



# HOUSE BILL 827: Use of Passing Lane/Increased Penalty.

2017-2018 General Assembly

<b>Committee:</b>	House Judiciary I	<b>Date:</b>	June 14, 2017
<b>Introduced by:</b>	Reps. Duane Hall, Bradford, Hardister, Murphy	<b>Prepared by:</b>	Jason Moran-Bates Committee Co-Counsel
<b>Analysis of:</b>	Second Edition		

**OVERVIEW:** House Bill 827 would make it an infraction, punishable by a \$200 fine, to operate a motor vehicle in the left lane of a controlled-access highway or partially controlled-access highway in a manner the driver knows or reasonably should know will result in the vehicle being overtaken by another vehicle driving at a higher rate of speed.

[As introduced, this bill was identical to S303, as introduced by Sens. Tarte, McInnis, J. Davis, which is currently in Senate Transportation.]

**CURRENT LAW:** Currently G.S. 20-146(b) requires all vehicles traveling at less than the speed limit to be in the rightmost lane except when overtaking another vehicle or preparing to turn left. G.S. 20-146(e) prohibits any vehicle from traveling in the left lane of a highway at a speed less than the speed limit if a sign such as "Slower Traffic Keep Right" has been posted and the vehicle impedes the steady flow of traffic.

### BILL ANALYSIS:

Section 1 of House Bill 827 would amend G.S. 20-146(b) to make it an infraction, punishable by a \$200 fine, for an individual to travel in the left lane of a highway in a manner that impedes the steady flow of traffic, unless the individual is overtaking another vehicle or preparing to turn left. "Impeding the steady flow of traffic" means traveling at a speed that an individual knows or reasonably should know will result in the individual being overtaken from the rear by a vehicle traveling at a higher rate of speed. Section 1 would also strike the entirety of G.S. 120-46(e).

Section 2 would appropriate \$50,000 in non-recurring funds for the 2017-18 fiscal year from the Highway Fund to the Division of Motor Vehicles of the Department of Transportation to educate the public on the changes to G.S. 20-146.

Section 3 would require G.S. 20-146(b), as amended, to be enforced by warning ticket only until November 30, 2018.

**EFFECTIVE DATE:** The bill would become effective December 1, 2017, and apply to offenses committed on or after that date.

*Howard Marsilio of the Legislative Analysis Division substantially contributed to this summary.*

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