

Motor Vehicle Division Informational Memo # 18-09

2018 Legislation – Move Over Law

DATE: June 12, 2018

FROM: Sara Siedsma, Compliance Officer, MVD

TO: All Driver and Identification Services (DIS) staff, Iowa County Treasurers and County Treasurers' staff that issue driver's licenses and non-operator's identification cards.

SUBJECT

This informational memo explains legislation enacted during the 2018 legislative session regarding approaching stationary vehicles and the duty to move over or slow down.

SUMMARY

House File 2304 amended Iowa Code section 321.323A to add construction vehicles to the list of stationary vehicles for which a driver has a duty to move over or slow down and also added a new subsection requiring drivers to move over or slow down for any stationary motor vehicle (i.e., passenger vehicle) displaying its emergency signal lamps (i.e., standard hazard lights or emergency flashers) absent any other direction by a peace officer. **The legislation is effective July 1, 2018.**

LINK TO LEGISLATION

2018 Iowa Acts, House File 2304:

<https://www.legis.iowa.gov/docs/publications/LGE/87/HF2304.pdf>

CURRENT

Under current law, individuals are required to move over or slow down when approaching certain stationary vehicles, such as emergency vehicles, tow trucks, utility or maintenance vehicles and garbage or recycling collection vehicles. Individuals who are convicted of a violation of Iowa Code section 321.323A face a license suspension as well as a criminal fine.

NEW

The new legislation adds construction vehicles to the list of stationary vehicles for which a driver has a duty to move over or slow down, as well as any stationary motor vehicle (i.e., passenger vehicle) displaying its standard hazard lights absent any other direction by a peace officer.

BUSINESS IMPACT

The legislation does not directly impact the way that DIS functions and does not implement any new procedures for DIS staff, but it is important to understand what this legislation does and how it impacts our customers. We will also make a corresponding change to the operator manual.

HELPFUL QUESTIONS AND ANSWERS

The following questions and answers provide additional information that will be helpful to you and to customers.

DID THE NEW LAW CHANGE THE LICENSE SUSPENSIONS FOR VIOLATIONS OF THIS CODE SECTION?

No, the legislation did not change the license suspension a person will face if convicted of a violation of this code section which resulted in an accident causing property damage, bodily injury or death of another person. However, because a new classification of vehicle was added to the list of stationary vehicles as well as adding any stationary vehicle displaying its standard hazard lights, it could result in more convictions coming in under this code section.