

State of Arizona
Senate
Forty-ninth Legislature
Second Regular Session
2010

SENATE BILL 1138

AN ACT

AMENDING SECTION 28-775, ARIZONA REVISED STATUTES; RELATING TO MOTOR VEHICLE
RIGHT-OF-WAY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-775, Arizona Revised Statutes, is amended to
3 read:

4 28-775. Authorized emergency vehicles; approaching; following
5 fire apparatus; passing stationary vehicles;
6 defensive driving schools; driver license
7 examinations

8 A. Except when otherwise directed by a police officer, on the
9 immediate approach of an authorized emergency vehicle **THAT IS** equipped with
10 at least one lighted lamp exhibiting a red or red and blue light or lens
11 visible under normal atmospheric conditions from a distance of five hundred
12 feet to the front of the vehicle and that is giving an audible signal by
13 siren, exhaust whistle or bell, the driver of another vehicle shall:

14 1. Yield the right-of-way.

15 2. Immediately drive to a position parallel to and as close as
16 possible to the right-hand edge or curb of the roadway clear of any
17 intersection.

18 3. Stop and remain in the position prescribed in paragraph 2 of this
19 subsection until the authorized emergency vehicle has passed.

20 B. An authorized emergency vehicle being operated with activated
21 emergency lights and siren is exempt from the requirements of this section.

22 C. The driver of a vehicle other than one on official business shall
23 not follow any fire apparatus traveling in response to a fire alarm closer
24 than five hundred feet or drive into or park the vehicle within the block
25 where fire apparatus has stopped in answer to a fire alarm.

26 D. When a police vehicle is giving a visual signal with at least one
27 lighted red or red and blue light or lens and is giving an audible signal by
28 siren, the driver of another vehicle:

29 1. Shall not approach or drive parallel to the police vehicle.

30 2. Shall maintain a distance of at least three hundred feet behind any
31 police vehicle involved in an emergency until the police vehicle moves to the
32 lane closest to the right-hand edge or curb of the roadway.

33 E. If a person who drives a vehicle approaches a stationary **authorized**
34 **emergency** vehicle and the ~~authorized-emergency~~ **STATIONARY** vehicle is giving a
35 signal by displaying alternately flashing ~~red or red and blue~~ lights **OR IS**
36 **DISPLAYING WARNING LIGHTS**, the person shall do either of the following:

37 1. If on a highway having at least four lanes with at least two lanes
38 proceeding in the same direction as the approaching vehicle, proceed with due
39 caution and if possible, with due regard to safety and traffic conditions,
40 yield the right-of-way by making a lane change into a lane not adjacent to
41 that of the ~~authorized-emergency~~ **STATIONARY** vehicle.

42 2. If changing lanes would be impossible or unsafe, proceed with due
43 caution and reduce the speed of the vehicle, maintaining a safe speed for
44 road conditions.

1 F. This section does not relieve the driver of an authorized emergency
2 vehicle from the duty to drive with due regard for the safety of all persons
3 using the highway.

4 G. Defensive driving school courses that are offered by defensive
5 driving schools operated pursuant to chapter 8, article 7 of this title may
6 include educational information relating to subsections D and E. The
7 department may include information relating to subsections D and E in any of
8 the department's examination, information or education material.