

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

FILED SENATE
Apr 5, 2023
S.B. 638
PRINCIPAL CLERK

S

D

SENATE BILL DRS45270-MW-63

Short Title: Move Over for Disabled Vehicles.

(Public)

Sponsors: Senators Sawyer, McInnis, and Lazzara (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE DRIVERS TO MOVE OVER LANES UPON APPROACHING A
3 DISABLED VEHICLE DISPLAYING WARNING LIGHTS OR SIMILAR.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 20-157 reads as rewritten:

6 "§ 20-157. Approach of law enforcement, fire department or rescue squad vehicles or
7 ambulances; driving over fire hose or blocking fire fighting equipment; parking,
8 etc., near law enforcement, fire department, or rescue squad vehicle or
9 ambulance or ambulance; disabled vehicles.

10 ...

11 (f) When an authorized emergency vehicle listed in subsection (a) of this section, or a
12 public service vehicle, is parked or standing within 12 feet of a roadway and giving a warning
13 signal by appropriate light, the driver of every other approaching vehicle shall, as soon as it is
14 safe and when not otherwise directed by an individual lawfully directing traffic, do one of the
15 following:

16 (1) Move the vehicle into a lane that is not the lane nearest to the parked or
17 standing authorized emergency vehicle or public service vehicle and continue
18 traveling in that lane until safely clear of the authorized emergency vehicle or
19 public service vehicle. This subdivision applies only if the roadway has at least
20 two lanes for traffic proceeding in the direction of the approaching vehicle and
21 if the approaching vehicle may change lanes safely and without interfering
22 with any vehicular traffic.

23 (2) Slow the vehicle, maintaining a safe speed for traffic conditions, and operate
24 the vehicle at a reduced speed and be prepared to stop until completely past
25 the authorized emergency vehicle or public service vehicle. This subdivision
26 applies only if the roadway has only one lane for traffic proceeding in the
27 direction of the approaching vehicle or if the approaching vehicle may not
28 change lanes safely and without interfering with any vehicular traffic.

29 For purposes of this section, "public service vehicle" means a vehicle that is (i) being used to
30 assist motorists or law enforcement officers with wrecked or disabled vehicles, (ii) being used to
31 install, maintain, or restore utility service, including electric, cable, telephone, water, wastewater,
32 communications, and gas, (iii) being used in the collection of refuse, solid waste, or recycling, or
33 (iv) a highway maintenance vehicle owned and operated or contracted by the State or a local
34 government and is operating an amber-colored flashing light authorized by G.S. 20-130.2.
35 Violation of this subsection shall be negligence per se.



1 (f1) Subsection (f) of this section shall apply to the driver of every other approaching
2 vehicle when any motor vehicle is parked or standing within 12 feet of a roadway and displaying
3 hazard warning lights, road flares, or other caution signals, including traffic cones, caution signs,
4 or nonvehicular warning lights.

5 "

6 **SECTION 2.** This act becomes effective December 1, 2023, and applies to offenses
7 committed on or after that date.