



This Bill Analysis reflects the contents of the bill as it was presented in committee.

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

2017-2018 General Assembly

<b>Committee:</b>	House Transportation. If favorable, re-refer to Judiciary I	<b>Date:</b>	April 24, 2017
<b>Introduced by:</b>	Reps. Duane Hall, Bradford, Hardister, Murphy	<b>Prepared by:</b>	Howard Marsilio Committee Counsel
<b>Analysis of:</b>	PCS to First Edition H827-CSBG-16		

**OVERVIEW:** *The Proposed Committee Substitute (PCS) for House Bill 827 would prohibit operating a motor vehicle in the inside travel lane on a controlled-access or partially controlled-access highway at less than the maximum speed limit or while impeding traffic, and provide that a violation is an infraction with a \$200 penalty.*

*The PCS adds the phrase "then available for through traffic" on Page 1, Line 17 after the word "highway" to account for a driver's inability to merge right.*

### CURRENT LAW:

G.S. 20-146 contains the general requirements, and exceptions, that vehicles travel on the right side of the highway.

G.S. 20-146(b) requires vehicles on all highways, driving at less than the legal maximum speed, to drive in an available right hand lane or as close as practicable to the right hand curb or edge of the highway. This requirement does not apply when overtaking a vehicle or when preparing to turn left.

G.S. 20-146(e) prohibits driving in the inside lane at less than the maximum speed while impeding the steady flow of traffic, on a highway posted with an appropriate sign, such as a sign indicating that "Slower Traffic Keep Right."

### BILL ANALYSIS:

House Bill 827 (PCS) would:

- Clarify that the offense only applies to controlled-access and partially controlled-access highways.
- Prohibit driving less than the maximum speed limit or impeding the steady flow of traffic in the inside lane, except when overtaking and passing another vehicle. A violation would be an infraction, and would include a fine of two hundred dollars (\$200.00).
- Define the phrase "impeding the steady flow of traffic" as a person that knows or reasonably should know they are being overtaken from the rear by a vehicle traveling at a higher rate of speed.
- Remove G.S. 20-146(e) as codified, and remove any sign posting requirement for this offense.

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