**GENERAL ASSEMBLY OF NORTH CAROLINA**
**SESSION 2011**

**H** **D**

**HOUSE DRH70016-MA-67 (01/22)**

| | | |
|---|---|---|
| Short Title: | Modify Move Over Law. | (Public) |
| Sponsors: | Representative Randleman. | |
| Referred to: | | |

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE MOVE OVER LAW TO INCLUDE ALL HIGHWAY MAINTENANCE VEHICLES AND UTILITY VEHICLES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 20-157(f) reads as rewritten:

"(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 or public service 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 or public service 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 is being used to assist motorists or law enforcement officers with wrecked or disabled vehicles, or is a vehicle being used to restore ~~electric~~ utility ~~service~~ service, including electric, cable, phone, or gas, due to an unplanned event, or is a highway maintenance vehicle owned and operated by the State or a local government, and is operating an amber-colored flashing light authorized by G.S. 20-130.2. Violation of this subsection shall be negligence per se."

**SECTION 2.** This act becomes effective October 1, 2011, and applies to offenses committed on or after that date.