

By Mr. Barrios, a petition (accompanied by bill, Senate, No. 1869) of Jarrett T. Barrios and Kathi-Anne Reinstein for legislation relative to the operation of vehicles and actions of pedestrians on approach of authorized emergency vehicles. Transportation.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO THE OPERATION OF VEHICLES AND ACTIONS OF PEDESTRIANS ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 90 as appearing in the 2002 Official Edition is hereby  
2 amended by inserting after section 16A the following section:—

3 Section 16B. (a) Upon the immediate approach of an autho-  
4 rized emergency vehicle that is en route to meet an existing emer-  
5 gency, the driver of every other vehicle shall, when such  
6 emergency vehicle is giving audible signals by siren, exhaust  
7 whistle, or other adequate device, or visible signals by the use of  
8 displayed blue or red lights, yield the right-of-way to the emer-  
9 gency vehicle and shall immediately proceed to a position parallel  
10 to, and as close as reasonable to, the closest edge of the curb of  
11 the roadway, clear of any intersection and shall stop and remain in  
12 position until the authorized emergency vehicle has passed or  
13 unless otherwise directed by any law enforcement officer.

14 (b) When an authorized emergency vehicle making use of any  
15 visual signals is parked or a wrecker displaying amber rotating or  
16 flashing lights is performing a recovery or loading on the road-  
17 side, the driver of every other vehicle, as soon as it is safe:

18 (1) shall vacate the lane closest to the emergency vehicle or  
19 wrecker when driving on an interstate highway or other highway  
20 with two or more lanes traveling in the direction of the emergency  
21 vehicle or wrecker, except when otherwise directed by a law  
22 enforcement officer; and

23 (2) shall slow to a speed that is 20 miles per hour less than the  
24 posted speed limit when the posted speed limit is 25 miles per  
25 hour or greater; or travel at 5 miles per hour when the posted  
26 speed limit is 20 miles per hour or less, when driving on a two-  
27 lane road, except when otherwise directed by a law enforcement  
28 officer.

29 (c) Every pedestrian using the road right-of-way shall yield the  
30 right-of-way until the authorized emergency vehicle has passed,  
31 unless otherwise directed by any police officer.

32 (d) A violation of this section is a non-criminal traffic infrac-  
33 tion, punishable pursuant to chapter 90 as either a moving viola-  
34 tion for infractions of section (16), or as a pedestrian violation for  
35 infractions of section (18A).

36 (e) The Massachusetts Highway Department and the Division  
37 of Motor Vehicles shall provide an educational awareness cam-  
38 paign informing the motoring public about the Move Over Act, so  
39 called, pursuant to this section. The Division shall provide infor-  
40 mation about the Move Over Act, so called, in all newly printed  
41 driver's license educational materials after July 1, 2005.