

## **Move Over Law**

### **Interim Topic**

#### **Background**

Employee safety is WYDOT's first priority. In 2001, "move over" legislation was passed in Wyoming, and originally it only included "authorized emergency vehicles."

An "authorized emergency vehicle" per W.S. 31-5-102 generally includes law enforcement, emergency medical services, and fire response vehicles. It also includes tow trucks, when at the scene of a crash or when picking up a disabled vehicle roadside, when equipped with appropriate emergency lights. In 2015, tow trucks were added to W.S. 31-5-102, defining them as "parked authorized emergency vehicles" while at the scene of a wrecked, disabled, or stalled motor vehicle and equipped with proper emergency lighting.

W.S. 31-5-224 directs drivers of vehicles being approached by "an authorized emergency vehicle" to yield the right of way, and to pull to the right-hand edge or curb of the roadway. It also directs drivers, when approaching a parked "authorized emergency vehicle" using any visual signals described in W.S. 31-5-928(d), to merge into the farthest lane from the emergency vehicle, when driving on an interstate highway or other highway with 2 or more lanes of travel in the same direction. When approaching an authorized emergency vehicle using any visual signals described in W.S. 31-5-928(d) and parked on the shoulder of a 2 lane road, drivers are expected to slow to a speed that is 20 miles per hour less than the posted speed limit.

#### **Issue**

From 2008 through 2015, a total of 205 rear-end crashes occurred involving state, county, or city maintenance vehicles. That number includes 1 fatality and 55 injury crashes. Four of these vehicles were parked, and 14 were involved in maintenance or construction type activity. That leaves 187 other incidents in which vehicles were engaged in some other activity, such as turning left/right, stopping in traffic, and so forth.

#### **Legislative Recommendations**

Most states have move-over laws that include emergency vehicles such as law enforcement, emergency medical services, and fire response vehicles, and 12 of those also include highway maintenance/construction vehicles, as well as public utility, telecommunications carriers, and vehicles owned by cooperative associations.

The Legislature should consider that state, county, or city maintenance/construction workers and public utility workers be included in the group protected by the move-over law, when parked or working on the roadway. One possible way to include highway maintenance/construction vehicles and public utility and other vehicles in the move over law may be to introduce a definition of "authorized vehicle" or "official vehicle," which would include maintenance/construction/service vehicles working within the highway right of way.

States with  
Move Over Law



States that Include DOT Vehicles  
Within the Move Over Law

