



SENATE BILL No. 1076

September 8, 2016, Introduced by Senators O'BRIEN and KNEZEK and referred to the Committee on Judiciary.

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

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

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

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

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

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

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

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

26 (2) The driver of a vehicle may overtake and pass another
27 vehicle upon the right only under conditions permitting the

1 overtaking and passing in safety. The driver of a vehicle shall not
2 overtake and pass another vehicle upon the right by driving off the
3 pavement or main-traveled portion of the roadway.

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

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

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