

TITLE 9: VEHICLE CODE
DIVISION 5: RULES OF THE ROAD

§ 5308. Limitation on Overtaking on the Left.

(a) No vehicle may be operated to the left side of the center line of a roadway in overtaking and passing another vehicle or bicycle proceeding in the same direction unless the left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit the overtaking and passing to be completely made without interfering with the safe operations of any vehicle approaching from the opposite direction or any vehicle overtaken. When a vehicle is overtaking and passing a bicycle proceeding in the same direction, the person driving the motor vehicle shall exercise due care by leaving a safe distance between the motor vehicle and bicycle of not less than three feet until the motor vehicle is safely past the overtaken bicycle.

(b) No vehicle may at any time be operated to the left side of the highway under the following conditions:

(1) When approaching the crest of a grade or upon a curve in the highway where the operator's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction.

(2) On a three-lane highway.

(3) Where a distinctive highway marking prohibits it.

(c) The operator of a vehicle about to be overtaken and passed by another vehicle approaching from the rear shall give way to the right in favor of the overtaking vehicle when the operator of the overtaking vehicle has given a suitable and audible signal, and shall not increase the speed of his or her vehicle until completely overtaken and passed by the overtaking vehicle.

Source: PL 3-61, § 1 (§ 518), modified; subsection (a) amended by PL 18-24 § 2 (Oct. 12, 2013).

Commission Comment: In codifying this section, the Commission deleted PL 3-61, § 1 (§ 518(c)) and redesignated § 1 (§ 518(d)) as subsection (c). The deleted language appeared to be surplusage that did not relate to the rest of the section. PL 18-24 (Oct. 12, 2013), contained, in addition to savings and severability clauses, the following:

Findings and Purpose. The Commonwealth Legislature finds that the use of bicycles in the CNMI is a popular form of recreation, which has grown into its daily use as a cheap mode of transportation as well as for its health benefits. The increasing popularity and participation in annual triathlons and other competitive events have also increased the daily sightings of cyclers on the Commonwealth's roads and highways. These cyclers, although not intentional, often inhibit the flow of traffic, which will sometimes pose as a potential safety hazard to such cyclers and to motor vehicle operators as well. To ensure the safety of the Commonwealth's many residents, it is necessary to establish safety measures to ensure the safety of both cyclers and motor vehicle operators when a mo-

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tor vehicle attempts to overtake a bicycle on the Commonwealth's roads and highways.