

**ASSEMBLY, No. 1179**

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**STATE OF NEW JERSEY**

**213th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

**Sponsored by:**

**Assemblywoman SHEILA Y. OLIVER**

**District 34 (Essex and Passaic)**

**Assemblywoman JOAN M. QUIGLEY**

**District 32 (Bergen and Hudson)**

**Assemblyman JAMES W. HOLZAPFEL**

**District 10 (Monmouth and Ocean)**

**Assemblywoman LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Co-Sponsored by:**

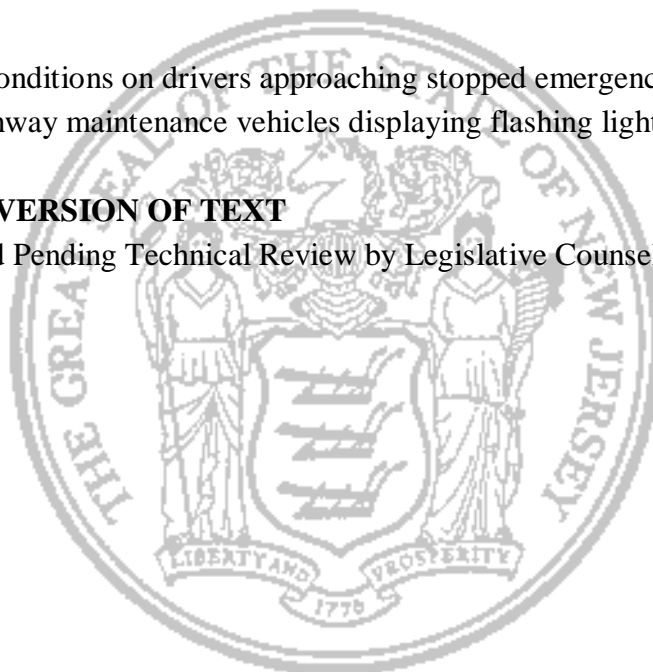
**Assemblywomen Vainieri Huttle, Wagner, Assemblymen Giblin, Ramos,  
Vas, Scalera, Conners and Gusciora**

**SYNOPSIS**

Imposes conditions on drivers approaching stopped emergency vehicles, tow trucks or highway maintenance vehicles displaying flashing lights.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



**(Sponsorship Updated As Of: 5/6/2008)**

1 AN ACT concerning motor vehicle operators and supplementing  
2 chapter 4 of Title 39 of the Revised Statutes.

3

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

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7 1. a. The operator of a motor vehicle approaching a stationary  
8 authorized emergency vehicle as defined in R.S.39:1-1 that is  
9 displaying a flashing, blinking or alternating red light shall  
10 approach the authorized emergency vehicle with due caution and  
11 shall, absent any other direction by a law enforcement officer,  
12 proceed as follows:

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

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

21 b. The operator of a motor vehicle approaching a stationary  
22 tow truck as defined in P.L.1999, c.396 (C.39:3-84.6 et seq.) that is  
23 displaying a flashing amber light or a stationary highway  
24 maintenance or emergency service vehicle that is operated by the  
25 State, an authority or a county or municipality and displaying  
26 flashing yellow, amber, or red lights shall approach the vehicle with  
27 due caution and shall, absent any other direction by a law  
28 enforcement officer, proceed as follows:

29 (1) Make a lane change into a lane not adjacent to the tow truck  
30 or highway maintenance or emergency service vehicle if possible in  
31 the existing safety and traffic conditions; or

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

37 c. A violation of this section shall be punished by a fine of not  
38 less than \$100 and not more than \$500.

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40 2. This act shall take effect immediately.

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STATEMENT

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45 This bill requires motor vehicle operators to reduce the speed of  
46 their vehicles and change lanes when approaching an authorized  
47 emergency vehicle, tow truck, or highway maintenance or

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1 emergency service vehicle that is displaying flashing, blinking, or  
2 alternating emergency lights.

3 Under the bill's provisions, the operator of a motor vehicle  
4 approaching an authorized emergency vehicle is to approach the  
5 vehicle with due caution and, absent any other direction by a law  
6 enforcement officer, make a lane change into a lane not adjacent to  
7 the authorized emergency vehicle. If a lane change would be  
8 impossible, prohibited by law or unsafe, the operator is to reduce  
9 the speed of the motor vehicle to a reasonable and proper speed for  
10 the existing road and traffic conditions, which must be less than the  
11 posted speed limit, and be prepared to stop.

12 The bill also requires the operator of a motor vehicle  
13 approaching a stationary tow truck or highway maintenance or  
14 emergency service vehicle to approach the vehicle with due caution  
15 and, absent any other direction by a law enforcement officer, make  
16 a lane change into a lane not adjacent to the tow truck or highway  
17 maintenance or emergency service vehicle if possible in the existing  
18 safety and traffic conditions. If a lane change would be impossible,  
19 prohibited by law or unsafe, the operator is to reduce the speed of  
20 the motor vehicle to a reasonable and proper speed for the existing  
21 road and traffic conditions, which must be less than the posted  
22 speed limit, and be prepared to stop.

23 A violation of the bill's provisions is punishable by a fine of  
24 \$100 to \$500.