

SENATE BILL No. 211

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2; IC 9-21-5.

Synopsis: Driving in the left lane. Provides that, except for an authorized emergency vehicle operated in the course of duty, a person may not drive a motor vehicle in a passing lane if the speed limit is at least 65 miles per hour unless the person is passing a motor vehicle driving in the nonpassing lane or exiting left, except when certain conditions are present or when traffic does not permit the person to safely merge into a nonpassing lane. Provides an increase to the penalty for failing to merge into a nonpassing lane to a Class A infraction.

Effective: July 1, 2021.

Alting

January 7, 2021, read first time and referred to Committee on Homeland Security and Transportation.



First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

SENATE BILL No. 211

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-112.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2021]: **Sec. 112.5. "Nonpassing lane" means**
4 **the lane that is the farthest to the right of a roadway that has at**
5 **least two (2) adjacent lanes of traffic moving in the same direction.**

6 SECTION 2. IC 9-13-2-123.1 IS ADDED TO THE INDIANA
7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2021]: **Sec. 123.1. "Passing lane" means the**
9 **lane or lanes left of the lane that is the farthest to the right of a**
10 **roadway that has at least two (2) adjacent lanes of traffic moving**
11 **in the same direction, except when lane use is restricted.**

12 SECTION 3. IC 9-21-5-7, AS AMENDED BY P.L.188-2015,
13 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2021]: Sec. 7. (a) A person may not drive a motor vehicle at
15 a slow speed that impedes or blocks the normal and reasonable
16 movement of traffic, except when reduced speed is necessary for safe
17 operation or in compliance with the law. A person who is driving:



1 (1) on a roadway that has not more than one (1) lane of traffic in
2 each direction; and

3 (2) at a slow speed so that three (3) or more other vehicles are
4 blocked and cannot pass on the left around the vehicle;

5 shall give right-of-way to the other vehicles by pulling off to the right
6 of the right lane at the earliest reasonable opportunity and allowing the
7 blocked vehicles to pass.

8 **(b) Except for an authorized emergency vehicle operated in the**
9 **course of duty, as provided under IC 9-21-5-9(c), or when traffic**
10 **does not permit the motor vehicle to safely merge into a nonpassing**
11 **lane, a person may not drive a motor vehicle in a passing lane if the**
12 **speed limit of the roadway is at least sixty-five (65) miles per hour,**
13 **unless the person:**

14 (1) is passing another motor vehicle that is in a nonpassing
15 lane; or

16 (2) is exiting left.

17 ~~(b)~~ (c) A person who fails to give right-of-way **safely merge into a**
18 **nonpassing lane** as required by subsection (a) commits a ~~Class C~~
19 **infractio** **Class A infraction.**

20 SECTION 4. IC 9-21-5-9, AS AMENDED BY P.L.188-2015,
21 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2021]: Sec. 9. (a) A vehicle that travels at a speed less than
23 the established maximum shall travel in the right lanes to provide for
24 better flow of traffic on the interstate highways.

25 (b) This subsection applies to the operation of a vehicle:

26 (1) on a roadway that has two (2) or more lanes of traffic in each
27 direction; and

28 (2) in ~~the left most a passing~~ lane, other than a lane designated
29 for high occupancy vehicles.

30 Except as provided in subsection (c), a person who knows, or should
31 reasonably know, that another vehicle is overtaking from the rear the
32 vehicle that the person is operating may not continue to operate the
33 vehicle in ~~the left most a passing~~ lane.

34 (c) Subsection (b) does not apply:

35 (1) when traffic conditions or congestion make it necessary to
36 operate a vehicle in ~~the left most a passing~~ lane;

37 (2) when inclement weather, obstructions, or hazards make it
38 necessary to operate a vehicle in ~~the left most a passing~~ lane;

39 (3) when compliance with a law, a regulation, an ordinance, or a
40 traffic control device makes it necessary to operate a vehicle in
41 ~~the left most a passing~~ lane;

42 (4) when exiting a roadway or turning to the left;



- 1 (5) when paying a toll or user fee at a toll collection facility;
- 2 (6) to an authorized emergency vehicle operated in the course of
- 3 duty; or
- 4 (7) to vehicles operated or used in the course of highway
- 5 maintenance or construction.
- 6 (d) A person who violates this section commits a Class C infraction.

