

HOUSE BILL No. 4108

January 26, 2017, Introduced by Rep. LaFave and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 638 (MCL 257.638).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 638. (1) A vehicle shall not be driven to the left side
2 of the center of a 2-lane highway or in the center lane of a 3-lane
3 highway in overtaking and passing another vehicle proceeding in the
4 same direction unless the left side or center lane is clearly
5 visible and is free of oncoming traffic for a sufficient distance
6 ahead to permit the overtaking and passing to be completely made
7 without interfering with the safe operation of a vehicle
8 approaching from the opposite direction or the vehicle overtaken.

9 **(2) THE DRIVER OF A VEHICLE THAT IS OVERTAKING AND PASSING**

1 ANOTHER VEHICLE PROCEEDING IN THE SAME DIRECTION IN THE MANNER
2 DESCRIBED IN SUBSECTION (1) MAY EXCEED THE SPEED LIMIT FOR THE
3 PORTION OF HIGHWAY UPON WHICH THAT VEHICLE IS TRAVELING, SUBJECT TO
4 ALL OF THE FOLLOWING:

5 (A) THE DRIVER MAY EXCEED THE SPEED LIMIT BY NO MORE THAN 10
6 MILES PER HOUR.

7 (B) THE DRIVER MAY ONLY EXCEED THE SPEED LIMIT DURING THE
8 PERIOD OF TIME THAT HE OR SHE IS OVERTAKING AND PASSING THE OTHER
9 VEHICLE AS DESCRIBED IN SUBSECTION (1) AND FOR NO LONGER THAN 10
10 SECONDS AFTER HE OR SHE HAS SAFELY OVERTAKEN AND PASSED THE OTHER
11 VEHICLE.

12 (C) THIS SUBSECTION ONLY APPLIES WHILE THE VEHICLE IS
13 TRAVELING ON A PORTION OF A HIGHWAY THAT IS NOT WITHIN THE LIMITS
14 OF A VILLAGE OR CITY OR WITHIN A SCHOOL ZONE.

15 (3) ~~(2)~~—A person who violates this section is responsible for
16 a civil infraction.

17 Enacting section 1. This amendatory act takes effect 90 days
18 after the date it is enacted into law.