

SENATE, No. 2501

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED APRIL 16, 2018

Sponsored by:
Senator VIN GOPAL
District 11 (Monmouth)

Co-Sponsored by:
Senator Holzapfel

SYNOPSIS

Imposes motor vehicle penalty points for violation of “move over law.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/14/2018)

1 AN ACT concerning motor vehicle penalties and amending
2 P.L.2009, c.5.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 1 of P.L.2009, c.5 (C.39:4-92.2) is amended to read
8 as follows:

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

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

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

24 b. The operator of a motor vehicle approaching a stationary
25 tow truck as defined in section 1 of P.L.1999, c.396 (C.39:3-84.6)
26 that is displaying a flashing amber light, a stationary highway
27 maintenance or emergency service vehicle that is operated by the
28 State, an authority or a county or municipality and displaying
29 flashing yellow, amber, or red lights, or a stationary sanitation
30 vehicle displaying a flashing amber warning light pursuant to
31 section 1 of P.L.2011, c.3 (C.39:3-54.27) shall approach the vehicle
32 with due caution and shall, absent any other direction by a law
33 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
39 the speed of the motor vehicle to a reasonable and proper speed for
40 the existing road and traffic conditions, which speed shall be less
41 than the 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 and assessed two motor vehicle penalty points pursuant to
45 section 1 of P.L.1982, c.43 (C.39:5-30.5).

46 (cf: P.L.2017, c.43, s.2)

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 2. This act shall take effect immediately.

2

3

4

STATEMENT

5

6 Under the “move over law” (section 1 of P.L.2009, c.5; C.39:4-
7 92.2), motor vehicle operators are required to reduce the speed of their
8 vehicles and change lanes when approaching an authorized emergency
9 vehicle; tow truck; or highway maintenance, emergency service, or
10 sanitation vehicle that is displaying flashing, blinking or alternating
11 emergency lights. Violators are subject to a fine between \$100 and
12 \$500.

13 This bill requires two motor vehicle penalty points to be assessed
14 when a motor vehicle operator violates the “move over law.” The
15 accumulation of motor vehicle penalty points may result in additional
16 penalties, including the imposition of surcharges and a license
17 suspension.