

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

LONG TITLE

8 **General Description:**

9 This bill modifies the Traffic Code.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ requires an individual who approaches emergency vehicles in violation of current
13 law to attend a live four hour classroom course ~~H→~~ **or a court traffic school program** ~~←H~~ on
14 defensive driving within ~~H→~~ **90** ~~←H~~ days
15 of sentencing or pleading guilty;

16 ~~H→~~ [~~→~~ ~~requires the Utah Safety Council to notify the Driver License Division whether an~~
17 ~~individual has attended the course;~~] ~~←H~~

18 ▶ provides a 90 day driver license suspension if an individual fails to attend the
19 course; and

20 ▶ makes technical changes.

21 **Money Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 None

25 **Utah Code Sections Affected:**

26 AMENDS:

27 **41-6a-904**, as renumbered and amended by Laws of Utah 2005, Chapter 2



28

29 *Be it enacted by the Legislature of the state of Utah:*30 Section 1. Section **41-6a-904** is amended to read:31 **41-6a-904. Approaching emergency vehicle -- Necessary signals -- Stationary**
32 **emergency vehicle -- Duties of respective operators.**33 (1) Except when otherwise directed by a peace officer, the operator of a vehicle, upon
34 the immediate approach of an authorized emergency vehicle using audible or visual signals
35 under Section 41-6a-212 or 41-6a-1625, shall:36 (a) yield the right-of-way and immediately move to a position parallel to, and as close
37 as possible to, the right-hand edge or curb of the highway, clear of any intersection; and

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

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

41 (a) reduce the speed of the vehicle;

42 (b) provide as much space as practical to the stationary authorized emergency vehicle;
43 and44 (c) if traveling in a lane adjacent to the stationary authorized emergency vehicle and if
45 practical, with due regard to safety and traffic conditions, make a lane change into a lane not
46 adjacent to the authorized emergency vehicle.47 (3) The operator of a vehicle, upon approaching a stationary tow truck or highway
48 maintenance vehicle that is displaying flashing amber lights, shall:

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

50 (b) provide as much space as practical to the stationary tow truck or highway
51 maintenance vehicle.52 (4) This section does not relieve the operator of an authorized emergency vehicle, tow
53 truck, or highway maintenance vehicle from the duty to drive with regard for the safety of all
54 persons using the highway.55 (5) (a) In addition to the penalties prescribed under Section 41-6a-202, an individual in
56 violation of this section shall attend a four hour live classroom course ~~H→~~ **on driving safety**
56a **offered by an entity affiliated with the National Safety Council or a court approved traffic**
56b **school program** ~~←H~~ on defensive driving ~~H→~~ **[-that**
57 **is approved by the National Safety Council]** ~~←H~~ .58 (b) An individual who fails to provide to the Driver License Division a certificate of

59 attendance of the classroom course required under Subsection (5)(a), within ~~§→ [60] 90 ←§~~ days of
60 sentencing or of pleading guilty, shall have the individual's driver license suspended for a
61 period of 90 days.

62 **§→ [(c) The Utah Safety Council shall notify the Driver License Division whether an**
63 **individual has attended the course required in this Subsection (5).] ←§**

Legislative Review Note
as of 2-11-11 2:52 PM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 411

SHORT TITLE: **Approaching Stationary Emergency Vehicle Amendments**

SPONSOR: **Ipson, D.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill will cost the Department of Public Safety \$8,700 from the Public Safety Transportation Restricted Account beginning in FY 2012 and \$700 each year thereafter for mailing costs. This bill will generate \$9,600 ongoing revenue to the Transportation Restricted Fund beginning in FY 2012.

STATE BUDGET DETAIL TABLE

	FY 2011	FY 2012	FY 2013
Revenue:			
Restricted Funds	\$0	\$9,600	\$9,600
Total Revenue	\$0	\$9,600	\$9,600
Expenditure:			
Restricted Funds	\$0	\$8,700	\$700
Total Expenditure	\$0	\$8,700	\$700
Net Impact, All Funds (Rev.-Exp.)	\$0	\$900	\$8,900
Net Impact, General/Education Funds	\$0	\$0	\$0

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Individuals who violate this code will pay for the costs of a defensive driving course at about \$40/course for an estimated \$38,500 total for 963 people. Individuals who do not take a defensive driving course will pay a \$30 reinstatement fee for an estimated \$9,600 total for 321 people.