

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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SENATE BILL 638

Short Title: Move Over for Disabled Vehicles. (Public)

Sponsors: Senators Sawyer, McInnis, and Lazzara (Primary Sponsors).

Referred to: Rules and Operations of the Senate

April 6, 2023

A BILL TO BE ENTITLED

AN ACT TO REQUIRE DRIVERS TO MOVE OVER LANES UPON APPROACHING A  
DISABLED VEHICLE DISPLAYING WARNING LIGHTS OR SIMILAR.

The General Assembly of North Carolina enacts:

**SECTION 1.** 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. or ambulance; disabled vehicles.**

...

(f) When an authorized emergency vehicle listed in subsection (a) of this section, or a public service vehicle, is parked or standing within 12 feet of a roadway and 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:

- (1) Move the vehicle into a lane that is not the lane nearest to the parked or standing authorized emergency vehicle or public service vehicle and continue traveling in that lane until safely clear of the authorized emergency vehicle or public service vehicle. This subdivision applies only if the roadway has at least two lanes for traffic proceeding in the direction of the approaching vehicle and if the approaching vehicle may change lanes safely and without interfering with any vehicular traffic.
- (2) Slow the vehicle, maintaining a safe speed for traffic conditions, and operate the vehicle at a reduced speed and be prepared to stop until completely past the authorized emergency vehicle or public service vehicle. This subdivision applies only if the roadway has only one lane for traffic proceeding in the direction of the approaching vehicle or if the approaching vehicle may not change lanes safely and without interfering with any vehicular traffic.

For purposes of this section, "public service vehicle" means a vehicle that is (i) being used to assist motorists or law enforcement officers with wrecked or disabled vehicles, (ii) being used to install, maintain, or restore utility service, including electric, cable, telephone, water, wastewater, communications, and gas, (iii) being used in the collection of refuse, solid waste, or recycling, or (iv) a highway maintenance vehicle owned and operated 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.



1       (f1) Subsection (f) of this section shall apply to the driver of every other approaching  
2 vehicle when any motor vehicle is parked or standing within 12 feet of a roadway and displaying  
3 hazard warning lights, road flares, or other caution signals, including traffic cones, caution signs,  
4 or nonvehicular warning lights.

5       ...."

6       **SECTION 2.** This act becomes effective December 1, 2023, and applies to offenses  
7 committed on or after that date.