

## CHAPTER 370

AN ACT concerning motor vehicle penalties, designated as the “Slow Down or Move Over, It’s the Law Act,” and amending and supplementing P.L.2009, c.5.

**BE IT ENACTED** by the Senate and General Assembly of the State of New Jersey:

1. Section 1 of P.L.2009, c.5 (C.39:4-92.2) is amended to read as follows:

C.39:4-92.2 Procedure for motorist approaching certain stationary vehicles.

1. a. The operator of a motor vehicle approaching a stationary authorized emergency vehicle as defined in R.S.39:1-1 that is displaying a flashing, blinking, or alternating red or blue light, or any configuration of lights containing one of these colors, shall approach the authorized emergency vehicle with due caution and shall, absent any other direction by a law enforcement officer, proceed as follows:

(1) Make a lane change into a lane not adjacent to the authorized emergency vehicle if possible in the existing safety and traffic conditions; or

(2) If a lane change pursuant to paragraph (1) of subsection a. of this section would be impossible, prohibited by law or unsafe, reduce the speed of the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which speed shall be less than the posted speed limit, and be prepared to stop.

b. The operator of a motor vehicle approaching a stationary tow truck as defined in section 1 of P.L.1999, c.396 (C.39:3-84.6) that is displaying a flashing amber light, a stationary highway maintenance or emergency service vehicle that is operated by the State, an authority, or a county or municipality and displaying flashing yellow, amber, or red lights, or a stationary sanitation vehicle displaying a flashing amber warning light pursuant to section 1 of P.L.2011, c.3 (C.39:3-54.27) shall approach the vehicle with due caution and shall, absent any other direction by a law enforcement officer, proceed as follows:

(1) Make a lane change into a lane not adjacent to the tow truck, highway maintenance or emergency service vehicle, or sanitation vehicle if possible in the existing safety and traffic conditions; or

(2) If a lane change under paragraph (1) of subsection b. of this section would be impossible, prohibited by law or unsafe, reduce the speed of the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which speed shall be less than the posted speed limit, and be prepared to stop.

c. A person who violates this section shall be fined not less than \$100 and not more than \$500.

In addition to the fine imposed pursuant to this subsection, a person convicted of three or more offenses under this section that occur within a 12-month period shall be assessed two motor vehicle penalty points pursuant to section 1 of P.L.1982, c.43 (C.39:5-30.5).

A motor vehicle operator shall not be assessed motor vehicle penalty points unless the stationary vehicle is displaying flashing, blinking, or alternating lights in accordance with this section at the time of the third or subsequent violation .

C.39:4-92.3 Public awareness campaign.

2. The Director of the Division of Highway Traffic Safety in the Department of Law and Public Safety shall establish a public awareness campaign to inform the general public concerning:

(1) the importance of motor vehicle operators reducing the speed of their vehicles and changing lanes when approaching an authorized emergency vehicle; tow truck; or highway

maintenance, emergency service, or sanitation vehicle that is displaying flashing, blinking, or alternating emergency lights as required pursuant to section 1 of P.L.2009, c.5 (C.39:4-92.2);

(2) the risks associated with the failure of a motor vehicle operator to comply with the provisions of section 1 of P.L.2009, c.5 (C.39:4-92.2); and

(3) the penalties and fines that are imposed on a motor vehicle operator who violates section 1 of P.L.2009, c.5 (C.39:4-92.2).

3. This act shall take effect on the first day of the eighth month next following the date of enactment.

Approved January 20, 2020.