

ASSEMBLY, No. 1574

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Co-Sponsored by:

**Assemblyman McGuckin, Assemblywoman Murphy, Assemblyman
Rooney, Assemblywoman McKnight, Assemblyman Chiaravalloti and
Assemblywoman DiMaso**

SYNOPSIS

Imposes motor vehicle penalty points for certain violations of “move over law”; establishes public awareness campaign; designated as “Slow Down or Move Over, It’s the Law Act.”

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning motor vehicle penalties, designated as the
2 “Slow Down or Move Over, It’s the Law Act,” and amending
3 and supplementing P.L.2009, c.5.
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. Section 1 of P.L.2009, c.5 (C.39:4-92.2) is amended to read as
9 follows:

10 1. a. The operator of a motor vehicle approaching a stationary
11 authorized emergency vehicle as defined in R.S.39:1-1 that is
12 displaying a flashing, blinking, or alternating red or blue light , or **[.]**
13 any configuration of lights containing one of these colors, shall
14 approach the authorized emergency vehicle with due caution and shall,
15 absent any other direction by a law enforcement officer, proceed as
16 follows:

17 (1) Make a lane change into a lane not adjacent to the authorized
18 emergency vehicle if possible in the existing safety and traffic
19 conditions; or

20 (2) If a lane change pursuant to paragraph (1) of subsection a. of
21 this section would be impossible, prohibited by law or unsafe, reduce
22 the speed of the motor vehicle to a reasonable and proper speed for the
23 existing road and traffic conditions, which speed shall be less than the
24 posted speed limit, and be prepared to stop.

25 b. The operator of a motor vehicle approaching a stationary tow
26 truck as defined in section 1 of P.L.1999, c.396 (C.39:3-84.6) that is
27 displaying a flashing amber light, a stationary highway maintenance or
28 emergency service vehicle that is operated by the State, an authority,
29 or a county or municipality and displaying flashing yellow, amber, or
30 red lights, or a stationary sanitation vehicle displaying a flashing
31 amber warning light pursuant to section 1 of P.L.2011, c.3 (C.39:3-
32 54.27) shall approach the vehicle with due caution and shall, absent
33 any other direction by a law enforcement officer, proceed as follows:

34 (1) Make a lane change into a lane not adjacent to the tow truck,
35 highway maintenance or emergency service vehicle, or sanitation
36 vehicle if possible in the existing safety and traffic conditions; or

37 (2) If a lane change under paragraph (1) of subsection b. of this
38 section would be impossible, prohibited by law or unsafe, reduce the
39 speed of the motor vehicle to a reasonable and proper speed for the
40 existing road and traffic conditions, which speed shall be less than the
41 posted speed limit, and be prepared to stop.

42 c. A **[violation of]** person who violates this section shall be
43 **[punished by a fine of]** fined not less than \$100 and not more than
44 \$500 .

EXPLANATION – Matter enclosed in bold-faced brackets **[thus] in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

1 authorized, stationary vehicle is displaying flashing, blinking, or
2 alternating emergency lights at the time of the offense.

3 The bill also requires the Director of the Division of Highway
4 Traffic Safety to establish a public awareness campaign to inform
5 the general public concerning: the importance of compliance by
6 motor vehicle operators with the section 1 of P.L.2009, c.5; C.39:4-
7 92.2, the risks associated with the failure of a motor vehicle
8 operator to comply with the law, and the penalties and fines that are
9 imposed on a motor vehicle operator who violates this law.