

P.L. 2019, CHAPTER 370, *approved January 20, 2020*

Assembly, No. 3890 (*Second Reprint*)

1 AN ACT concerning motor vehicle penalties ², designated as the
2 “Slow Down or Move Over, It’s the Law Act,”² and amending
3 and supplementing¹ P.L.2009, c.5.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. Section 1 of P.L.2009, c.5 (C.39:4-92.2) is amended to read as
9 follows:

10 1. a. The operator of a motor vehicle approaching a stationary
11 authorized emergency vehicle as defined in R.S.39:1-1 that is
12 displaying a flashing, blinking^{1,1} or alternating red or blue light ^{2,2} or
13 **[.]**² any configuration of lights containing one of these colors, shall
14 approach the authorized emergency vehicle with due caution and shall,
15 absent any other direction by a law enforcement officer, proceed as
16 follows:

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

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

25 b. The operator of a motor vehicle approaching a stationary tow
26 truck as defined in section 1 of P.L.1999, c.396 (C.39:3-84.6) that is
27 displaying a flashing amber light, a stationary highway maintenance or
28 emergency service vehicle that is operated by the State, an authority^{1,1}
29 or a county or municipality and displaying flashing yellow, amber, or
30 red lights, or a stationary sanitation vehicle displaying a flashing
31 amber warning light pursuant to section 1 of P.L.2011, c.3 (C.39:3-
32 54.27) shall approach the vehicle with due caution and shall, absent
33 any other direction by a law enforcement officer, proceed as follows:

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

37 (2) If a lane change under paragraph (1) of subsection b. of this
38 section would be impossible, prohibited by law or unsafe, reduce the
39 speed of the motor vehicle to a reasonable and proper speed for the

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ALP committee amendments adopted December 3, 2018.

²Assembly AAP committee amendments adopted November 14, 2019.

1 existing road and traffic conditions, which speed shall be less than the
2 posted speed limit, and be prepared to stop.

3 c. A ~~violation of~~ person who violates this section shall be
4 ~~punished by a fine of~~ fined not less than \$100 and not more than
5 \$500 ~~and~~ .

6 In addition to the fine imposed pursuant to this subsection, a
7 person convicted of three or more offenses under this section that
8 occur within a 12-month period shall be² assessed two motor vehicle
9 penalty points pursuant to section 1 of P.L.1982, c.43 (C.39:5-30.5).

10 ²A motor vehicle operator shall not be assessed motor vehicle
11 penalty points unless the stationary vehicle is displaying flashing,
12 blinking, or alternating lights in accordance with this section at the
13 time of the third or subsequent violation².

14 (cf: P.L.2017, c.43, s.2)

15

16 ¹2. The ²~~Chief Administrator of the New Jersey Motor Vehicle~~
17 ~~Commission~~ Director of the Division of Highway Traffic Safety in
18 the Department of Law and Public Safety² shall establish a public
19 awareness campaign to inform the general public concerning:

20 (1) the importance of motor vehicle operators reducing the speed
21 of their vehicles and changing lanes when approaching an authorized
22 emergency vehicle; tow truck; or highway maintenance, emergency
23 service, or sanitation vehicle that is displaying flashing, blinking, or
24 alternating emergency lights as required pursuant to section 1 of
25 P.L.2009, c.5 (C.39:4-92.2);

26 (2) the risks associated with the failure of a motor vehicle operator
27 to comply with the provisions of section 1 of P.L.2009, c.5 (C.39:4-
28 92.2); and

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

31

32 ¹~~2.~~ 3.¹ This act shall take effect ²immediately on the first
33 day of the eighth month next following the date of enactment².

34

35

36

37 Imposes motor vehicle penalty points for certain violations of
38 “move over law”; establishes public awareness campaign;
39 designated as “Slow Down or Move Over, It’s the Law Act.”