

28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **41-6a-702** is amended to read:

30 **41-6a-702. Left lane restrictions -- Exceptions -- Other lane restrictions --**

31 **Penalties.**

32 (1) As used in this section and Section 41-6a-704, "general purpose lane" means a
33 highway lane open to vehicular traffic but does not include a designated:

34 (a) high occupancy vehicle (HOV) lane; or

35 (b) auxiliary lane that begins as a freeway on-ramp and ends as part of the next freeway
36 off-ramp.

37 (2) On a freeway or section of a freeway which has three or more general purpose lanes
38 in the same direction, a person may not operate a vehicle in the left most general purpose lane
39 if the person's:

40 (a) vehicle is drawing a trailer or semitrailer regardless of size; or

41 (b) vehicle or combination of vehicles has a gross vehicle weight of 12,001 or more
42 pounds.

43 (3) Subsection (2) does not apply to a person operating a vehicle who is:

44 (a) preparing to turn left or taking a different highway split or an exit on the left;

45 (b) responding to emergency conditions;

46 (c) avoiding actual or potential traffic moving onto the highway from an acceleration or
47 merging lane; or

48 (d) following direction signs that direct use of a designated lane.

49 (4) (a) A highway authority may designate a specific lane or lanes of travel for any type
50 of vehicle on a highway or portion of a highway under its jurisdiction for the:

51 (i) safety of the public;

52 (ii) efficient maintenance of a highway; or

53 (iii) use of high occupancy vehicles.

54 (b) ~~Ĥ→ (i) ←Ĥ~~ Notwithstanding the provisions of Subsection (4)(a)(iii), if a highway
54a authority

55 designates a high occupancy vehicle (HOV) lane that includes a freeway on-ramp or off-ramp,

56 the on-ramp or off-ramp shall be open for general vehicle use regardless of the number of

57 occupants except during the peak traffic hours of:

58 ~~Ĥ→~~ [(i)] (A) ←Ĥ 6 a.m. to 9 a.m.; and

59 ~~H~~→ [(iii)] (B) ←~~H~~ 4 p.m. to 7 p.m.
 59a ~~H~~→ (ii) A highway authority may designate peak hours that are different than the
 59b hours specified under Subsection (4)(b)(i) if, based on a traffic engineering study, the highway
 59c authority determines that peak traffic volumes regularly occur at different times in that
 59d location. ←~~H~~

60 ~~(b)~~ (c) The lane ~~[designation]~~ designations under [~~Subsection~~] Subsections (4)(a) [~~is~~]
 61 and (b) are effective when appropriate signs giving notice are erected on the highway or portion
 62 of the highway.

63 (5) The lane designation under Subsection (4)(a) shall allow a vehicle with clean fuel
 64 special group license plates to travel in lanes designated for the use of high occupancy vehicles
 65 regardless of the number of occupants.

66 (6) A person who operates a vehicle in violation of Subsection (2) or in violation of the
 67 restrictions made under Subsection (4) is guilty of a class C misdemeanor.

68 Section 2. Section **63-55-241** is amended to read:

69 **63-55-241. Repeal dates, Title 41.**

70 The following provisions of Title 41 are repealed on the following dates:

71 (1) Title 41, Chapter 12a, Part 8, Uninsured Motorist Identification Database Program,
 72 is repealed July 1, 2010.

73 (2) The HOV lane exception for clean fuel special group license plate vehicles in
 74 Subsection 41-6-53.5(5) is repealed December 31, 2005.

75 (3) The HOV freeway on-ramp or off-ramp exception for off-peak traffic hours under
 76 Subsection 41-6a-702(4)(b) is repealed July 1, 2010.

Legislative Review Note
as of 2-4-05 3:38 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

State Impact

To enact provisions of this bill is estimated to cost \$44,100 from the Transportation Fund in FY 2006 to replace current HOV signage.

	<u>FY 2006</u> <u>Approp.</u>	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2006</u> <u>Revenue</u>	<u>FY 2007</u> <u>Revenue</u>
TransportationFund	\$44,100	\$0	\$0	\$0
TOTAL	\$44,100	\$0	\$0	\$0

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst