

## November Law of the Month

### 346.072 Passing stopped emergency or roadside service vehicles.

- (1g)** In this section, “emergency or roadside service vehicle” means any of the following:
- (a)** An authorized emergency vehicle giving visual signal.
  - (b)** A tow truck flashing red lamps, as required by s. [347.26 \(6\) \(b\)](#).
  - (c)** Any road machinery or motor vehicle used in highway construction or maintenance displaying the lights specified in s. [347.23 \(1\) \(a\)](#) or [\(b\)](#) or, with respect to a motor vehicle, displaying the lights specified in s. [347.26 \(7\)](#).
  - (d)** Any vehicle of a public utility, telecommunications carrier, or cooperative association described in s. [347.26 \(9\)](#) displaying one or more flashing amber lamps as provided in s. [347.26 \(9\)](#).
- (1m)** If an emergency or roadside service vehicle is parked or standing on or within 12 feet of a roadway, the operator of a motor vehicle approaching the emergency or roadside service vehicle shall proceed with due regard for all other traffic and shall do either of the following:
- (a)** Move the motor vehicle into a lane that is not the lane nearest the parked or standing emergency or roadside service vehicle and continue traveling in that lane until safely clear of the emergency or roadside service vehicle. This paragraph applies only if the roadway has at least two lanes for traffic proceeding in the direction of the approaching motor vehicle and if the approaching motor vehicle may change lanes safely and without interfering with any vehicular traffic.
  - (b)** Slow the motor vehicle, maintaining a safe speed for traffic conditions, and operate the motor vehicle at a reduced speed until completely past the emergency or roadside service vehicle. This paragraph applies only if the roadway has only one lane for traffic proceeding in the direction of the approaching motor vehicle or if the approaching motor vehicle may not change lanes safely and without interfering with any vehicular traffic.

Violations can result in a \$263.50 fine and an assessment of three demerit points. May also result in operating privilege being suspended.

“During winter months, law enforcement officers, tow truck operators and others frequently must respond to crashes and assist motorists whose vehicles have slid off icy roads. Officers and other workers are in danger of being hit while inside or outside their vehicles by out-of-control or speeding vehicles that did not move over. “Drivers have a legal and moral responsibility to help protect those who must work on the side of busy roads. By obeying the Move Over Law, drivers can protect themselves, their passengers, our officers and others who work on highways from serious injuries and deaths.”