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HOUSE BILL 1108

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State of Washington

59th Legislature

2005 Regular Session

By Representatives Grant, Walsh, Wallace, Rodne, Wood, Morrell, Lovick, Williams, Jarrett, Kilmer, Simpson, Kessler, Chase and Dickerson

Read first time 01/14/2005. Referred to Committee on Transportation.

1 AN ACT Relating to limitations for vehicles passing pedestrians or  
2 bicyclists; and amending RCW 46.61.110 and 46.61.125.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.61.110 and 1965 ex.s. c 155 s 17 are each amended  
5 to read as follows:

6 The following rules shall govern the overtaking and passing of  
7 vehicles proceeding in the same direction, subject to those  
8 limitations, exceptions and special rules hereinafter stated:

9 (1) The driver of a vehicle overtaking another vehicle proceeding  
10 in the same direction shall pass to the left thereof at a safe distance  
11 and shall not again drive to the right side of the roadway until safely  
12 clear of the overtaken vehicle.

13 (2) The driver of a vehicle approaching a pedestrian or bicycle  
14 that is on the right-hand shoulder of the roadway shall pass to the  
15 left at a safe distance, taking into consideration the width or  
16 condition of the shoulder or roadway, the apparent age or condition of  
17 the pedestrian or bicyclist, the weather, the time of day, and other  
18 conditions and shall not again drive to the right side of the roadway  
19 until safely clear of the overtaken pedestrian or bicyclist.

1       (3) Except when overtaking and passing on the right is permitted,  
2 the driver of an overtaken vehicle shall give way to the right in favor  
3 of the overtaking vehicle on audible signal and shall not increase the  
4 speed of his vehicle until completely passed by the overtaking vehicle.

5       **Sec. 2.** RCW 46.61.125 and 1972 ex.s. c 33 s 2 are each amended to  
6 read as follows:

7       (1) No vehicle shall be driven on the left side of the roadway  
8 under the following conditions:

9       (a) When approaching or upon the crest of a grade or a curve in the  
10 highway where the driver's view is obstructed within such distance as  
11 to create a hazard in the event another vehicle might approach from the  
12 opposite direction;

13       (b) When approaching within one hundred feet of or traversing any  
14 intersection or railroad grade crossing;

15       (c) When the view is obstructed upon approaching within one hundred  
16 feet of any bridge, viaduct or tunnel;

17       (d) When a bicycle or pedestrian is within view of the driver and  
18 is approaching from the opposite direction, or is present, in the  
19 roadway or shoulder within a distance hazardous to the bicyclist or  
20 pedestrian due to the width or condition of the shoulder or roadway,  
21 the apparent age or condition of the bicyclist or pedestrian, the  
22 weather, the time of day, or other conditions.

23       (2) The foregoing limitations shall not apply upon a one-way  
24 roadway, nor under the conditions described in RCW 46.61.100(1)(b), nor  
25 to the driver of a vehicle turning left into or from an alley, private  
26 road or driveway.

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