

Maryland's Expanded Move-Over Law Serves an Important Reminder to Have Clear Policies for Employees Who Drive for Business

By Jessica Summers

On October 1, 2022, Maryland's expansion to the state's "Move Over" law went into effect. Maryland's law previously required that motorists move over to the next lane when emergency vehicles are stopped on the side of the highway. This term, the General Assembly expanded the law so that drivers are now required to move over for any vehicles with their hazard lights on, or where road flares, traffic cones, or other caution signals out.

Violations of the expanded law will result in fines starting at \$110. In the event of an accident resulting from a violation, the fine is \$150 (plus three points on the driver's license), or if an individual is seriously injured or dies, the fine becomes \$750 (plus three points on the driver's license). These fines are separate and apart from any civil or criminal liability that may result from such an accident.

So why should employers take note?

The State's expansion of its traffic laws emphasizes again the inherent risk borne by employers that have employees who drive (their own vehicle or a company vehicle) in the course of their employment. Not only should such employers endeavor to ensure that their driving employees are up to date on the latest traffic laws in the jurisdictions where they drive – they should also have clear written policies for these employees. Such policies should address critical issues including compliance with traffic laws, reporting accidents or citations and who will be held financially responsible if the employee gets a ticket or fine.

Policies alone cannot completely eliminate potential liability for the employer if the employee is in an accident. However, they can help provide a defense if the employee's actions were in violation of the policies and help employers and employees avoid accidents and injuries in the first place.

Please do not hesitate to contact us if you have any questions or need assistance confirming that your company's policies are up to date.