

The Law

42-4-1013 (1) - Passing lane (Left Lane Law)

“A person shall not drive a motor vehicle in the passing lane of a highway if the speed limit is sixty-five miles per hour or more unless such person is passing other motor vehicles that are in a nonpassing lane or turning left, or unless the volume of traffic does not permit the motor vehicle to safely merge into a nonpassing lane.”

Definitions

“Nonpassing lane” - Any lane that is to the right of the passing lane if there are two or more adjacent lanes of traffic moving in the same direction in one roadway.

“Passing lane” - The farthest to the left lane if there are two or more adjacent lanes of traffic moving in the same direction in one roadway; except that, if such left lane is restricted to high occupancy vehicle use or is designed for left turns only, the passing lane shall be the lane immediately to the right of such high occupancy lane.

Key Points of the Law

* The Left Lane Law only applies to highways with a speed limit of 65 miles per hour or more.

* The Left Lane Law does not apply when the volume of traffic does not permit a motor vehicle to safely merge into a nonpassing lane.

**Report Intoxicated Drivers:
(303) 239-4501**

Or from your cell phone by dialing,
***DUI (*384).**

**Report Aggressive Drivers:
(303) 239-4501**

Or from your cell phone by dialing,
***CSP (*277).**

Provided in the interest of public safety by the:
Colorado State Patrol



Designed and produced by:
*The Operational Development Section of
The Colorado State Patrol*

Colorado's Left Lane Law

*Understanding how the
Left Lane Law Affects
your Driving.*

Colorado's Left Lane Law

Introduction

The Colorado State Patrol's statutory charge is to "direct, control, and regulate all traffic at any intersection or any portion of streets or highways or elsewhere in this state when it is deemed necessary in the interest of public safety and for the safe and speedy movement of persons and property" (24-33.5-212, C.R.S). In keeping with this statutory mandate, the Patrol monitors changing traffic patterns on Colorado highways, particularly those which might impact traffic safety. When a persistent traffic safety problem is identified, legislation often provides the best remedy.

Related Concerns

Troopers routinely encounter traffic-flow conflicts while patrolling Colorado highways. Common traffic-flow conflicts in Colorado occur when slower-moving vehicles occupy left-hand travel lanes of divided or controlled-access highways, especially during periods of heavy traffic volume. When this occurs, traffic in the left-hand travel lane slows noticeably, forming a gridlock.

The Colorado State Patrol is always concerned with actions that lead to aggressive driving. The longer a slower-moving vehicle occupies the left-hand travel lane, the more frustrated some drivers become, particularly when heavy traffic volume prevents vehicles from passing. Once these drivers have reached their boiling points, acts of aggressive driving and offensive gesturing become more prevalent.

History

Though Colorado law permits passing in the right lane (not shoulders), most drivers in Colorado and elsewhere across the nation typically migrate to the left-hand travel lane when passing on divided or controlled-access highways. Because most drivers already operate under the assumption that the left-hand travel lane should be used for passing, most motorists support the Left Lane Law to ease congestion and improve traffic flow; especially during peak travel periods. In addition to optimizing traffic flow, the Left Lane Law allows for improved enforcement as well.

Colorado Revised Statutes require vehicles traveling at less than the normal and reasonable speed of traffic to either move to the right-hand travel lane, if available, or pull off the roadway if safe to do so. But what exactly constitutes the normal and reasonable speed of traffic? A clause found in 42-4-1101(4), Colorado's speeding statute, states, "...any speed in excess of the lawful speeds set forth in subsection (2) of this section shall be prima facie evidence that such speed was not reasonable or prudent under the conditions then existing."

Before the Left Lane Law, as long as a vehicle was traveling the posted speed limit while in the left-hand travel lane, there was little law enforcement officers could do to prevent the ensuing gridlock. What sense did it make to cite a driver for impeding traffic, when at the same time the driver was obeying the posted speed limit? Typically, impeding statutes were only enforceable when a vehicle was traveling below the posted or prima facie speed limit.

The Left Lane Law simplifies these issues and allows officers to take appropriate enforcement action to enhance the flow of traffic.

The Compromise

When drivers exceed acceptable tolerances for speeding, it is the exclusive responsibility of law enforcement officers to initiate appropriate enforcement action. By mitigating traffic-flow conflicts caused by slower-moving drivers, bouts of aggressive driving would likely be reduced. The Patrol believes the Left Lane Law achieves the appropriate balance between public safety and optimizing traffic flow on Colorado highways.



Enforcement

The Left Lane Law took effect on July 1, 2004. From July 1, 2004 to December 31, 2004, the Colorado State Patrol stopped motorists who violated the law but did not cite them; this time period was used to educate the public about the new law. Troopers began issuing citations for left lane violations on January 1, 2005.

Penalty

If a motorist is stopped by a Colorado State Trooper for violating the Left Lane Law, the driver may receive a citation. The penalty for the citation is \$35.00 with an additional \$6.20 surcharge bringing the total to \$41.20. The violation includes 3 points against the violator's Colorado Driver's License. If the citation is issued by a state trooper, the points can be reduced to 2 points if the penalty is mailed in within 20 days.