

HOUSE BILL NO. 415

INTRODUCED BY S. MORIGEAU, D. BARTEL, J. ECK, G. HERTZ, M. HOPKINS, C. KNUDSEN, S. LAVIN,  
Z. PERRY, G. PIERSON, A. REDFIELD, T. RICHMOND, D. SALOMON, S. STEWART-PEREGOY,  
D. ZOLNIKOV, L. WHITFORD

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT VEHICLES TRAVELING ON ROADWAYS WITH  
TWO OR MORE LANES OF TRAFFIC MOVING IN THE SAME DIRECTION MUST STAY IN THE RIGHT LANE  
WITH CERTAIN EXCEPTIONS; AND AMENDING SECTION 61-8-321, MCA."

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

**Section 1.** Section 61-8-321, MCA, is amended to read:

**"61-8-321. Drive on right side of roadway -- exceptions.** (1) Upon all roadways of sufficient width, a  
vehicle must be operated upon the right half of the roadway, except as follows:

(a) when overtaking and passing another vehicle proceeding in the same direction under the rules  
governing the passing movement;

(b) when the right half of a roadway is closed to traffic while under construction or repair;

(c) upon a roadway divided into three marked lanes for traffic under the rules applicable on a divided  
roadway;

(d) upon a roadway designated by official traffic control devices for one-way traffic;

(e) when the operator of a vehicle is complying with the provisions of 61-8-346; or

(f) when an obstruction exists that makes it necessary to drive to the left of the center of the roadway;

OR

(G) WHEN A POLICE VEHICLE OR AUTHORIZED EMERGENCY VEHICLE IS PERFORMING A JOB-RELATED DUTY AS  
PROVIDED IN 61-8-107.

(2) A person operating a vehicle to the left of the center of the roadway for any of the reasons provided  
in subsection (1) shall yield the right-of-way to all vehicles traveling in the proper direction upon the unobstructed  
portion of the roadway that are within a distance that constitutes an immediate hazard.

~~(3) A vehicle proceeding at less than the normal speed of traffic at the time and place and under the  
conditions then existing must be operated in the right-hand lane then available for traffic, or as close as~~

1 practicable to the right-hand curb or edge of the roadway except when overtaking and passing another vehicle  
 2 proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or  
 3 driveway. Upon all roadways having two or more lanes for traffic moving in the same direction, a vehicle must  
 4 be driven in the right-hand lane except when:

5 —— (a) overtaking and passing another vehicle proceeding in the same direction;

6 —— (b) traveling at a speed greater than the traffic flow;

7 —— (c) moving left to allow traffic to merge; or

8 —— (d) preparing for a left turn at an intersection or into a private road or driveway when a left turn is legally  
 9 permitted:

10 (A) EXCEPT AS PROVIDED IN SUBSECTION (3)(B) AND SUBJECT TO SUBSECTION (4), UPON ALL ROADWAYS HAVING  
 11 TWO OR MORE LANES FOR TRAFFIC MOVING IN THE SAME DIRECTION, A VEHICLE MUST BE DRIVEN IN THE RIGHT-HAND LANE.

12 (B) A VEHICLE BEING OPERATED UPON A ROADWAY HAVING TWO OR MORE LANES FOR TRAFFIC MOVING IN THE  
 13 SAME DIRECTION IS NOT REQUIRED TO BE DRIVEN IN THE RIGHT-HAND LANE WHEN:

14 (I) OVERTAKING AND PASSING ANOTHER VEHICLE PROCEEDING IN THE SAME DIRECTION;

15 (II) TRAVELING AT A SPEED GREATER THAN THE TRAFFIC FLOW;

16 (III) MOVING LEFT TO ALLOW TRAFFIC TO MERGE;

17 (IV) TRAVELING ON A ROADWAY WITHIN THE OFFICIAL BOUNDARIES OF A CITY OR TOWN, EXCEPT AS PROVIDED IN  
 18 SUBSECTION (4);

19 (V) PREPARING FOR A LEFT TURN AT AN INTERSECTION OR INTO A PRIVATE ROAD OR DRIVEWAY WHEN A LEFT  
 20 TURN IS LEGALLY PERMITTED;

21 (VI) EXITING ONTO A LEFT-HAND EXIT FROM A CONTROLLED-ACCESS HIGHWAY;

22 (VII) AN OBSTRUCTION OR HAZARDOUS CONDITIONS MAKE IT NECESSARY TO DRIVE IN A LANE OTHER THAN THE  
 23 RIGHT-HAND LANE; OR

24 (VIII) AUTHORIZED SNOW-REMOVAL EQUIPMENT IS OPERATING ON THE ROADWAY.

25 (4) WHEN TRAVELING UPON AN INTERSTATE HIGHWAY, AS DEFINED IN 60-5-102, WITHIN THE OFFICIAL  
 26 BOUNDARIES OF A CITY OR TOWN, A VEHICLE MUST BE DRIVEN IN THE RIGHT-HAND LANE UNLESS OTHERWISE DIRECTED  
 27 OR PERMITTED BY AN OFFICIAL TRAFFIC CONTROL DEVICE."

28 - END -