



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature  
First Regular Session

House: MAPS DPA 14-0-0-0 | 3<sup>rd</sup> Read: 50-9-0-0-1  
Senate: TAT DPA 9-0-0-0 | 3<sup>rd</sup> Read: 29-1-0-0-0

## **HB 2294: yielding to emergency vehicles; penalties**

**Sponsor: Representative Payne, LD 21**

**Senate Engrossed**

### **Overview**

Modifies the penalty for individuals who fail to yield the right-of-way or proceed with caution of a stationary vehicle who displays alternately flashing or warning lights.

### **History**

A person who drives a vehicle and approaches a stationary vehicle that displays either alternate flashing lights or warning lights are required to either:

- 1) Proceed with caution and yield the right-of-way by making a lane change into a lane not adjacent to the stationary vehicle if the person is on a highway which has at least four lanes with at least two lanes proceeding in the same direction; or
- 2) Proceed with caution and reduce and maintain a safe speed for road conditions.

Additionally, the Arizona Department of Transportation (ADOT) may include information relating to yielding and proceeding with caution in any of their examinations, information or education material ([A.R.S. § 28-775](#)).

Furthermore, a person who is in violation of, fails or refuses to do or perform an act relating to traffic and vehicle regulation is subject to a civil traffic violation, unless the penalty is outlined ([A.R.S. § 28-121](#)).

The current civil penalty imposed cannot exceed \$250 and requires the court to levy surcharges ([A.R.S. § 28-1598](#)).

### **Provisions**

1. Modifies the civil penalty for individuals who fail to yield the right-of-way or proceed with caution of a stationary vehicle who displays alternately flashing or warning lights:
  - a) \$275 for the first violation;
  - b) \$500 for the second violation; and
  - c) \$1,000 for a third or subsequent violation. (Sec. 1)
2. Mandates ADOT to include, rather than allowing ADOT to include, information relating to yielding and proceeding with caution in any of their examinations, information or educational material. (Sec. 1)
3. Requires defensive driving schools, traffic survival schools and driver education programs to include educational information relating to the *Arizona Mover Over Law*. (Sec. 1)
4. Requires ADOT to educate the public about the *Arizona Move Over Law* throughout the year and maintain the information on their website. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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5. States a person who violates the *Arizona Move Over Law* is liable for any injury and damage to property that results from the violation. (Sec. 1)
6. Designates this act as the *Arizona Move Over Law*. (Sec. 2)
7. Makes technical and conforming changes. (Sec. 1)

**Senate Amendments**

1. Specifies that a person is subject to the civil penalty for a second, third or subsequent violation if the violation occurs within a five-year period.
2. Removes language that a person is liable for injury and property damage that results from a violation of the *Arizona Move Over Law*.