

VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION

CHAPTER 815

An Act to amend and reenact §§ 46.2-842 and 46.2-842.1 of the Code of Virginia, relating to signals; overtaking vehicle.

[H 1066]

Approved April 7, 2020

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-842 and 46.2-842.1 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-842. Driver to give way to overtaking vehicle.

Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle ~~on audible signal~~ and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle. Any over-width, or slow-moving vehicle as defined by § 46.2-1081 shall be removed from the roadway at the nearest suitable location when necessary to allow traffic to pass.

§ 46.2-842.1. Drivers to give way to certain overtaking vehicles on divided highways.

It shall be unlawful to fail to give way to overtaking traffic when driving a motor vehicle to the left and abreast of another motor vehicle on a divided highway. ~~On audible or light signal, the~~ *The* driver of the overtaken vehicle shall move to the right to allow the overtaking vehicle to pass as soon as the overtaken vehicle can safely do so. A violation of this section shall not be construed as negligence per se in any civil action.