

# HOUSE BILL NO. 4395

March 19, 2019, Introduced by Reps. Wittenberg, Elder, Kuppa, Manoogian, Sabo, Brixie, LaGrand, Ellison, Peterson, Gay-Dagnogo and Miller and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 636 (MCL 257.636), as amended by 2018 PA 279.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 636. (1) The following rules govern the overtaking and  
2 passing of vehicles proceeding in the same direction, subject to  
3 ~~the limitations, exceptions, and special rules stated in sections~~  
4 637 to 643a:

5           (a) The driver of a vehicle overtaking another vehicle

1 proceeding in the same direction shall pass at a safe distance to  
2 the left of that vehicle, and when safely clear of the overtaken  
3 vehicle shall take up a position as near the right-hand edge of the  
4 main traveled portion of the highway as is practicable.

5 (b) Except when overtaking and passing on the right is  
6 permitted, the driver of an overtaken vehicle shall give way to the  
7 right in favor of the overtaking vehicle ~~on audible signal~~ and  
8 shall not increase the speed of his or her vehicle until completely  
9 passed by the overtaking vehicle.

10 (2) The driver of a motor vehicle overtaking a bicycle  
11 proceeding in the same direction shall pass at a safe distance of  
12 at least 3 feet to the left of that bicycle or, if it is  
13 impracticable to pass the bicycle at a distance of 3 feet to the  
14 left, at a safe distance to the left of that bicycle at a safe  
15 speed, and when safely clear of the overtaken bicycle shall take up  
16 a position as near the right-hand edge of the main traveled portion  
17 of the highway as is practicable.

18 (3) Notwithstanding section 640, if it is safe to do so, the  
19 driver of a vehicle overtaking a bicycle proceeding in the same  
20 direction may overtake and pass the bicycle in a no-passing zone.

21 (4) A person who violates this section is responsible for a  
22 civil infraction.

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