

**SUBSTITUTE FOR
SENATE BILL NO. 1076**

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

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

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

27 (c) Upon a 1-way street, or upon a roadway on which traffic is

1 restricted to 1 direction of movement, where the roadway is free
2 from obstructions and of sufficient width for 2 or more lines of
3 moving vehicles and when the vehicles are moving in substantially
4 continuous lanes of traffic.

5 (2) The driver of a vehicle may overtake and pass another
6 vehicle upon the right only under conditions permitting the
7 overtaking and passing in safety. The driver of a vehicle shall not
8 overtake and pass another vehicle upon the right by driving off the
9 pavement or main-traveled portion of the roadway.

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

13 **(4) ~~(3)~~**A person who violates this section is responsible for
14 a civil infraction.

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