

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1108

59th Legislature
2005 Regular Session

Passed by the House April 18, 2005
Yeas 95 Nays 0

Speaker of the House of Representatives

Passed by the Senate April 5, 2005
Yeas 45 Nays 1

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1108** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1108

AS AMENDED BY THE SENATE

Passed Legislature - 2005 Regular Session

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; amending RCW 46.61.110, 46.61.120, and 46.61.125; and
3 adding a new section to chapter 46.61 RCW.

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

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

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

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

14 (2) The driver of a vehicle approaching a pedestrian or bicycle
15 that is on the roadway or on the right-hand shoulder or bicycle lane of
16 the roadway shall pass to the left at a safe distance to clearly avoid
17 coming into contact with the pedestrian or bicyclist, and shall not
18 again drive to the right side of the roadway until safely clear of the
19 overtaken pedestrian or bicyclist.

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

6 **Sec. 2.** RCW 46.61.120 and 1965 ex.s. c 155 s 19 are each amended
7 to read as follows:

8 No vehicle shall be driven to the left side of the center of the
9 roadway in overtaking and passing (~~another vehicle~~) other traffic
10 proceeding in the same direction unless authorized by the provisions of
11 RCW 46.61.100 through 46.61.160 and unless such left side is clearly
12 visible and is free of oncoming traffic for a sufficient distance ahead
13 to permit such overtaking and passing to be completely made without
14 interfering with the operation of any (~~vehicle~~) traffic approaching
15 from the opposite direction or any (~~vehicle~~) traffic overtaken. In
16 every event the overtaking vehicle must return to an authorized lane of
17 travel as soon as practicable and in the event the passing movement
18 involves the use of a lane authorized for vehicles approaching from the
19 opposite direction, before coming within two hundred feet of any
20 approaching (~~vehicle~~) traffic.

21 **Sec. 3.** RCW 46.61.125 and 1972 ex.s. c 33 s 2 are each amended to
22 read as follows:

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

25 (a) When approaching or upon the crest of a grade or a curve in the
26 highway where the driver's view is obstructed within such distance as
27 to create a hazard in the event (~~another vehicle~~) other traffic might
28 approach from the opposite direction;

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

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

33 (d) When a bicycle or pedestrian is within view of the driver and
34 is approaching from the opposite direction, or is present, in the
35 roadway, shoulder, or bicycle lane within a distance unsafe to the

1 bicyclist or pedestrian due to the width or condition of the roadway,
2 shoulder, or bicycle lane.

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

7 NEW SECTION. Sec. 4. A new section is added to chapter 46.61 RCW
8 to read as follows:

9 Nothing in RCW 46.61.110, 46.61.120, or 46.61.125 relieves
10 pedestrians and bicyclists of their legal duties while traveling on
11 public highways.

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