

**HIGH OCCUPANCY VEHICLE LANE
AMENDMENTS**

2009 GENERAL SESSION
STATE OF UTAH

Chief Sponsor: Kenneth W. Sumsion

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Traffic Code by amending provisions relating to the high occupancy vehicle lane.

Highlighted Provisions:

This bill:

- requires the Department of Transportation to allow for continuous permitted access into and out of all high occupancy vehicle lanes by marking the lane with a single dotted normal white line; and

- makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-702, as last amended by Laws of Utah 2008, Chapter 382

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

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



28 **41-6a-702. Left lane restrictions -- Exceptions -- Other lane restrictions --**
29 **Penalties.**

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

- 32 (a) high occupancy vehicle (HOV) lane; or
- 33 (b) auxiliary lane that begins as a freeway on-ramp and ends as part of the next freeway
34 off-ramp.

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

- 38 (a) vehicle is drawing a trailer or semitrailer regardless of size; or
- 39 (b) vehicle or combination of vehicles has a gross vehicle weight of 12,001 or more
40 pounds.

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

- 42 (a) preparing to turn left or taking a different highway split or an exit on the left;
- 43 (b) responding to emergency conditions;
- 44 (c) avoiding actual or potential traffic moving onto the highway from an acceleration or
45 merging lane; or
- 46 (d) following direction signs that direct use of a designated lane.

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

- 49 (i) safety of the public;
- 50 (ii) efficient maintenance of a highway; or
- 51 (iii) use of high occupancy vehicles.

52 (b) The lane designation under Subsection (4)(a) is effective when appropriate signs
53 giving notice are erected on the highway or portion of the highway.

54 (c) The Department of Transportation shall allow for continuous permitted access into
55 and out of all high occupancy vehicle lanes by marking the lanes with a single dotted normal
56 white line.

57 (5) (a) Subject to Subsection (5)(b), the lane designation under Subsection (4)(a) shall
58 allow a vehicle with clean fuel special group license plates issued in accordance with Section

59 41-1a-418 to travel in lanes designated for the use of high occupancy vehicles regardless of the
60 number of occupants to the extent authorized or permitted by federal law or federal regulation.

61 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
62 Department of Transportation may make rules to allow a vehicle with clean fuel special group
63 license plates issued in accordance with Section 41-1a-418 to travel in lanes designated for the
64 use of high occupancy vehicles regardless of the number of occupants to the extent authorized
65 or permitted by federal law or federal regulation.

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.

Legislative Review Note
as of 2-4-09 12:10 PM

Office of Legislative Research and General Counsel