

HOUSE BILL NO. HB0033

Exceeding speed limit while passing.

Sponsored by: Representative(s) McOmie, Craft and Teeters
and Senator(s) Coe

A BILL

for

1 AN ACT relating to motor vehicles; authorizing drivers to
2 exceed posted speed limits in order to pass vehicles
3 traveling under the posted speed limit; specifying
4 additional restrictions and application; and providing for
5 an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 31-5-203 by creating a new subsection
10 (b) and 31-5-301(b) (intro) and (c) are amended to read:

11

12 **31-5-203. Rules governing overtaking on the left.**

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14 (b) A driver of a passenger car, motorcycle or pickup
15 truck, not towing any other vehicle, may exceed the speed
16 limit by up to ten (10) miles an hour while passing another

1 vehicle traveling at less than the legal maximum speed, in
2 order to safely pass the vehicle. The overtaking vehicle
3 shall return to the right-hand lane and reduce speed to the
4 posted speed limit as soon as practicable. This subsection
5 shall be applicable only upon roadways divided into two (2)
6 lanes for two (2) way movement of traffic and where the
7 posted speed limit is fifty (50) miles per hour or greater.
8 This subsection shall not be applicable in construction
9 zones. Passing a vehicle pursuant to this subsection shall
10 be subject to all other applicable motor vehicle laws. A
11 driver of a vehicle exceeding the ten (10) mile per hour
12 limitation of this subsection shall be subject to the full
13 penalty or penalties applicable to exceeding the posted
14 speed limit by the actual speed of the vehicle. As used in
15 this section, "motorcycle," "passenger car," "pickup" and
16 "vehicle" mean as defined in W.S. 31-1-101.

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18 **31-5-301. Maximum speed limits.**

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20 (b) Except when a special hazard exists that requires
21 lower speed for compliance with subsection (a) of this
22 section, subject to W.S. 31-5-203(b), the limits specified
23 in this subsection or established as otherwise authorized
24 shall be maximum lawful speeds and no person shall drive a

1 vehicle on a highway at a speed in excess of maximum
2 limits:

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4 (c) Subject to W.S. 31-5-203(b), the maximum speed
5 limits set forth in this section may be altered as
6 authorized in W.S. 31-5-302 and 31-5-303.

7

8 **Section 2.** This act is effective July 1, 2011.

9

10 (END)