

Senate File 389 - Introduced

SENATE FILE 389

BY CHAPMAN

A BILL FOR

1 An Act relating to the operation of motor vehicles in the
2 left-most lane of certain roadways, and making penalties
3 applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.233, Code 2019, is amended to read
2 as follows:

3 **321.233 Road workers exempted.**

4 This chapter, except sections 321.277 and 321.280, does
5 not apply to persons and motor vehicles and other equipment
6 while actually engaged in work upon the surface of a highway
7 officially closed to traffic but does apply to such persons
8 and vehicles when traveling to or from such work. The minimum
9 speed restriction of section 321.285, subsection 5, and the
10 provisions of sections 321.297, and 321.298, section 321.299,
11 subsection 3, and section 321.323 do not apply to road workers
12 operating maintenance equipment on behalf of any state or local
13 authority while engaged in road maintenance, road blading, snow
14 and ice control and removal, and granular resurfacing work on a
15 highway, whether or not the highway is closed to traffic.

16 Sec. 2. Section 321.299, Code 2019, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 3. *a.* Notwithstanding the exception
19 in subsection 2, a person operating a motor vehicle in the
20 left-most lane of a roadway who knows or reasonably should
21 know that another vehicle is overtaking the person's vehicle
22 from the rear shall not continue to operate the vehicle in the
23 left-most lane and shall make a lane change into the lane to
24 the immediate right of the left-most lane. This subsection
25 applies to persons operating motor vehicles on roadways
26 having two or more lanes designated for traffic traveling in
27 one direction and two or more lanes designated for traffic
28 traveling in the opposite direction. For purposes of this
29 subsection, "left-most lane" means the lane of a roadway
30 designated for traffic traveling in any one direction that is
31 farthest to the left, and does not include any lane designated
32 for traffic traveling in the opposite direction.

33 *b.* This subsection does not apply under any of the following
34 circumstances:

35 (1) When the person is overtaking or passing another vehicle

1 operating in the lane to the immediate right of the left-most
2 lane.

3 (2) When traffic conditions, inclement weather,
4 obstructions, or hazards make it necessary to operate the
5 vehicle in the left-most lane.

6 (3) When a law, regulation, ordinance, official
7 traffic-control device, or direction from a peace officer
8 requires the person to operate the vehicle in the left-most
9 lane.

10 (4) When the person is exiting the roadway or turning to the
11 left in compliance with this chapter.

12 (5) When the person is operating an authorized emergency
13 vehicle in the course of the person's duties.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with
16 the explanation's substance by the members of the general assembly.

17 Under current law, Code section 321.297 requires a vehicle
18 proceeding at less than the normal speed of traffic at the time
19 and place and under the conditions then existing to be driven
20 in the right-hand lane then available for traffic upon all
21 roadways, or as close as practicable to the right-hand curb or
22 edge of the roadway, except when overtaking and passing another
23 vehicle proceeding in the same direction or when preparing
24 for a left turn. Code section 321.299 requires the driver of
25 a vehicle being overtaken by another vehicle proceeding in
26 the same direction to give way to the right in favor of the
27 overtaking vehicle and prohibits the driver from increasing
28 the speed of the overtaken vehicle until completely passed by
29 the overtaking vehicle. This provision does not apply when
30 overtaking and passing on the right is permitted. Code section
31 321.302 authorizes overtaking and passing on the right on
32 roadways of sufficient width for two or more lines of traffic
33 moving in the same direction when the overtaken vehicle is
34 making or about to make a left turn. Code section 321.302 also
35 authorizes overtaking and passing on the right on roadways of

1 sufficient width for four or more lines of moving traffic.

2 This bill prohibits a person operating a motor vehicle in
3 the left-most lane of a roadway who knows or reasonably should
4 know that another vehicle is overtaking the person's vehicle
5 from the rear from continuing to operate the vehicle in the
6 left-most lane and requires the person to make a lane change
7 into the lane to the immediate right of the left-most lane.
8 The exception to Code section 321.299(2), allowing the driver
9 of an overtaken vehicle to fail to give way to the right in
10 favor of the overtaking vehicle when overtaking and passing on
11 the right is permitted, is not applicable to the provisions of
12 the bill. The bill applies to persons operating motor vehicles
13 on roadways having two or more lanes designated for traffic
14 traveling in one direction and two or more lanes designated
15 for traffic traveling in the opposite direction. For purposes
16 of the bill, "left-most lane" means the lane of a roadway
17 designated for traffic traveling in any one direction that is
18 farthest to the left, and does not include any lane designated
19 for traffic traveling in the opposite direction.

20 The bill exempts persons from the requirements of the bill
21 under certain circumstances, including when the person is
22 overtaking or passing another vehicle operating in the lane
23 to the immediate right of the left-most lane; when traffic
24 conditions, inclement weather, obstructions, or hazards make
25 it necessary to operate the vehicle in the left-most lane;
26 when a law, regulation, ordinance, official traffic-control
27 device, or direction from a peace officer requires the person
28 to operate the vehicle in the left-most lane; when the person
29 is exiting the roadway or turning to the left; when the person
30 is operating an authorized emergency vehicle in the course
31 of the person's duties; and when road workers are operating
32 maintenance equipment on behalf of any state or local authority
33 while engaged in road maintenance, road blading, snow and
34 ice control and removal, and granular resurfacing work on a
35 highway.

S.F. 389

1 By operation of law, a violation of the bill is punishable
2 by a scheduled fine of \$100. The violation is also subject
3 to additional penalties under Code section 321.482A if the
4 violation causes serious injury or death. For a violation
5 causing serious injury, the additional penalties include a fine
6 of \$500 or suspension of the violator's driver's license and
7 operating privileges for not more than 90 days, or both. For
8 a violation causing death, the additional penalties include a
9 fine of \$1,000 or suspension of the violator's driver's license
10 or operating privileges for not more than 180 days, or both.