

**Amendment - 1st Reading/2nd House-blue (S) Highways and Transportation**

- 2023

68th Legislature 2023

Drafter: Joe Carroll, 406-444-3804

HB0470.002.001

1 HOUSE BILL NO. 470  
2 INTRODUCED BY R. FITZGERALD, G. NIKOLAKAKOS, M. MARLER, D. FERN, M. THANE, L. BREWSTER,  
3 B. MERCER, N. NICOL, R. MARSHALL, D. LOGE, M. YAKAWICH, B. GILLESPIE, P. GREEN, J. LYNCH, P.  
4 TUSS, J. KARLEN, E. MATTHEWS, N. DURAM

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6 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING MOTOR VEHICLE LAWS; REVISING LAWS  
7 REGARDING YIELDING TO MOVING EMERGENCY VEHICLES; REVISING LAWS REGARDING SLOWING  
8 DOWN AND MOVING OVER FOR STATIONARY EMERGENCY VEHICLES AND HIGHWAY MAINTENANCE  
9 WORKER VEHICLES; REVISING RECKLESS ENDANGERMENT OF EMERGENCY PERSONNEL;  
10 REVISING RECKLESS ENDANGERMENT OF HIGHWAY WORKERS; PROVIDING DEFINITIONS;  
11 AMENDING SECTIONS 61-8-301, 61-8-321, 61-8-715, ~~AND 61-9-402~~, AND 61-9-431, MCA; AND  
12 REPEALING SECTION 61-8-346, MCA."

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14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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16 NEW SECTION. Section 1. Short title. [Sections 1 through 6] may be cited as the "Yield -- Slow  
17 Down -- Move Over Act".

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19 NEW SECTION. Section 2. Definitions. As used in [sections 3 through 6], the following definitions  
20 apply:

- 21 (1) "Emergency lights" means:
- 22 (a) for a law enforcement vehicle or an authorized emergency vehicle, visual signals meeting the  
23 requirements of 61-9-402; and
- 24 (b) for a highway ~~maintenance~~-WORKER vehicle, visible signals of flashing or rotating amber, ~~blue~~,  
25 red, or green lights.
- 26 (2) "Highway ~~maintenance~~-WORKER vehicle" means ~~an authorized vehicle that is engaged in~~  
27 ~~highway maintenance activities when the authorized vehicle is displaying flashing lights that meet the~~  
28 ~~requirements of the department of transportation~~ A VEHICLE AUTHORIZED TO WORK WITHIN A PUBLIC HIGHWAY. The

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NEW SECTION. Section 13. Codification instruction. [Sections 1 through 6] are intended to be codified as an integral part of Title 61, chapter 8, part 3, and the provisions of Title 61, chapter 8, part 3, apply to [sections 1 through 6].

COORDINATION SECTION. Section 14. Coordination instruction. If both House Bill No. 374 and [this act] are passed and approved, House Bill No. 374 contains sections amending 61-8-346 and 61-8-715, and [this act] contains a section repealing 61-8-346, then [section 3 of this act] must be amended as follows:

"NEW SECTION. Section 3. Yielding to moving emergency vehicle. (1) When being approached by a law enforcement vehicle or authorized emergency vehicle using its siren or emergency lights, the operator of a moving vehicle, unless otherwise directed by a law enforcement officer, shall:

(1)(a) yield the right-of-way to the law enforcement vehicle or authorized emergency vehicle; and

(2)(b) unless already stationary and out of the way of the law enforcement vehicle or authorized emergency vehicle:

(a)(i) drive cautiously to a position that is parallel to and as close as possible to the right-hand edge or curb of the roadway and is not in an intersection; and

(b)(ii) remain stationary until the law enforcement vehicle or authorized emergency vehicle has passed.

(2) An operator of a vehicle who violates this section is subject to the penalties provided in 61-8-715(3)."

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