

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

H

1

HOUSE BILL 16

Short Title: Move Left Passing Pulled-Over Vehicle.

(Public)

Sponsors: Representative Smith.

Referred to: Rules, Calendar, and Operations of the House.

January 30, 2001

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT A DRIVER SHALL MOVE TO THE LEFT LANE
2 WHEN PASSING A VEHICLE STOPPED ON THE RIGHT SHOULDER OF THE
3 ROADWAY BY A LAW ENFORCEMENT OFFICER.
4

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 20-146(a) reads as rewritten:

7 "(a) Upon all ~~roadways~~ highways of sufficient width a vehicle shall be driven
8 upon the right half of the highway except as follows:

- 9 (1) When overtaking and passing another vehicle proceeding in the same
10 direction under the rules governing such movement;
11 (2) When an obstruction exists making it necessary to drive to the left of
12 the center of the highway; provided, any person so doing shall yield
13 the right-of-way to all vehicles traveling in the proper direction upon
14 the unobstructed portion of the highway within such distance as to
15 constitute an immediate hazard;
16 (3) Upon a highway divided into three marked lanes for traffic under the
17 rules applicable thereon; or
18 (4) Upon a highway designated and signposted for one-way traffic."

19 **SECTION 2.** G.S. 20-146(d) reads as rewritten:

20 "(d) Whenever any street has been divided into two or more clearly marked lanes
21 for traffic, the following rules in addition to all others consistent herewith shall apply.

- 22 (1) A vehicle shall be driven as nearly as practicable entirely within a
23 single lane and shall not be moved from such lane until the driver has
24 first ascertained that such movement can be made with safety.
25 (2) Upon a street which is divided into three or more lanes and provides
26 for the two-way movement of traffic, a vehicle shall not be driven in
27 the center lane except when overtaking and passing another vehicle
28 traveling in the same direction when such center lane is clear of traffic

1 within a safe distance, or in the preparation for making a left turn or
2 where such center lane is at the time allocated exclusively to traffic
3 moving in the same direction that the vehicle is proceeding and such
4 allocation is designated by official traffic-control device.

5 (3) Official traffic-control devices may be erected directing specified
6 traffic to use a designated lane or designating those lanes to be used by
7 traffic moving in a particular direction regardless of the center of the
8 street and drivers of vehicles shall obey the direction of every such
9 device.

10 (4) Official traffic-control devices may be installed prohibiting the
11 changing of lanes on sections of streets, and drivers of vehicles shall
12 obey the directions of every such device.

13 (5) When passing a vehicle that has been stopped on the right shoulder of
14 the roadway by a law enforcement officer, the driver of the passing
15 vehicle shall:

16 a. On a highway divided into four marked lanes for traffic, move
17 out of the lane immediately to the left of the stopped vehicle
18 into the next left lane.

19 b. On a highway divided into two lanes, drive as far to the left as
20 possible in accordance with subdivision (a)(2) of this section."

21 **SECTION 3.** This act becomes effective December 1, 2001.