

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
VEHICLES; REVISING RECKLESS ENDANGERMENT OF EMERGENCY PERSONNEL; REVISING
RECKLESS ENDANGERMENT OF HIGHWAY WORKERS; PROVIDING DEFINITIONS; AMENDING
SECTIONS 61-8-321, 61-8-715, AND 61-9-402, 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 vehicle, visible signals of flashing or rotating amber, blue, red, or
green lights.

(2) "Highway maintenance 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. The term also includes a tow truck, a snow plow, or any other vehicle with
additional lighting equipment activated with lights additional in addition to its original equipment manufacturer

lights, ~~a rural electric cooperative vehicle, and a rural telephone cooperative vehicle.~~

(3) "Highway worker" means a person operating or working within 100 feet of a highway maintenance vehicle using its emergency lights.

(4) "Siren" means an audible signal meeting the requirements of 61-9-402.

NEW SECTION. Section 3. Yielding to moving emergency vehicle. 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) yield the right-of-way to the law enforcement vehicle or authorized emergency vehicle; and

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

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

NEW SECTION. Section 4. Approaching stationary emergency vehicle. When approaching a stationary law enforcement vehicle or authorized emergency vehicle using its siren or emergency lights or a stationary highway maintenance vehicle using its emergency lights, the operator of a moving vehicle shall:

(1) cautiously and carefully reduce the vehicle's speed to the temporary posted speed limit. If a temporary speed limit has not been posted, the operator of a moving vehicle shall reduce the vehicle's speed to a speed:

(a) 20 miles an hour below the posted speed limit on the interstate if the operator of a moving vehicle is able to move lanes, or to one-half the posted speed limit if the operator of a moving vehicle is not able to move lanes;

(b) 30 miles an hour below the posted speed limit on a state highway or county road if the operator of a moving vehicle is able to move lanes, or to one-half the posted speed limit if the operator of a moving vehicle is not able to move lanes; and