

HOUSE BILL No. 4265

February 23, 2017, Introduced by Reps. Hughes, Lucido, Leutheuser, Kahle and Marino and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 636 and 637 (MCL 257.636 and 257.637).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 636. (1) The following rules ~~shall~~ govern the overtaking
2 and passing of vehicles proceeding in the same direction, subject
3 to ~~these~~**THE** limitations, exceptions, and special rules stated in
4 sections 637 to 643a:

5 (a) The driver of a vehicle overtaking another vehicle
6 proceeding in the same direction shall pass at a safe distance to
7 the left of that vehicle, and when safely clear of the overtaken
8 vehicle shall take up a position as near the right-hand edge of the
9 main traveled portion of the highway as is practicable.

10 (b) Except when overtaking and passing on the right is
11 permitted, the driver of an overtaken vehicle shall give way to the

1 right in favor of the overtaking vehicle on audible signal and
2 shall not increase the speed of his or her vehicle until completely
3 passed by the overtaking vehicle.

4 **(2) THE DRIVER OF A VEHICLE OVERTAKING A BICYCLE PROCEEDING IN**
5 **THE SAME DIRECTION SHALL PASS AT A SAFE DISTANCE OF AT LEAST 5 FEET**
6 **TO THE LEFT OF THAT BICYCLE, AND WHEN SAFELY CLEAR OF THE OVERTAKEN**
7 **BICYCLE SHALL TAKE UP A POSITION AS NEAR THE RIGHT-HAND EDGE OF THE**
8 **MAIN TRAVELED PORTION OF THE HIGHWAY AS IS PRACTICABLE.**

9 **(3) ~~(2)~~**A person who violates this section is responsible for
10 a civil infraction.

11 Sec. 637. (1) The driver of a vehicle may overtake and pass
12 upon the right of another vehicle only if 1 or more of the
13 following conditions exist:

14 (a) When the vehicle overtaken is making or about to make a
15 left turn.

16 (b) Upon a street or highway with unobstructed pavement not
17 occupied by parked vehicles of sufficient width for 2 or more lines
18 of moving vehicles in each direction and when the vehicles are
19 moving in substantially continuous lanes of traffic.

20 (c) Upon a 1-way street, or upon a roadway on which traffic is
21 restricted to 1 direction of movement, where the roadway is free
22 from obstructions and of sufficient width for 2 or more lines of
23 moving vehicles and when the vehicles are moving in substantially
24 continuous lanes of traffic.

25 (2) The driver of a vehicle may overtake and pass another
26 vehicle upon the right only under conditions permitting the
27 overtaking and passing in safety. The driver of a vehicle shall not

1 overtake and pass another vehicle upon the right by driving off the
2 pavement or main-traveled portion of the roadway.

3 **(3) THE DRIVER OF A VEHICLE OVERTAKING A BICYCLE SHALL, WHEN**
4 **OTHERWISE PERMITTED BY THIS SECTION, PASS AT A SAFE DISTANCE OF AT**
5 **LEAST 5 FEET TO THE RIGHT OF THAT BICYCLE.**

6 **(4)** ~~(3)~~—A person who violates this section is responsible for
7 a civil infraction.

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