

Enrolled
Senate Bill 895

Sponsored by Senator PROZANSKI, Representative ANDERSEN (at the request of Richard Hughes,
Doug Parrow)

CHAPTER

AN ACT

Relating to the offense of passing in a no passing zone; creating new provisions; amending ORS 811.420.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 811.420 is amended to read:

811.420. (1) A person commits the offense of passing in a no passing zone if the person drives a vehicle on the left side of a roadway in a no passing zone that has been established and designated to prohibit such movements by appropriate signs or markings posted on the roadway.

(2) The authority to establish and post no passing zones for purposes of this section is established under ORS 810.120.

(3) The provisions of this section do not apply under any of the following circumstances:

(a) When a driver turns left into or from an alley, intersection, private road or driveway.

(b) When an obstruction or condition exists making it necessary to drive to the left of the center of the roadway provided that a driver doing so shall:

(A) Yield the right of way to all vehicles traveling in the proper direction upon the unobstructed portion of the roadway within a distance that would constitute an immediate hazard; **and**

(B) **Drive at a speed that is at least five miles per hour under the speed limit established in ORS 811.111 or a designated speed posted under ORS 810.180.**

(4) **As used in this section, "obstruction" includes a person who is riding a bicycle or operating another type of vehicle and who is traveling at a speed of less than one-half of the speed limit established in ORS 811.111 or a designated speed posted under ORS 810.180.**

~~(4)~~ (5) The offense described in this section, passing in a no passing zone, is a Class B traffic violation.

SECTION 2. The amendments to ORS 811.420 by section 1 of this 2023 Act apply to offenses committed on or after the effective date of this 2023 Act.

Passed by Senate April 4, 2023

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Lori L. Brocker, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House May 25, 2023

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Dan Rayfield, Speaker of House

Received by Governor:

.....M,....., 2023

Approved:

.....M,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M,....., 2023

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Secretary of State