

## State Law: No Passing on Shoulder

Recreational activities and alternate forms of transportation are becoming increasingly popular. As a result, we are continually experiencing an increase in bicycle, skate, and pedestrian traffic on the shoulders of our county roads. Every summer, Washington County receives an increase in the number of complaints about drivers using shoulders and right turn lanes to bypass cars waiting to turn left.

Passing a vehicle on the shoulder or by using a turn lane is illegal. More importantly, it can be a very dangerous maneuver for both drivers and pedestrians. The figure to the right shows three commonly encountered situations on our county roads:

**Case A** shows vehicle 1 waiting in the through lane to make a left turn at a T-intersection. Vehicle 2 wants to continue north, but cannot because the lane is blocked by vehicle 1. **It is illegal for Vehicle 2 to use the shoulder to pass Vehicle 1.**

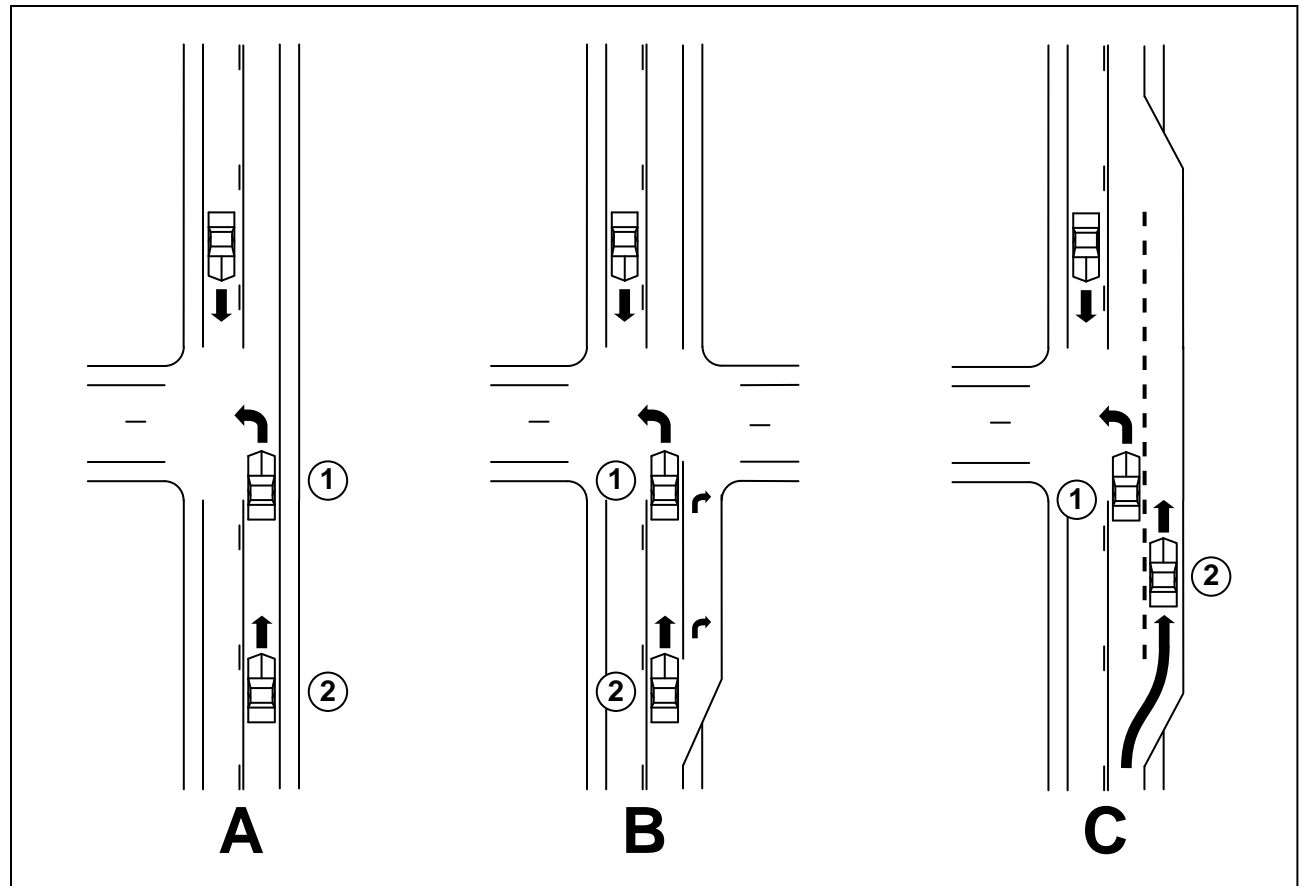
**Case B** shows vehicle 1 waiting in the through lane to make a left turn at a 4-way intersection. Vehicle 2 wants to continue north, but cannot because the through lane is being blocked by Vehicle 1. **It is illegal for Vehicle 2 to use the right turn lane to pass Vehicle 1.**

**Case C** shows vehicle 1 waiting in the through lane to make a left turn at a T-intersection with a bypass lane. Vehicle 2 wants to continue north. **Vehicle 2 should use the bypass lane to pass Vehicle 1.**

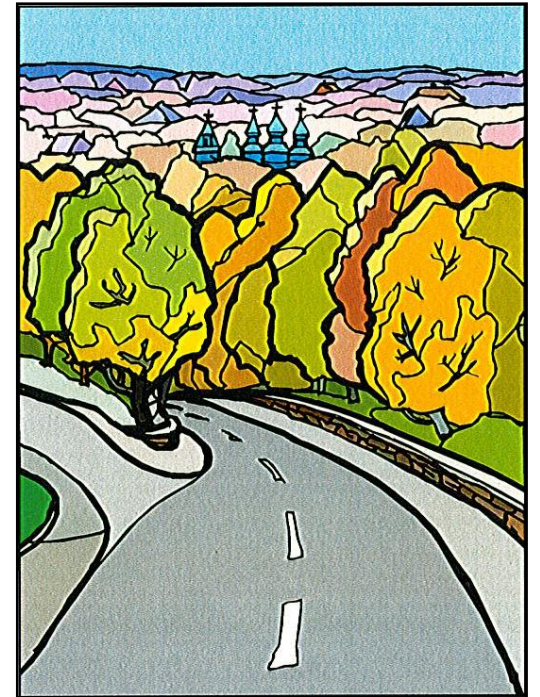
The only instance in which passing a left-turning vehicle on the right is legal is when there is a bypass lane present, indicated by a dotted lane line on the pavement. Passing vehicles by using the shoulder or a turn lane is illegal. Minnesota Statute 169.18 states *“The driver of a vehicle may overtake and pass another vehicle on the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off of the pavement or main traveled portion of the roadway.”* The reason for this is simple: Safety. The shoulder is not considered part of the main traveled portion of the roadway.

Generally, shoulders are not wide enough to be used safely for passing. Crossing the white line and driving on the shoulder creates an unsafe condition for other road users, especially pedestrians, bicyclists, and opposing left turn drivers. Also, using right turn lane as a passing lane creates an unsafe condition for both shoulder users and other motorists.

The next time you encounter one of these situations, remember the law and help to make our roadways safer for everyone.



# NO PASSING ON THE SHOULDER



**Washington  
County**  
Public Works  
Transportation Division

**Washington  
County**

Public Works – Transportation Division  
11660 Myeron Road North  
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## 2007 Minnesota Roadway & Crash Facts

Roadway Class	Miles	Crashes	Fatalities	Crash Rate <sup>1</sup>	Fatality Rate <sup>2</sup>
Interstate	914	10,804	58	0.85	0.45
Trunk Hwy	10,968	22,725	207	1.10	1.00
County	44,956	22,823	182	1.64	1.31
City	19,466	23,306	35	2.63	0.39
Township	59,281	1,847	28	1.51	2.29
<b>State Totals</b>	<b>135,585</b>	<b>81,505</b>	<b>510</b>	<b>1.42</b>	<b>0.89</b>

☆ County State Aid Hwy & County Rd    ♦ Mun State Aid St & Mun St    ^ Township & Other  
<sup>1</sup> Crash rates expressed as crashes per million vehicle miles traveled  
<sup>2</sup> Fatality rates expressed as fatalities per 100 million vehicle miles traveled

If you have questions, requests, or suggestions concerning traffic in Washington County, contact the Transportation Division at 651-430-4300. Or visit our Web Page at [www.co.washington.mn.us](http://www.co.washington.mn.us)

Acknowledgements:  
Minnesota Department of Transportation

