

## Senate Resolution 1218

By: Senators Mullis of the 53rd, Miller of the 49th, Wilkinson of the 50th, Gooch of the 51st and Hufstetler of the 52nd

## A RESOLUTION

- 1 Creating the Senate Move Over Law Study Committee; and for other purposes.
- 2 WHEREAS, Georgia's "move over" law went into effect in 2003 in reaction to a growing number of police, emergency technicians, and Department of Transportation workers being killed during routine traffic stops, crash responses, and highway construction projects around the nation; and
- 6 WHEREAS, in Georgia, violation of the "move over" law results in a \$500.00 fine for failure to move over or reduce speed to a "reasonable and proper speed" when a "stationary authorized emergency vehicle" is present; and
- 9 WHEREAS, in 2009, police in Georgia's 159 counties issued 3,517 "move over" citations, with 697 of those being issued in Gwinnett County, 449 in Cobb County, 217 in Fulton County, and 203 in Clayton County; and
- 12 WHEREAS, Georgia's "move over" law does not include a specific speed reduction that should be considered "reasonable and proper" when a vehicle approaches a stationary emergency vehicle and is unable to move into the next lane; and
- 15 WHEREAS, many have voiced concerns that the language in the law is unclear, and law enforcement is not consistently applying the law, with tickets sometimes being issued to drivers who cannot safely move over or slow down; and
- 18 WHEREAS, analysis of the language used in Code Section 40-6-16 of the Official Code of Georgia Annotated and the manner in which this "move over" law is being applied is necessary to determine if legislative changes are warranted.
- 21 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that there is created the Senate Move Over Law Study Committee to be composed of five members of the Senate to be

23 appointed by the President of the Senate. The chairperson of the Senate Transportation  
24 Committee shall serve as chairperson of the committee. The chairperson shall call all  
25 meetings of the committee.

26 BE IT FURTHER RESOLVED that the committee shall undertake a study of the conditions,  
27 needs, issues, and problems mentioned above or related thereto and recommend any actions  
28 or legislation which the committee deems necessary or appropriate. The committee may  
29 conduct such meetings at such places and at such times as it may deem necessary or  
30 convenient to enable it to exercise fully and effectively its powers, perform its duties, and  
31 accomplish the objectives and purposes of this resolution. The members of the committee  
32 shall receive the allowances authorized for legislative members of interim legislative  
33 committees but shall receive the same for not more than five days unless additional days are  
34 authorized by the President of the Senate. The funds necessary to carry out the provisions  
35 of this resolution shall come from the funds appropriated to the Senate. In the event the  
36 committee makes a report of its findings and recommendations, with suggestions for  
37 proposed legislation, if any, such report shall be made on or before December 1, 2014. The  
38 committee shall stand abolished on December 1, 2014.