

1 SB80
2 134750-5
3 By Senator Brewbaker
4 RFD: Commerce, Transportation, and Utilities
5 First Read: 07-FEB-12
6 PFD: 12/15/2011

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 Relating to motor vehicles; to amend Section
12 32-5A-58.2 of the Code of Alabama 1975, the Alabama Move Over
13 Act, to include utility services vehicles in the type of
14 vehicles on the roadside which the driver of another motor
15 vehicle is required to move over or slow down when
16 approaching.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. Section 32-5A-58.2 of the Code of Alabama
19 1975, is amended to read as follows:

20 "§32-5A-58.2.

21 "(a) This section shall be known as the "Alabama
22 Move Over Act."

23 "(b) (1) When an authorized law enforcement vehicle
24 or emergency vehicle making use of any visual signals is
25 parked, ~~or~~ when a wrecker displaying amber rotating or
26 flashing lights is performing a recovery or loading on the
27 roadside, or when a utility service vehicle operated by or on

1 behalf of an entity providing utility services displaying any
2 rotating lights, flashing lights, or other visual signals is
3 parked on the roadside while performing tasks associated with
4 the provision of utility services, the driver of every other
5 vehicle, as soon as it is safe, shall do the following:

6 "a. When driving on an interstate highway or other
7 highway with two or more lanes traveling in the direction of
8 the law enforcement vehicle, emergency vehicle, ~~or wrecker,~~ or
9 utility service vehicle, the driver shall vacate the lane
10 closest to the law enforcement vehicle, emergency vehicle, ~~or~~
11 ~~wrecker,~~ or utility service vehicle, unless otherwise directed
12 by a law enforcement officer. If not safe to move over, the
13 driver shall slow to a speed that is at least 15 miles per
14 hour less than the posted speed limit unless otherwise
15 directed by a law enforcement officer.

16 "b. When driving on a two-lane road, the driver
17 shall move as far away from the law enforcement vehicle,
18 emergency vehicle, wrecker, or utility service vehicle as
19 possible within his or her lane and slow to a speed that is 15
20 miles per hour less than the posted speed limit when the
21 posted speed limit is 25 miles per hour or greater or travel
22 at 10 miles per hour when the posted speed limit is 20 miles
23 per hour or less, unless otherwise directed by a law
24 enforcement officer.

25 "(2) A violation of this subsection is a misdemeanor
26 punishable by a fine of twenty-five dollars (\$25). Upon a
27 second violation of this subsection, the fine shall be fifty

1 dollars (\$50). Upon a third or subsequent violation, the fine
2 shall be one hundred dollars (\$100).

3 "(c) (1) The Department of Public Safety shall
4 provide an educational awareness campaign informing the
5 motoring public about this section. The department shall
6 provide information about this section in all newly printed
7 driver's license educational materials after January 1, 2010.

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

11 ~~"(3) Notwithstanding subsection (b), this section~~
12 ~~shall be enforced by a warning citation for six months after~~
13 ~~August 1, 2009."~~

14 Section 2. This act shall become effective on the
15 first day of the third month following its passage and
16 approval by the Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Commerce, Transportation, and Utili-
ties..... 07-FEB-12

Read for the second time and placed on the calen-
dar 1 amendment..... 14-FEB-12

Read for the third time and passed as amended 16-FEB-12

Yeas 33
Nays 0

Patrick Harris
Secretary