

**SB 34 A STAFF MEASURE SUMMARY**

**Carrier:** Rep. Olson

**House Committee On Judiciary**

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**Action Date:** 05/18/17

**Action:** Do pass with amendments. (Printed A-Eng.)

**Vote:** 11-0-0-0

**Yeas:** 11 - Barker, Gorsek, Greenlick, Lininger, Olson, Post, Sanchez, Sprenger, Stark, Vial, Williamson

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Whitney Perez, Counsel

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**WHAT THE MEASURE DOES:**

Expands "move over law" to include all motor vehicles stopped and displaying required warning or hazard lights, or when person is using emergency flares or posting emergency signs. Allows motorist to either slow down or change lanes, without requiring assessment of whether lane change is unsafe before choosing option to slow down. Provides exemption if the stopped vehicle is in designated parking area.

**ISSUES DISCUSSED:**

- When a driver is allowed to slow down versus move over
- Current law is not applicable for road workers or utility workers
- Statistics of persons injured by passing vehicles while on side of road
- The -1 amendment would modify existing law as well as this expansion

**EFFECT OF AMENDMENT:**

Allows motorist to either slow down or change lanes, without requiring assessment of whether lane change is unsafe before choosing slow down option.

**BACKGROUND:**

Oregon's current "move over law" requires a person operating a motor vehicle to change lanes to a non adjacent lane when approaching an emergency vehicle, roadside assistance vehicle, tow vehicle, or ambulance that is stopped and displaying warning lights. If it is not possible to change lanes, the operator must reduce speed by at least five miles per hour under the speed limit. A violation of this law is a Class B traffic violation. Senate Bill 34-A expands this law to cover all motor vehicles that are stopped and displaying required warning or hazard lights, or when a person is indicating distress by using emergency flares or posting emergency signs. It also modifies the existing law to allow an operator to elect to slow down in lieu of changing lanes, without requiring a determination that it is unsafe to make a lane change. Finally, SB 34-A also adds an exemption if the stopped motor vehicle is in a designated parking area.