

HOUSE BILL 73

Unofficial Copy  
R5  
HB 52/00 - CGM

2003 Regular Session  
3r0489

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By: ~~Delegate Kelly~~ **Delegates Kelly, O'Donnell, and Mitchell**

Introduced and read first time: January 22, 2003

Assigned to: Environmental Matters

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Committee Report: Favorable

House action: Adopted with floor amendments

Read second time: February 20, 2003

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Vehicle Laws - Overtaking and Passing Vehicles**

3 FOR the purpose of providing that on a roadway that has two or more lanes for traffic  
4 moving in the same direction a vehicle being overtaken in the far left lane shall  
5 give way to the right in favor of the overtaking vehicle under certain  
6 circumstances; providing a certain ~~exception~~ exceptions; making a certain  
7 stylistic change; and generally relating to the overtaking and passing of  
8 vehicles.

9 BY repealing and reenacting, with amendments,  
10 Article - Transportation  
11 Section 21-303  
12 Annotated Code of Maryland  
13 (2002 Replacement Volume)

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

16 **Article - Transportation**

17 21-303.

18 (a) Except as otherwise provided in this subtitle, this section governs the  
19 overtaking and passing of vehicles going in the same direction.

20 (b) The driver of a vehicle overtaking another vehicle that is going in the same  
21 direction shall pass to the left of the overtaken vehicle at a safe distance.

1 (c) The driver of a vehicle overtaking another vehicle that is going in the same  
2 direction, until safely clear of the overtaken vehicle, may not drive any part of [his]  
3 THE DRIVER'S vehicle directly in front of the overtaken vehicle.

4 (d) (1) Except when overtaking and passing on the right is permitted, the  
5 driver of an overtaken vehicle, on audible signal, shall give way to the right in favor  
6 of the overtaking vehicle.

7 (2) (I) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (1) OF  
8 THIS SUBSECTION, ON A ROADWAY THAT HAS TWO OR MORE LANES FOR TRAFFIC  
9 MOVING IN THE SAME DIRECTION, WHEN SAFE AND PRACTICABLE, THE DRIVER OF A  
10 VEHICLE BEING OVERTAKEN IN THE FAR LEFT LANE SHALL GIVE WAY TO THE RIGHT  
11 IN FAVOR OF AN OVERTAKING VEHICLE.

12 (II) THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH  
13 DO NOT APPLY TO:

14 1. A VEHICLE IN THE FAR LEFT LANE PREPARING FOR A  
15 LEFT TURN; OR

16 2. A VEHICLE IN A HIGH OCCUPANCY VEHICLE LANE IF:

17 A. THE HIGH OCCUPANCY VEHICLE LANE IS A SINGLE LANE  
18 MOVING IN ONE DIRECTION; AND

19 B. THE HIGH OCCUPANCY VEHICLE RESTRICTIONS ARE IN  
20 EFFECT.

21 (e) Except when overtaking and passing on the right is permitted, the driver  
22 of an overtaken vehicle, until completely passed by the overtaking vehicle, may not  
23 increase the speed of his vehicle.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
25 effect October 1, 2003.