

Senator Todd Weiler proposes the following substitute bill:

VULNERABLE USERS OF HIGHWAYS AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor: V. Lowry Snow

LONG TITLE

General Description:

This bill modifies the Traffic Code by enacting provisions relating to vulnerable users of a highway.

Highlighted Provisions:

This bill:

- ▶ defines a vulnerable user of a highway;
- ▶ prohibits an operator of a motor vehicle from operating a motor vehicle within three feet of a vulnerable user of a highway;
- ▶ provides that an operator of a motor vehicle may not knowingly, intentionally, or recklessly:
 - distract or attempt to distract a vulnerable user of a highway for a purpose unrelated to public safety; or
 - force or attempt to force a vulnerable user of a highway off of the roadway for ~~§~~ [a ~~purpose unrelated to public safety~~] the purpose of causing violence or injury to the vulnerable user of a highway ~~←§~~ ;
- ▶ provides penalties for distracting a vulnerable user of a highway or forcing a vulnerable user of a highway off of the roadway for a purpose unrelated to public safety; and
- ▶ makes technical corrections.



26 **Money Appropriated in this Bill:**

27 None

28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **41-6a-706.5**, as enacted by Laws of Utah 2005, Chapter 216



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

35 Section 1. Section **41-6a-706.5** is amended to read:

36 **41-6a-706.5. Definitions -- Operation of motor vehicle near a vulnerable user of a**
37 **highway prohibited -- Endangering a vulnerable user of a highway prohibited.**

38 (1) As used in this section, "vulnerable user of a highway" means:

39 (a) a pedestrian, including a person engaged in work upon a highway or upon utilities
40 facilities along a highway or providing emergency services within the right-of-way of a
41 highway;

42 (b) a person riding an animal; or

43 (c) a person operating any of the following on a highway:

44 (i) a farm tractor or implement of husbandry, without an enclosed shell;

45 (ii) a skateboard;

46 (iii) roller skates;

47 (iv) in-line skates;

48 (v) a bicycle;

49 (vi) an electric-assisted bicycle;

50 (vii) an electric personal assistive mobility device;

51 (viii) a moped;

52 (ix) a motor-driven cycle;

53 (x) a motorized scooter;

54 (xi) a motorcycle; or

55 (xii) a manual wheelchair.

56 (2) An operator of a motor vehicle may not knowingly, intentionally, or recklessly;

57 (a) operate a motor vehicle within three feet of a [~~moving bicycle, unless the operator~~
58 ~~of the motor vehicle operates the motor vehicle within a reasonable and safe distance of the~~
59 ~~bicycle.] vulnerable user of a highway;~~

60 (b) distract or attempt to distract a vulnerable user of a highway for ~~S~~→ **[a purpose unrelated**
61 **to public safety] the purpose of causing violence or injury to the vulnerable user of a highway**

61a ←~~S~~ ; or

62 (c) force or attempt to force a vulnerable user of a highway off of the roadway for a
63 purpose unrelated to public safety.

64 (3) (a) Except as provided in Subsection (3)(b), a violation of Subsection (2) is a class
65 C misdemeanor.

66 (b) A violation of Subsection (2) that results in bodily injury to the vulnerable user of a
67 highway is a class B misdemeanor.