

News



New Jersey
Office of the Attorney General

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Move Over. It's the Law.

State Police and Highway Safety officials join forces to draw attention to the new law

Cranbury, N.J. – A coalition of agencies promoted the new “Move Over Law” at the State Police’s New Jersey Turnpike Headquarters today to bring attention to a recently enacted law protecting roadside emergency workers. The outreach effort marks the beginning of a public awareness campaign to educate the state’s drivers on the legislation, which was signed into law by Gov. Jon S. Corzine on Jan. 27.

The coalition supporting today’s Move Over Law event included the Office of the Attorney General, the New Jersey State Police, the Division of Highway Traffic Safety, the New Jersey Motor Vehicle Commission, the Department of Transportation, the NJ Fire and Emergency Medical Services Institute, and AAA Clubs of New Jersey.

Public education for the Move Over Law has begun on a number of fronts. The Department of Transportation is transmitting a message over their Highway Advisory Radio (HAR) system telling motorists about the new law. Variable message signs on state highways and toll roads are pointing drivers to the radio frequencies for those messages. Today, the Office of the Attorney General launched a new website with Move Over Law information. This site will have links on other state government websites. The web address is www.moveoverlaw.com.

The new law requires motor vehicle operators to reduce their speed and change lanes when approaching authorized vehicles displaying emergency lights. Such vehicles include police, fire and medical services vehicles, and also highway maintenance, tow trucks and official motorist aid vehicles displaying amber emergency lights. Where possible, drivers are required to move over to create an empty lane next to the emergency vehicle. When safely changing lanes is not possible, drivers must slow down below the posted speed limit prior to passing emergency vehicles. Drivers should also be prepared to stop, if necessary.

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Move Over – page 2 of 4

“Motorists approaching stationery flashing lights, whether an ambulance, police, fire or tow truck, must heed the warning and safely move over to another lane, or slow down below the posted speed limit,” said Division of Highway Traffic Safety Director Pam Fischer. “Remember, emergency responders are there to help. Give them the space they need, so they can work safely.”

Major Matt Walker, who commands troopers on the Turnpike, has seen more than a few troopers and patrol vehicles hit by passing motorists. He outlined the risks that workers face while serving the public at roadside emergencies. Walker mentioned a crash two days ago (Monday) that injured a trooper on a traffic stop on Route 78 in Hillside, Union County. Nationwide since 1997, more than 150 law enforcement officers have been killed after being struck by vehicles along America's highways.

“New Jersey contains some of the busiest highways in the nation,” said Major Walker. “This law is a critical step in protecting the very workers that are protecting all motorists. But the second and most important step involves drivers obeying this law, and the State Police is ready to ‘encourage’ the public to do just that.”

Walker added: “To borrow a line from a law enforcement video, a Kevlar vest can stop a speeding bullet, but it cannot stop a speeding vehicle.”

Fines for violating this law run from \$100 to \$500 and will be determined by the municipal court in which the violator is charged.

Fischer said a public service message on the law will be distributed to minor league ballparks and other outdoor recreational venues this spring and summer. Posters with information on the law are also being developed for use by local and state law enforcement, community, traffic safety and emergency responders in New Jersey.

The New Jersey Motor Vehicle Commission will incorporate provisions of the law into their driver improvement program, and will be sending literature to driver training schools throughout the state. The agency will also be updating driver testing materials to reflect the new mandate.

“As with any new motor vehicle law, educating our state’s drivers is essential,” said MVC Deputy Chief Administrator Shawn Sheekey. “Through the use of the MVC’s educational tools, such as the New Jersey Driver Manual, we will be able share the Move Over message with a very important segment of the driving population - new drivers preparing for a lifetime behind the wheel.”

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Move Over – page 3 of 4

"Motorists' best bet is to merge safely away from emergency workers in the shoulder, providing an empty lane of protection while they work. Slowing down significantly is the next best move if this is not possible," AAA Clubs of New Jersey spokesman David Weinstein said. "AAA commends the Governor for signing this safety measure into law and law enforcement, particularly the New Jersey State Police, for informing motorists and enforcing the Move Over law, which acknowledges that the safety of emergency workers on our roadways is paramount."

"We are delighted to see such a rapid and comprehensive response to this important new law by so many agencies," said Paul Roman, president of the NJ Fire and Emergency Medical Services Institute. "Our effort will surely result in saved lives and safer working conditions for thousands of emergency response personnel in our state, many of whom are civilian volunteers."

New Jersey is the 44th state to pass a Move Over Law. Thirty of those states, including New Jersey, include tow trucks and highway maintenance vehicles as part of the move over requirement. New Jersey was among seven states in 2008 to move a bill like this.

Additional public education materials can also be found on the Division's web site, at www.njsaferoads.com. The full text of the Move Over statute follows:

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New Jersey Statute 39:4-92.2

Procedure for motorist approaching stationary authorized emergency vehicle, tow truck, highway maintenance or emergency service vehicle.

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

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

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

b. The operator of a motor vehicle approaching a stationary tow truck as defined in section 1 of P.L.1999, c.396 (C.39:3-84.6) that is displaying a flashing amber light or a stationary highway maintenance or emergency service vehicle that is operated by the State, an authority or a county or municipality and displaying flashing yellow, amber, or red lights shall approach the vehicle with due caution and shall, absent any other direction by a law enforcement officer, proceed as follows:

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

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

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

L. 2009, c.5, s.1.