

BICYCLES ON STREETS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Johnny Anderson

Senate Sponsor: Daniel W. Thatcher

LONG TITLE

General Description:

This bill modifies the Traffic Code by amending provisions relating to overtaking and passing bicycles and mopeds on the highway.

Highlighted Provisions:

This bill:

- ▶ provides that, under certain circumstances, a person operating a vehicle may operate the vehicle to the left of the center of the roadway when overtaking and passing a bicycle or moped proceeding in the same direction at a speed less than the reasonable speed of traffic then present, including in a no-passing zone; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-701, as renumbered and amended by Laws of Utah 2005, Chapter 2

41-6a-708, as renumbered and amended by Laws of Utah 2005, Chapter 2

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



28 Section 1. Section **41-6a-701** is amended to read:

29 **41-6a-701. Duty to operate vehicle on right side of roadway -- Exceptions.**

30 (1) On all roadways of sufficient width, a person operating a vehicle shall operate the
31 vehicle on the right half of the roadway, except:

32 (a) when overtaking and passing another vehicle proceeding in the same direction
33 under the rules governing that movement;

34 (b) when an obstruction requires operating the vehicle to the left of the center of the
35 roadway subject to the provisions of Subsection (2);

36 (c) when overtaking and passing a bicycle or moped proceeding in the same direction
37 at a speed less than the reasonable speed of traffic then present requires operating the vehicle to
38 the left of the center of the roadway subject to the provisions of Subsection (2);

39 [~~(c)~~] (d) on a roadway divided into three marked lanes for traffic under the applicable
40 rules; or

41 [~~(d)~~] (e) on a roadway designed and signposted for one-way traffic.

42 (2) (a) A person operating a vehicle as described under Subsection (1) shall yield the
43 right-of-way to a vehicle:

44 [~~(a)~~] (i) traveling in the proper direction on a roadway; and

45 [~~(b)~~] (ii) that is within a distance constituting an immediate hazard.

46 (b) When overtaking and passing a bicycle or moped under Subsection (1)(c), a person
47 operating a vehicle shall not pass a bicycle or moped proceeding in the same direction if the
48 pass cannot be made safely, including under any of the following conditions:

49 (i) when approaching or upon the crest of a grade or upon a curve in the highway
50 where the operator's view is in any way obstructed;

51 (ii) when approaching within 100 feet of, or traversing, any intersection or railroad
52 grade crossing unless otherwise indicated by an official traffic control device;

53 (iii) when the view is obstructed upon approaching within 100 feet of any bridge,
54 viaduct, or tunnel; or

55 (iv) when the pass cannot be made in accordance with Section 41-6a-706.5.

56 (3) A person operating a vehicle on a roadway at less than the normal speed of traffic
57 shall operate the vehicle in the right-hand lane then available for traffic, or as close as
58 practicable to the right-hand curb or edge of the roadway, except when:

- 59 (a) overtaking and passing another vehicle proceeding in the same direction;
- 60 (b) preparing to turn left; or
- 61 (c) taking a different highway or an exit on the left.

62 Section 2. Section **41-6a-708** is amended to read:

63 **41-6a-708. Signs and markings on roadway -- No-passing zones -- Exceptions.**

64 (1) (a) A highway authority may designate no-passing zones on any portion of a
65 highway under its jurisdiction if the highway authority determines passing is especially
66 hazardous.

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

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

- 70 (a) the roadway within the no-passing zone; or
- 71 (b) any pavement striping designed to mark the no-passing zone.

72 (3) Subsection (2) does not apply:

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

75 (b) to a person operating a vehicle turning left onto or from an alley, private road, or
76 driveway.

Legislative Review Note
as of 1-18-13 4:08 PM

Office of Legislative Research and General Counsel