

AN ACT

relating to vehicles passing certain stationary emergency vehicles on a highway; providing a penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. This Act may be cited as the Move Over Act.

SECTION 2. Subchapter D, Chapter 545, Transportation Code, is amended by adding Section 545.157 to read as follows:

Sec. 545.157. PASSING AUTHORIZED EMERGENCY VEHICLE.

(a) On approaching a stationary authorized emergency vehicle using visual signals that meet the requirements of Sections 547.305 and 547.702, an operator, unless otherwise directed by a police officer, shall:

(1) vacate the lane closest to the emergency vehicle when driving on a highway with two or more lanes traveling in the direction of the emergency vehicle; or

(2) slow to a speed not to exceed:

(A) 20 miles per hour less than the posted speed limit when the posted speed limit is 25 miles per hour or more; or

(B) five miles per hour when the posted speed limit is less than 25 miles per hour.

(b) A violation of this section is:

(1) a misdemeanor punishable under Section 542.401;

(2) a misdemeanor punishable by a fine of \$500 if the violation results in property damage; or

1 (3) a Class B misdemeanor if the violation results in
2 bodily injury.

3 (c) If conduct constituting an offense under this section
4 also constitutes an offense under another section of this code or
5 the Penal Code, the actor may be prosecuted under either section or
6 under both sections.

7 SECTION 3. This Act takes effect September 1, 2003.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 193 passed the Senate on February 27, 2003, by a viva-voce vote; and that the Senate concurred in House amendment on May 29, 2003, by a viva-voce vote.

Secretary of the Senate

I hereby certify that S.B. No. 193 passed the House, with amendment, on May 25, 2003, by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor