

**Enrolled**  
**House Bill 2040**

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)

CHAPTER .....

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.

**Passed by House April 1, 2009**

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Chief Clerk of House

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Speaker of House

**Passed by Senate May 14, 2009**

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President of Senate

**Received by Governor:**

.....M,....., 2009

**Approved:**

.....M,....., 2009

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Governor

**Filed in Office of Secretary of State:**

.....M,....., 2009

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Secretary of State