

Senate Engrossed House Bill
yielding to emergency vehicles; penalties

State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021

CHAPTER 292
HOUSE BILL 2294

AN ACT

AMENDING SECTION 28-775, ARIZONA REVISED STATUTES; RELATING TO VEHICLE
RIGHT-OF-WAY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-775, Arizona Revised Statutes, is amended to
3 read:

4 28-775. Authorized emergency vehicles; approaching; following
5 fire apparatus; passing stationary vehicles;
6 violation; civil penalties; defensive driving
7 schools; driver license examinations

8 A. Except when otherwise directed by a police officer, on the
9 immediate approach of an authorized emergency vehicle that is equipped
10 with at least one lighted lamp exhibiting a red or red and blue light or
11 lens visible under normal atmospheric conditions from a distance of five
12 hundred feet to the front of the vehicle and that is giving an audible
13 signal by siren, exhaust whistle or bell, the driver of another vehicle
14 shall:

15 1. Yield the right-of-way.

16 2. Immediately drive to a position parallel to and as close as
17 possible to the right-hand edge or curb of the roadway clear of any
18 intersection.

19 3. Stop and remain in the position prescribed in paragraph 2 of
20 this subsection until the authorized emergency vehicle has passed.

21 B. An authorized emergency vehicle being operated with activated
22 emergency lights and siren is exempt from the requirements of this
23 section.

24 C. The driver of a vehicle other than one on official business
25 shall not follow any fire apparatus traveling in response to a fire alarm
26 closer than five hundred feet or drive into or park the vehicle within the
27 block where fire apparatus has stopped in answer to a fire alarm.

28 D. When a police vehicle is giving a visual signal with at least
29 one lighted red or red and blue light or lens and is giving an audible
30 signal by siren, the driver of another vehicle:

31 1. Shall not approach or drive parallel to the police vehicle.

32 2. Shall maintain a distance of at least three hundred feet behind
33 any police vehicle involved in an emergency until the police vehicle moves
34 to the lane closest to the right-hand edge or curb of the roadway.

35 E. If a person who drives a vehicle approaches a stationary vehicle
36 and the stationary vehicle is giving a signal by displaying alternately
37 flashing lights or is displaying warning lights, the person shall do
38 either of the following:

39 1. If on a highway having at least four lanes with at least two
40 lanes proceeding in the same direction as the approaching vehicle, proceed
41 with due caution and if possible, with due regard to safety and traffic
42 conditions, yield the right-of-way by making a lane change into a lane not
43 adjacent to that of the stationary vehicle.

1 2. If changing lanes would be impossible or unsafe, proceed with
2 due caution and reduce the speed of the vehicle, maintaining a safe speed
3 for road conditions.

4 F. A PERSON WHO VIOLATES SUBSECTION E OF THIS SECTION IS SUBJECT TO
5 A CIVIL PENALTY OF \$275, EXCEPT THAT THE PERSON IS SUBJECT TO:

6 1. A CIVIL PENALTY OF \$500 FOR A SECOND VIOLATION WITHIN A PERIOD
7 OF FIVE YEARS.

8 2. A CIVIL PENALTY OF \$1,000 FOR A THIRD OR SUBSEQUENT VIOLATION
9 WITHIN A PERIOD OF FIVE YEARS.

10 ~~F.~~ G. This section does not relieve the driver of an authorized
11 emergency vehicle from the duty to drive with due regard for the safety of
12 all persons using the highway.

13 ~~G.~~ H. Defensive driving school courses that are offered by
14 defensive driving schools operated pursuant to chapter 8, article 7 of
15 this title, ~~may~~ TRAFFIC SURVIVAL SCHOOL AND ANY DRIVER EDUCATION PROGRAM
16 APPROVED BY THE DEPARTMENT SHALL include educational information relating
17 to subsections D and E OF THIS SECTION. The department ~~may~~ SHALL include
18 information relating to subsections D and E OF THIS SECTION in any of the
19 department's examination, information or education material.

20 I. THE DEPARTMENT SHALL EDUCATE THE PUBLIC ABOUT THIS SECTION
21 PERIODICALLY THROUGHOUT THE YEAR AND MAINTAIN INFORMATION ABOUT THIS
22 SECTION ON THE DEPARTMENT'S WEBSITE.

23 Sec. 2. Short title

24 Section 28-775, Arizona Revised Statutes, as amended by this act,
25 may be cited as the "Arizona Move Over Law".

APPROVED BY THE GOVERNOR APRIL 28, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 28, 2021.