

SENATE BILL 354

R5
SB 268/18 – JPR

9lr2090
CF HB 398

By: **Senators Lee and Smith**

Introduced and read first time: January 31, 2019

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Overtaking and Passing Bicycles**

3 FOR the purpose of authorizing the driver of a vehicle to drive on the left side of the
4 roadway in a no-passing zone to overtake and pass a bicycle in accordance with a
5 certain provision of law; clarifying certain language; making a stylistic change; and
6 generally relating to overtaking and passing bicycles.

7 BY repealing and reenacting, without amendments,
8 Article – Transportation
9 Section 21–305
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2018 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Transportation
14 Section 21–307
15 Annotated Code of Maryland
16 (2012 Replacement Volume and 2018 Supplement)

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

19 **Article – Transportation**

20 21–305.

21 (a) (1) The driver of a vehicle may not drive to the left of the center of the
22 roadway in overtaking and passing another vehicle going in the same direction unless:

23 (i) Authorized by this subtitle; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) The left side of the roadway is clearly visible and is free of
2 approaching traffic for a sufficient distance ahead to permit the overtaking and passing to
3 be completed without interfering with the operation of any other vehicle approaching from
4 the opposite direction or any other vehicle overtaken.

5 (2) The overtaking vehicle shall return to an authorized lane of travel as
6 soon as practicable and, if the passing movement uses a lane authorized for vehicles
7 approaching from the opposite direction, before coming within 200 feet of any approaching
8 vehicle.

9 (b) (1) This subsection does not apply on a one-way roadway.

10 (2) The driver of a vehicle may not drive on the left side of any roadway if:

11 (i) The vehicle is approaching the crest of a grade or is on a curve in
12 the highway where the driver's view is obstructed for such a distance as to be dangerous
13 should another vehicle approach from the opposite direction;

14 (ii) The vehicle is crossing or approaching within 100 feet of any
15 intersection or railroad grade crossing; or

16 (iii) The driver's view is obstructed while approaching within 100 feet
17 of any bridge, viaduct, or tunnel.

18 21-307.

19 (a) (1) The State Highway Administration may determine those parts of any
20 highway in its jurisdiction where overtaking and passing or driving on the left of the
21 roadway would be especially dangerous and, by appropriate signs or markings on the
22 roadway, may indicate the beginning and end of these zones.

23 (2) [Where] **EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS**
24 **SECTION, WHERE** the signs or markings are in place and clearly visible to an ordinarily
25 observant individual, every driver of a vehicle shall obey their directions.

26 (b) Except as provided in subsection (d) of this section, where signs or markings
27 defining a no-passing zone are placed as provided in subsection (a) of this section, a driver
28 may not drive on the left side of the roadway within the no-passing zone.

29 (c) Except as provided in subsection (d) of this section, where signs or markings
30 defining a no-passing zone are placed as provided in subsection (a) of this section, a driver
31 may not drive on the left side of any pavement striping designed to mark the no-passing
32 zone throughout its length.

33 (d) The driver of a vehicle may drive [across]:

1 **(1)** **ACROSS** the left side of the roadway in a no-passing zone while making
2 a left turn, but only if it is safe to do so; **AND**

3 **(2)** **IN ACCORDANCE WITH § 21-305 OF THIS SUBTITLE, ON THE LEFT**
4 **SIDE OF THE ROADWAY IN A NO-PASSING ZONE TO MAKE THE MINIMUM**
5 **ADJUSTMENT NECESSARY TO OVERTAKE AND PASS AT A SAFE DISTANCE A BICYCLE**
6 **TRAVELING IN THE SAME DIRECTION.**

7 SECTION 2. **AND BE IT FURTHER ENACTED,** That this Act shall take effect
8 October 1, 2019.