

28-910. Liability for emergency responses in flood areas; definitions

A. A driver of a vehicle who drives the vehicle on a public street or highway that is temporarily covered by a rise in water level, including groundwater or overflow of water, and that is barricaded because of flooding is liable for the expenses of any emergency response that is required to remove from the public street or highway the driver or any passenger in the vehicle that becomes inoperable on the public street or highway or the vehicle that becomes inoperable on the public street or highway, or both.

B. A person convicted of violating section 28-693 for driving a vehicle into any area that is temporarily covered by a rise in water level, including groundwater or overflow of water, may be liable for expenses of any emergency response that is required to remove from the area the driver or any passenger in the vehicle that becomes inoperable in the area or the vehicle that becomes inoperable in the area, or both.

C. The expenses of an emergency response are a charge against the person liable for those expenses pursuant to subsection A or B of this section. The charge constitutes a debt of that person and may be collected proportionately by the public agencies, for-profit entities or not-for-profit entities that incurred the expenses. **The person's liability for the expenses of an emergency response shall not exceed two thousand dollars for a single incident.** The liability imposed under this section is in addition to and not in limitation of any other liability that may be imposed.

D. An insurance policy may exclude coverage for a person's liability for expenses of an emergency response under this section.

E. For the purposes of this section:

1. "Expenses of an emergency response" means reasonable costs directly incurred by public agencies, for-profit entities or not-for-profit entities that make an appropriate emergency response to an incident.
2. "Public agency" means this state and any city, county, municipal corporation, district or other public authority that is located in whole or in part in this state and that provides police, fire fighting, medical or other emergency services.
3. "Reasonable costs" includes the costs of providing police, fire fighting, rescue and emergency medical services at the scene of an incident and the salaries of the persons who respond to the incident but does not include charges assessed by an ambulance service that is regulated pursuant to title 36, chapter 21.1, article 2.

Arizona traffic code Title 28-910, the so-called "Stupid Motorist Law", was instituted in 1995 to discourage people from entering flooded roadways. If the road is flooded and a barricade is in place, motorists who drive around the barricade can be charged up to \$2000 for costs involved in rescuing them.

And try these websites:

<http://www.arizona-vacation-planner.com/stupid-motorist-law.html>

Just go to the web & search Stupid motorist Tucson....there's a bunch of tips etc....