

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 46.2-838 of the Code of Virginia, relating to passing when overtaking a*  
3 *stationary refuse-collection vehicle.*

4 [H 1649]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 46.2-838 of the Code of Virginia is amended and reenacted as follows:**8 **§ 46.2-838. Passing when overtaking a vehicle.**

9 A. The driver of any vehicle overtaking another vehicle proceeding in the same direction shall pass at  
10 least two feet to the left of the overtaken vehicle and shall not again drive to the right side of the  
11 highway until safely clear of such overtaken vehicle, except as otherwise provided in this article.

12 B. The driver of any motor vehicle, upon overtaking a stationary vehicle in the process of refuse  
13 collection operations, shall (i) on a highway having at least four lanes, at least two of which are  
14 intended for traffic proceeding in the same direction as the approaching vehicle, proceed with caution  
15 and, if reasonable, with due regard for safety and traffic conditions, yield the right-of-way by making a  
16 lane change into a lane not adjacent to the stationary vehicle or (ii) if changing lanes would be  
17 unreasonable or unsafe or on highways having fewer than four lanes, proceed with due caution and  
18 decrease speed to 10 miles per hour below the posted speed limit and pass at least two feet to the left  
19 of the vehicle.

ENROLLED

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