Caltrans Division of Research and Innovation

State Move Over Laws (Subsection of Highway Worker Safety preliminary investigation)

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Executive Summary

Background

Caltrans is putting together a media campaign aimed at educating the public about the state's Move Over Law, which requires drivers to shift lanes when encountering emergency and maintenance vehicles on the side of the road. Caltrans was interested in a) which states' Move Over laws include maintenance vehicles (and not just emergency vehicles); and b) how other states are promoting their version of the Move Over Law.

Summary of Findings

According to the FHWA (<u>http://www.ops.fhwa.dot.gov/publications/fhwahop09005/move_over.htm</u>), state Move Over laws can be divided in the following way according to their definition of an emergency scene (states that included transportation maintenance vehicles are in bold):

- Emergency vehicles only: Alabama, Arizona, Arkansas, Delaware, Idaho, Louisiana, Maine, Minnesota, Montana, Nevada, New Hampshire, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Texas, Vermont, Virginia, Washington, West Virginia, Wyoming.
- Emergency and towing/recovery vehicles: Colorado, Florida, Minnesota, Missouri, North Carolina, South Carolina.
- Emergency, transportation maintenance, and towing/recovery vehicles: California, Georgia, Indiana, Iowa, Kansas, Kentucky, Michigan, Tennessee, Utah, Wisconsin.
- Emergency, towing/recovery, and animal control vehicles: Alaska.

South Carolina provides the most comprehensive definition of an emergency scene, considering unique scene needs and on-site emergency personnel, in addition to on-site emergency vehicles:

South Carolina sect;56-5-1538. (A) An emergency scene is a location designated by the potential need to provide emergency medical care and is identified by emergency vehicles with flashing lights, rescue equipment, or emergency personnel on the scene. (I) For purposes of this section: (1) "Authorized emergency vehicle" means any ambulance, police, fire, rescue, recovery, or towing vehicle authorized by this State, county, or municipality to respond to a traffic incident. (2) "Emergency services personnel" means fire, police, or emergency medical services personnel (EMS) responding to an emergency incident.

Common promotional efforts include:

- An website dedicated to describing the law
- Signage along highways
- Press Releases and earned media
- Brochures, flyers, and information sheets
- Video public service announcements and commercials (typically made available on YouTube)

Less common promotional efforts include:

• Social media, such as Twitter and Facebook

- Billboards
- Gas pump stickers
- Direct Mail
- Emergency vehicle bumper stickers

In what follows we detail:

- The law and promotional efforts for states that include transportation maintenance vehicles.
- The law and promotional efforts for states that include towing vehicles.
- Promotional efforts for a selection of other states.
- Other promotional efforts.

. Sources for these results include:

- <u>http://www.moveoveramerica.com/</u>
- <u>http://www.ops.fhwa.dot.gov/publications/fhwahop09005/move_over.htm</u>
- <u>http://www.aaanewsroom.net/main/Default.asp?CategoryID=4&ArticleID=583</u>
- Web search engines.

States with Move Over Laws Covering Maintenance Vehicles

<u>California</u>

Applicability

http://www.dmv.ca.gov/pubs/vctop/d11/vc21809.htm

The law was revised in 2010 to add "Caltrans vehicles displaying flashing amber warning lights to the list of vehicles for which motorists must slow down and, if safe, move over to a lane not immediately adjacent to the stationary vehicle. "

"The revised law also removes a pre-existing 1/1/10 sunset date (when the law terminates), which now makes the safety protections permanent."

Promotion

http://www.dot.ca.gov/dist2/workersafety.htm

- "Please Slow Down My Mom/My Dad Works Here" signage
- Slow for the Cone Zone campaign

Press:

- "New Move Over Law Will Increase Safety for Caltrans Highway Workers <u>http://www.dot.ca.gov/hq/paffairs/news/pressrel/09pr23.htm</u>
- "Move Over, Slow Down It's the Law" <u>http://www.dot.ca.gov/dist07/Publications/Inside7/story.php?id=428</u>
- "Special Safety Sign Posted During Bridge Demolition" "Please Slow Down My Mom/My Dad Works Here"

http://www.dot.ca.gov/dist2/pdf/09-064nr.pdf

<u>Georgia</u>

Applicability

http://www.gahighwaysafety.org/moveoverlaw.html

Requires drivers to move-over one lane when possible if an emergency vehicle with "flashing yellow, amber, white, red, or blue lights" is parked on the shoulder of the highway; also applies to "a stationary towing or recovery vehicle or a stationary highway maintenance vehicle that is displaying flashing yellow, amber, or red lights."

Promotion

http://www.gahighwaysafety.org/moveoverlaw.html

Georgia held a press conference to publicize the law, and also uses signage (static and dynamic). This page contains links to:

- Move Over Law brochure: <u>http://www.gahighwaysafety.org/DOCS/MOVEOVERLAW2011.PDF</u>
- GOHS Director Bob Dallas and GSP Public Information Officer Larry Schnall was interviewed by the Georgia News Network about the reasons behind passage and enforcement of Georgia's Move Over Law: http://www.gahighwaysafety.org/docs/febmoveoverinterview2008.mp3

Also available on the Web:

GOHS press release: http://www.dot.state.ga.us/informationcenter/programs/safety/Documents/WZS/Moveoverlaw.pdf

Press:

• "State troopers urge drivers to 'Move Over,"" <u>http://www.11alive.com/news/article/196694/40/State-troopers-urge-drivers-to-Move-Over</u>

<u>Indiana</u>

Applicability

http://www.in.gov/legislative/ic/code/title9/ar21/ch8.html

Indiana's law covers police vehicles, ambulances, fire trucks and rescue equipment, highway incident-response vehicles, highway maintenance vehicles, utility service vehicles and vehicle recovery equipment such as tow trucks.

Promotion

A Web search did not find an agency promotional website or other materials.

Press:

- "Move Over' Law In Spotlight After Worker Death," <u>http://www.theindychannel.com/news/19017885/detail.html</u>
- "Indiana Move Over Law is now stronger because of state laws," <u>http://www.14wfie.com/story/12754569/indiana-move-over-law-is-now-stronger-because-of-state-laws?redirected=true</u>

<u>Iowa</u>

Applicability

http://www.iowadot.gov/rules/rulesoftheroad.htm#321323A http://www.dps.state.ia.us/ISP/iowalaw.shtml

Iowa's law requires drivers to change lanes or slow down when approaching stationary emergency, towing or maintenance vehicles with their flashing lights activated. The law also applies to operators of a motor vehicle approaching a stationary towing or recovery vehicle, or a stationary highway maintenance vehicle, that is displaying flashing yellow, amber or red lights.

Promotion

http://www.iowadot.gov/rules/rulesoftheroad.htm Iowa uses road signs on all the major interstate routes and state entries.

Press:

• "Iowa Troopers crack down on 'move over' law," <u>http://www.kwwl.com/story/8270494/iowa-troopers-crack-down-on-move-over-law?redirected=true</u>

<u>Kansas</u>

Applicability <u>http://kansasstatutes.lesterama.org/Chapter_8/Article_15/8-1530.html</u> Any authorized emergency or maintenance vehicles displaying flashing lights.

Promotion

http://www.kansashighwaypatrol.org/press/programs/move_over.html This page briefly describes the law.

Also available on the Web:

• "Move Over to Keep Kansas Roads Safe!," Kansas Highway Patrol, http://kshighwaypatrol.blogspot.com/2010/01/move-over-to-keep-kansas-roads-safe.html

Kentucky

Applicability

http://www.lrc.state.ky.us/KRS/189-00/930.PDF Applies to vehicles with yellow, red, red and white, red and blue, or blue lights.

Promotion

- Information sheet: <u>http://highwaysafety.ky.gov/files/safety_laws/safety_moveover_update.jpg</u>
- Press release: <u>http://transportation.ky.gov/News/7-1-05.htm</u>
- "Kentucky uses signs across the state and is "implementing a public awareness campaign which includes radio and newspaper ads, posters and brochures touting the "Move Over" message. Also, police, firefighters, EMS and other public safety and emergency personnel will have the option to display "Move Over" decals on their vehicles."

<u>Michigan</u>

Applicability

http://www.legislature.mi.gov/(S(lsyfkd45v2efpn55dzmo2wyf))/mileg.aspx?page=getobject&objectname=mcl-257-653a&highlight

Applies when "passing a stationary authorized emergency vehicle that is giving a visual signal by means of flashing, rotating, or oscillating red, blue, or white lights."

Promotion

• Brochure: http://www.michigan.gov/documents/MDOT_Vehicle_Caution_Law_116834_7.pdf

Tennessee

Applicability

http://www.tn.gov/safety/moveover.htm

Includes both emergency vehicles, recover vehicles, and highway maintenance vehicles, where the last are defined as:

- a) Owned or operated by the department of transportation, a county, a municipality or other political subdivision of this state; or,
- b) Owned or operated by a contractor under contract with the department of transportation, a county, a municipality or other political subdivision of this state

Promotion

http://www.tn.gov/safety/moveovermain.htm Tennessee uses signage on highways. This page includes links to:

• PSA: <u>http://www.youtube.com/watch?v=EqkPVESsUSg</u>

- True stories about those affected by vehicles failing to move over: <u>http://www.tn.gov/safety/moveexample.htm</u>
- Press release: <u>http://www.tn.gov/safety/newsreleases/2006/moveover0706.htm</u>
- Press conference video: <u>http://titan.safety.state.tn.us/Video/moveover.wmv</u>
- PSAs by the governor of Tennessee: <u>http://titan.safety.state.tn.us/Video/moveoverpsa1.wma</u>, <u>http://titan.safety.state.tn.us/Video/moveoverpsa2.wma</u>.

Also available on the Web:

• The Tennessee Department of Safety has used Twitter in promoting its Move Over Law: <u>http://twitter.com/#!/TNHighwayPatrol</u>.

Press:

- "Tenn. Expands 'Move Over' Law," <u>http://www.ect.coop/editors-pick/tennessee-expands-move-over-law/31375</u>
- "Move Over Law to Include Utility Vehicles," <u>http://wpln.org/?p=28455</u>
- "Move Over Law covers utility work," http://www.elkvalleytimes.com/mobi/view_sections.asp?idcategory=49&idarticle=11928

<u>Utah</u>

Applicability

http://www.le.state.ut.us/~2002/bills/hbillamd/hb0235.htm

Applies to both any "stationary authorized emergency vehicle that is displaying alternately flashing red, red and white, or red and blue lights" and any "tow truck or highway maintenance vehicle that is displaying flashing amber lights."

Promotion

• Utah transportation blog: <u>http://blog.udot.utah.gov/2011/01/move-over-laws/</u>

Press:

- "UHP stepping up enforcement of 'move over' law," <u>http://www.youtube.com/watch?v=geGqhQZmChQ</u>.
- "Utah Highway Patrol wants drivers to move over," <u>http://www.abc4.com/content/news/top%20stories/story/Utah-Highway-Patrol-wants-drivers-to-move-over/p_t-klAEF0eYAhLrMEUGUQ.cspx?rss=20</u>
- "Utah Highway Patrol Troopers Enforce Move over Law Along U.S. 6," <u>http://www.sunad.com/index.php?tier=1&article_id=6652</u>

Wisconsin

Applicability

http://www.dot.wisconsin.gov/safety/motorist/workzones/move-over.htm

"The law requires drivers to shift lanes or slow down in order to provide a "safety zone" for a squad car, ambulance, fire truck, tow truck or highway maintenance vehicle that is stopped on the side of a road with its warning lights flashing."

Promotion

http://www.dot.wisconsin.gov/safety/motorist/workzones/move-over.htm This page includes links to an audio file and several video files promoting Wisconsin's Move Over law:

- "Tim's Story," http://www.dot.wisconsin.gov/safety/motorist/av/tims-story.mp3
 - Transcript: <u>http://www.dot.wisconsin.gov/safety/motorist/workzones/60-s-audio-</u> transcript.htm#tim
- "Move Over Lights," 30-second video Webcast, http://www.dot.wisconsin.gov/safety/motorist/workzones/60-s-audio-transcript.htm#tim
 - Transcript: <u>http://www.dot.wisconsin.gov/safety/motorist/workzones/30-s-vid-transcript.htm#move-over-lights</u>

- "Tim Johnson," 30-second video Webcast, <u>http://dotmedia.wi.gov/main/Viewer/?peid=b94d87a7-65f9-44c2-a0d0-9889895db051</u>
 - Transcript: <u>http://www.dot.wisconsin.gov/safety/motorist/workzones/30-s-vid-transcript.htm#tim-johnson</u>
- "Scott Hansen," 30-second video Webcast, <u>http://dotmedia.wi.gov/main/Viewer/?peid=04a84325-8ce2-4e3b-83ef-0a508189af4e</u>
 - Transcript: <u>http://www.dot.wisconsin.gov/safety/motorist/workzones/30-s-vid-transcript.htm#scott-hansen</u>

We corresponded with Steve Olson of WisDOT's Office of Public Affairs (<u>steven.olson@dot.wi.gov</u>, 608.261.5896), who noted:

The Wisconsin Department of Transportation currently does not have funding to purchase paid media for Move Over Law public awareness. Therefore, we have relied on earned media (news releases, media interviews, etc.) There also are signs (shown on the Web page) posted on seven major highway entrances to the state and bumper stickers have been produced for use primarily by law enforcement vehicles, tow trucks, etc.

States with Move Over Laws Covering Tow Trucks

<u>Alaska</u>

Alaska's Move Over law is also applicable to animal control vehicles.

Applicability

http://www.legis.state.ak.us/basis/folioproxy.asp?url=http://wwwjnu01.legis.state.ak.us/cgibin/folioisa.dll/stattx06/query=*/doc/{@12569}

Alaska's law applies to: "a stationary emergency vehicle, fire vehicle, law enforcement vehicle, tow truck in the act of picking up a vehicle, or animal control vehicle being used to perform official duties, when the stationary vehicle is displaying flashing emergency lights on a highway or roadway."

Promotion

- Alaska state trooper highway advertisement: <u>http://www.youtube.com/watch?v=x4fjjDArKfo</u>
- Municipality of Anchorage page: http://www.muni.org/Departments/police/traffic/Pages/MoveOverLaw.aspx

Press

• "New state law requires drivers to move over," http://juneauempire.com/stories/070907/sta_law001.shtml

<u>Colorado</u>

Applicability

http://www.state.co.us/gov_dir/leg_dir/olls/sl2005a/sl_205.htm Authorized emergency vehicles.

Promotion

- Brochure: <u>http://csp.state.co.us/downloads/moveoverbrochure.pdf</u>
- Facebook note by Eagle County Sherriff's Office: <u>http://www.facebook.com/note.php?note_id=50747580687</u>

Press:

• "Colorado move over law now in effect," <u>http://www.truckflix.com/news_article.php?newsid=2747</u>

<u>Florida</u>

Applicability

Authorized emergency vehicles "making use of any visual signals is parked or a wrecker displaying amber rotating or flashing lights is performing a recovery or loading on the roadside"

Promotion

http://www.flhsmv.gov/safetytips/MoveOverTips.htm This page includes links to:

- Video: <u>http://www.flhsmv.gov/fhp/misc/VideosAudios/MOL.mpg</u>
- Brochure: <u>http://www.flhsmv.gov/fhp/misc/MOL.pdf</u>

Also available on the Web:

- Facebook Page: <u>http://www.facebook.com/MoveOverLaw</u>
 - Presentation on Public Education & Enforcement http://www.flhsmv.gov/fhp/PhotoGallery/2008/MOL.ppt http://www.flhsmv.gov/fhp/PhotoGallery/2008/MOL.pdf

This presentation mentions and includes several pictures of methods for promoting Florida's Move Over Law using:

- o Brochures, posters, and TV public service announcements.
- A Billboard Campaign.
- Direct Mail.
- \circ The internet
- o Gas Pump Stickers.
- Earned Media press releases and news stories.
- Advertisements on Florida maps, static and dynamic signage, brochures and fliers at welcome centers, and notices at rest areas and turnpike service plazas.
- o Bumper stickers on emergency vehicles
- An annual campaign with a brand logo.
- YouTube PSA by Broward County: <u>http://miamiherald.typepad.com/crime_scene/2008/03/bso-fhp-promote.html</u>

<u>Minnesota</u>

Applicability

https://www.revisor.mn.gov/statutes/?id=169.18

Applies to "authorized emergency vehicle with its emergency lights activated," where emergency vehicles include towing trucks.

Promotion

- Press release: http://www.dot.state.mn.us/newsrels/08/07/31-moveover.html
- Flyer: http://www.minnesotasafetycouncil.org/resources/download/MoveOverFlyer.pdf
- Brochure: <u>http://www.minnesotatzd.org/events/workshops/SE/2009/documents/Ted_Foss_May_09.pdf</u>
- Mn/DOT public service announcement: <u>http://www.youtube.com/watch?v=kG0bS6ki3QY</u>

Press:

• "For troopers, perilous highways," http://www.startribune.com/local/116739969.html

<u>Missouri</u>

Applicability

http://www.moga.mo.gov/statutes/C300-399/3040000010.HTM

Applies to a "stationary emergency vehicle displaying lighted red or red and blue lights," where emergency vehicles include a "tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service."

Promotion

 Press Release: <u>http://www.modot.mo.gov/central/news_and_information/District5News.shtml?action=displaySSI&newsId</u> <u>=2189</u>

Press:

• "Drivers cited for disobeying Move Over laws," http://www.joplinindependent.com/display_article.php/mariwinn1130888247

North Carolina

Applicability

<u>http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_20/GS_20-157.html</u> Applies to "any law enforcement or fire department vehicle or public or private ambulance or rescue squad emergency service vehicle giving warning signal by appropriate light and by audible bell, siren or exhaust whistle."

Promotion

http://www.nccrimecontrol.org/index2.cfm?a=000003,000014,000766,000781 This page briefly describes the law.

• Signs: <u>http://www.ncdot.org/doh/preconstruct/traffic/MUTCD/docs/part2.html#sect2b36c</u>

Press

- "Five Years Later: Move Over Law," http://www.youtube.com/watch?v=XjtZcHIp_a0
- "Move over law expanded," <u>http://seymourherald.com/news/2011/jul/05/move-over-law-expanded/</u> "North Carolina's Move Over law includes utility workers but only during emergency situations such as storm restoration."

South Carolina

Applicability

http://www.scstatehouse.gov/code/t56c005.htm

See section 56-5-1538: applies to "emergency vehicles with flashing lights, rescue equipment, or emergency personnel on the scene," where emergency vehicles include "means any ambulance, police, fire, rescue, recovery, or towing vehicle authorized by this State, county, or municipality to respond to a traffic incident."

Promotion

- SCDOT Press Release: "SC Department of Transportation Installs 'Move Over' Signs Along Interstates Across South Carolina," <u>http://www.scdot.org/artman/publish/article_881.shtml</u>
- Department of Safety commercials:
 - o http://www.youtube.com/watch?v=XxTf04u8Ng4
 - o http://www.youtube.com/watch?v=uaCQIfMP9IU

Press

• "Are you familiar with South Carolina's 'Move Over' law?," <u>http://www.blufftontoday.com/bluffton-news/2011-07-04/are-you-familiar-south-carolinas-move-over-law</u>

Promotion in Other States

<u>Arizona</u>

http://www.azdps.gov/information/Move Over Law/

Maine

http://www.maine.gov/dps/msp/Traffic%20Safety%20Page/move over.html

Massachusetts

www.mass.gov/safety/moveover

Illinois

http://www.illinoistollway.com/portal/page? pageid=133,1828727& dad=portal& schema=PORTAL

New Hampshire

- New Hampshire Department of Safety:
 - Press Release: http://www.nh.gov/safety/news/080804.html 0
 - Traffic Safety Reminder: http://www.nh.gov/safety/divisions/nhsp/tsr/tsr06042009.html 0
- "NASCAR driver helps enforce 'Move Over Law' in NH," http://www.necn.com/searchNECN/search/v/39592882/nascar-driver-helps-enforce-move-over-law-innh.htm

New Jersev

http://www.nj.gov/oag/hts/move-over-law/ http://www.njfemsi.org/move-over.html

- Press release: http://www.njfemsi.org/move_over_release1.pdf •
- Public awareness materials, including posters, a palm card, Web banner/animation, and Video PSA: ٠ http://www.nj.gov/oag/hts/move-over-law/mo-outreach-materials.html.html
- This Facebook page promotes the law in New Jersey: http://www.facebook.com/pages/Trooper-Castellano-394-922-Move-OVER-LAW/109273619120646
- New Jersey Division of Highway Safety PSA: http://www.youtube.com/watch?v=qSKBlcZ8qG0

North Carolina

http://www.nccrimecontrol.org/index2.cfm?a=000003.000014.000766.000781

Oregon

http://www.oregon.gov/ODOT/TS/Traffic Enforcement.shtml#Move Over or Slow Down Law

• http://www.oregon.gov/OSP/NEWSRL/news/03 24 2008 move over reminder.shtml Oregon has a "statewide campaign includes new state highway signs, billboards, radio advertisements, transit bus signs, rest area posters and brochures promoting the "Move Over" safety message."

Virginia

http://www.vsp.state.va.us/SlowDownMoveOver VAcode.shtm

http://www.wvva.com/Global/story.asp?S=14641662 "Virginia's Move Over law will receive additional exposure following a collaboration with one of Southwest Virginia's leading independent grocery stores. Food City representatives revealed they will place 400 'Move Over' decals on the back of the company's distribution tractor-trailers in an effort to heighten awareness about the law."

Other Promotion

Move Over Law in Effect. Now What?

http://www.njlawman.com/the-column/move-over-law.htm This column recommends promoting move over laws by:

- - Aggressive flyer campaign in police precincts, DMV offices, courthouses, etc.

- Hand out literature during the Click it or Ticket program
- Post announcements of the law on PD and municipal websites and Internet message boards
- Email blasts to residents who subscribe to PD and municipal newsletters
- Get regional and local papers to run articles and /or letters to the editor
- Mentioned by officers speaking at events, schools, etc.

Slow Down, Move Over

http://slowdownmoveover.com/default.aspx

http://www.facebook.com/pages/Slow-Down-Move-OverIts-the-law/135603696748

This site (and its Facebook page) is dedicated to promoting Move Over laws via shirts and other merchandise, but seems unaffiliated with any state.

Other Public Education Materials

- AAA's Slow Down / Move Over Campaign: <u>http://www.aaanewsroom.net/main/Default.asp?CategoryID=4&ArticleID=583</u>
- Sarah's Story, <u>http://www.respondersafety.com/Training/Order.aspx</u> An 18-minute DVD that tells a real-life story of how lives were tragically changed when a teen driver violated the Michigan Move-Over law.

Other Recent Press

- "State laws in effect July 1 focus on road safety" (national), http://www.landlinemag.com/todays_news/Daily/2011/Jun11/062711/070111-02.shtml
- "Police look for Move Over Law violators" (Texas), <u>http://www.kxan.com/dpp/news/local/police-look-for-move-over-law-violators</u>
- "Move Over Law" (New York), <u>http://www.youtube.com/watch?v=9nfaSB0FDrQ</u>
- "'Move over law' to protect law enforcement" (New York), http://abclocal.go.com/wabc/story?section=news/local/northern_suburbs&id=8085322
- "Move Over: Official reminds motorists to watch for first" (Alabama), http://enewscourier.com/x652253407/Move-Over-Official-reminds-motorists-to-watch-for-first-responders