

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 VEHICLES; REVISING RECKLESS ENDANGERMENT OF EMERGENCY PERSONNEL; REVISING
 10 RECKLESS ENDANGERMENT OF HIGHWAY WORKERS; PROVIDING DEFINITIONS; AMENDING
 11 SECTIONS 61-8-321, 61-8-715, AND 61-9-402, MCA; AND REPEALING SECTION 61-8-346, MCA."

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

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

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

20 (1) "Emergency lights" means:
 21 (a) for a law enforcement vehicle or an authorized emergency vehicle, visual signals meeting the
 22 requirements of 61-9-402; and

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

25 (2) "Highway maintenance vehicle" means an authorized vehicle that is engaged in highway
 26 maintenance activities when the authorized vehicle is displaying flashing lights that meet the requirements of
 27 the department of transportation. The term also includes a tow truck, a snow plow, or any other vehicle with
 28 additional lighting equipment activated with lights additional-in addition to its original equipment manufacturer

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

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

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

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

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

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

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

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

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

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

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

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