

1 SB80
2 134750-7
3 By Senator Brewbaker
4 RFD: Commerce, Transportation, and Utilities
5 First Read: 07-FEB-12
6 PFD: 12/15/2011

1 SB80

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4 ENROLLED, An Act,

5 Relating to motor vehicles; to amend Section
6 32-5A-58.2 of the Code of Alabama 1975, the Alabama Move Over
7 Act, to include utility services vehicles in the type of
8 vehicles on the roadside which the driver of another motor
9 vehicle is required to move over or slow down when
10 approaching.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. Section 32-5A-58.2 of the Code of Alabama
13 1975, is amended to read as follows:

14 "§32-5A-58.2.

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

17 "(b) (1) When an authorized law enforcement vehicle
18 or emergency vehicle making use of any visual signals is
19 parked, when a wrecker displaying amber rotating or flashing
20 lights is performing a recovery or loading on the roadside, or
21 when a utility service vehicle operated by or on behalf of an
22 entity providing utility services displaying any rotating
23 lights, flashing lights, or other visual signals is parked on
24 the roadside while performing tasks associated with the

1 provision of utility services, the driver of every other
2 vehicle, as soon as it is safe, shall do the following:

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

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

22 "(2) A violation of this subsection is a misdemeanor
23 punishable by a fine of twenty-five dollars (\$25). Upon a
24 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 Section 2. This act shall become effective on the
12 first day of the third month following its passage and
13 approval by the Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB80

Senate 16-FEB-12

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Passed: 09-MAY-12

By: Senator Brewbaker