

# San Jose Mercury News

January 13, 2006

## Editorial

Public safety

### Get moving on a 'move-over' law

STATE SHOULD CREATE A LEGAL BUFFER ZONE FOR VEHICLES STOPPED ALONG HIGHWAYS

Zippering along the freeway at a pretty good clip is what lots of California drivers do. Even in the so-called "slow" lane. Even when emergency vehicles are on the shoulder or a driver is struggling to change a tire.

In the past five years, a dozen police officers and state road workers have been killed statewide by errant drivers. The most recent was

#### THE OPINION OF THE MERCURY NEWS EDITORIAL BOARD

California Highway Patrol Lt. Michael Walker on New Year's Eve. He was helping a stranded motorist on Highway 17 when a driver slammed into an assisting Caltrans truck, which then struck Walker.

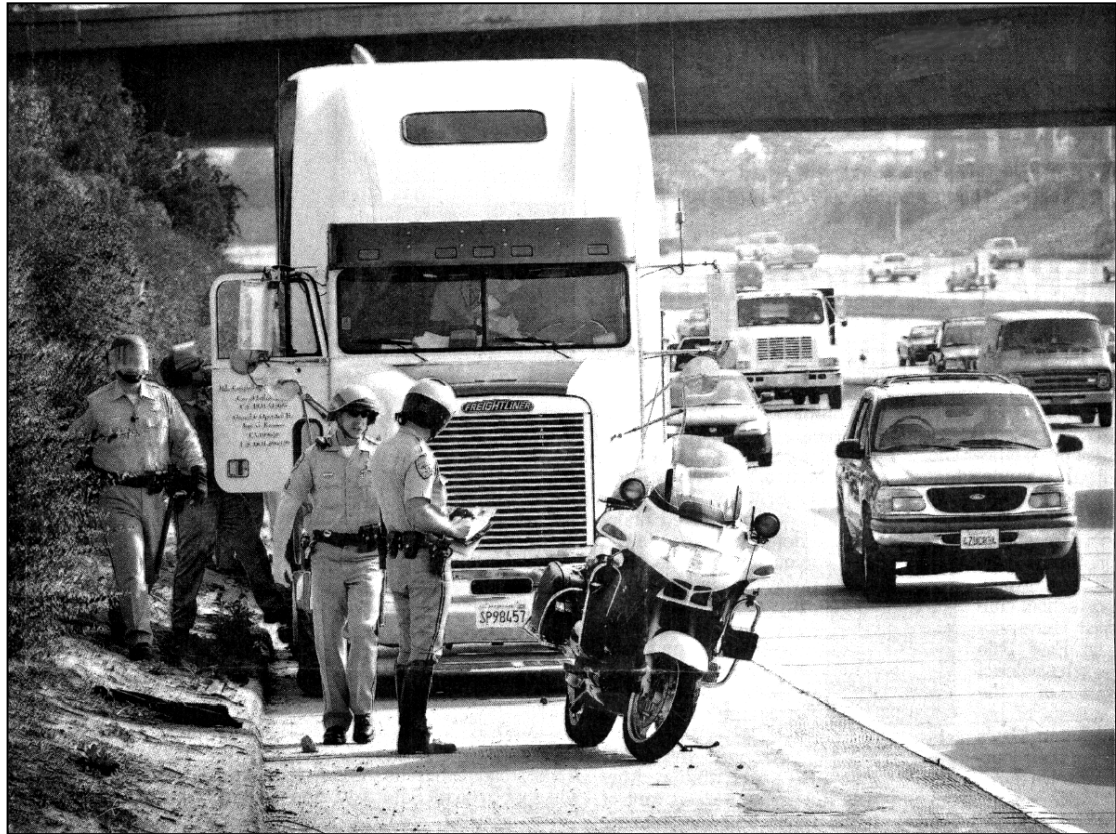
Nearly three dozen states have laws that require motorists to "move over" — if it's safe — and slow down when there is an emergency vehicle, with lights flashing, in the median or along the shoulder of a highway or freeway. The

states that have them say the law, while sometimes difficult to enforce, has helped save lives. Fines for failure to change lanes or slow down are as high as \$200.

It's time for California to put a similar law on the books. And lawmakers should look at making it mandatory to also "move over" and slow down on freeways whenever a person is visible around a disabled vehicle with its lights flashing. If you've ever had to change a tire or look under the hood while on a freeway shoulder, you know why this should be included.

Last year, state Sen. Joe Simitian, D-Palo Alto, sponsored a "move over" law for emergency workers that Gov. Arnold Schwarzenegger vetoed. Some officers told the governor that the law might create more accidents if drivers had to worry about moving over on the state's infamously crowded freeways.

While that's certainly a concern, there's no evidence of it in states like Florida, which has major metropolitan areas and some packed freeways. The state lost several highway patrol officers



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Traffic speeding past stopped police and emergency vehicles is a fact of life on California highways, but lives could be saved by a law requiring drivers to move over a lane, if possible, when approaching vehicles stopped on the shoulder.

before the law was enacted in 2002, but none since.

Simitian said he was surprised by the veto because the law seemed like common sense. He would have required that the law expire in

three years, unless renewed after studying the impact on accidents involving emergency workers or motorists. And he promised to introduce legislation to wipe it off the books sooner if needed.

Simitian wants to re-introduce the legislation and expects to talk soon with the governor's office to see if there's room for compromise. We hope there is. Drivers are often too self-absorbed or

preoccupied to think about safety when there's activity on a shoulder or median. A new law, and public campaign, would go a long way toward making our highways safer.



# Los Altos Town Crier

September 2, 2009

## Governor signs 'move over slow down' Senate Bill

Special to the Town Crier

**C**alifornia Gov. Arnold Schwarzenegger last month signed Senate Bill 159, legislation that permanently requires drivers to move over or slow down when approaching roadside emergency scenes along the highway.

State Sen. Joe Simitian (D-Palo Alto) authored the bill.

The original legislation SB 1610, was one of the winning entries in Simitian's 2005 "There Oughta be A Law" contest, which invites Californians to submit ideas for new state legislation. Tow-truck driver and Hayward resident Daniel Frederick Leon entered the contest after noticing that drivers who do not move over or slow down when approaching tow trucks or emergency crews endanger the lives of workers on the road and other motorists. The bill was initially vetoed and

reintroduced in 2006 before becoming law.

"This is about promoting highway safety, plain and simple," Simitian said. "I hope that it will put a stop to the senseless deaths of police officers, tow-truck drivers, paramedics and other emergency personnel who are simply helping stranded motorists. And, of course, the general public will be safer as well."

A report conducted by the California Highway Patrol found, "an overall decrease in fatal and injury collisions and fatal and injury victims involving stopped emergency vehicles and tow trucks" after the passage of Simitian's SB 1610 in 2006. In the report, the CHP recommended "removing the sunset clause and making Senate Bill 1610 permanent."

"When people think of the dangerous work areas firefighters work in, people think of burning hillsides and houses. But one of the most dangerous places for a firefighter to work is along our state's highways and roadsides when responding to a traffic incident or roadside fire," said Afrack Vargas of the California State Firefighters Association.