

The California “Move Over, Slow Down” Law

Protecting Public Safety Personnel on the Highways

Effective on July 1, 2007, California motorists are required to take specific action when approaching an area on the freeway where emergency vehicles and tow trucks are present and displaying emergency or flashing amber lights. Amended on January 1, 2010, the law now includes Caltrans vehicles, and makes the law permanent in California.

Known as the “Move Over, Slow Down” law, or just “Move Over” law, when approaching emergency vehicles, tow trucks, or Caltrans vehicles displaying emergency or amber flashing lights, motorists are to move over to a lane not adjacent to the emergency vehicles or vehicle. If not practical or safe to do so, the motorist must slow down to a reasonable or prudent speed that is safe for the existing weather, road, and vehicular or pedestrian traffic conditions.

Enacted in all 50 states, this law is intended to protect emergency workers and personnel at the scene of an emergency incident or other situation where public safety personnel and highway workers are present.

Information on “Move Over” laws in other states and the nation can be found at www.MoveOverLaws.com or at www.moveoveramerica.com.

The following is section 21809 of the California Vehicle Code:

(a) A person driving a vehicle on a freeway approaching a stationary authorized emergency vehicle that is displaying emergency lights, a stationary tow truck that is displaying flashing amber warning lights, or a stationary marked Department of Transportation vehicle that is displaying flashing amber warning lights, shall approach with due caution and, before passing in a lane immediately adjacent to the authorized emergency vehicle, tow truck, or Department of Transportation vehicle, absent other direction by a peace officer, proceed to do one of the following:

(1) Make a lane change into an available lane not immediately adjacent to the authorized emergency vehicle, tow truck, or Department of Transportation vehicle, with due regard for safety and traffic conditions, if practicable and not prohibited by law.

(2) If the maneuver described in paragraph (1) would be unsafe or impracticable, slow to a reasonable and prudent speed that is safe for existing weather, road, and vehicular or pedestrian traffic conditions.

(b) A violation of subdivision (a) is an infraction, punishable by a fine of not more than fifty dollars (\$50).

(c) The requirements of subdivision (a) do not apply if the stationary authorized emergency vehicle that is displaying emergency lights, the stationary tow truck that is displaying flashing amber warning lights, or the stationary marked Department of Transportation vehicle that is displaying flashing amber warning lights is not adjacent to the freeway or is separated from the freeway by a protective physical barrier.