**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑5‑1539 SO AS TO PROVIDE THAT A DRIVER OF A MOTOR VEHICLE APPROACHING A WRECKER OR A TOW TRUCK THAT IS DISPLAYING WARNING SIGNALS MUST PROCEED WITH CAUTION AND, IF POSSIBLE, YIELD THE RIGHT OF WAY BY MAKING A LANE CHANGE INTO A LANE THAT IS NOT ADJACENT TO THE WRECKER OR TOW TRUCK, AND TO PROVIDE PENALTIES.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 11, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56‑5‑1539. (A) The driver of a motor vehicle, upon approaching a stationary wrecker or tow truck that is displaying a mounted flashing, oscillating, or blinking blue, red, or amber light shall:

(1) proceed with caution and, if reasonable, with due regard for safety and traffic conditions, yield the right of way by making a lane change into a lane that is not adjacent to the wrecker or tow truck along a highway that has at least four lanes with at least two intended for traffic proceeding in the direction of the approaching vehicle; or

(2) proceed with due caution and maintain a safe speed for highway conditions if changing lanes is impossible or unsafe.

(B) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than thirty days, or fined five hundred dollars, or both.”

SECTION 2. This act takes effect upon approval by the Governor.

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