
SUBSTITUTE SENATE BILL 6105

State of Washington 64th Legislature 2016 Regular Session

By Senate Transportation (originally sponsored by Senators Baumgartner and Dansel)

READ FIRST TIME 01/28/16.

1 AN ACT Relating to creating a new offense of aggravated left lane
2 driving to address obnoxious, inconsiderate, and dangerous behavior;
3 amending RCW 46.61.100; creating a new section; and prescribing
4 penalties.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that RCW 46.61.100
7 provides that upon all roadways having two or more lanes for traffic
8 moving in the same direction, all vehicles must be driven in the
9 right-hand lane then available for traffic. Although the law provides
10 for exceptions to this rule, the legislature created a traffic
11 infraction to drive continuously in the left lane of a multilane
12 roadway when it impedes the flow of other traffic.

13 However, despite these clear provisions of law, the legislature
14 finds that those who persist in driving continuously in the left lane
15 of traffic at a rate of speed that impedes the flow of other traffic
16 continue to create safety hazards. Such actions can cause other
17 drivers to brake unexpectedly or create a long line of frustrated
18 drivers. This in turn can cause other drivers to engage in unsafe and
19 illegal conduct, such as tailgating or passing the slower vehicle in
20 the right lane. In light of these safety issues, the legislature
21 intends to create a new traffic offense of aggravated left lane

1 driving, in which the fine for the offense will be inversely
2 proportional to driving above the legal speed limit.

3 **Sec. 2.** RCW 46.61.100 and 2007 c 83 s 2 are each amended to read
4 as follows:

5 (1) Upon all roadways of sufficient width a vehicle shall be
6 driven upon the right half of the roadway, except as follows:

7 (a) When overtaking and passing another vehicle proceeding in the
8 same direction under the rules governing such movement;

9 (b) When an obstruction exists making it necessary to drive to
10 the left of the center of the highway; provided, any person so doing
11 shall yield the right-of-way to all vehicles traveling in the proper
12 direction upon the unobstructed portion of the highway within such
13 distance as to constitute an immediate hazard;

14 (c) Upon a roadway divided into three marked lanes and providing
15 for two-way movement traffic under the rules applicable thereon;

16 (d) Upon a street or highway restricted to one-way traffic; or

17 (e) Upon a highway having three lanes or less, when approaching a
18 stationary authorized emergency vehicle, tow truck or other vehicle
19 providing roadside assistance while operating warning lights with
20 three hundred sixty degree visibility, or police vehicle as described
21 under RCW 46.61.212(~~(+2)~~) (1)(d)(ii).

22 (2) Upon all roadways having two or more lanes for traffic moving
23 in the same direction, all vehicles shall be driven in the right-hand
24 lane then available for traffic, except (a) when overtaking and
25 passing another vehicle proceeding in the same direction, (b) when
26 traveling at a speed greater than the traffic flow, (c) when moving
27 left to allow traffic to merge, or (d) when preparing for a left turn
28 at an intersection, exit, or into a private road or driveway when
29 such left turn is legally permitted. On any such roadway, a vehicle
30 or combination over ten thousand pounds shall be driven only in the
31 right-hand lane except under the conditions enumerated in (a) through
32 (d) of this subsection.

33 (3) No vehicle towing a trailer or no vehicle or combination over
34 ten thousand pounds may be driven in the left-hand lane of a limited
35 access roadway having three or more lanes for traffic moving in one
36 direction except when preparing for a left turn at an intersection,
37 exit, or into a private road or driveway when a left turn is legally
38 permitted. This subsection does not apply to a vehicle using a high
39 occupancy vehicle lane. A high occupancy vehicle lane is not

1 considered the left-hand lane of a roadway. The department of
2 transportation, in consultation with the Washington state patrol,
3 shall adopt rules specifying (a) those circumstances where it is
4 permissible for other vehicles to use the left lane in case of
5 emergency or to facilitate the orderly flow of traffic, and (b) those
6 segments of limited access roadway to be exempt from this subsection
7 due to the operational characteristics of the roadway.

8 (4)(a) It is a traffic infraction to drive continuously in the
9 left lane of a multilane roadway when it impedes the flow of other
10 traffic.

11 (b) It is a traffic infraction and offense of aggravated left
12 lane driving to drive continuously under the maximum speed limit in
13 the left lane of a multilane roadway when it impedes the flow of
14 other traffic. In addition to the fines applicable to a traffic
15 infraction, the following fines are assigned based upon the speed
16 under the maximum posted speed limit the vehicle was continuously
17 traveling:

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| 18 | <u>(i) One to five miles per hour under the limit</u> | <u>\$27.00</u> |
| 19 | <u>(ii) Six to ten miles per hour under the limit</u> | <u>\$37.00</u> |
| 20 | <u>(iii) Eleven to fifteen miles per hour under the limit</u> | <u>\$52.00</u> |
| 21 | <u>(iv) Sixteen to twenty miles per hour under the limit</u> | <u>\$67.00</u> |

22 (5) Upon any roadway having four or more lanes for moving traffic
23 and providing for two-way movement of traffic, a vehicle shall not be
24 driven to the left of the center line of the roadway except when
25 authorized by official traffic control devices designating certain
26 lanes to the left side of the center of the roadway for use by
27 traffic not otherwise permitted to use such lanes, or except as
28 permitted under subsection (1)(b) of this section. However, this
29 subsection shall not be construed as prohibiting the crossing of the
30 center line in making a left turn into or from an alley, private road
31 or driveway.

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