



Oregon

Kate Brown, Governor

Department of Transportation

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DATE: April 27, 2017

TO: House Committee on Judiciary

FROM: Paul Mather, Administrator
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SUBJECT: SB 34 – Expansion of Move Over Law

INTRODUCTION

Senate Bill 34 would expand the existing “Move Over” law so that it applies to all stopped motor vehicles displaying hazard lights or indicating distress. ODOT supports the bill as a means to ensure its employees, contractors and the public are safe when stopped along Oregon’s highways.

DISCUSSION

Current law requires that motorists move over a lane on a highway with two or more lanes in a single direction or slow down on two-lane, two-directional highway by at least five miles an hour below the posted speed for an emergency vehicle, a roadside assistance vehicle, a tow vehicle or ambulance if they are displaying required warning lights. These are often high-speed roads and there is significant danger to anyone stopped along a highway. The current law does not apply to Oregon Department of Transportation employees, ODOT contractors and other motorists who are stopped on highway shoulders.

Senate Bill 34 would change the law, and require motorists move over a lane or slow down for any vehicle stopped and displaying warning or hazard lights, flares or an emergency sign on a highway shoulder. Many motorists already do this as a matter of courtesy. The measure would put the requirement in Oregon law.

Oregon highway maintenance employees are at risk daily in the course of their regular duties. The nature of their duties requires that they work alongside high-speed traffic. We take precautions by ensuring that our workzones are set up to protect employees, but even with those precautions, employees are at risk. In addition, much of our work that impacts travel lanes is done during nighttime hours to minimize the disruption to traffic, which increases the risk. Attached are several examples of ODOT vehicles that have been hit and employees injured while parked on a highway shoulder with lights flashing.

Requiring vehicles to slow down or move over provides the stopped vehicle with an extra measure of safety, whether it be a motorist changing a tire, a disabled commercial truck, an emergency vehicle responding to a crash, workers in a highway construction work zone, or an ODOT maintenance employee engaged in highway maintenance.

SUMMARY

SB 34 changes Oregon law to protect motorists who are stopped along the side of a highway. ODOT supports passage of the bill as it provides an extra measure of security to those who must stop along high-speed highways.

Attachments: Examples of crashes involving ODOT vehicles parked along a highway shoulder

ODOT vehicle was parked on the Tualatin-Valley Highway (four-lane highway) shoulder with lights flashing following completion of maintenance activities. The black pickup had been driving erratically and rear-ended the ODOT vehicle at a high rate of speed.



An ODOT crew was performing maintenance on US 26 in Portland. The ODOT vehicle was parked on the shoulder of the highway with traffic cones in place, marking the work zone. An ODOT employee was standing behind the ODOT vehicle when the vehicle was rear-ended. The employee managed to jump in time and landed on the car, and while his legs were trapped between the two vehicles, they were not crushed. He walked away from the incident.

