

SENATE BILL No. 123

February 9, 2017, Introduced by Senators KNEZEK and O'BRIEN and referred to the Committee on Judiciary.

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