

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

SESSION LAW 2019-157
SENATE BILL 29

AN ACT TO INCREASE THE PENALTIES FOR VIOLATION OF THE MOVE OVER LAW
AND TO LIMIT THE USE OF FLASHING AMBER LIGHTS.

The General Assembly of North Carolina enacts:

SECTION 1. This act shall be known and may be cited as the "Officer Jason Quick Act."

SECTION 2. G.S. 20-157 reads as rewritten:

"§ 20-157. Approach of law enforcement, fire department or rescue squad vehicles or ambulances; driving over fire hose or blocking fire fighting equipment; parking, etc., near law enforcement, fire department, or rescue squad vehicle or ambulance.

...

(f) When an authorized emergency vehicle as described in subsection (a) of this section or any public service vehicle is parked or standing within 12 feet of a roadway and is giving a warning signal by appropriate light, the driver of every other approaching vehicle shall, as soon as it is safe and when not otherwise directed by an individual lawfully directing traffic, do one of the following:

...

For purposes of this section, "public service vehicle" means a vehicle that (i) is being used to assist motorists or law enforcement officers with wrecked or disabled vehicles, (ii) is being used to install, maintain, or restore utility service, including electric, cable, telephone, communications, and gas, (iii) is being used in the collection of refuse, solid waste, or recycling, or (iv) is a highway maintenance vehicle owned and operated by or contracted by the State or a local government and is operating an amber-colored flashing light authorized by G.S. 20-130.2. Violation of this subsection shall be negligence per se.

(g) Except as provided in subsections (a), (h), and (i) of this section, violation of this section shall be an infraction punishable by a fine of two hundred fifty dollars (\$250.00).

(h) A person who violates this section and causes damage to property in the immediate area of the authorized emergency vehicle or public service vehicle in excess of five hundred dollars (\$500.00), or causes injury to a law enforcement officer, a firefighter, an emergency vehicle operator, an Incident Management Assistance Patrol member, a public service vehicle operator, or any other emergency response person in the immediate area of the authorized emergency vehicle or public service vehicle is guilty of a Class 1 misdemeanor.

(i) A person who violates this section and causes serious injury or death to a law enforcement officer, a firefighter, an emergency vehicle operator, an Incident Management Assistance Patrol member, a public service vehicle operator, or any other emergency response person in the immediate area of the authorized emergency vehicle or public service vehicle is guilty of a ~~Class 1~~ Class F felony. The Division may suspend, for up to six months, the drivers license of any person convicted under this subsection. If the Division suspends a person's license under this subsection, a judge may allow the licensee a limited driving privilege for a period not to exceed the period of suspension, provided the person's license has not also been revoked or



suspended under any other provision of law. The limited driving privilege shall be issued in the same manner and under the terms and conditions prescribed in G.S. 20-16.1(b)."

SECTION 3. G.S. 20-130.2 reads as rewritten:

"§ **20-130.2. Use of amber lights on certain ~~vehicles~~ vehicles; limited use.**

(a) All wreckers operated on the highways of the State shall be equipped with an amber-colored flashing light which shall be so mounted and located as to be clearly visible in all directions from a distance of 500 feet, which light shall be activated when at the scene of an accident or recovery operation and when towing a vehicle which has a total outside width exceeding 96 inches or which exceeds the width of the towing vehicle. It shall be lawful to equip any other vehicle with a similar warning light including, but not by way of limitation, maintenance or construction vehicles or equipment of the Department of Transportation engaged in performing maintenance or construction work on the roads, maintenance or construction vehicles of any person, firm or corporation, Radio Emergency Associated Citizens Team (REACT) vehicles, and any other vehicles required to contain a warning light.

(b) Except as otherwise permitted under this Article, it shall be unlawful for any vehicle to operate a flashing or strobing amber light while in motion on a street or highway unless one of the following conditions apply:

- (1) A law enforcement vehicle when in route to an emergency or when engaged in the chase or apprehension of violators of the law or of persons charged with or suspected of any violation.
- (2) A fire, rescue, first responder, or emergency response vehicle in route to an emergency situation, when traveling in response to a fire alarm or responding to any other incident warranting the use of emergency lights and siren.
- (3) When any vehicle, or vehicle's load exceeds a width of 102 inches, including oversize loads in accordance with G.S. 20-116.
- (4) When the use of flashing or strobing lights is required by the Department of Transportation.
- (5) When the vehicle must travel 15 miles per hour or more below the posted speed limit for safety reasons or is otherwise impeding traffic which could cause a danger to the public, in performing the vehicle's intended service, including waste management vehicles, utility vehicles, school buses, farm equipment, mail delivery vehicles, or any vehicle being used in a work zone.
- (6) During a state of emergency declared by the Governor."

SECTION 4. This act becomes effective December 1, 2019, and applies to offenses committed on or after that date.

In the General Assembly read three times and ratified this the 11th day of July, 2019.

s/ Carl Ford
Presiding Officer of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 11:25 a.m. this 22nd day of July, 2019