vehicle -- Necessary signals -- Stationary**
35 **emergency vehicle -- Duties of respective operators.**

36 (1) Except when otherwise directed by a peace officer, the operator of a vehicle, upon
37 the immediate approach of an authorized emergency vehicle using audible or visual signals
38 under Section 41-6a-212 or 41-6a-1625, shall:

39 (a) yield the right-of-way and immediately move to a position parallel to, and as close
40 as possible to, the right-hand edge or curb of the highway, clear of any intersection; and

41 (b) then stop and remain stopped until the authorized emergency vehicle has passed.

42 (2) The operator of a vehicle, upon approaching a stationary authorized emergency
43 vehicle that is displaying alternately flashing red, red and white, or red and blue lights, shall:

44 (a) reduce the speed of the vehicle;

45 (b) provide as much space as practical to the stationary authorized emergency vehicle;

46 and

47 (c) if traveling in a lane adjacent to the stationary authorized emergency vehicle and if
48 practical, with due regard to safety and traffic conditions, make a lane change into a lane not
49 adjacent to the authorized emergency vehicle.

50 (3) The operator of a vehicle, upon approaching a stationary tow truck or highway
51 maintenance vehicle that is displaying flashing amber lights, shall:

52 (a) reduce the speed of the vehicle; and

53 (b) provide as much space as practical to the stationary tow truck or highway

54 maintenance vehicle.

55 (4) This section does not relieve the operator of an authorized emergency vehicle, tow
56 truck, or highway maintenance vehicle from the duty to drive with regard for the safety of all

57 persons using the highway.

58 (5) (a) In addition to the penalties prescribed under Section 41-6a-202, an individual in
59 violation of this section shall attend a four hour live classroom course on driving safety offered
60 by an entity affiliated with the National Safety Council or a court approved traffic school
61 program on defensive driving.

62 (b) An individual who fails to provide to the Driver License Division a certificate of
63 attendance of the classroom course required under Subsection (5)(a), within 60 days of
64 sentencing or of pleading guilty, shall have the individual's driver license suspended for a
65 period of 90 days.