

**SUBSTITUTE FOR  
SENATE BILL NO. 1077**

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

**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 ~~those~~ **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.

1 (b) Except when overtaking and passing on the right is  
2 permitted, the driver of an overtaken vehicle shall give way to the  
3 right in favor of the overtaking vehicle on audible signal and  
4 shall not increase the speed of his or her vehicle until completely  
5 passed by the overtaking vehicle.

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

12 (3) NOTWITHSTANDING SECTION 640, IF IT IS SAFE TO DO SO, THE  
13 DRIVER OF A MOTOR VEHICLE OVERTAKING A BICYCLE PROCEEDING IN THE  
14 SAME DIRECTION MAY OVERTAKE AND PASS THE BICYCLE IN A NO-PASSING  
15 ZONE.

16 (4) ~~(2)~~—A person who violates this section is responsible for  
17 a civil infraction.

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