

**SUBSTITUTE FOR  
HOUSE BILL NO. 4185**

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 ~~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

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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 MOTOR VEHICLE OVERTAKING A BICYCLE**  
 6     **PROCEEDING IN THE SAME DIRECTION SHALL PASS AT A SAFE DISTANCE OF**  
 7     **AT LEAST 3 FEET [   ] TO THE LEFT OF THAT**  
 8     **BICYCLE OR, IF IT IS IMPRACTICABLE TO PASS THE BICYCLE AT A**  
 9     **DISTANCE OF 3 FEET TO THE LEFT, AT A SAFE DISTANCE TO THE LEFT OF**  
 10    **THAT BICYCLE AT A SAFE SPEED, AND WHEN SAFELY CLEAR OF THE**  
 11    **OVERTAKEN BICYCLE SHALL TAKE UP A POSITION AS NEAR THE RIGHT-HAND**  
 12    **EDGE OF THE MAIN TRAVELED PORTION OF THE HIGHWAY AS IS PRACTICABLE.**

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