

HOUSE BILL NO. 87

INTRODUCED BY DOZIER, PAVLOVICH, DRISCOLL, ZABROCKI

IN THE HOUSE

January 5, 1983	Introduced and referred to Committee on Highways and Transportation.
January 13, 1983	Committee recommend bill do pass. Report adopted.
January 14, 1983	Bill printed and placed on members' desks.
January 15, 1983	Second reading, do pass.
January 17, 1983	Considered correctly engrossed.
January 18, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

January 19, 1983	Introduced and referred to Committee on Highways and Transportation.
January 26, 1983	Committee recommend bill be concurred in. Report adopted.
January 28, 1983	Second reading, concurred in.
January 31, 1983	Third reading, concurred in. Ayes, 42; Noes, 6.

IN THE HOUSE

January 31, 1983	Returned to House.
February 1, 1983	Sent to enrolling. Reported correctly enrolled.

1 House BILL NO. 87
 2 INTRODUCED BY Don Farnum
Gatch

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE DRIVER OF
 5 AN OVERTAKEN VEHICLE TO TRAVEL ON THE SHOULDER OF A TWO-LANE
 6 HIGHWAY UNTIL HE IS PASSED IF IT IS SAFE TO DO SO; AMENDING
 7 SECTIONS 61-8-311 AND 61-8-323, MCA."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 61-8-311, MCA, is amended to read:

11 "61-8-311. Minimum speed regulations. (1) A person may
 12 not drive a motor vehicle at a speed slow enough to impede
 13 or block the normal and reasonable movement of traffic
 14 except when reduced speed is necessary for safe operation or
 15 in compliance with law.

16 (2) On a two-lane highway where passing is unsafe
 17 because of traffic in the opposite direction or other
 18 conditions, a slow-moving vehicle, including a passenger
 19 vehicle, behind which four or more vehicles are formed in
 20 line shall turn off the roadway at the nearest place
 21 designated as a turnout by signs erected by the authority
 22 having jurisdiction over the highway or wherever sufficient
 23 area for a safe turnout exists in order to permit the
 24 vehicles following it to proceed. If the shoulder of the
 25 highway to the right of the overtaken vehicle is wide enough

1 and is in a condition allowing safe travel, the driver of
 2 the overtaken vehicle may drive onto the shoulder and
 3 proceed at a safe speed until passed. As used in this
 4 section a slow-moving vehicle is one which is proceeding at
 5 a rate of speed less than the normal flow of traffic at the
 6 particular time and place. The department of highways is
 7 authorized to designate and construct such turnouts and to
 8 erect signs at appropriate places advising motorists of this
 9 statute.

10 (3) If the department of highways or local authorities
 11 within their respective jurisdictions determine on the basis
 12 of an engineering and traffic investigation that slow speeds
 13 on any part of a highway consistently impede the normal and
 14 reasonable movement of traffic, the commission or the local
 15 authority may set a minimum speed limit below which a person
 16 may not drive a vehicle except when necessary for safe
 17 operation or in compliance with law."

18 Section 2. Section 61-8-323, MCA, is amended to read:

19 "61-8-323. Overtaking a vehicle on the left. The
 20 following rules shall govern the overtaking and passing of
 21 vehicles proceeding in the same direction, subject to those
 22 limitations, exceptions, and special rules hereinafter
 23 stated:

24 (1) The driver of a vehicle overtaking another vehicle
 25 proceeding in the same direction shall pass to the left

INTRODUCED BILL
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1 thereof at a safe distance and shall not again drive to the
2 right side of the roadway until safely clear of the
3 overtaken vehicle.

4 (2) Except when overtaking and passing on the right is
5 permitted, the driver of an overtaken vehicle shall give way
6 to the right in favor of the overtaking vehicle on audible
7 signal and shall not increase the speed of his vehicle until
8 completely passed by the overtaking vehicle. When giving
9 way to the right on a two-lane highway, he may travel upon
10 the shoulder at a safe speed until passed if the shoulder is
11 wide enough and is in a condition allowing safe travel."

-End-

Approved by Committee
on Highways & Transportation

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2 INTRODUCED BY *Dan Dornell*
3 *Gatwick*
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THIRD READING

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