

HB 1108 - S COMM AMD
By Committee on Transportation

ADOPTED 04/05/2005

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 46.61.110 and 1965 ex.s. c 155 s 17 are each amended
4 to read as follows:

5 The following rules shall govern the overtaking and passing of
6 vehicles proceeding in the same direction, subject to those
7 limitations, exceptions and special rules hereinafter stated:

8 (1) The driver of a vehicle overtaking (~~((another vehicle))~~) other
9 traffic proceeding in the same direction shall pass to the left thereof
10 at a safe distance and shall not again drive to the right side of the
11 roadway until safely clear of the overtaken (~~((vehicle))~~) traffic.

12 (2) The driver of a vehicle approaching a pedestrian or bicycle
13 that is on the roadway or on the right-hand shoulder or bicycle lane of
14 the roadway shall pass to the left at a safe distance to clearly avoid
15 coming into contact with the pedestrian or bicyclist, and shall not
16 again drive to the right side of the roadway until safely clear of the
17 overtaken pedestrian or bicyclist.

18 (3) Except when overtaking and passing on the right is permitted,
19 (~~((the driver of an))~~) overtaken (~~((vehicle))~~) traffic shall give way to
20 the right in favor of (~~((the))~~) an overtaking vehicle on audible signal
21 and shall not increase (~~((the))~~) speed (~~((of his vehicle))~~) until
22 completely passed by the overtaking vehicle.

23 **Sec. 2.** RCW 46.61.120 and 1965 ex.s. c 155 s 19 are each amended
24 to read as follows:

25 No vehicle shall be driven to the left side of the center of the
26 roadway in overtaking and passing (~~((another vehicle))~~) other traffic
27 proceeding in the same direction unless authorized by the provisions of
28 RCW 46.61.100 through 46.61.160 and unless such left side is clearly
29 visible and is free of oncoming traffic for a sufficient distance ahead

1 to permit such overtaking and passing to be completely made without
2 interfering with the operation of any ((vehiele)) traffic approaching
3 from the opposite direction or any ((vehiele)) traffic overtaken. In
4 every event the overtaking vehicle must return to an authorized lane of
5 travel as soon as practicable and in the event the passing movement
6 involves the use of a lane authorized for vehicles approaching from the
7 opposite direction, before coming within two hundred feet of any
8 approaching ((vehiele)) traffic.

9 **Sec. 3.** RCW 46.61.125 and 1972 ex.s. c 33 s 2 are each amended to
10 read as follows:

11 (1) No vehicle shall be driven on the left side of the roadway
12 under the following conditions:

13 (a) When approaching or upon the crest of a grade or a curve in the
14 highway where the driver's view is obstructed within such distance as
15 to create a hazard in the event ((another vehicle)) other traffic might
16 approach from the opposite direction;

17 (b) When approaching within one hundred feet of or traversing any
18 intersection or railroad grade crossing;

19 (c) When the view is obstructed upon approaching within one hundred
20 feet of any bridge, viaduct or tunnel;

21 (d) When a bicycle or pedestrian is within view of the driver and
22 is approaching from the opposite direction, or is present, in the
23 roadway, shoulder, or bicycle lane within a distance unsafe to the
24 bicyclist or pedestrian due to the width or condition of the roadway,
25 shoulder, or bicycle lane.

26 (2) The foregoing limitations shall not apply upon a one-way
27 roadway, nor under the conditions described in RCW 46.61.100(1)(b), nor
28 to the driver of a vehicle turning left into or from an alley, private
29 road or driveway.

30 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.61 RCW
31 to read as follows:

32 Nothing in RCW 46.61.110, 46.61.120, or 46.61.125 relieves
33 pedestrians and bicyclists of their legal duties while traveling on
34 public highways."

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1 On page 1, line 2 of the title, after "bicyclists;" strike the
2 remainder of the title and insert "amending RCW 46.61.110, 46.61.120,
3 and 46.61.125; and adding a new section to chapter 46.61 RCW."

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