HB290
198415-2
By Representative Sells
RFD: Public Safety and Homeland Security
First Read: 02-APR-19
ENROLLED, An Act,

Relating to the Alabama Move Over Act; to amend Section 32-5A-58.2, Code of Alabama 1975, to increase the fine associated with a violation of the act; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Amendment 621 of the Constitution of Alabama of 1901, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-5A-58.2, Code of Alabama 1975, is amended to read as follows:

"§32-5A-58.2."
"(a) This section shall be known as the "Alabama Move Over Act."
"(b)(1) When an authorized law enforcement vehicle or emergency vehicle making use of any visual signals is parked, when a wrecker displaying amber rotating or flashing lights is performing a recovery or loading on the roadside, when a utility service vehicle operated by or on behalf of an entity providing utility services displaying any rotating lights, flashing lights, or other visual signals is parked on the roadside while performing tasks associated with the
provision of utility services, when a vehicle displaying
flashing lights is parked or engaged in the performance of
official duties on or along a road, or when a garbage, trash,
refuse, or recycling collection vehicle is actively collecting
garbage, trash, refuse, or recycling materials on the
roadside, the driver of every other vehicle, as soon as it is
safe, shall do the following:

"a. When driving on an interstate highway or other
highway with two or more lanes traveling in the direction of
the law enforcement vehicle, emergency vehicle, wrecker,
utility service vehicle, vehicle displaying flashing lights,
or garbage, trash, refuse, or recycling collection vehicle,
the driver shall vacate the lane closest to the law
enforcement vehicle, emergency vehicle, wrecker, utility
service vehicle, vehicle displaying flashing lights, or
garbage, trash, refuse, or recycling collection vehicle,
unless otherwise directed by a law enforcement officer. If it
is not safe to move over, the driver shall slow to a speed
that is at least 15 miles per hour less than the posted speed
limit unless otherwise directed by a law enforcement officer.

"b. When driving on a two-lane road, the driver
shall move as far away from the law enforcement vehicle,
emergency vehicle, wrecker, utility service vehicle, vehicle
displaying flashing lights, or garbage, trash, refuse, or
recycling collection vehicle as possible within his or her
lane and slow to a speed that is 15 miles per hour less than
the posted speed limit when the posted speed limit is 25 miles
per hour or greater or travel at 10 miles per hour when the
posted speed limit is 20 miles per hour or less, unless
otherwise directed by a law enforcement officer.

"(2) A violation of this subsection is a misdemeanor
punishable by a fine of twenty-five dollars ($25) one hundred
dollars ($100). Upon a second violation of this subsection,
the fine shall be fifty dollars ($50) one hundred fifty
dollars ($150). Upon a third or subsequent violation, the fine
shall be one hundred dollars ($100) two hundred dollars
($200).

"(c)(1) The Alabama State Law Enforcement Agency
shall provide an educational awareness campaign informing the
motoring public about this section. The agency shall provide
information about this section in all newly printed driver's
license educational materials after January 1, 2010.

"(2) This section shall not relieve the driver of an
authorized emergency vehicle from the duty to drive with due
regard for the safety of all persons using the highway."

Section 2. Although this bill would have as its
purpose or effect the requirement of a new or increased
expenditure of local funds, the bill is excluded from further
requirements and application under Amendment 621, now
appearing as Section 111.05 of the Official Recompilation of
the Constitution of Alabama of 1901, as amended, because the
bill defines a new crime or amends the definition of an
existing crime.

Section 3. This act shall become effective on the
first day of the third month following its passage and
approval by the Governor, or its otherwise becoming law.
HB290

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[Signature]

Speaker of the House of Representatives

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[Signature]

President and Presiding Officer of the Senate

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House of Representatives

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I hereby certify that the within Act originated in

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and was passed by the House 23-MAY-19.

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Jeff Woodard

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Clerk

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Senate 30-MAY-19 Passed

APPROVED 6-10-19

TIME 2:18

[Signature]

GOVERNOR

Alabama Secretary Of State

Act Num....: 2019-520
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This bill having been referred to the Standing Committee of the Senate on

and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report

by a vote of

yeas ___ nays ___ abstain ___

this ___ day of ___ 2019

Chairperson

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill.

PATRICK HARRIS,
Secretary

And was ordered returned forthwith to the House.

PATRICK HARRIS
Secretary