

# HOUSE BILL 1456

R5

7lr1754

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By: **Delegate Parrott**

Introduced and read first time: February 10, 2017

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Passing to the Right – Use of Shoulder**

3 FOR the purpose of authorizing the driver of a vehicle to pass to the right of another vehicle  
4 making or about to make a left turn under certain circumstances; making a certain  
5 technical correction and certain conforming changes; and generally relating to the  
6 use of the shoulder to pass on the right.

7 BY repealing and reenacting, with amendments,  
8 Article – Transportation  
9 Section 21–304  
10 Annotated Code of Maryland  
11 (2012 Replacement Volume and 2016 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
13 That the Laws of Maryland read as follows:

14 **Article – Transportation**

15 21–304.

16 (a) Subject to the requirements of subsection (b) of this section, the driver of a  
17 vehicle may overtake and pass to the right of another vehicle only:

18 (1) If the overtaken vehicle is making or about to make a left turn;

19 (2) On a highway with unobstructed pavement not occupied by parked  
20 vehicles and wide enough for two or more lines of vehicles moving lawfully in the same  
21 direction as the overtaking vehicle; or

22 (3) On any one–way roadway, if the roadway is free from obstruction and  
23 wide enough for two or more lines of moving vehicles.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) The driver of a vehicle may overtake and pass another vehicle to the right only  
2 if it is safe to do so.

3 (c) **(1)** Except AS PROVIDED IN PARAGRAPH **(2)** OF THIS SUBSECTION AND  
4 for an operator of a bicycle or motor scooter, a person may not make the movement  
5 described under [subsection] SUBSECTIONS **(A)** AND **(b)** of this section by driving off the  
6 roadway.

7 **(2) THE DRIVER OF A VEHICLE MAY MAKE THE MOVEMENT**  
8 **DESCRIBED UNDER SUBSECTIONS (A) AND (B) OF THIS SECTION BY DRIVING**  
9 **OUTSIDE THE MARKED LANE ONTO THE SHOULDER TO OVERTAKE AND PASS A**  
10 **VEHICLE THAT IS MAKING OR ABOUT TO MAKE A LEFT TURN IF THE DRIVER CAN DO**  
11 **SO WITHOUT LEAVING THE PAVED SURFACE.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2017.