

Representative Johnny Anderson proposes the following substitute bill:

OPERATION OF BICYCLES ON HIGHWAYS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Johnny Anderson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Traffic Code.

Highlighted Provisions:

This bill:

- ▶ provides, amends, and deletes definitions;
- ▶ provides that the operator of a motorcycle, moped, or bicycle facing a steady circular red or red arrow signal may cautiously enter the intersection to proceed straight through, turn right, or turn left under certain circumstances;

~~It provides that a person may operate a vehicle to the left of center of the roadway, including in a no-passing zone, when a bicycle or moped proceeding in the same direction at a speed less than the reasonable speed of traffic then present requires operating the vehicle to the left of the center of the roadway except under certain circumstances;~~

▶ provides that on a roadway divided into three or more lanes and providing for two-way movement of traffic, a person operating a vehicle may drive in the center under certain circumstances;

▶ provides that a person may not operate a motor vehicle in a bicycle lane except under certain circumstances;

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- 26 ▶ provides that a bicycle lane may be used by:
 - 27 • the highway authority that has jurisdiction over the bicycle lane;
 - 28 • an authorized emergency vehicle;
 - 29 • a school bus or transit vehicle under certain circumstances; and
 - 30 • a person operating a moped;
- 31 ▶ provides that a person operating a motor vehicle in a bicycle lane shall yield the
 - 32 right-of-way to all bicycles, mopeds, and pedestrians within the bicycle lane;
- 33 ▶ provides that a person operating a bicycle or moped in a bicycle lane shall ride in
 - 34 the same direction as traffic on the roadway unless the bicycle lane is designated for
 - 35 two-way travel;
- 36 ▶ amends lamp and reflector requirements for a bicycle operated at certain times and
 - 37 under certain conditions; and
- 38 ▶ makes conforming changes.

39 **Money Appropriated in this Bill:**

40 None

41 **Other Special Clauses:**

42 None

43 **Utah Code Sections Affected:**

44 AMENDS:

- 45 **13-20-2**, as last amended by Laws of Utah 2008, Chapter 175
- 46 **13-35-102**, as last amended by Laws of Utah 2007, Chapter 86
- 47 **41-1a-202**, as last amended by Laws of Utah 2008, Chapter 36
- 48 **41-6a-102**, as last amended by Laws of Utah 2009, Chapter 311
- 49 **41-6a-305**, as renumbered and amended by Laws of Utah 2005, Chapter 2
- 50 ~~H→ [**41-6a-701**, as renumbered and amended by Laws of Utah 2005, Chapter 2~~
- 51 ~~—— **41-6a-708**, as renumbered and amended by Laws of Utah 2005, Chapter 2] ←H~~
- 52 **41-6a-710**, as last amended by Laws of Utah 2009, Chapter 292
- 53 **41-6a-1114**, as renumbered and amended by Laws of Utah 2005, Chapter 2
- 54 **41-12a-301**, as last amended by Laws of Utah 2008, Chapter 36
- 55 **53-3-202**, as last amended by Laws of Utah 2009, Chapter 253



584 (ii) The operator of a vehicle shall yield the right-of-way to:

585 (A) another vehicle moving through the intersection in accordance with an official
586 traffic-control signal; and

587 (B) a pedestrian lawfully within an adjacent crosswalk.

588 (5) (a) This section applies to a highway or rail line where a traffic-control signal is
589 erected and maintained.

590 (b) Any stop required shall be made at a sign or marking on the highway pavement
591 indicating where the stop shall be made, but, in the absence of any sign or marking, the stop
592 shall be made at the signal.

593 (6) The operator of a vehicle approaching an intersection that has an inoperative
594 traffic-control signal shall:

595 (a) stop before entering the intersection; and

596 (b) yield the right-of-way to any vehicle as required under Section 41-6a-901.

597 (7) (a) Notwithstanding the provisions of this section, the operator of a motorcycle,
598 moped, or bicycle facing a steady circular red or red arrow signal may cautiously enter the
599 intersection to proceed straight through, turn right, or turn left if:

600 (i) the operator brings the motorcycle, moped, or bicycle to a complete stop at a clearly
601 marked stop line, but if none, before entering the marked or unmarked crosswalk on the near
602 side of the intersection;

603 (ii) the operator determines that the traffic-control signal has not detected the operator's
604 presence by waiting for a minimum of 90 seconds at the intersection;

605 (iii) the movement can be made without crossing a railroad track that is in or adjacent
606 to the intersection; and

607 (iv) no traffic other than a bicycle, moped, or motorcycle is present at the intersection
608 in the direction of travel of the operator.

609 (b) The operator of a motorcycle, moped, or bicycle proceeding through an intersection
610 in accordance with Subsection (7)(a) shall yield the right-of-way to a:

611 (i) vehicle moving through the intersection in accordance with an official
612 traffic-control signal; or

613 (ii) pedestrian lawfully crossing an adjacent crosswalk.

614 ~~H~~→ [Section 6. Section 41-6a-701 is amended to read: ←~~H~~

615 ~~41-6a-701. Duty to operate vehicle on right side of roadway -- Exceptions:~~
616 ~~(1) On all roadways of sufficient width, a person operating a vehicle shall operate the~~
617 ~~vehicle on the right half of the roadway, except:~~
618 ~~(a) when overtaking and passing another vehicle proceeding in the same direction~~
619 ~~under the rules governing that movement;~~
620 ~~(b) when an obstruction requires operating the vehicle to the left of the center of the~~
621 ~~roadway subject to the provisions of Subsection (2);~~
622 ~~(c) when overtaking and passing a bicycle or moped proceeding in the same direction~~
623 ~~at a speed less than the reasonable speed of traffic then present requires operating the vehicle to~~
624 ~~the left of the center of the roadway subject to the provisions of Subsection (2);~~
625 ~~[(c)] (d) on a roadway divided into three marked lanes for traffic under the applicable~~
626 ~~rules; or~~
627 ~~[(d)] (e) on a roadway designed and signposted for one-way traffic.~~
628 ~~(2) (a) A person operating a vehicle shall yield the right-of-way to a vehicle:~~
629 ~~[(a)] (i) traveling in the proper direction on a roadway; and~~
630 ~~[(b)] (ii) that is within a distance constituting an immediate hazard.~~
631 ~~(b) When overtaking and passing a bicycle or moped under Subsection (1)(c), a person~~
632 ~~operating a vehicle shall not pass a bicycle or moped proceeding in the same direction if the~~
633 ~~pass cannot be made safely, including under any of the following conditions:~~
634 ~~(i) when approaching or upon the crest of a grade or upon a curve in the highway~~
635 ~~where the operator's view is in any way obstructed;~~
636 ~~(ii) when approaching within 100 feet of, or traversing, any intersection or railroad~~
637 ~~grade crossing unless otherwise indicated by official traffic control devices;~~
638 ~~(iii) when the view is obstructed upon approaching within 100 feet of any bridge;~~
639 ~~viaduct or tunnel; or~~
640 ~~(iv) when the pass cannot be made in accordance with Section 41-6a-706.5.~~
641 ~~(3) A person operating a vehicle on a roadway at less than the normal speed of traffic~~
642 ~~shall operate the vehicle in the right-hand lane then available for traffic, or as close as~~
643 ~~practicable to the right-hand curb or edge of the roadway, except when:~~
644 ~~(a) overtaking and passing another vehicle proceeding in the same direction;~~
645 ~~(b) preparing to turn left; or ~~41~~~~

646 ~~↔~~ (c) taking a different highway or an exit on the left.

647 ~~Section 7. Section 41-6a-708 is amended to read:~~

648 ~~41-6a-708. Signs and markings on roadway -- No-passing zones -- Exceptions:~~

649 ~~(1) (a) A highway authority may designate no-passing zones on any portion of a~~
 650 ~~highway under its jurisdiction if the highway authority determines passing is especially~~
 651 ~~hazardous.~~

652 ~~(b) A highway authority shall designate a no-passing zone under Subsection (1)(a) by~~
 653 ~~placing appropriate traffic-control devices on the highway.~~

654 ~~(2) A person operating a vehicle may not drive on the left side of:~~

655 ~~(a) the roadway within the no-passing zone; or~~

656 ~~(b) any pavement striping designed to mark the no-passing zone.~~

657 ~~(3) Subsection (2) does not apply:~~

658 ~~(a) under the conditions described under [Subsection] Subsections 41-6a-701(1)(b) and~~
 659 ~~(c); or~~

660 ~~(b) to a person operating a vehicle turning left onto or from an alley, private road, or~~
 661 ~~driveway.] ↔~~

662 Section ~~↔~~ [8] 6 ~~↔~~ . Section 41-6a-710 is amended to read:

663 **41-6a-710. Roadway divided into marked lanes -- Provisions -- Traffic-control**
 664 **devices.**

665 (1) For the purposes of this section, "bicycle lane" means a portion of the roadway that
 666 has been designated for the preferential or exclusive use of bicyclists by:

667 (a) a highway authority; and

668 (b) ~~↔~~ [one or a combination of the following:] longitudinal pavement striping.

669 [~~(i) striping;~~

670 ~~(ii) pavement markings; or~~

671 ~~(iii) a traffic control device.] ↔~~

672 (2) On a roadway divided into two or more clearly marked lanes for traffic the
 673 following provisions apply:

674 [~~(+)~~ (a) (i) A person operating a vehicle:

675 [~~(+)~~ (A) shall keep the vehicle as nearly as practical entirely within a single lane; and

676 [~~(+)~~ (B) may not move the vehicle from the lane until the operator has reasonably