



NEW YORK STATE SENATOR

David J. Valesky

Senator Valesky's Legislation to Enhance "Move Over" Penalties Passes Senate

DAVID J. VALESKY May 29, 2015

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ALBANY, N.Y.—The State Senate unanimously passed legislation (S.640) sponsored by Senator David J. Valesky (D-Oneida) that will increase the penalties in the “move over” law, which requires drivers approaching emergency vehicles to move one lane away. Currently, the law does not provide for increased penalties for killing or seriously injuring someone as a result of violating the law.

“The ‘move over’ law has increased safety for police and first responders, but violators may only be charged with a misdemeanor, even if their actions cause serious injury or death,” Senator Valesky said. “This legislation changes the penalty to a felony for individuals who disregard the law and operate a vehicle recklessly.”

The “move over” law requires drivers approaching stopped police, emergency or hazard vehicles with their lights flashing to slow down and move over at least one lane away from that vehicle if traffic conditions allow. Violators face a fine between \$250 and \$400 and/or up to 30 days imprisonment, as well as three penalty points on their driver's license. However, the law does not include any enhanced penalties if a driver violates the law and causes death or serious physical injury. This legislation builds on the protections in the “move over” law by increasing the penalties for individuals who cause serious physical injury or death to a class

E or D felony, respectively.