

SENATE BILL NO. 3026

1 AN ACT TO REQUIRE THE DRIVER OF AN APPROACHING VEHICLE TO
2 YIELD THE RIGHT-OF-WAY TO A PARKED OR DISABLED VEHICLE THAT IS
3 STATIONARY AND TO PRESCRIBE PENALTIES; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** (1) Upon approaching a stationary parked or
6 disabled vehicle located on the highway or the right-of-way, the
7 person driving the approaching vehicle, proceeding with due
8 caution, shall:

9 (a) Yield to the stationary vehicle by making a lane
10 change into a lane not adjacent to that of the authorized
11 emergency vehicle when on a highway having at least four (4) lanes
12 with not less than two (2) lanes proceeding in the same direction
13 as the approaching vehicle, if possible considering safety and
14 traffic conditions; or

15 (b) If changing lanes would be impossible or unsafe,
16 reduce the speed of the vehicle while maintaining a safe speed for
17 road conditions and being prepared to stop.

18 (2) A violation of this section shall be a misdemeanor
19 punishable by a fine not to exceed Two Hundred Fifty Dollars
20 (\$250.00) unless there is property damage to the stationary
21 vehicle or bodily harm to any driver or passenger of the
22 stationary vehicle resulting from the violation, in which case the
23 fine shall not exceed One Thousand Dollars (\$1,000.00).

24 (4) This section shall not operate to relieve the driver of
25 any vehicle from the duty to operate the vehicle with due regard
26 for the safety of all persons using the highway.

27 **SECTION 2.** This act shall take effect and be in force from
28 and after July 1, 2007.