

HOUSE BILL NO. 415

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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) ROAD OR VEHICLE CONDITIONS MAKE IT SAFER TO DRIVE IN A LANE OTHER THAN THE RIGHT-HAND LANE; OR

25 ~~(VIII)~~ (IX) AUTHORIZED SNOW-REMOVAL EQUIPMENT IS OPERATING ON THE ROADWAY.

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

29 - END -