

# HOUSE BILL No. 5918

September 21, 2016, Introduced by Rep. Bizon 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 637 (MCL 257.636 and 257.637).

## 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 VEHICLE OVERTAKING A BICYCLE PROCEEDING IN**  
6 **THE SAME DIRECTION SHALL PASS AT A SAFE DISTANCE OF AT LEAST 5 FEET**  
7 **TO THE LEFT OF THAT BICYCLE, AND WHEN SAFELY CLEAR OF THE OVERTAKEN**  
8 **BICYCLE SHALL TAKE UP A POSITION AS NEAR THE RIGHT-HAND EDGE OF THE**  
9 **MAIN TRAVELED PORTION OF THE HIGHWAY AS IS PRACTICABLE.**

10 (3) ~~(2)~~A person who violates this section is responsible for  
11 a civil infraction.

12 Sec. 637. (1) The driver of a vehicle may overtake and pass  
13 upon the right of another vehicle only if 1 or more of the  
14 following conditions exist:

15 (a) When the vehicle overtaken is making or about to make a  
16 left turn.

17 (b) Upon a street or highway with unobstructed pavement not  
18 occupied by parked vehicles of sufficient width for 2 or more lines  
19 of moving vehicles in each direction and when the vehicles are  
20 moving in substantially continuous lanes of traffic.

21 (c) Upon a 1-way street, or upon a roadway on which traffic is  
22 restricted to 1 direction of movement, where the roadway is free  
23 from obstructions and of sufficient width for 2 or more lines of  
24 moving vehicles and when the vehicles are moving in substantially  
25 continuous lanes of traffic.

26 (2) The driver of a vehicle may overtake and pass another  
27 vehicle upon the right only under conditions permitting the

1 overtaking and passing in safety. The driver of a vehicle shall not  
2 overtake and pass another vehicle upon the right by driving off the  
3 pavement or main-traveled portion of the roadway.

4 **(3) THE DRIVER OF A VEHICLE OVERTAKING A BICYCLE SHALL, WHEN**  
5 **OTHERWISE PERMITTED BY THIS SECTION, PASS AT A SAFE DISTANCE OF AT**  
6 **LEAST 5 FEET TO THE RIGHT OF THAT BICYCLE.**

7 **(4)** ~~(3)~~—A person who violates this section is responsible for  
8 a civil infraction.

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