
SUBSTITUTE SENATE BILL 5812

State of Washington

58th Legislature

2003 Regular Session

By Senate Committee on Highways & Transportation (originally sponsored by Senators Horn, Haugen, Swecker, Finkbeiner and Shin)

READ FIRST TIME 03/05/03.

1 AN ACT Relating to driving in the left lane; and amending RCW
2 46.61.100 and 46.61.425.

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

4 **Sec. 1.** RCW 46.61.100 and 1997 c 253 s 1 are each amended to read
5 as follows:

6 (1) Upon all roadways of sufficient width a vehicle shall be driven
7 upon the right half of the roadway, except as follows:

8 (a) When overtaking and passing another vehicle proceeding in the
9 same direction under the rules governing such movement;

10 (b) When an obstruction exists making it necessary to drive to the
11 left of the center of the highway; provided, any person so doing shall
12 yield the right of way to all vehicles traveling in the proper
13 direction upon the unobstructed portion of the highway within such
14 distance as to constitute an immediate hazard;

15 (c) Upon a roadway divided into three marked lanes and providing
16 for two-way movement traffic under the rules applicable thereon; or

17 (d) Upon a street or highway restricted to one-way traffic.

18 (2) Upon all roadways having two or more lanes for traffic moving
19 in the same direction, all vehicles shall be driven in the right-hand

1 lane then available for traffic, except (a) when overtaking and passing
2 another vehicle proceeding in the same direction, (b) when traveling at
3 a speed greater than the traffic flow, (c) when moving left to allow
4 traffic to merge, or (d) when preparing for a left turn at an
5 intersection, exit, or into a private road or driveway when such left
6 turn is legally permitted. On any such roadway, a vehicle or
7 combination over ten thousand pounds shall be driven only in the right-
8 hand lane except under the conditions enumerated in (a) through (d) of
9 this subsection.

10 (3) No vehicle towing a trailer or no vehicle or combination over
11 ten thousand pounds may be driven in the left-hand lane of a limited
12 access roadway having three or more lanes for traffic moving in one
13 direction except when preparing for a left turn at an intersection,
14 exit, or into a private road or driveway when a left turn is legally
15 permitted. This subsection does not apply to a vehicle using a high-
16 occupancy vehicle lane. A high-occupancy vehicle lane is not
17 considered the left-hand lane of a roadway. The department of
18 transportation, in consultation with the Washington state patrol, shall
19 adopt rules specifying (a) those circumstances where it is permissible
20 for other vehicles to use the left lane in case of emergency or to
21 facilitate the orderly flow of traffic, and (b) those segments of
22 limited access roadway to be exempt from this subsection due to the
23 operational characteristics of the roadway.

24 (4) It is a traffic infraction to drive continuously in the left
25 lane of a multilane roadway when it impedes the flow of other traffic.
26 For the purposes of this subsection, a vehicle is impeding traffic when
27 behind it are two or more vehicles formed in a line. This subsection
28 does not authorize a person to exceed the posted speed limit by more
29 than is necessary to safely pass another vehicle and then move to the
30 right when possible.

31 (5) Upon any roadway having four or more lanes for moving traffic
32 and providing for two-way movement of traffic, a vehicle shall not be
33 driven to the left of the center line of the roadway except when
34 authorized by official traffic control devices designating certain
35 lanes to the left side of the center of the roadway for use by traffic
36 not otherwise permitted to use such lanes, or except as permitted under
37 subsection (1)(b) of this section. However, this subsection shall not

1 be construed as prohibiting the crossing of the center line in making
2 a left turn into or from an alley, private road or driveway.

3 **Sec. 2.** RCW 46.61.425 and 1977 ex.s. c 151 s 37 are each amended
4 to read as follows:

5 (1) No person shall drive a motor vehicle at such a slow speed as
6 to impede the normal and reasonable movement of traffic except when
7 reduced speed is necessary for safe operation or in compliance with
8 law(~~(:—PROVIDED, That))~~). However, on a multilane highway and a
9 highway having only one lane of traffic in each direction, a person
10 following a vehicle driving at less than the legal maximum speed and
11 desiring to pass such vehicle may exceed the speed limit, (~~(subject to~~
12 ~~the provisions of RCW 46.61.120 on highways having only one lane of~~
13 ~~traffic in each direction,~~)) at only such a speed and for only such a
14 distance as is necessary to complete the pass with a reasonable margin
15 of safety. Persons driving on a highway having only one lane of
16 traffic in each direction may exceed the speed limit only when in
17 compliance with this subsection (1) and RCW 46.61.120. Persons driving
18 on a multilane highway may exceed the speed limit only when passing
19 vehicles in the left lane and in compliance with this subsection (1).
20 Additionally, a person driving a motor vehicle in the left lane of a
21 multilane roadway in compliance with RCW 46.61.100(4) is not committing
22 a traffic infraction.

23 (2) Whenever the secretary of transportation or local authorities
24 within their respective jurisdictions determine on the basis of an
25 engineering and traffic investigation that slow speeds on any part of
26 a highway unreasonably impede the normal movement of traffic, the
27 secretary or such local authority may determine and declare a minimum
28 speed limit thereat which shall be effective when appropriate signs
29 giving notice thereof are erected. No person shall drive a vehicle
30 slower than such minimum speed limit except when necessary for safe
31 operation or in compliance with law.

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