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## HOUSE BILL NO. 1883

Offered January 15, 1999

A BILL to amend and reenact §§ 46.2-841 and 46.2-842 of the Code of Virginia, relating to overtaking and passing vehicles on highways.

Patrons—Johnson and Melvin

Referred to Committee on Transportation

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 46.2-841 and 46.2-842 of the Code of Virginia are amended and reenacted as follows:**

§ 46.2-841. When overtaking vehicle may pass on right.

A. The driver of a vehicle may overtake and pass to the right of another vehicle only:

1. When the overtaken vehicle is making or about to make a left turn, and its driver has given the required signal;

2. On a highway with unobstructed pavement, not occupied by parked vehicles, of sufficient width for two or more lines of moving vehicles in each direction;

3. On a one-way street or on any one-way roadway when the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles.

B. The driver of a vehicle may overtake and pass another vehicle on the right only under conditions permitting such movement in safety. Except where driving on paved shoulders is permitted by lawfully placed signs, no such movement shall be made by driving on the shoulder of the highway or off the pavement or main traveled portion of the roadway.

C. The provisions of this section shall not apply on limited access highway as defined in § 33.1-57.

§ 46.2-842. Passing on limited access highways; driver to give way to overtaking vehicle.

A. Except (i) when necessary to exit the highway to the left, (ii) to avoid a collision, (iii) to avoid persons, objects or defects in, or damage to, the roadway, or (iv) where otherwise directed by a law-enforcement officer or lawfully posted signs, no person shall drive any motor vehicle in the left-most lane of any roadway of any limited access highway except to pass another vehicle traveling in the same direction.

B. Except when overtaking and passing on the right is permitted under § 46.2-841, 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.

INTRODUCED

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