

# HOUSE BILL No. 5003

October 20, 2015, Introduced by Reps. Callton, Darany, LaVoy, Bizon, Inman, Dianda, Chirkun, Hughes and McBroom 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 640 (MCL 257.636 and 257.640).

## 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.

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) NOTWITHSTANDING SECTION 640, IF IT IS SAFE TO DO SO, THE  
10 DRIVER OF A VEHICLE OVERTAKING A BICYCLE PROCEEDING IN THE SAME  
11 DIRECTION MAY OVERTAKE AND PASS THE BICYCLE IN A NO-PASSING ZONE.

12 (4) ~~(2)~~ A person who violates this section is responsible for  
13 a civil infraction.

14 Sec. 640. (1) The state highway commission and county road  
15 commissions shall determine those portions of a highway under their  
16 jurisdiction where overtaking and passing or driving to the left of  
17 the roadway would be especially hazardous, and by appropriate signs  
18 or markings on the roadway shall indicate the beginning and end of  
19 those zones in a manner enabling an ordinary observant driver of a  
20 vehicle to observe the directions and obey them. A sign shall be  
21 placed to the left of the highway on those portions of a highway  
22 where additional notice is considered necessary.

23 (2) The no-passing zones provided for by this section shall be  
24 based upon a traffic survey and engineering study. Traffic-control  
25 devices installed ~~pursuant to~~ **UNDER** this section shall conform to  
26 the state manual and specifications as provided for by section 608.

27 (3) ~~A~~ **EXCEPT AS OTHERWISE PROVIDED IN SECTION 636,** A person

1 who fails to obey the traffic-control devices installed ~~pursuant to~~  
2 **UNDER** this section is responsible for a civil infraction.

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