

# SENATE BILL 768

R5

4r2775  
CF HB 298

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By: **Senator Folden**

Introduced and read first time: February 1, 2024

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Lanes of Travel – Slower Traffic and Overtaking and Passing**  
3 **(Highway Left Lane Safety Act)**

4 FOR the purpose of expanding to every roadway in the State a requirement that a driver  
5 of a vehicle traveling slower than the general speed of traffic drive the vehicle in the  
6 right-hand lanes under certain circumstances; providing that, on a roadway that has  
7 three or more lanes for traffic moving in the same direction with a certain posted  
8 maximum speed limit, the far left lane may be used only for overtaking and passing  
9 another vehicle in a certain manner and under certain circumstances; and generally  
10 relating to driving in the right-hand lanes of roadways and the overtaking and  
11 passing of vehicles in the left-hand lane.

12 BY repealing and reenacting, with amendments,  
13 Article – Transportation  
14 Section 21-301(b) and 21-303  
15 Annotated Code of Maryland  
16 (2020 Replacement Volume and 2023 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
18 That the Laws of Maryland read as follows:

19 **Article – Transportation**

20 21-301.

21 (b) (1) On every roadway, except while overtaking and passing another vehicle  
22 going in the same direction or when preparing for a lawful left turn, any vehicle going 10  
23 miles per hour or more below the applicable maximum speed limit or, if any existing  
24 conditions reasonably require a speed below that of the applicable maximum, at less than  
25 the normal speed of traffic under these conditions, shall be driven in the right-hand lane  
26 then available for traffic or as close as practicable to the right-hand curb or edge of the

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 roadway.

2 (2) (i) [1. In this paragraph the following words have the meanings  
3 indicated.

4 2. “Interstate highway” has the meaning stated in § 8–101(j)  
5 of this article.

6 3. “Rural area” means an area outside the fixed boundaries  
7 of an urban area as defined under § 8–507 of this article.

8 (ii) 1.] On [an interstate highway located in a rural area] **EVERY**  
9 **ROADWAY**, a driver of a vehicle traveling slower than the general speed of traffic, if  
10 practicable as determined by the driver, shall drive in the right–hand lane or lanes.

11 [2. A. This paragraph establishes the policy of the State  
12 and guidance with respect to the rules of the road.

13 B. A person may not be issued a citation for a violation of this  
14 paragraph.

15 (iii) **(II)** The Administration shall include the requirement under  
16 subparagraph [(ii)] **(I)** of this paragraph in the State’s driver education curriculum.

17 [(iv)] **(III)** The State Highway Administration shall inform drivers of  
18 the requirement under subparagraph [(ii)] **(I)** of this paragraph:

19 1. By placing and maintaining signs at regular intervals on  
20 appropriate highways; and

21 2. Through the dynamic message sign system located  
22 throughout the State.

23 21–303.

24 (a) Except as otherwise provided in this subtitle, this section governs the  
25 overtaking and passing of vehicles going in the same direction.

26 (b) The driver of a vehicle overtaking another vehicle that is going in the same  
27 direction shall pass to the left of the overtaken vehicle at a safe distance.

28 (c) The driver of a vehicle overtaking another vehicle that is going in the same  
29 direction, until safely clear of the overtaken vehicle, may not drive any part of [his] **THE**  
30 **DRIVER’S** vehicle directly in front of the overtaken vehicle.

31 (d) **(1)** Except when overtaking and passing on the right is permitted, the

1 driver of an overtaken vehicle, on audible signal, shall give way to the right in favor of the  
2 overtaking vehicle.

3           **(2) (I) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION,**  
4 **ON A ROADWAY THAT HAS THREE OR MORE LANES FOR TRAFFIC MOVING IN THE**  
5 **SAME DIRECTION AND WITH A POSTED MAXIMUM SPEED LIMIT OF 55 MILES PER**  
6 **HOUR OR MORE, A DRIVER MAY USE THE FAR LEFT LANE ONLY FOR OVERTAKING**  
7 **AND PASSING ANOTHER VEHICLE AND, AFTER OVERTAKING AND PASSING THE**  
8 **OTHER VEHICLE, SHALL RETURN TO THE RIGHT LANE AS SOON AS IT IS REASONABLY**  
9 **SAFE TO DO SO.**

10           **(II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT APPLY**  
11 **TO:**

12                           **1. A VEHICLE IN THE FAR LEFT LANE PREPARING FOR A**  
13 **LEFT TURN OR LEFT EXIT;**

14                           **2. A VEHICLE IN A HIGH OCCUPANCY VEHICLE LANE IF:**

15                           **A. THE HIGH OCCUPANCY VEHICLE LANE IS A SINGLE**  
16 **LANE MOVING IN ONE DIRECTION; AND**

17                           **B. THE HIGH OCCUPANCY VEHICLE RESTRICTIONS ARE**  
18 **IN EFFECT; OR**

19                           **3. TRAFFIC CONDITIONS THAT REQUIRE THE USE OF**  
20 **ALL ROADWAY LANES.**

21           (e) Except when overtaking and passing on the right is permitted, the driver of  
22 an overtaken vehicle, until completely passed by the overtaking vehicle, may not increase  
23 the speed of [his] **THE DRIVER'S** vehicle.

24           **(F) A PERSON WHO IS CONVICTED OF A VIOLATION OF SUBSECTION (D)(2)(I)**  
25 **OF THIS SECTION IS SUBJECT TO:**

26                           **(1) FOR A FIRST OFFENSE, A FINE OF \$75;**

27                           **(2) FOR A SECOND OFFENSE, A FINE OF \$150; AND**

28                           **(3) FOR A THIRD OR SUBSEQUENT OFFENSE, A FINE OF \$250.**

29           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 October 1, 2024.