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## FISCAL IMPACT REPORT

SPONSOR White/Gonzales ORIGINAL DATE 1/25/17  
 LAST UPDATED 3/10/17 HB \_\_\_\_\_

SHORT TITLE Move Over or Slow Down for Hazard Lights SB 76/aSJC/aHJC

ANALYST Romero

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	NFI	NFI	NFI	NFI	NFI	NFI

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Department of Transportation (DOT)

Department of Public Safety (DPS)

### SUMMARY

#### Synopsis of House Judiciary Committee Amendment for Senate Bill 76

This amendment adds “restricting the use of red flashing lights by certain motor vehicles;” to the title. The amendment also adds Section 66-3-835 to the bill to be amended. Within the new section added to the bill, the amendment provides certain authorization for use of red flashing lights. Additionally, it provides other clarifying and grammatical changes to the statute.

#### Synopsis of Senate Judiciary Committee Amendment for Senate Bill 76

This amendment makes changes to the title specifying “certain” vehicles displaying flashing emergency lights, instead of “all stationary” vehicles. The same clarification is made in other sections of the bill. The amendment removes the original strike through of “authorized emergency” vehicle. Additionally, it clarifies other language regarding recovery and repair vehicles.

#### Synopsis of Bill

Senate Bill 76 requires drivers to treat stationary recovery or repair vehicles with flashing emergency or hazard lights the same as other stationary vehicles with emergency lights on the highway.

On approaching such vehicles, unless otherwise directed, a driver must:

- If reasonably safe to do so, drive in a lane not adjacent to the stationary vehicle, decrease to a reasonable and prudent speed under the circumstances, and proceed with caution or
- If not reasonably safe to drive in a non-adjacent lane, decrease to a speed that is reasonable and prudent under the circumstances, proceed with caution, and be prepared to stop.

The section does not relieve either the driver of an authorized emergency vehicle or any other vehicle from the duty to drive and park with due regard for the safety of all persons using the highway.

### **SIGNIFICANT ISSUES**

The change in the law will need to be communicated to the driving public through a public information campaign.

### **PERFORMANCE IMPLICATIONS**

The Department of Transportation notes that response times for moving emergency vehicles may improve by requiring vehicles to yield the right of way to emergency vehicles. The modification will also provide an enforcement mechanism for vehicles that fail to yield for an approaching emergency vehicle. The bill may also improve the conditions for stationary vehicles along the roadside by providing a wider buffer between the stationary vehicle and moving traffic.

IR/al/jle