

# Senate Bill 895

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

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies offense of passing in no passing zone. Clarifies that term "obstruction" includes person riding bicycle or operating another type of vehicle.

## A BILL FOR AN ACT

1  
2 Relating to the offense of passing in a no passing zone; creating new provisions; amending ORS  
3 811.420.

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

5 **SECTION 1.** ORS 811.420 is amended to read:

6 811.420. (1) A person commits the offense of passing in a no passing zone if the person drives  
7 a vehicle on the left side of a roadway in a no passing zone that has been established and designated  
8 to prohibit such movements by appropriate signs or markings posted on the roadway.

9 (2) The authority to establish and post no passing zones for purposes of this section is estab-  
10 lished under ORS 810.120.

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

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

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

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

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

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

22 [(4)] (5) The offense described in this section, passing in a no passing zone, is a Class B traffic  
23 violation.

24 **SECTION 2. The amendments to ORS 811.420 by section 1 of this 2023 Act apply to of-**  
25 **fenses committed on or after the effective date of this 2023 Act.**

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.  
New sections are in **boldfaced** type.