

North Carolina State Highway Patrol

Presents

Move Over Law 20-157

Colonel W. J. Grey



20-157 Approach of Police, Fire, EMS Vehicles & Driving over fire hose or blocking firefighting & EMS equipment or Police vehicles. *Move Over*

- (a) Upon the approach of any law enforcement or fire department vehicle or public or private ambulance or rescue squad emergency service vehicle, or a vehicle operated by the Division of Marine Fisheries, or the Division of Parks and Recreation of the Department of Environment and Natural Resources, or the North Carolina Forest Service of the Department of Agriculture and Consumer Services when traveling in response to a fire alarm or other emergency response purpose, 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 the law enforcement or fire department vehicle, or the vehicle operated by the Division of Marine Fisheries, or the Division of Parks and Recreation of the Department of Environment and Natural Resources, or the North Carolina Forest Service of the Department of Agriculture and Consumer Services, or the 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.

20-157 Continued (Move Over Law)

(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 install, maintain, or restore utility service, including electric, cable, telephone, communications, and gas, or is a **highway maintenance vehicle owned and operated by or contracted by the State or a local government, and is operating an amber-colored flashing light authorized by G.S. 20-130.2. (adds DOT Vehicles)** 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).

20-157 Continued (Move Over Law)

(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). (1937, c. 407, s. 119; 1955, cc. 173, 744; 1971, c. 366, ss. 1, 2; 1985, c. 764, s. 31; 1985 (Reg. Sess., 1986), c. 852, s. 17; 1993, c. 539, s. 372; 1994, Ex. Sess., c. 24, s. 14(c); 2001-331, s. 1; 2005-189, s. 1; 2006-259, s. 9; 2007-360, s. 1; 2010-132, s. 12; 2012-14, s. 1; 2013-415, s. 1(e).)

Move Over Violations – 2014 Statewide

- Section f (Move Over no injury or damage) = 2928
- Section H (Minor injury or in excess of \$500.00 damage) = 11
- Section I (Serious injury or death) = 2

Move Over – Educational Programs

- 2014 Traffic Safety Programs = 751
- 2015 Traffic Safety Programs = 242

Public awareness and education are key

Work Zone Information – 2014 Highway Patrol

20-141. Speed restrictions. (j2) (Work Zone)

(j2) A person who drives a motor vehicle in a highway work zone at a speed greater than the speed limit set and posted under this section shall be required to pay a penalty of two hundred fifty dollars (\$250.00). This penalty shall be imposed in addition to those penalties established in this Chapter. **A "highway work zone" is the area between the first sign that informs motorists of the existence of a work zone on a highway and the last sign that informs motorists of the end of the work zone.** The additional penalty imposed by this subsection **applies only if signs are posted at the beginning and end of any segment of the highway work zone stating the penalty for speeding in that segment of the work zone.** The Secretary shall ensure that work zones shall only be posted with penalty signs if the Secretary determines, after engineering review, that the posting is necessary to ensure the safety of the traveling public due to a hazardous condition.

A law enforcement officer issuing a citation for a violation of this section while in a highway work zone shall indicate the vehicle speed and speed limit posted in the segment of the work zone, and determine whether the individual committed a violation of G.S. 20-141(j1). Upon an individual's conviction of a violation of this section while in a highway work zone, the clerk of court shall report that the vehicle was in a work zone at the time of the violation, the vehicle speed, and the speed limit of the work zone to the Division of Motor Vehicles.

- Citation \$250 Fine plus Court Costs \$190 = \$440.00
- Mandatory court appearance if 15 over the speed limit.

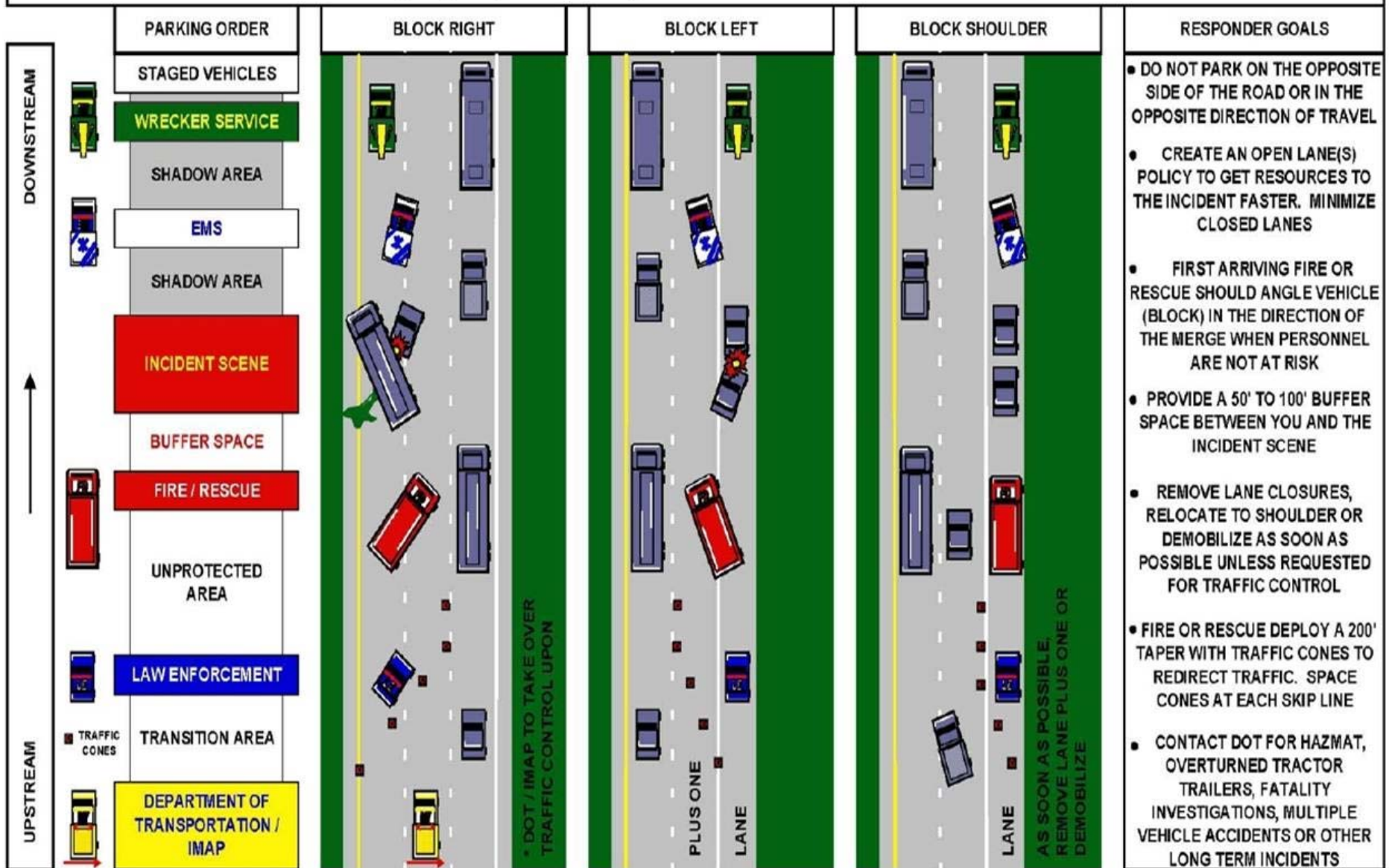
Work Zone Information – 2014 Highway Patrol

Passenger Vehicles				
Speed	Alcohol	Other	Warning	Crashes
15694	110	16932	5129	447

Commercial Motor Vehicles				
Speed	Alcohol	Other	Warning	Crashes
135	2	233	119	34

Emergency Responder Parking Order and Cone Placement Reference Card

1/27/09



Emergency Responder Highway & Interstate Safety Reference Card

	FENDER BENDER LAW	QUICK CLEARANCE LAW	MOVE OVER LAW
LAWS TO HELP EMERGENCY RESPONDERS	<p>General Statute § 20-166 states: If an accident or collision occurs on a main lane, ramp, shoulder, median or adjacent area of a highway, each vehicle shall be moved as soon as possible out of the travel lane and onto the shoulder to minimize interference with traffic if all of the following apply:</p> <p>The accident or collision has not resulted in injury or death to any person.</p> <p align="center"><u>and</u></p> <p>Each vehicle can be normally and safely driven under its own power without additional damage to the vehicle, other traffic or the roadway.</p>	<p>General Statute § 20-161 states:</p> <p>a) No person shall park or leave standing any vehicle, whether attended or unattended, upon the paved or main-traveled portion of any highway outside municipal corporate limits unless disabled and impossible to avoid stopping and temporarily leaving the vehicle upon the paved or main-traveled portion of the highway.</p> <p>b) No person shall park or leave standing any vehicle upon the shoulder outside municipal corporate limits unless it can be seen for 200 feet in both directions and does not obstruct the normal movement of traffic.</p> <p>f) Any investigating law enforcement officer, with the concurrence of DOT, may immediately remove or have removed from the State Highway System any wrecked, abandoned, disabled, unattended, burned... vehicle, cargo or personal property interfering with the regular flow of traffic or which otherwise constitutes a hazard, without liability for property removal.</p>	<p>General Statute § 20-157 states:</p> <p>e) It is unlawful for a driver, except on official business, to park and leave a 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.</p> <p>f) When approaching a stopped emergency vehicle with lights flashing, drivers should:</p> <p>Move over to an adjacent lane if available or when safe to do so,</p> <p align="center"><u>or</u></p> <p>Slow down, maintaining a safe speed for traffic conditions and be prepared to stop.</p>

**Assistance with Traffic Safety Presentations
related to the Move Over Law contact,**

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Questions?