



# SENATE BILL 638: Move Over for Disabled Vehicles.

2023-2024 General Assembly

<b>Committee:</b>	Senate Rules and Operations of the Senate	<b>Date:</b>	May 1, 2023
<b>Introduced by:</b>	Sens. Sawyer, McInnis, Lazzara	<b>Prepared by:</b>	Kellette Wade
<b>Analysis of:</b>	First Edition		Staff Attorney

**OVERVIEW:** Senate Bill 638 would require drivers to move over or slow down when approaching any vehicle that is parked or standing within 12 feet of a roadway and displaying hazard lights, road flares, or other caution signals, as is required for drivers approaching stationary authorized emergency or public services vehicles.

**CURRENT LAW:** Currently, under G.S. 20-157 the driver of a motor vehicle must do the following:

- **When an authorized emergency vehicle approaches.** Subsection (a) requires a driver to pull over to the right-hand edge or curb, clear of any intersections, when approached by an emergency vehicle and stop until the vehicle passes unless otherwise directed by a law enforcement or traffic officer.
- **Following, parking near, or blocking fire apparatus.** Subsections (b), (c), and (d) make it unlawful to follow any fire apparatus too closely when it is traveling in response to a fire alarm, park too close to where a fire apparatus has stopped to answer an alarm, or drive a motor vehicle over or block a fire hose or any other equipment being used at a fire.
- **Parking near emergency vehicles at an accident scene.** Subsection (e) makes it unlawful to park and leave a vehicle within 100 feet of an emergency vehicle that is engaged in the investigation of an accident or is rendering assistance to victims of an accident.
- **When approaching a stationary authorized emergency or public service vehicle.** Subsection (f) requires a driver to pull over into the far lane when passing an authorized emergency or public service vehicle that is stopped within 12 feet of the roadway. If there is only one lane for traffic traveling in the direction of the approaching vehicle, or if the vehicle cannot move over safely, then the vehicle is required to slow down until it is clear of the emergency vehicle. Violation of subsection (f) is an infraction punishable by a fine of \$250.

**BILL ANALYSIS:** Senate Bill 638 would require drivers to move over or slow down, as required for drivers approaching stationary authorized emergency or public services vehicles, when passing any vehicle that is parked within 12 feet of the roadway and displaying hazard lights, road flares, or other caution signals. Violation would be an infraction punishable by a fine of \$250.

**EFFECTIVE DATE:** The act would become effective December 1, 2023, and apply to offenses committed on or after that date.

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