

# 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  
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 motor vehicle overtaking a bicycle  
5 proceeding in the same direction shall pass at a safe distance of  
6 at least 3 feet to the left of that bicycle or, if it is  
7 impracticable to pass the bicycle at a distance of 3 feet to the  
8 left, at a safe distance to the left of that bicycle at a safe  
9 speed, and when safely clear of the overtaken bicycle shall take up  
10 a position as near the right-hand edge of the main traveled portion  
11 of the highway as is practicable.

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

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

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