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**HOUSE BILL NO. 2446**

Offered January 9, 2019

Prefiled January 9, 2019

A *BILL to amend and reenact § 46.2-841 of the Code of Virginia, relating to motorcycles; driving on shoulder of highway.*

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Patrons—Wilt; Senator: Chase

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Referred to Committee on Transportation**Be it enacted by the General Assembly of Virginia:****1. That § 46.2-841 of the Code of Virginia is 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. *Notwithstanding subsection B, the driver of a motorcycle may drive on the right shoulder of any limited access highway as defined in § 33.2-400, provided that (i) traffic on such limited access highway is stopped or traveling at a speed of not more than 10 miles per hour, (ii) the driver of such motorcycle travels at a speed of not more than 15 miles per hour, and (iii) the driver of such motorcycle travels in the same direction as vehicular traffic in the adjacent lanes of travel only as far as the first available exit and uses such exit to leave the limited access highway.*

INTRODUCED

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