

B-Engrossed
House Bill 2040

Ordered by the House March 30
Including House Amendments dated March 17 and March 30

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Transportation for AAA Oregon/Idaho, Northwest Auto Trades Association, Oregon Tow Truck Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Expands offense of failure to maintain safe distance from emergency vehicle or ambulance to include roadside assistance vehicles and tow vehicles. Specifies amount by which motorists [*on certain highways*] must reduce speed for purposes of offense.

A BILL FOR AN ACT

Relating to roadside assistance; creating new provisions; and amending ORS 811.147.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 811.147 is amended to read:

811.147. (1) **As used in this section, "roadside assistance vehicle" means a vehicle with warning lights that responds to requests for repair assistance from motorists with disabled vehicles.**

[(1)] (2) A person operating a motor vehicle commits the offense of failure to maintain a safe distance from an emergency vehicle, **roadside assistance vehicle, tow vehicle** or ambulance if the person approaches an emergency vehicle, **roadside assistance vehicle, tow vehicle** or ambulance that is stopped and is displaying required warning lights and the person:

(a) On a highway having two or more lanes for traffic in a single direction, fails to:

(A) Make a lane change to a lane not adjacent to that of the emergency vehicle, **roadside assistance vehicle, tow vehicle** or ambulance; or

(B) Reduce the speed of the motor vehicle **to a speed that is at least five miles per hour under the posted speed limit**, if making a lane change is unsafe.

(b) On a two directional, two-lane highway, fails to reduce the speed of the motor vehicle **to a speed that is at least five miles per hour under the posted speed limit.**

[(2)] (3) The offense described in this section, failure to maintain a safe distance from an emergency vehicle, **roadside assistance vehicle, tow vehicle** or ambulance, is a Class B traffic violation.

SECTION 2. The amendments to ORS 811.147 by section 1 of this 2009 Act apply to offenses committed on or after the effective date of this 2009 Act.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.