

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

- 2023

68th Legislature 2023

Drafter: Joe Carroll, 406-444-3804

HB0470.002.001

HOUSE BILL NO. 470

INTRODUCED BY R. FITZGERALD, G. NIKOLAKAKOS, M. MARLER, D. FERN, M. THANE, L. BREWSTER,
B. MERCER, N. NICOL, R. MARSHALL, D. LOGE, M. YAKAWICH, B. GILLESPIE, P. GREEN, J. LYNCH, P.
TUSS, J. KARLEN, E. MATTHEWS, N. DURAM

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

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

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

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

(1) "Emergency lights" means:

(a) for a law enforcement vehicle or an authorized emergency vehicle, visual signals meeting the
requirements of 61-9-402; and

(b) for a highway ~~maintenance~~-WORKER vehicle, visible signals of flashing or rotating amber, ~~blue~~,
red, or green lights.

(2) "Highway ~~maintenance~~-WORKER vehicle" means ~~an authorized vehicle that is engaged in~~
~~highway maintenance activities when the authorized vehicle is displaying flashing lights that meet the~~
~~requirements of the department of transportation~~ A VEHICLE AUTHORIZED TO WORK WITHIN A PUBLIC HIGHWAY. The

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

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

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

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

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

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

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

19 (2) An operator of a vehicle who violates this section is subject to the penalties provided in 61-8-
20 715(3)."

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