

**SUBSTITUTE FOR  
SENATE BILL NO. 123**

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

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 DISTANCE OF AT  
7 LEAST 3 FEET OR A SAFE PASSING DISTANCE TO THE LEFT OF THAT  
8 BICYCLE, AND WHEN SAFELY CLEAR OF THE OVERTAKEN BICYCLE SHALL TAKE  
9 UP A POSITION AS NEAR THE RIGHT-HAND EDGE OF THE MAIN TRAVELED  
10 PORTION OF THE HIGHWAY AS IS PRACTICABLE.

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

15 (4) ~~(2)~~—A person who violates this section is responsible for  
16 a civil infraction.

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