

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 827
PROPOSED COMMITTEE SUBSTITUTE H827-PCS40536-BG-16

Short Title: Use of Passing Lane/Increased Penalty.

(Public)

Sponsors:

Referred to:

April 13, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO EXPAND THE PROHIBITION ON OPERATING A MOTOR VEHICLE IN
3 THE LEFTMOST TRAVEL LANE OF A CONTROLLED-ACCESS OR PARTIALLY
4 CONTROLLED-ACCESS HIGHWAY AT LESS THAN THE SPEED LIMIT OR WHEN
5 IMPEDING THE STEADY FLOW OF TRAFFIC AND TO INCREASE THE
6 MONETARY PENALTY FOR COMMITTING A VIOLATION OF THAT
7 PROHIBITION.

8 The General Assembly of North Carolina enacts:

9 SECTION 1. G.S. 20-146 reads as rewritten:

10 "§ 20-146. Drive on right side of highway; exceptions.

11 ...
12 (b) Upon all ~~highways-controlled-access and partially controlled-access highways,~~ any
13 vehicle ~~proceeding at less than the legal maximum speed limit impeding the steady flow of~~
14 ~~traffic shall be driven in the right hand lane then available for thru traffic, or as close as~~
15 ~~practicable to the right hand curb or edge of the highway, except when overtaking and passing~~
16 ~~another vehicle proceeding in the same direction or when preparing for a left turn.~~ a lane other
17 ~~than the inside lane next to the centerline or median of a multilane highway then available for~~
18 ~~thru traffic, except when overtaking and passing another vehicle proceeding in the same~~
19 ~~direction or when making a left turn. A person who violates this subsection is guilty of an~~
20 ~~infraction punishable by a fine of two hundred dollars (\$200.00). For purposes of this~~
21 ~~subsection, a person is "impeding the steady flow of traffic" if the person knows or reasonably~~
22 ~~should know that he or she is being overtaken from the rear by a vehicle traveling at a higher~~
23 ~~rate of speed.~~

24 ...
25 (e) ~~Notwithstanding any other provisions of this section, when appropriate signs have~~
26 ~~been posted, it shall be unlawful for any person to operate a motor vehicle over and upon the~~
27 ~~inside lane, next to the median of any dual lane highway at a speed less than the posted speed~~
28 ~~limit when the operation of said motor vehicle over and upon said inside lane shall impede the~~
29 ~~steady flow of traffic except when preparing for a left turn. "Appropriate signs" as used herein~~
30 ~~shall be construed as including "Slower Traffic Keep Right" or designations of similar import."~~

31 SECTION 2. Notwithstanding G.S. 143C-5-2, there is appropriated from the
32 Highway Fund to the Division of Motor Vehicles of the Department of Transportation the sum
33 of fifty thousand dollars (\$50,000) in nonrecurring funds for the 2017-2018 fiscal year to be
34 used to provide education to the public on compliance with G.S. 20-146, as amended by
35 Section 1 of this act.



1 **SECTION 3.** G.S. 20-146(b), as amended by Section 1 of this act, shall be
2 enforced by warning ticket only until November 30, 2018.

3 **SECTION 4.** This act becomes effective December 1, 2017, and applies to
4 offenses committed on or after that date.