



ResponderSafety News

Email:

Name:

Updated: June 6, 2005

State "Move-Over" Law Summary

ResponderSafety.com
Sections

[Choose Section ..](#)

The Fast Lane:
Recent News & S

- [Canada Mountie Hurt](#)
- [OH Officer Writin Injured In 4-Car C](#)
- [NV Greyhound B Into Ambulance a](#)
- [AR Trooper in Se Condition After Be in Chase](#)
- [CA Police Officer Others Injured by Drunk Driver](#)
- [NY Traffic Office Injured](#)
- [PA Officer Recov Being Hit By SUV](#)
- [FL Miami Beach Arrests Driver Aft Hit by Car](#)
- [NY Traffic Office Car In The Bronx](#)
- [NC Deputy Hit, A Man Killed By Alle Driver](#)
- [AZ Street Racer Struck Goodyear C](#)
- [CT Officer Struck Checkpoint](#)
- [Deputy Hit by M Recovering](#)
- [KS Woman Foun Fatal Fire Truck W](#)

- [Read](#)
News
- [Subm](#)

[Related Websites](#)
[Related Web Site](#)

State: Alaska	Citation:
Move-Over-Law: EFFECTIVE DATE(S) OF LAW 9/2/04	
Relating to motorists moving over or slowing down for emergency vehicles.	
* Section 1. AS 28.35 is amended by adding a new section to read:	
Sec. 28.35.185. Overtaking and passing a parked emergency vehicle.	
<p>a. The driver of a vehicle that approaches a stationary emergency, fire, or law enforcement vehicle displaying flashing emergency lights on a highway or roadway</p> <ol style="list-style-type: none"> 1. with two or more lanes traveling in the same direction, unless otherwise directed by law enforcement or emergency personnel, shall safely vacate the lane closest to the emergency, fire, or law enforcement vehicle; or 2. unless otherwise directed by law enforcement or emergency personnel, shall slow to a reasonable and prudent speed considering the traffic, roadway, and weather conditions. <p>b. A person who violates this section is guilty of</p> <ol style="list-style-type: none"> 1. a class A misdemeanor if personal injury results from the person's failure to vacate the lane or slow as required by this section; 2. an infraction, under circumstances other than in (1) of this subsection. 	
State: Australia	Citation:
Move-Over-Law: law requires drivers to slow to 40 km/hr when passing vehicle displaying a blue or red flashing light.	
State: Ontario, Canada	Citation: proposed
Move-Over-Law: (proposed, first reading Oct. 16, 2002) Health and Safety: Bill 191, Highway Traffic. The Bill amends the Highway Traffic Act to require rivers approaching an emergency vehicle that is stopped on a highway with its red light flashing to slow down and to move into a lane not adjacent to the vehicle if it is safe to do so. Proposed fines for drivers who are convicted of failing to comply range from \$400-\$2,000 for first offenders. For subsequent offences the proposed fine is hiked to the \$1000-\$4,000 range along with up to six months imprisonment. If passed, the legislation would also allow courts to suspend offenders' driver's licenses for a maximum of two years.	
State: Colorado	Citation: proposed
Move-Over-Law: Requires drivers of vehicles to yield the right-of-way to stationary authorized emergency vehicles.	

SECTION 1. 42-4-705, Colorado Revised Statutes, is amended to read:

42-4-705. Operation of vehicle approached by emergency vehicle - operation of vehicle approaching stationary emergency vehicle.

1. Upon the immediate approach of an authorized emergency vehicle making use of audible or visual signals meeting the requirements of section 42-4-213 or 42-4-222, the driver of every other vehicle shall yield the right-of-way and where possible shall immediately clear the farthest left-hand lane lawfully available to through traffic and shall drive to a position parallel to, and as close as possible to, the right-hand edge or curb of a roadway clear of any intersection and shall stop and remain in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.
2.
 - a. A DRIVER IN A VEHICLE THAT IS APPROACHING OR PASSING A STATIONARY AUTHORIZED EMERGENCY VEHICLE THAT IS GIVING A VISUAL SIGNAL BY MEANS OF FLASHING, ROTATING, OR OSCILLATING RED, BLUE, OR WHITE LIGHTS AS PERMITTED BY SECTION 42-4-213 OR 42-4-222, SHALL EXHIBIT DUE CARE AND CAUTION AND PROCEED AS DESCRIBED IN PARAGRAPHS (b) AND (c) OF THIS SUBSECTION (2).
 - b. ON A HIGHWAY WITH AT LEAST TWO ADJACENT LANES PROCEEDING IN THE SAME DIRECTION ON THE SAME SIDE OF THE HIGHWAY WHERE A STATIONARY AUTHORIZED EMERGENCY VEHICLE IS LOCATED, THE DRIVER OF AN APPROACHING OR PASSING VEHICLE SHALL PROCEED WITH DUE CARE AND CAUTION AND YIELD THE RIGHT-OF-WAY BY MOVING INTO A LANE AT LEAST ONE MOVING LANE APART FROM THE STATIONARY AUTHORIZED EMERGENCY VEHICLE, UNLESS DIRECTED OTHERWISE BY A PEACE OFFICER OR OTHER AUTHORIZED EMERGENCY PERSONNEL. IF MOVEMENT TO AN ADJACENT MOVING LANE IS NOT POSSIBLE DUE TO WEATHER, ROAD CONDITIONS, OR THE IMMEDIATE PRESENCE OF VEHICULAR OR PEDESTRIAN TRAFFIC, THE DRIVER OF THE APPROACHING VEHICLE SHALL PROCEED IN THE MANNER DESCRIBED IN PARAGRAPH (c) OF THIS SUBSECTION (2).
 - c. ON A HIGHWAY THAT DOES NOT HAVE AT LEAST TWO ADJACENT LANES PROCEEDING IN THE SAME DIRECTION ON THE SAME SIDE OF THE HIGHWAY WHERE A STATIONARY AUTHORIZED EMERGENCY VEHICLE IS LOCATED, OR IF MOVEMENT BY THE DRIVER OF THE APPROACHING VEHICLE INTO AN ADJACENT MOVING LANE, AS DESCRIBED IN PARAGRAPH (b) OF THIS SUBSECTION (2), IS NOT POSSIBLE, THE DRIVER OF AN APPROACHING VEHICLE SHALL REDUCE AND MAINTAIN A SAFE SPEED WITH REGARD TO THE LOCATION OF THE STATIONARY AUTHORIZED VEHICLE, WEATHER CONDITIONS, ROAD CONDITIONS, AND VEHICULAR OR PEDESTRIAN TRAFFIC AND PROCEED WITH DUE CARE AND CAUTION, OR AS DIRECTED BY A PEACE OFFICER OR OTHER AUTHORIZED EMERGENCY PERSONNEL.
3. Any person who violates any provision of this section commits a class A traffic infraction.

SECTION 2. Effective date - applicability. This act shall take effect July 1, 2005, and shall apply to traffic infractions committed on or after said date.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

State: Florida

Citation: Fla. Stat. § 316.126 (2002)

Move-Over-Law:

Visit Our Associa



- (b) When an authorized emergency vehicle making use of any visual signals is parked, the driver of every other vehicle, as soon as it is safe:
1. Shall vacate the lane closest to the emergency vehicle when driving on an interstate highway or other highway with two or more lanes traveling in the direction of the emergency vehicle, except when otherwise directed by a law enforcement officer.
 2. Shall slow to a speed that is 20 miles per hour less than the posted speed limit when the posted speed limit is 25 miles per hour or greater; or travel at 5 miles per hour when the posted speed limit is 20 miles per hour or less, when driving on a two-lane road, except when otherwise directed by a law enforcement officer.

(c) The Department of Highway Safety and Motor Vehicles shall provide an educational awareness campaign informing the motoring public about the Move Over Act. The department shall provide information about the Move Over Act in all newly printed driver's license educational materials after July 1, 2002.

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

.....

(4) Nothing herein contained shall diminish or enlarge any rules of evidence or liability in any case involving the operation of an emergency vehicle.

(5) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

(6) A violation of this section is a noncriminal traffic infraction, punishable pursuant to chapter 318 as either a moving violation for infractions of subsection (1) or subsection (3), or as a pedestrian violation for infractions of subsection (2).

State: Georgia

Citation:

Move-Over-Law: Georgia Code, Title 40-6-16.

- a. The operator of a motor vehicle approaching a stationary authorized emergency vehicle that is displaying flashing yellow, amber, white, red, or blue lights shall approach the authorized emergency vehicle with due caution and shall, absent any other direction by a peace officer, proceed as follows:
 1. Make a lane change into a lane not adjacent to the authorized emergency vehicle if possible in the existing safety and traffic conditions; or
 2. If a lane change under paragraph (1) of this subsection would be impossible, prohibited by law, or unsafe, reduce the speed of the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which speed shall be less than the posted speed limit, and be prepared to stop.
- b. The operator of a motor vehicle approaching a stationary towing or recovery vehicle or a stationary highway maintenance vehicle that is displaying flashing yellow, amber, or red lights shall approach the vehicle with due caution and shall, absent any other direction by a peace officer, proceed as follows:
 1. Make a lane change into a lane not adjacent to the towing, recovery, or highway maintenance vehicle if possible in the existing safety and traffic conditions; or
 2. If a lane change under paragraph (1) of this subsection would be

impossible, prohibited by law, or unsafe, reduce the speed of the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which speed shall be less than the posted speed limit, and be prepared to stop.

- c. Violation of subsection (a) or (b) of this Code section shall be punished by a fine of \$500.00.

State: Illinois

Citation: Ill. Veh. Code §11-907

Move-Over-Law:

(c) Upon approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is giving a signal by displaying alternately flashing red, red and white, blue, or red and blue lights or amber or yellow warning lights, a person who drive an approaching vehicle shall:

(1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least 4 lanes with not less than 2 lanes proceeding in the same direction as the approaching vehicle; or

(2) proceeding with due caution, reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

(d) a person who violates subsection (c) of this section commits a business offense punishable by a fine of not more than \$10,000. It is a factor in aggravation if the person committed the offense while in violation of section 11-501 of this code.

(e) If a violation of subsection (c) of this section results in damage to the property of another person, in addition to any other penalty imposed, the person's driving privileges shall be suspended for a fixed period of not less than 90 days and not more than one year.

(f) If a violation of subsection (c) of this section results in injury to another person, in addition to any other penalty imposed, the person's driving privileges shall be suspended for a fixed period of not less than 180 days and not more than 2 years.

(g) If a violation of subsection (c) of this section results in the death of another person, in addition to any other penalty imposed, the person's driving privileges shall be suspended for 2 years.

(h) The Secretary of State shall, upon receiving a record of a judgment entered against a person under subsection (c) of this section:

(1) suspend the person's driving privileges for the mandatory period; or

(2) extend the period of an existing suspension by the appropriate mandatory period.

State: Indiana

Citation: Burns Ind. Code Ann. § 9-21-8-35 (2002)

Move-Over-Law: § 9-21-8-35. Yielding right-of-way to authorized emergency vehicles with siren or flashing lights

(a) Upon the immediate approach of an authorized emergency vehicle, when the person who drives the authorized emergency vehicle is giving audible signal by siren or displaying alternately flashing red, red and white, or red and blue lights, a person who drives another vehicle shall do the following unless otherwise directed by a law enforcement officer:

(1) Yield the right-of-way.

(2) Immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the highway clear of any intersection.

(3) Stop and remain in the position until the authorized emergency vehicle has passed.

(b) Upon approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is giving a signal by displaying alternately flashing red, red and white, or red and blue lights, a person who drives an approaching vehicle shall:

(1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or

(2) proceeding with due caution, reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

(c) Upon approaching a stationary recovery vehicle or a stationary highway maintenance vehicle, when the vehicle is giving a signal by displaying alternately flashing amber lights, a person who drives an approaching vehicle shall:

(1) proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the recovery vehicle or highway maintenance vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or

(2) proceeding with due caution, reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

(d) This section does not operate to relieve the person who drives an authorized emergency vehicle, a recovery vehicle, or a highway maintenance vehicle from the duty to operate the vehicle with due regard for the safety of all persons using the highway.

State: Iowa

Citation: Motor Vehicles, Title VIII, §321.323A

Move-Over-Law: 321.323A APPROACHING CERTAIN STATIONARY VEHICLES.

1. The operator of a motor vehicle approaching a stationary authorized emergency vehicle that is displaying flashing yellow, amber, white, red, or red and blue lights shall approach the authorized emergency vehicle with due caution and shall proceed in one of the following manners, absent any other direction by a peace officer:

a. Make a lane change into a lane not adjacent to the authorized emergency vehicle if possible in the existing safety and traffic conditions.
b. If a lane change under paragraph "a" would be impossible, prohibited by law, or unsafe, reduce the speed of the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which speed shall be less than the posted speed limit, and be prepared to stop.

2. The operator of a motor vehicle approaching a stationary towing or recovery vehicle, or a stationary highway maintenance vehicle, that is displaying flashing yellow, amber, or red lights shall approach the vehicle with due caution and shall proceed in one of the following manners, absent any other direction by a peace officer:

a. Make a lane change into a lane not adjacent to the towing, recovery, or highway maintenance vehicle if possible in the existing safety and traffic conditions.
b. If a lane change under paragraph "a" would be impossible, prohibited by law, or unsafe, reduce the speed of the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which speed shall be less than the posted speed limit, and be prepared to stop.

Sec. 2. Section 805.8A, subsection 11, paragraph b, Code Supplement 2001, is amended to read as follows:

b. For a violation under section 321.323A or 321.324, the scheduled fine is fifty dollars.

State: Kansas

Citation: Kansas Statute No. 8-1530

Move-Over-Law: 8-1530. Duty of driver upon approach of authorized emergency vehicle. (a) Upon the immediate approach of an authorized emergency vehicle making use of an audible signal meeting the requirements of subsection (d) of K.S.A. 8-1738, and amendments thereto, and visual signals meeting the requirements of K.S.A. 8-1720, and amendments thereto, or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall do the following unless otherwise directed by a police officer:

- (1) Yield the right-of-way;
 - (2) immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the roadway clear of any intersection; and
 - (3) stop and remain in such position until the authorized emergency vehicle has passed.
- (b) The driver of a motor vehicle upon approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is making use of visual signals meeting the requirements of K.S.A. 8-1720, and amendments thereto, or subsection (d) of K.S.A. 8-1722, and amendments thereto, shall do either of the following:
- (1) If the driver of the motor vehicle is traveling on a highway that consists of at least two lanes that carry traffic in the same direction of travel as that of the driver's motor vehicle, the driver shall proceed with due caution and, if possible and with due regard to the road, weather and traffic conditions, shall change lanes into a lane that is not adjacent to that of the stationary authorized emergency vehicle; or
 - (2) if the driver is not traveling on a highway of a type described in paragraph (1), or if the driver is traveling on a highway of that type but it is not possible to change lanes or if to do so would be unsafe, the driver shall proceed with due caution, reduce the speed of the motor vehicle and maintain a safe speed for the road, weather and traffic conditions.
- (c) From and after the effective date of this act and prior to July 1, 2001, a law enforcement officer shall issue a warning citation to anyone violating the provisions of subsection (b).
- (d) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

State: Kentucky

Citation: KRS § 189.930 (2002)

Move-Over-Law: § 189.930. Right-of-way to emergency vehicles -- Blocking or following emergency vehicles -- Driving over unprotected hoses of fire department

- (1) Upon the approach of an emergency vehicle equipped with, and operating, one (1) or more flashing, rotating, or oscillating red or blue lights, visible under normal conditions from a distance of five hundred (500) feet to the front of such vehicle; or the driver is given audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right-of-way, immediately drive to a position parallel to, and as close as possible to, the edge or curb of the highway clear of any intersection, and stop and remain in such position until the emergency vehicle has passed, except when otherwise directed by a police officer or firefighter.
- (2) Upon the approach of any emergency vehicle, operated in conformity with the provisions of subsection (1) of this section, the operator of every

vehicle shall immediately stop clear of any intersection and shall keep such position until the emergency vehicle has passed, unless directed otherwise by a police officer or firefighter.

(3) No operator of any vehicle, unless he is on official business, shall follow any emergency vehicle being operated in conformity with the provisions of subsection (1) of this section closer than five hundred (500) feet, nor shall he drive into, or park the vehicle into, or park the vehicle within, the block where the vehicle has stopped in answer to an emergency call or alarm unless he is directed otherwise by a police officer or firefighter.

(4) No vehicle, train, or other equipment shall be driven over any unprotected hose of a fire department when the hose is laid down on any street, private driveway, or track for use at any fire or fire alarm unless the fire department official in command consents that the hose be driven over.

(5) Upon approaching a stationary emergency vehicle, when the emergency vehicle is giving a signal by displaying alternately flashing red, red and white, red and blue, or blue lights, a person who drives an approaching vehicle shall, while proceeding with due caution:

(a) Yield the right-of-way by moving to a lane not adjacent to that of the authorized emergency vehicle, if:

1. The person is driving on a highway having at least four (4) lanes with not fewer than two (2) lanes proceeding in the same direction as the approaching vehicle; and
2. If it is possible to make the lane change with due regard to safety and traffic conditions; or

(b) Reduce the speed of the vehicle, maintaining a safe speed to road conditions, if changing lanes would be impossible or unsafe.

(6) This section does not operate to relieve the person who drives an emergency vehicle from the duty to operate the vehicle with due regard for the safety of all persons using the highway.

State: Maine

Citation: Title 29a Chp 19 Subchp 1 *2054 - 9

Move-Over-Law: §2054. Emergency and auxiliary lights; sirens; privileges

9. Stationary authorized emergency vehicles. The operator of a vehicle passing a stationary authorized emergency vehicle using an emergency light, with due regard to the safety and traffic conditions, shall:

9. Stationary authorized emergency vehicles.

- A. Pass in a lane not adjacent to that of the authorized emergency vehicle, if possible; or [2001, c. 360, §8 (new).]
- B. If passing in a nonadjacent lane is impossible or unsafe, pass the emergency vehicle at a careful and prudent speed reasonable for passing the authorized emergency vehicle safely. [2001, c. 360, §8 (new).]

State: Maryland

Citation: PROPOSED
DIED IN COMMITTEE, CY 2005

Move-Over-Law: Vehicle Laws - Approaching Emergency Vehicles Parked on Highway - Driver's Duties

FOR the purpose of requiring drivers approaching emergency vehicles stopped, standing, or parked on a highway and using any visual signals, except when otherwise directed by a police officer, to vacate the lane closest to the emergency vehicle under certain circumstances and to slow to a speed that is sufficient to ensure the safety of police officers or emergency services personnel in the vicinity of the emergency vehicle under certain circumstances; requiring the Motor Vehicle Administration to assess a certain number of points against a person who violates this Act; requiring the Administration and the Department of State Police to conduct a certain public education and awareness program; and generally

relating to requiring drivers to take certain actions when approaching certain emergency vehicles on a highway. BY repealing and reenacting, with amendments,

Article - Transportation
Section 16-402(a) and 21-405

Annotated Code of Maryland

(2002 Replacement Volume and 2004 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Transportation

16-402.

(a) After the conviction of an individual for a violation of Title 2, Subtitle 5, § 2-209, or § 3-211 of the Criminal Law Article, or of the vehicle laws or regulations of this State or of any local authority, points shall be assessed against the individual as of the date of violation and as follows:

- (1) Any moving violation not listed below and not contributing to an accident 1 point
- (2) Following another vehicle too closely 2 points
- (3) Speeding in excess of the posted speed limit by 10 miles an hour or more 2 points
- (4) Driving with an improper class of license 2 points
- (5) Failing to stop for a school vehicle with activated alternately flashing red lights 3 points
- (6) Any violation of § 21-1111 of this article 2 points
- (7) Passing an emergency or police vehicle under the provisions of § 21-405(d) of this article 2 points
- (8) A violation of § 21-511(a) of this article 2 points
- (9) Failure to stop a vehicle for a steady red traffic signal in violation of § 21-202 of this article 2 points
- (10) FAILURE TO VACATE LANE OR REDUCE SPEED NEXT TO EMERGENCY VEHICLE UNDER § 21-405(E) OF THIS ARTICLE 3 POINTS
- (11) Any moving violation contributing to an accident 3 points
- [(11)] (12) Driving after suspension of license under the provisions of § 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic laws or regulations of another state as described in § 16-303(i) of this title 3 points
- [(12)] (13) Any violation, except violations committed on the John F. Kennedy Memorial Highway, of § 21-1411 of this article 3 points
- [(13)] (14) Speeding in excess of the posted speed limit by 30 miles an hour or more 5 points
- [(14)] (15) Driving while not licensed 5 points
- [(15)] (16) Failure to report an accident 5 points
- [(16)] (17) Driving on a learner's permit unaccompanied 5 points
- [(17)] (18) Any violation of § 17-107 of this article 5 points
- [(18)] (19) Participating in a race or speed contest on a highway 5 points
- [(19)] (20) Any violation of § 16-304 or § 16-305 of this title 5 points
- [(20)] (21) Any violation of § 22-404.5 of this article 5 points
- [(21)] (22) Speeding in excess of a posted speed limit of 65 miles an hour by 20 miles an hour or more 5 points
- [(22)] (23) Aggressive driving in violation of § 21-901.2 of this article 5 points
- [(23)] (24) Reckless driving 6 points
- [(24)] (25) Driving while impaired by alcohol or while impaired by a drug, combination of drugs, or a combination of one or more drugs and alcohol, or driving within 12 hours after arrest under § 21-902.1 of this article

8 points

[(25)] (26) Turning off lights of a vehicle to avoid identification 8 points

[(26)] (27) Failing to stop after accident resulting in damage to attended vehicle or property 8 points

[(27)] (28) Failing to stop after accident resulting in damage to unattended vehicle or property 8 points

[(28)] (29) Any violation of § 16-815 or § 16-816 of this title 8 points

[(29)] (30) Failing to stop after an accident resulting in bodily injury or death 12 points

[(30)] (31) Driving after refusal, suspension, cancellation, or revocation of license except for suspensions of license under the provisions of § 17-106, § 26-204, § 26-206, or § 27-103 of this article, or under the traffic laws or regulations of another state as described in § 16-303(i) of this title..... 12 points

[(31)] (32) Any violation of § 16-301, § 16-302, § 16-804, or § 16-808(a) (1) through (9) of this title 12 points

[(32)] (33) Homicide, life threatening injury under § 3-211 of the Criminal Law Article, or assault committed by means of a vehicle 12 points

[(33)] (34) Driving while under the influence of alcohol, while under the influence of alcohol per se, or while impaired by an illegally used controlled dangerous substance 12 points

[(34)] (35) Any felony involving use of a vehicle 12 points

[(35)] (36) Fleeing or attempting to elude a police officer 12 points

[(36)] (37) The making of a false affidavit or statement under oath, or falsely certifying to the truth of any fact or information to the Administration under the Maryland Vehicle Law or under any law relating to the ownership or operation of motor vehicles 12 points

[(37)] (38) Any violation involving an unlawful taking or unauthorized use of a motor vehicle under § 7-105 or § 7-203 of the Criminal Law Article, or § 14-102 of this article 12 points

21-405.

(a) On the immediate approach of an emergency vehicle using audible and visual signals that meet the requirements of § 22-218 of this article or of a police vehicle lawfully using an audible signal, the driver of every other vehicle, unless otherwise directed by a police officer, shall yield the right-of-way.

(b) On the immediate approach of an emergency vehicle using audible and visual signals that meet the requirements of § 22-218 of this article or of a police vehicle lawfully using an audible signal, the driver of every other vehicle, unless otherwise directed by a police officer, shall drive immediately to a position parallel to and as close as possible to the edge or curb of the roadway, clear of any intersection.

(c) On the immediate approach of an emergency vehicle using audible and visual signals that meet the requirements of § 22-218 of this article or of a police vehicle lawfully using an audible signal, the driver of every other vehicle, unless otherwise directed by a police officer, shall stop and stay in this position until the emergency vehicle has passed.

(d) A driver, when proceeding in the same direction as an emergency or police vehicle, may not pass an emergency vehicle using audible and visual signals that meet the requirements of § 22-218 of this article or a police vehicle lawfully using an audible signal unless:

- (1) The emergency vehicle has stopped; or
- (2) Otherwise directed by a police officer.

(e) EXCEPT AS OTHERWISE DIRECTED BY A POLICE OFFICER, WHEN AN EMERGENCY VEHICLE USING ANY VISUAL SIGNAL IS STOPPED, STANDING, OR PARKED ON A HIGHWAY, THE DRIVER OF A VEHICLE APPROACHING THE EMERGENCY VEHICLE FROM THE REAR, AS SOON AS IT IS SAFE, SHALL:

- (1) IF THE VEHICLE IS TRAVELING ON A HIGHWAY WITH TWO OR MORE LANES OF TRAFFIC MOVING IN THE DIRECTION THAT THE EMERGENCY

VEHICLE IS FACING:

- (I) VACATE THE LANE CLOSEST TO THE EMERGENCY VEHICLE; OR
- (II) IF UNABLE TO VACATE THE CLOSEST LANE, SLOW TO A SPEED THAT IS SUFFICIENT TO ENSURE THE SAFETY OF POLICE OFFICERS OR EMERGENCY SERVICES PERSONNEL IN THE VICINITY OF THE EMERGENCY VEHICLE; OR
- (2) IF THE VEHICLE IS TRAVELING ON A HIGHWAY WITH ONLY ONE LANE OF TRAFFIC MOVING IN THE DIRECTION THAT THE EMERGENCY VEHICLE IS FACING AND THE POSTED SPEED LIMIT IS 35 MILES PER HOUR OR GREATER, SLOW TO A SPEED THAT IS SUFFICIENT TO ENSURE THE SAFETY OF POLICE OFFICERS OR EMERGENCY SERVICES PERSONNEL IN THE VICINITY OF THE EMERGENCY VEHICLE.

(F) This section does not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons.

SECTION 2. AND BE IT FURTHER ENACTED, That the Motor Vehicle Administration and the Department of State Police shall conduct a public education and awareness program to inform the public of the requirements of this Act and to increase public awareness of all other driver requirements when approaching or approached by an emergency vehicle using audible or visual emergency signals.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2005.

State: Maryland	Citation: <i>PROPOSED</i> DIED IN COMMITTEE, CY 2003
------------------------	---

Move-Over-Law: AN ACT concerning Vehicle Laws - Approaching Emergency Vehicles Parked on Highway - Driver's Duties

FOR the purpose of requiring drivers approaching emergency and police vehicles stopped, standing, or parked on a highway and using certain visual signals, except when otherwise directed by a police officer, to vacate the lane closest to the emergency or police vehicle under certain circumstances and to slow to certain speeds under certain circumstances; and generally relating to requiring drivers to take certain actions when approaching certain emergency and police vehicles on a highway.

BY repealing and reenacting, with amendments, Article - Transportation Section 21-405, Annotated Code of Maryland (2002 Replacement Volume)

.....

(F) EXCEPT AS OTHERWISE DIRECTED BY A POLICE OFFICER, WHEN AN EMERGENCY OR POLICE VEHICLE USING A VISUAL SIGNAL THAT MEETS THE REQUIREMENTS OF § 22-218 OF THIS ARTICLE IS STOPPED, STANDING, OR PARKED ON A HIGHWAY, THE DRIVER OF A VEHICLE APPROACHING THE EMERGENCY OR POLICE VEHICLE FROM THE REAR, AS SOON AS IT IS SAFE, SHALL:

- (1) IF THE VEHICLE IS TRAVELING ON A HIGHWAY WITH TWO OR MORE LANES OF TRAFFIC MOVING IN THE DIRECTION THAT THE EMERGENCY OR POLICE VEHICLE IS FACING, VACATE THE LANE CLOSEST TO THE EMERGENCY OR POLICE VEHICLE; AND
- 2) IF THE VEHICLE IS TRAVELING ON A HIGHWAY WITH ONLY ONE LANE OF TRAFFIC MOVING IN THE DIRECTION THAT THE EMERGENCY OR POLICE VEHICLE IS FACING:
 - (I) SLOW TO A SPEED THAT IS 20 MILES PER HOUR LESS THAN THE POSTED SPEED LIMIT WHERE THE POSTED SPEED LIMIT IS 25 MILES PER HOUR OR GREATER; AND
 - (II) TRAVEL AT 5 MILES PER HOUR WHEN THE POSTED SPEED LIMIT IS 20 MILES PER HOUR OR LESS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003.

State: Massachusetts	Citation: ALM GL ch. 89, §7A (2002)
<p>Move-Over-Law: §7A. Regulation of Vehicles Near Fires or Emergency Sites or During Passage of Emergency Vehicles.</p> <p>. . . . No person shall drive a vehicle over a hose of a fire department without the consent of a member of such department. No person shall drive a vehicle within three hundred feet of any fire apparatus going to a fire or responding to an alarm, nor drive said vehicle, or park or leave the same unattended, within eight hundred feet of a fire or within the fire lanes established by the fire department, or upon or beside any traveled way, whether public or private, leading to the scene of a fire, in such a manner as to obstruct the approach to the fire of any fire apparatus or any ambulance, safety or police vehicle, or of any vehicle bearing an official fire or police department designation. . . . No person shall operate a motor vehicle behind any such fire apparatus, ambulance, safety or police vehicle, or any vehicle bearing an official fire or police department designation which is operating with emergency systems on, for a distance of three hundred feet. Violation of any provision of this section shall be punishable by a fine of not more than one hundred dollars.</p>	
State: Michigan	Citation: MCLS § 257.653a (2002)
<p>Move-Over-Law: § 257.653a. Stationary emergency vehicle giving visual signal; duty of approaching vehicle to exhibit due care and caution; violation; penalty.</p> <p>Sec. 653a. (1) Upon approaching and passing a stationary authorized emergency vehicle that is giving a visual signal by means of flashing, rotating, or oscillating red, blue, or white lights as permitted by section 698, the driver of an approaching vehicle shall exhibit due care and caution, as required under the following:</p> <p>(a) On any public roadway with at least 2 adjacent lanes proceeding in the same direction of the stationary authorized emergency vehicle, the driver of the approaching vehicle shall proceed with caution and yield the right-of-way by moving into a lane at least 1 moving lane or 2 vehicle widths apart from the stationary authorized emergency vehicle, unless directed otherwise by a police officer. If movement to an adjacent lane or 2 vehicle widths apart is not possible due to weather, road conditions, or the immediate presence of vehicular or pedestrian traffic in parallel moving lanes, the driver of the approaching vehicle shall proceed as required in subdivision (b).</p> <p>(b) On any public roadway that does not have at least 2 adjacent lanes proceeding in the same direction as the stationary authorized emergency vehicle, or if the movement by the driver of the vehicle into an adjacent lane or 2 vehicle widths apart is not possible as described in subdivision (a), the approaching vehicle shall reduce and maintain a safe speed for weather, road conditions, and vehicular or pedestrian traffic and proceed with due care and caution, or as directed by a police officer.</p> <p>(2) Except as provided in subsections (3) and (4), a person who violates this section is guilty of a misdemeanor punishable by a fine of not more than \$500.00 or imprisonment for not more than 90 days, or both.</p> <p>(3) A person who violates this section and causes injury to a police officer, firefighter, or other emergency response personnel in the immediate area of the stationary authorized emergency vehicle is guilty of a felony punishable by a fine of not more than \$1,000.00 or imprisonment for not more than 2 years, or both.</p> <p>(4) A person who violates this section and causes death to a police officer, firefighter, or other emergency response personnel in the immediate area of the stationary authorized emergency vehicle is guilty of a felony punishable by a fine of not more than \$7,500.00 or by imprisonment for not more than 15 years, or both.</p>	
State: Minnesota	Citation: Minn. Stat. §169.14 (2000)
<p>Move-Over-Law: A person who fails to reduce speed appropriately when approaching or passing an authorized emergency vehicle stopped with emergency lights flashing on a street or highway shall be assessed an additional surcharge equal to the fine imposed for the speed</p>	

violation, but not less than \$25.

State: Missouri

Citation: Chp 304 Section 304.022

Move-Over-Law: Emergency vehicle defined--use of lights and sirens--right-of-way--stationary vehicles, procedure--penalty.

304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, RSMo, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

2. Upon approaching a stationary emergency vehicle displaying lighted red or red and blue lights, the driver of every motor vehicle shall:

- (1) Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or
- (2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

3. The motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the emergency vehicle has passed, except as otherwise directed by a police or traffic officer.

4. An "emergency vehicle" is a vehicle of any of the following types:

- (1) A vehicle operated by the state highway patrol, the state water patrol or a state park ranger, those vehicles operated by enforcement personnel by the division of motor carrier and railroad safety of the department of economic development, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer or coroner or by a privately owned emergency vehicle company;
- (2) A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;
- (3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175, RSMo;
- (4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;
- (5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;
- (6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of chapter 44, RSMo;
- (7) Any vehicle operated by an authorized employee of the department of corrections, who as part of the employee's official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;
- (8) Any vehicle designated to perform hazardous substance emergency functions established pursuant to the provisions of sections 260.500 to 260.550, RSMo.

5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire;

(2) The driver of an emergency vehicle may:
 (a) Park or stand irrespective of the provisions of sections 304.014 to 304.026;
 (b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
 (c) Exceed the prima facie speed limit so long as the driver does not endanger life or property;
 (d) Disregard regulations governing direction of movement or turning in specified directions;
 (3) The exemptions herein granted to an emergency vehicle shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.
 6. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.
 7. Violation of this section shall be deemed a class C misdemeanor.

State: Montana

Citation: Mont. Code Anno., § 61-8-346 (2002)

Move-Over-Law: 61-8-346 Operation of vehicles on approach of police vehicles or authorized emergency vehicles -- approaching stationary emergency vehicles.

(1) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of 61-9-402 or of a police vehicle properly and lawfully making use of an audible signal only, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in that position until the police vehicle or authorized emergency vehicle has passed, except when otherwise directed by a police officer or highway patrol officer.
 (2) This section does not relieve the driver of a police vehicle or authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.
 (3) Upon approaching a stationary authorized emergency vehicle that is displaying visible signals of flashing or rotating amber, blue, red, or green lights, the driver of the approaching vehicle shall:
 (a) reduce the vehicle's speed, proceed with caution, and, if possible considering safety and traffic conditions, move to a lane that is not adjacent to the lane in which the authorized emergency vehicle is located or move as far away from the authorized emergency vehicle as possible; or
 (b) if changing lanes is not possible or is determined to be unsafe, reduce the vehicle's speed, proceed with caution, and maintain a reduced speed, appropriate to the road and the conditions, through the area where the authorized emergency vehicle is stopped.

State: New Hampshire

Citation: NH RSA 265:8 Emergency Vehicles

Move-Over-Law:

VI. A driver of a vehicle being driven on the ways of this state upon the approach from any direction of an emergency vehicle with the siren or flashing light in operation shall turn immediately as far as possible toward the right-hand side of the way and shall bring his vehicle to a standstill until such emergency vehicle has passed.

VII. Upon the immediate approach of an emergency vehicle making use of an

audible or visual signal, every pedestrian shall yield the right-of-way to the authorized emergency vehicle. This paragraph shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor from the duty to exercise due care to avoid colliding with any pedestrian.

State: New Mexico

Citation: House Bill 71

Move-Over-Law:

66-7-332. OPERATION OF VEHICLES ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES.--

- A. Upon the immediate approach of an authorized emergency vehicle displaying flashing emergency lights or when the driver is giving audible signal by siren, exhaust whistle or bell, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in that position until the authorized emergency vehicle has passed except when otherwise directed by a police officer.
- B. Upon approaching a stationary authorized emergency vehicle displaying flashing emergency lights, unless otherwise directed, the driver of a vehicle shall:
 1. if reasonably safe to do so, drive in a lane not adjacent to where the authorized emergency vehicle is stopped, decrease the speed of the vehicle to a speed that is reasonable and prudent under the circumstances and proceed with caution; or
 2. if it is not reasonably safe to drive in a lane not adjacent to where the authorized emergency vehicle is stopped, decrease the speed of the vehicle to a speed that is reasonable and prudent under the circumstances, proceed with caution and be prepared to stop.
- C. This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive and park with due regard for the safety of all persons using the highway."

Section 2. Section 66-8-116 NMSA 1978 (being Laws 1978, Chapter 35, Section 524, as amended) is amended to read:

"66-8-116. PENALTY ASSESSMENT MISDEMEANORS-- DEFINITION--SCHEDULE OF ASSESSMENTS.--

- A. As used in the Motor Vehicle Code, "penalty assessment misdemeanor" means violation of any of the following listed sections of the NMSA 1978 for which, except as provided in Subsection D of this section, the listed penalty assessment is established:

COMMON NAME OF OFFENSE	SECTION VIOLATED	PENALTY ASSESSMENT
Permitting unlicensed minor to drive	66-5-40	\$ 10.00
Failure to obey sign	66-7-104	10.00
Failure to obey signal	66-7-105	10.00
Speeding	66-7-301	
	1. up to and including ten miles an hour over the speed limit	15.00
	2. from eleven up to and including fifteen miles an hour over the speed limit	30.00
	3. from sixteen up to and including twenty miles an hour over the speed limit	65.00
	4. from twenty-one up to and including twenty-five miles an hour over the speed limit	100.00

5. from twenty-six up to and including thirty miles an hour over the speed limit 125.00
6. from thirty-one up to and including thirty-five miles an hour over the speed limit 150.00
7. more than thirty-five miles an hour over the speed limit 200.00

Unfastened safety belt 66-7-372 25.00
 Child not in restraint device or seat belt 66-7-369 25.00
 Minimum speed 66-7-305 10.00
 Speeding 66-7-306 15.00
 Improper starting 66-7-324 10.00
 Improper backing 66-7-354 10.00
 Improper lane 66-7-308 10.00
 Improper lane 66-7-313 10.00
 Improper lane 66-7-316 10.00
 Improper lane 66-7-317 10.00
 Improper lane 66-7-319 10.00
 Improper passing 66-7-309 through 66-7-312 10.00
 Improper passing 66-7-315 10.00
 Controlled access violation 66-7-320 10.00
 Controlled access violation 66-7-321 10.00
 Improper turning 66-7-322 10.00
 Improper turning 66-7-323 10.00
 Improper turning 66-7-325 10.00
 Following too closely 66-7-318 10.00
 Failure to yield 66-7-328 through 66-7-331 10.00
 Failure to yield 66-7-332 50.00
 Failure to yield 66-7-332.1 25.00
 Pedestrian violation 66-7-333 10.00
 Pedestrian violation 66-7-340 10.00
 Failure to stop 66-7-342 and 66-7-344 through 66-7-346 10.00
 Railroad-highway grade crossing violation 66-7-341 and 66-7-343 10.00
 Passing school bus 66-7-347 100.00
 Failure to signal 66-7-325 through 66-7-327 10.00
 Failure to secure load 66-7-407 100.00
 Operation without oversizeoverweight permit 66-7-413 50.00
 Improper equipment 66-3-801 10.00
 Improper equipment 66-3-901 20.00
 Improper emergency signal 66-3-853 through 66-3-857 10.00
 Operation interference 66-7-357 5.00
 Littering 66-7-364 300.00
 Improper parking 66-7-349 through 66-7-352 and 66-7-353 5.00
 Improper parking 66-7-352.5 50.00
 Improper parking 66-3-852 5.00
 Failure to dim lights 66-3-831 10.00
 Riding in or towing occupied house trailer 66-7-366 5.00
 Improper opening of doors 66-7-367 5.00
 No slow-moving vehicle emblem or flashing amber light 66-3-887 5.00
 Open container - first violation 66-8-138 25.00.

- B. The term "penalty assessment misdemeanor" does not include a violation that has caused or contributed to the cause of an accident resulting in injury or death to a person.
- C. When an alleged violator of a penalty assessment misdemeanor elects to accept a notice to appear in lieu of a notice of penalty assessment, a fine imposed upon later conviction shall not exceed the penalty assessment established for the particular penalty assessment misdemeanor and probation imposed upon a suspended or deferred sentence shall not exceed ninety days.

- D. The penalty assessment for speeding in violation of Paragraph (4) of Subsection A of Section 66-7-301 NMSA 1978 is twice the penalty assessment established in Subsection A of this section for the equivalent miles per hour over the speed limit.

State: New York

Citation: proposed S.04155

Move-Over-Law:

AN ACT to amend the vehicle and traffic law, in relation to enacting the "Ambrose-Searles move over act"

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1. Section 1. Short title. This act shall be known and may be cited as
2. the "Ambrose-Searles move over act".
3. S 2. Subdivision 3 of section 502 of the vehicle and traffic law, as
4. amended by chapter 692 of the laws of 1985, is amended to read as
5. follows:
6. 3. Application for learner`s permit. An application for a learner`s
7. permit shall be included in the application for a license. A learner`s
8. permit shall be issued in such form as the commissioner shall determine
9. but shall not be issued unless the applicant has successfully passed the
10. vision test required by this section and the test set forth in paragraph
11. (a) of subdivision four of this section with respect to laws relating to
12. traffic and ability to read and comprehend traffic signs and symbols and
13. has satisfactorily completed any course required pursuant to paragraph
14. (a) of subdivision four of this section. Upon acceptance of an applica-
15. tion for a learner`s permit the commissioner shall provide the applicant
16. with a driver`s manual which includes but is not limited to the laws
17. relating to traffic, the laws relating to and physiological effects of
18. driving while ability impaired and driving while intoxicated, THE LAW
19. FOR EXERCISING DUE CARE TO AVOID COLLIDING WITH A PARKED, STOPPED OR
20. STANDING AUTHORIZED EMERGENCY VEHICLE PURSUANT TO SECTION
21. ELEVEN HUNDRED FORTY-FOUR-A OF THIS CHAPTER, explanations of traffic signs and
22. symbols and such other matters as the commissioner may prescribe.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets { } is old law to be omitted.

LBD05454-02-5

1. S 3. Subparagraph (i) of paragraph (a) of subdivision 4 of section 502
2. of the vehicle and traffic law, as amended by chapter 585 of the laws of
3. 2002, is amended to read as follows:
4. (i) Upon submission of an application for a driver`s license, the
5. applicant shall be required to take and pass a test, or submit evidence
6. of passage of a test, with respect to the laws relating to traffic, the
7. laws relating to driving while ability is impaired and while intoxicat-
8. ed, under the overpowering influence of "Road Rage", or "Work Zone Safe-
9. ty" awareness as defined by the commissioner, THE LAW RELATING TO
- EXER-
10. CISING DUE CARE TO AVOID COLLIDING WITH A PARKED, STOPPED OR

STANDING

11. AUTHORIZED EMERGENCY VEHICLE PURSUANT TO SECTION ELEVEN HUNDRED
12. FORTY-FOUR-A OF THIS CHAPTER, the ability to read and comprehend traffic
13. signs and symbols and such other matters as the commissioner may
14. prescribe, and to satisfactorily complete a course prescribed by the
15. commissioner of not less than four hours and not more than five hours,
16. consisting of classroom driver training and highway safety instruction
17. or the equivalent thereof. Such test shall include at least seven writ-
18. ten questions concerning the effects of consumption of alcohol or drugs
19. on the ability of a person to operate a motor vehicle and the legal and
20. financial consequences resulting from violations of section eleven
21. hundred ninety-two of this chapter, prohibiting the operation of a motor
22. vehicle while under the influence of alcohol or drugs. Such test shall
23. include one or more written questions concerning the devastating effects
24. of "Road Rage" on the ability of a person to operate a motor vehicle and
25. the legal and financial consequences resulting from assaulting, threat-
26. ening or interfering with the lawful conduct of another person legally
27. using the roadway. Such test shall include one or more questions
28. concerning the potential dangers to persons and equipment resulting from
29. the unsafe operation of a motor vehicle in a work zone. SUCH TEST MAY
30. INCLUDE ONE OR MORE QUESTIONS CONCERNING THE LAW FOR EXERCISING DUE CARE
31. TO AVOID COLLIDING WITH A PARKED, STOPPED OR STANDING AUTHORIZED EMER-
32. GENCY VEHICLE PURSUANT TO SECTION ELEVEN HUNDRED FORTY-FOUR-A OF THIS
33. CHAPTER. Such test shall be administered by the commissioner. The
34. commissioner shall cause the applicant to take a vision test and a test
35. for color blindness. Upon passage of the vision test, the application
36. may be accepted and the application fee shall be payable.
37. S 4. The vehicle and traffic law is amended by adding a new section
38. 1144-a to read as follows:
39. S 1144-A. OPERATION OF VEHICLES WHEN APPROACHING A PARKED, STOPPED OR
40. STANDING AUTHORIZED EMERGENCY VEHICLE. EVERY OPERATOR OF A MOTOR VEHICLE
41. SHALL EXERCISE DUE CARE TO AVOID COLLIDING WITH AN AUTHORIZED EMERGENCY
42. VEHICLE WHICH IS PARKED, STOPPED OR STANDING ON THE SHOULDER OR ANY
43. PORTION OF SUCH HIGHWAY AND SUCH AUTHORIZED EMERGENCY VEHICLE IS
44. DISPLAYING ONE OR MORE RED OR COMBINATION RED AND WHITE LIGHTS PURSUANT
45. TO THE PROVISIONS OF PARAGRAPH TWO OF SUBDIVISION FORTY-ONE OF SECTION
46. THREE HUNDRED SEVENTY-FIVE OF THIS CHAPTER. FOR OPERATORS OF MOTOR
47. VEHICLES ON PARKWAYS OR CONTROLLED ACCESS HIGHWAYS, SUCH DUE CARE SHALL
48. INCLUDE, BUT NOT BE LIMITED TO, MOVING FROM A LANE WHICH CONTAINS OR IS
49. IMMEDIATELY ADJACENT TO THE SHOULDER WHERE SUCH AUTHORIZED EMERGENCY
50. VEHICLE DISPLAYING ONE OR MORE RED OR COMBINATION RED AND WHITE LIGHTS
51. PURSUANT TO THE PROVISIONS OF PARAGRAPH TWO OF SUBDIVISION FORTY-ONE OF

- 52. SECTION THREE HUNDRED SEVENTY-FIVE OF THIS CHAPTER IS PARKED, STOPPED OR
- 53. STANDING TO ANOTHER LANE, PROVIDED THAT SUCH MOVEMENT OTHERWISE COMPLIES
- 54. WITH THE REQUIREMENTS OF THIS CHAPTER INCLUDING, BUT NOT LIMITED TO, THE
- 55. PROVISIONS OF SECTIONS ELEVEN HUNDRED TEN AND ELEVEN HUNDRED
- 56. TWENTY-EIGHT OF THIS TITLE. EVERY PERSON CONVICTED OF A VIOLATION OF

3

- 1. THIS SECTION SHALL: FOR A FIRST CONVICTION THEREOF, BE PUNISHED BY A
- 2. FINE OF NOT LESS THAN TWO HUNDRED FIFTY DOLLARS NOR MORE THAN FOUR
- 3. HUNDRED DOLLARS OR BY IMPRISONMENT FOR NOT MORE THAN THIRTY DAYS OR BY
- 4. BOTH SUCH FINE AND IMPRISONMENT; FOR A CONVICTION OF A SECOND VIOLATION,
- 5. BOTH OF WHICH WERE COMMITTED WITHIN A PERIOD OF THREE YEARS, SUCH PERSON
- 6. SHALL BE PUNISHED BY A FINE OF NOT LESS THAN SIX HUNDRED DOLLARS NOR
- 7. MORE THAN SEVEN HUNDRED FIFTY DOLLARS OR BY IMPRISONMENT FOR NOT MORE
- 8. THAN ONE HUNDRED EIGHTY DAYS OR BY BOTH SUCH FINE AND IMPRISONMENT; UPON
- 9. A CONVICTION OF A THIRD OR SUBSEQUENT VIOLATION, ALL OF WHICH WERE
- 10. COMMITTED WITHIN A PERIOD OF THREE YEARS, SUCH PERSON SHALL BE PUNISHED
- 11. BY A FINE OF NOT LESS THAN SEVEN HUNDRED FIFTY DOLLARS NOR MORE THAN ONE
- 12. THOUSAND DOLLARS OR BY IMPRISONMENT FOR NOT MORE THAN ONE HUNDRED EIGHTY
- 13. DAYS OR BY BOTH SUCH FINE AND IMPRISONMENT.
- 14. S 5. The commissioner of motor vehicles shall establish and implement
- 15. an educational program designed to inform operators of motor vehicles in
- 16. this state of the requirements of section 1144-a of the vehicle and
- 17. traffic law, as added by section four of this act.
- 18. S 6. This act shall take effect immediately, provided that:
- 19. (a) sections two and three of this act shall take effect September 1,
- 20. 2005, except that the promulgation of any rules and regulations, and the
- 21. taking of any other actions necessary to implement the provisions of
- 22. such sections are authorized and directed to be made on or before the
- 23. effective date of such sections; and
- 24. (b) section four of this act shall take effect January 1, 2006.

State: Nevada

Citation: proposed

Move-Over-Law: NRS 484.364 Approach to stopped authorized emergency vehicle making use of flashing lights: Duties of approaching driver; penalty.

- 1. Upon approaching an authorized emergency vehicle which is stopped and is making use of flashing lights meeting the requirements of subsection 3 of NRS 484.787, the driver of the approaching vehicle shall, in the absence of other direction given by a peace officer:
 - a. Decrease the speed of his vehicle to a speed that is:
 - 1. Reasonable and proper, pursuant to the criteria set forth in

- subsection 1 of NRS 484.361; and
2. Less than the posted speed limit, if a speed limit has been posted;
 - b. Proceed with caution;
 - c. Be prepared to stop; and
 - d. If possible, drive in a lane that is not adjacent to the lane in which the emergency vehicle is stopped, unless roadway, traffic, weather or other conditions make doing so unsafe or impossible.
 2. A person who violates subsection 1 is guilty of a misdemeanor.

(Added to NRS by 2003, 486)

State: North Carolina

Citation: N.C. Gen. Stat. §20-157 (2005)

Move-Over-Law:

§ 20-157. Approach of law enforcement, fire department or rescue squad vehicles or ambulances; driving over fire hose or blocking fire-fighting equipment; parking, etc., near law enforcement, fire department, or rescue squad vehicle or ambulance.

- a. Upon the approach of any law enforcement or fire department vehicle or public or private ambulance or rescue squad emergency service vehicle giving warning signal by appropriate light and by audible bell, siren or exhaust whistle, audible under normal conditions from a distance not less than 1000 feet, the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb, clear of any intersection of streets or highways, and shall stop and remain in such position unless otherwise directed by a law enforcement or traffic officer until law enforcement or fire department vehicle or public or private ambulance or rescue squad emergency service vehicle shall have passed. Provided, however, this subsection shall not apply to vehicles traveling in the opposite direction of the vehicles herein enumerated when traveling on a four-lane limited access highway with a median divider dividing the highway for vehicles traveling in opposite directions, and provided further that the violation of this subsection shall be negligence per se. Violation of this subsection is a Class 2 misdemeanor.
- b. It shall be unlawful for the driver of any vehicle other than one on official business to follow any fire apparatus traveling in response to a fire alarm closer than one block or to drive into or park such vehicle within one block where fire apparatus has stopped in answer to a fire alarm.
- c. Outside of the corporate limits of any city or town it shall be unlawful for the driver of any vehicle other than one on official business to follow any fire apparatus traveling in response to a fire alarm closer than 400 feet or to drive into or park such vehicle within a space of 400 feet from where fire apparatus has stopped in answer to a fire alarm.
- d. It shall be unlawful to drive a motor vehicle over a fire hose or any other equipment that is being used at a fire at any time, or to block a fire-fighting apparatus or any other equipment from its source of supply regardless of its distance from the fire.
- e. It shall be unlawful for the driver of a vehicle, other than one on official business, to park and leave standing such vehicle within 100 feet of law enforcement or fire department vehicles, public or private ambulances, or rescue squad emergency vehicles which are engaged in the investigation of an accident or engaged in rendering assistance to victims of such accident.
- f. When an authorized emergency vehicle as described in subsection (a) of this section or any public service vehicle is parked or standing within 12 feet of a roadway and is giving a warning signal by appropriate light, the driver of every other approaching vehicle shall, as soon as it is safe and

when not otherwise directed by an individual lawfully directing traffic, do one of the following:

1. Move the vehicle into a lane that is not the lane nearest the parked or standing authorized emergency vehicle and continue traveling in that lane until safely clear of the authorized emergency vehicle. This paragraph applies only if the roadway has at least two lanes for traffic proceeding in the direction of the approaching vehicle and if the approaching vehicle may change lanes safely and without interfering with any vehicular traffic.
2. Slow the vehicle, maintaining a safe speed for traffic conditions, and operate the vehicle at a reduced speed and be prepared to stop until completely past the authorized emergency vehicle. This paragraph applies only if the roadway has only one lane for traffic proceeding in the direction of the approaching vehicle or if the approaching vehicle may not change lanes safely and without interfering with any vehicular traffic.

For purposes of this section, "public service vehicle" means a vehicle that has been called to the scene by a motorist or a law enforcement officer, is being used to assist motorists or law enforcement officers with wrecked or disabled vehicles, and is operating an amber-colored flashing light authorized by G.S. 20-130.2. Violation of this subsection shall be negligence per se.

- g. Except as provided in subsections (a), (h), and (i) of this section, violation of this section shall be an infraction punishable by a fine of two hundred fifty dollars (\$250.00).
- h. A person who violates this section and causes damage to property in the immediate area of the authorized emergency vehicle or public service vehicle in excess of five hundred dollars (\$500.00), or causes injury to a law enforcement officer, a firefighter, an emergency vehicle operator, an Incident Management Assistance Patrol member, a public service vehicle operator, or any other emergency response person in the immediate area of the authorized emergency vehicle or public service vehicle is guilty of a Class 1 misdemeanor.
- i. A person who violates this section and causes serious injury or death to a law enforcement officer, a firefighter, an emergency vehicle operator, an Incident Management Assistance Patrol member, a public service vehicle operator, or any other emergency response person in the immediate area of the authorized emergency vehicle or public service vehicle is guilty of a Class I felony. The Division may suspend, for up to six months, the drivers license of any person convicted under this subsection. If the Division suspends a person's license under this subsection, a judge may allow the licensee a limited driving privilege for a period not to exceed the period of suspension, provided the person's license has not also been revoked or suspended under any other provision of law. The limited driving privilege shall be issued in the same manner and under the terms and conditions prescribed in G.S. 20-16.1(b).

State: North Dakota

Citation: N.D. Cent. Code, § 39-10-26 (2002)

Move-Over-Law: § 39-10-26. Operation of vehicle on approach of authorized emergency vehicle

1. Upon the immediate approach of an authorized emergency vehicle displaying a visible flashing, revolving, or rotating blue, white, or red light, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.
2. If an authorized emergency vehicle is parked or stopped at the scene of an emergency and is displaying a flashing, revolving, or rotating blue,

white, or red light, approaching traffic shall move to the right-hand edge or curb of the roadway and shall stop, but once having stopped, traffic may proceed past the scene at its own risk when the roadway is clear, except when otherwise directed by a police officer. If an authorized emergency vehicle is otherwise parked or stopped on a multilane highway outside the limits of a city unless the highway is part of the interstate system, and the authorized emergency vehicle is displaying a flashing, revolving, or rotating amber, blue, white, or red light, the driver of an approaching vehicle shall proceed with caution and yield the right of way by moving to a lane that is not adjacent to the authorized emergency vehicle if the move may be made with due regard to safety and traffic conditions or if not, the driver shall proceed with due caution, reduce the speed of the vehicle, and maintain a safe speed for the road conditions.

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

State: Ohio

Citation: ORC Ann. 4511.213 (Anderson 2002)

Move-Over-Law: §4511.213 Duties upon approaching stationary public safety vehicle displaying emergency light.

(A) The driver of a motor vehicle, upon approaching a stationary public safety vehicle that is displaying a flashing red light, flashing combination red and white light, oscillating or rotating red light, oscillating or rotating combination red and white light, flashing blue light, flashing combination blue and white light, oscillating or rotating blue light, or oscillating or rotating combination blue and white light, shall do either of the following:

(1) If the driver of the motor vehicle is traveling on a highway that consists of at least two lanes that carry traffic in the same direction of travel as that of the driver's motor vehicle, the driver shall proceed with due caution and, if possible and with due regard to the road, weather, and traffic conditions, shall change lanes into a lane that is not adjacent to that of the stationary public safety vehicle.

(2) If the driver is not traveling on a highway of a type described in division (A)(1) of this section, or if the driver is traveling on a highway of that type but it is not possible to change lanes or if to do so would be unsafe, the driver shall proceed with due caution, reduce the speed of the motor vehicle, and maintain a safe speed for the road, weather, and traffic conditions.

(B) This section does not relieve the driver of a public safety vehicle from the duty to drive with due regard for the safety of all persons and property upon the highway.

(C) No person shall fail to drive a motor vehicle in compliance with division (A)(1) or (2) of this section when so required by division (A) of this section.

(D) As used in this section, "public safety vehicle" has the same meaning as in section 4511.01 of the Revised Code.

State: Oklahoma

Citation: 47 Okl. St. § 11-314 (2003)

Move-Over-Law: § 11-314. Approaching stationary emergency vehicle displaying flashing lights

A. The driver of a motor vehicle, upon approaching a stationary authorized emergency vehicle that is displaying a flashing combination red or blue light or any combination of red or blue lights, shall:

1. If traveling on a highway that consists of two or more lanes that carry traffic in the same direction of travel as that of the driver, the driver shall proceed with due caution and shall, if possible and with due regard to the

road, weather, and traffic conditions, change lanes into a lane that is not adjacent to the stationary authorized emergency vehicle; or if the driver is not able to change lanes or if to do so would be unsafe, the driver shall proceed with due caution and reduce the speed of the motor vehicle to a safe speed for the existing road, weather, and traffic conditions; and

2. If traveling on a highway other than a highway described in paragraph 1 of this subsection, the driver shall proceed with due caution and reduce the speed of the motor vehicle to a safe speed for the existing road, weather, and traffic conditions.

B. This section does not relieve the operator of a stationary authorized emergency vehicle from the consequences of reckless disregard for the safety of all persons and property upon the highway.

State: Oregon

Citation: proposed 2003 Bill Text OR H.B. 2176, introduced Jan. 14, 2003

Move-Over-Law: (note, proposed legislation; "A" means add to present law)

SECTION 1. [A> SECTION 2 OF THIS 2003 ACT IS ADDED TO AND MADE A PART OF THE OREGON VEHICLE CODE. <A]

SECTION 2. [A> (1) A PERSON COMMITS THE OFFENSE OF FAILURE TO MAINTAIN A SAFE DISTANCE FROM AN EMERGENCY VEHICLE OR AMBULANCE IF THE PERSON: <A]

[A> (A) IS DRIVING ON A ROADWAY HAVING TWO OR MORE LANES FOR TRAFFIC PROCEEDING IN A SINGLE DIRECTION; <A]

[A> (B) APPROACHES AN EMERGENCY VEHICLE OR AMBULANCE THAT IS STOPPED AND IS DISPLAYING REQUIRED WARNING LIGHTS; AND <A]

[A> (C)(A) FAILS TO MAKE A LANE CHANGE TO A LANE NOT ADJACENT TO THAT OF THE EMERGENCY VEHICLE OR AMBULANCE; OR <A]

[A> (B) IF MAKING A LANE CHANGE IS UNSAFE, FAILS TO REDUCE THE SPEED OF THE MOTOR VEHICLE. <A]

[A> (2) THE OFFENSE DESCRIBED IN THIS SECTION, FAILURE TO MAINTAIN A SAFE DISTANCE FROM AN EMERGENCY VEHICLE OR AMBULANCE, IS A CLASS B TRAFFIC VIOLATION. <A]

State: Pennsylvania

Citation: Title 75 Part III Chp 33 Subchp B,* 3327

Move-Over-Law: B. Right-Of-Way.

§ 3327. Duty of driver in emergency response areas.

(a) General rule.--When Subchapter approaching or passing an emergency response area, no person shall drive a vehicle:

1. at a speed greater than is reasonable and prudent under the conditions, having regard to the actual and potential hazards then existing; or
2. in disobedience of instructions or indications relating to traffic flow which are made, either verbally or through the use of signs, flares, signals, lights or other traffic control devices, by law enforcement personnel or emergency service responders.

(b) Penalty.--Any person violating subsection (a) commits a summary offense and shall, upon conviction, pay a fine of \$85.

(c) Marking.--An emergency response area shall be clearly marked with road flares, caution signs or any other traffic-control device which law enforcement officials may have at their immediate disposal.

(d) Reports by emergency service responders.--

1. An emergency service responder observing a violation of subsection (a) may prepare a written, signed report which indicates that a violation has occurred. To the extent possible, the report shall include the following information:
 - i. Information pertaining to the identity of the alleged violator.
 - ii. The license number and color of the vehicle involved in the violation.
 - iii. The time and approximate location at which the violation occurred.
 - iv. Identification of the vehicle as an automobile, station wagon, motor truck, motor bus, motorcycle or other type of vehicle.
2. Within 48 hours after the violation occurs, the emergency service responder shall deliver a copy of the report to a police officer having authority to exercise police power in the area where the violation occurred. If the police officer believes that the report established a sufficient basis for the issuance of a citation, the officer shall file a citation and a copy of the report with the issuing authority. If the issuing authority determines that the report and citation establish a sufficient basis for the issuance of a summons, a summons shall be issued in accordance with general rules governing the institution of proceedings in summary traffic offense cases. The issuing authority shall send the defendant a copy of the citation, together with a statement that it was filed by the police officer named in the citation on the basis of information received.
3. A person may institute a proceeding pursuant to this subsection or in accordance with any means authorized by the Pennsylvania Rules of Criminal Procedure.

(e) Fines to be doubled.--In addition to any penalty as provided in subsection (b), the fine for any of the following violations when committed in an emergency response area manned by emergency service responders shall be double the usual amount:

- Section 3102 (relating to obedience to authorized persons directing traffic).
- Section 3111 (relating to obedience to traffic-control devices).
- Section 3114 (relating to flashing signals).
- Section 3302 (relating to meeting vehicle proceeding in opposite direction).
- Section 3303 (relating to overtaking vehicle on the left).
- Section 3304 (relating to overtaking vehicle on the right).
- Section 3305 (relating to limitations on overtaking on the left).
- Section 3306 (relating to limitations on driving on left side of roadway).
- Section 3307 (relating to no-passing zones).
- Section 3310 (relating to following too closely).
- Section 3312 (relating to limited access highway entrances and exits).
- Section 3323 (relating to stop signs and yield signs).
- Section 3325 (relating to duty of driver on approach of emergency vehicle).
- Section 3361 (relating to driving vehicle at safe speed).
- Section 3707 (relating to driving or stopping close to fire apparatus).
- Section 3710 (relating to stopping at intersection or crossing to prevent obstruction).
- Section 3714 (relating to careless driving).
- Section 3715.1 (relating to restriction on alcoholic beverages).
- Section 3731 (relating to driving under influence of alcohol or controlled substance).
- Section 3736 (relating to reckless driving).

(f) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Emergency response area."

The area in which emergency service responders render emergency assistance to individuals on or near a roadway.

"Emergency service responder."

An individual acting in an official capacity as police officer, sheriff, deputy sheriff, coroner, deputy coroner, firefighter, fire police, fire marshal, medical examiner, deputy medical examiner, rescue personnel, ambulance personnel, hazardous material response team member or emergency medical service personnel.

State: South Carolina

Citation: S.C. Code Ann. §56-5-1538 (2000)

Move-Over-Law: § 56-5-1538. Emergency scene management; definitions

(A) An emergency scene is a location designated by the potential need to provide emergency medical care and is identified by emergency vehicles with flashing lights, rescue equipment, or emergency personnel on the scene.

(B) An emergency scene is a special hazard.

(C) An emergency scene is under the authority of the first arriving emergency personnel, which includes emergency medical services personnel, until the arrival of the fire or law enforcement officials having jurisdiction. All motor vehicles passing through an emergency scene and pedestrians observing an emergency scene must obey and not interfere with the duties of emergency personnel. Motor vehicles and bystanders may not block access to or exit from an emergency scene.

(D) The management authority of emergency medical services is limited to managing patient care and preventing further injury to the patients and on-scene personnel. This authority may be delegated by emergency personnel to provide an adequate level of safety.

(E) A paid or volunteer worker at an emergency scene has proper authority to be at and control the scene in a manner consistent with his training.

(F) The driver of a vehicle shall ensure that the vehicle is kept under control when approaching or passing an emergency scene or authorized emergency vehicle stopped on or near the right-of-way of a street or highway with emergency lights flashing. The exercise of control required for a driver to comply with this section is that control possible and necessary by the driver to prevent a collision, to prevent injury to persons or property, and to avoid interference with the performance of emergency duties by emergency personnel.

(G) A person driving a vehicle approaching a stationary authorized emergency vehicle that is giving a signal by displaying alternately flashing red, red and white, blue, or red and blue lights, or amber or yellow warning lights shall proceed with due caution, significantly reduce the speed of the vehicle, and:

(1) yield the right-of-way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) maintain a safe speed for road conditions, if changing lanes is impossible or unsafe.

(H) A person who violates the provisions of this section is guilty of the misdemeanor of endangering emergency services personnel and, upon conviction, must be fined not less than three hundred dollars nor more than five hundred dollars.

(I) For purposes of this section:

(1) "

Authorized emergency vehicle" means any ambulance, police, fire, rescue, recovery, or towing vehicle authorized by this State, county, or

municipality to respond to a traffic incident.(2) "	
State: South Dakota	Citation: S.D. Codified Laws @ 32-31-6.1 (2002)
<p>Move-Over-Law: § 32-31-6.1. Stop required upon approaching stopped emergency vehicle using red signals -- Requirements for approaching vehicles using amber or yellow signals -- Violation as misdemeanor. Upon approaching from any direction any stopped authorized emergency vehicle making use of red visual signals meeting the requirements of this title, the driver of every other vehicle shall come to a complete stop before reaching the stopped emergency vehicle and may, unless otherwise directed, proceed with caution only after ascertaining that it is safe to do so, and upon approaching from any direction any stopped vehicle making use of amber or yellow warning lights, the driver of every other vehicle shall:</p> <ol style="list-style-type: none"> 1. If driving on an interstate highway or other highway with two or more lanes traveling in the same direction as the vehicle, merge into the lane farthest from the vehicle and proceed with caution, unless otherwise directed; or 2. If driving on a two lane highway, slow to a speed that is at least twenty miles per hour less than the posted speed limit or five miles per hour when the speed limit is posted at twenty miles per hour or less and proceed with caution, unless otherwise directed. <p>A violation of this section is a Class 2 misdemeanor.</p>	
State: Tennessee	Citation: Tennessee Code 55-8-132
<p>Move-Over-Law: Operation of vehicles and streetcars on approach of authorized emergency vehicles.</p> <ol style="list-style-type: none"> a. Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of the applicable laws of this state, or of a police vehicle properly and lawfully making use of an audible signal only: <ol style="list-style-type: none"> 1. The driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer; and 2. Upon the approach of an authorized emergency vehicle, as above stated, the operator of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer. b. Upon approaching a stationary authorized emergency vehicle, when such vehicle is giving a signal by use of flashing lights, a person who drives an approaching vehicle shall: <ol style="list-style-type: none"> 1. Proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to that of the authorized emergency vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or 2. Proceeding with due caution, reduce the speed of the vehicle, 	

maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.

- c. Upon approaching a stationary recovery vehicle or a highway maintenance vehicle, when such vehicle is giving a signal by use of authorized flashing lights, a person who drives an approaching vehicle shall:
1. Proceeding with due caution, yield the right-of-way by making a lane change into a lane not adjacent to the stationary recovery vehicle or the highway maintenance vehicle, if possible with due regard to safety and traffic conditions, if on a highway having at least four (4) lanes with not less than two (2) lanes proceeding in the same direction as the approaching vehicle; or
 2. Proceeding with due caution, reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be impossible or unsafe.
- d. For the purpose of this section unless the context otherwise requires:
1. "Highway maintenance vehicle" means a vehicle used for the maintenance of highways and roadways in this state and is:
 - A. Owned or operated by the department of transportation, a county, a municipality or other political subdivision of this state; or,
 - B. Owned or operated by a contractor under contract with the department of transportation, a county, a municipality or other political subdivision of this state;
 2. "Recovery vehicle" means a truck that is specifically designed for towing a disabled vehicle or a combination of vehicles.
- e. A violation of this section is a Class C misdemeanor punishable only by a fine of fifty dollars (\$50.00).
- f. This section shall not operate to relieve the driver of an authorized emergency vehicle, a recovery vehicle or a highway maintenance vehicle from the duty to operate such vehicle with due regard for the safety of all persons using the highway.

[Acts 1955, ch. 329, § 31; T.C.A., § 59-832; Acts 2003, ch. 384, § 1.]

State: Texas

Citation: H.B. No. 252

Move-Over-Law: relating to vehicles[0] passing certain stationary emergency[0] vehicles[0] on a highway.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. This Act may be cited as the Move Over Act.

SECTION 2. Subchapter D, Chapter 545, Transportation Code, is amended by adding Section 545.157 to read as follows:

Sec. 545.157. PASSING AUTHORIZED EMERGENCY[0] VEHICLE[0]. (a) On approaching a stationary authorized emergency[0] vehicle[0] using visual signals that meet the requirements of Sections 547.305 and 547.702, an operator, unless otherwise directed by a police officer, shall:

(1) vacate the lane closest to the emergency[0] vehicle[0] when driving on a highway with two or more lanes traveling in the direction of the emergency[0] vehicle[0]; or
 (2) slow to a speed not to exceed:
 (A) 20 miles per hour less than the posted speed limit when the posted speed limit is 25 miles per hour or more; or
 (B) five miles per hour when the posted speed limit is less than 25 miles per hour.
 (b) An offense under this section is punishable by a fine of not less than \$60 or more than \$200. SECTION 3. This Act takes effect September 1, 2003.

State: Utah	Citation: Utah Code Ann. § 41-6-76 (2003)
--------------------	--

Move-Over-Law: § 41-6-76. Approaching emergency vehicle -- Necessary signals -- Stationary emergency vehicle -- Duties of respective operators

(1) Except when otherwise directed by a peace officer, the operator of a vehicle, upon the immediate approach of an authorized emergency vehicle using audible or visual signals under Section 41-6-14, 41-6-132, or 41-6-146 or of a peace officer vehicle lawfully using an audible or visual signal, shall:
 (a) yield the right-of-way and immediately move to a position parallel to, and as close as possible to, the right-hand edge or curb of the highway, clear of any intersection; and
 (b) then stop and remain there until the authorized emergency vehicle has passed.
 (2) The operator of a vehicle, upon approaching a stationary authorized emergency vehicle that is displaying alternately flashing red, red and white, or red and blue lights, shall:
 (a) reduce the speed of the vehicle;
 (b) provide as much space as practical to the stationary authorized emergency vehicle; and
 (c) if traveling in a lane adjacent to the stationary authorized emergency vehicle and if practical, with due regard to safety and traffic conditions, make a lane change into a lane not adjacent to the authorized emergency vehicle.
 (3) The operator of a vehicle, upon approaching a stationary tow truck or highway maintenance vehicle that is displaying flashing amber lights, shall:
 (a) reduce the speed of the vehicle; and
 (b) provide as much space as practical to the stationary tow truck or highway maintenance vehicle.
 (4) This section does not relieve the operator of an authorized emergency vehicle, tow truck, or highway maintenance vehicle from the duty to drive with regard for the safety of all persons using the highway.

State: Vermont	Citation: 23 V.S.A. §1050 (2002)
-----------------------	---

Move-Over-Law: §1050 (b) The operator of a vehicle which is approaching a stationary law enforcement vehicle which is displaying a blue or blue and white signal lamp, or a vehicle which is approaching a stationary ambulance, fire apparatus, a vehicle operated by a volunteer firefighter, or a motor vehicle used in rescue operations as set forth in section 1252 of this title which is displaying a red signal lamp, shall proceed with caution, and, if traveling on a four-lane highway, and safety conditions permit, make a lane change.

State: Virginia	Citation: §46.2-921.1
------------------------	------------------------------

Move-Over-Law: §46.2-921.1. Drivers to yield right-of-way or reduce speed when approaching stationary emergency vehicles on highways; penalties.

The driver of any motor vehicle, upon approaching a stationary emergency vehicle, as defined in § 46.2-920, that is displaying a flashing, blinking, or alternating emergency light or lights as provided in §§ 46.2-1022, 46.2-1023, and 46.2-1024, shall (i) on a highway having at

least four lanes, at least two of which are intended for traffic proceeding as the approaching vehicle, proceed with caution and, if reasonable, with due regard for safety and traffic conditions, yield the right-of-way by making a lane change into a lane not adjacent to that occupied by the stationary emergency vehicle or (ii) if changing lanes would be unreasonable or unsafe, proceed with due caution and maintain a safe speed for highway conditions.

Violation of any provision of this section shall constitute a Class 1 misdemeanor. If the violation resulted in damage to property of another person, the court may, in addition, order the suspension of the driver's privilege to operate a motor vehicle for not more than one year. If the violation resulted in injury to another person, the court may, in addition to any other penalty imposed, order the suspension of the driver's privilege to operate a motor vehicle for not more than two years. If the violation resulted in the death of another person, the court may, in addition to any other penalty imposed, order the suspension of the driver's privilege to operate a motor vehicle for two years.

State: West Virginia

Citation: W. Va. Code § 17C-14-9a (2003)

Move-Over-Law: § 17C-14-9a. Approaching authorized emergency vehicles; penalties

(a) The driver of any vehicle approaching a stationary authorized emergency vehicle, when the authorized emergency vehicle is giving a signal by displaying alternately flashing red, red and white, blue, or red and blue lights or amber or yellow warning lights, shall:

- (1) Proceed with due caution, yield the right-of-way by making a lane change not adjacent to that of the authorized emergency vehicle, if possible with regard to safety and traffic conditions, if on a highway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle and reduce speed to a safe level for road conditions; or
- (2) Proceed with due caution, reduce the speed of the vehicle, maintaining a safe speed not to exceed fifteen miles per hour on any nondivided highway or street and twenty-five miles per hour on any divided highway depending on road conditions, if changing lanes would be impossible or unsafe.

(b)

- (1) Any person who violates any subsection of this section is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than five hundred dollars or confined in the county or regional jail not more than sixty days, or both fined and imprisoned.
- (2) If violation of this section results in property damage in addition to any other penalty imposed, driving privileges of the persons causing the property damage shall be suspended for ninety days.
- (3) If violation of this section results in injury to another person in addition to any other penalty imposed, the driving privileges of the person causing the injury shall be suspended for six months.
- (4) If violation of this section results in the death of another person in addition to any other penalty imposed, the driving privileges of the person causing the death shall be suspended for two years.
- (5) Any person who violates any provision of this section and while doing so also violates section two [§ 17C-5-2], article five of this chapter is guilty of a misdemeanor and, upon conviction thereof, shall, in addition to the penalties set out in section two of said article and this section, be fined not less than one thousand dollars nor more than five thousand dollars, or confined in the county or regional jail for a period not more than six months, or both fined and imprisoned.

State: Wisconsin

Citation: Wis. Stat. §346.072 (2002)

Move-Over-Law: 346.072. Passing stopped emergency vehicles, tow trucks and highway machinery equipment.

(1) If an authorized emergency vehicle giving visual signal, a tow truck flashing red lamps, as required by s. 347.26 (6) (b), or any road machinery or motor vehicle used in highway construction or maintenance displaying the lights specified in s. 347.23 (1) (a) or (b) or, with respect to a motor vehicle, displaying the lights specified in s. 347.26 (7), is parked or standing on or within 12 feet of a roadway, the operator of a motor vehicle approaching such vehicle or machinery shall proceed with due regard for all other traffic and shall do either of the following:

(a) Move the motor vehicle into a lane that is not the lane nearest the parked or standing vehicle or machinery and continue traveling in that lane until safely clear of the vehicle or machinery. This paragraph applies only if the roadway has at least two lanes for traffic proceeding in the direction of the approaching motor vehicle and if the approaching motor vehicle may change lanes safely and without interfering with any vehicular traffic.

(b) Slow the motor vehicle, maintaining a safe speed for traffic conditions, and operate the motor vehicle at a reduced speed until completely past the vehicle or machinery. This paragraph applies only if the roadway has only one lane for traffic proceeding in the direction of the approaching motor vehicle or if the approaching motor vehicle may not change lanes safely and without interfering with any vehicular traffic.

(2) In addition to any penalty imposed under s. 346.17 (2), any person violating this section shall have his or her operating privilege suspended as provided in s. 343.30 (1o).

State: Wyoming

Citation: Wyo. Stat. § 31-5-224 (2002)

Move-Over-Law: § 31-5-224. Operation of vehicles upon approach of authorized emergency vehicles

(a) Upon the immediate approach of an authorized emergency vehicle making use of audible or visual signals meeting the requirements of W.S. 31-5-928 and 31-5-952, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer. When an authorized emergency vehicle making use of any visual signals provided for in W.S. 31-5-928(d) is parked, the driver of every other vehicle, as soon as it is safe:

- (i) When driving on an interstate highway or other highway with two (2) or more lanes traveling in the direction of the emergency vehicle, shall merge into the lane farthest from the emergency vehicle, except when otherwise directed by a police officer;
- (ii) When driving on a two (2) lane road, shall slow to a speed that is twenty (20) miles per hour less than the posted speed limit, except when a police officer;
- (ii) When driving on a two (2) lane road, shall slow to a speed that is twenty (20) miles per hour less than the posted speed limit, except when otherwise directed by a police officer.

(b) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.