

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; and
- ▶ 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;
- ▶ 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.

Money Appropriated in this Bill:

None



26 **Other Special Clauses:**

27 None

28 **Utah Code Sections Affected:**

29 AMENDS:

30 **41-6a-706.5**, as enacted by Laws of Utah 2005, Chapter 216



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

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

33 **41-6a-706.5. Definitions -- Operation of motor vehicle near bicycle prohibited --**
34 **Endangering a vulnerable user of a highway prohibited.**

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

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

39 (b) a person riding an animal; or

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

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

42 (ii) a skateboard;

43 (iii) roller skates;

44 (iv) in-line skates;

45 (v) a bicycle;

46 (vi) an electric-assisted bicycle;

47 (vii) an electric personal assistive mobility device;

48 (viii) a moped;

49 (ix) a motor-driven cycle;

50 (x) a motorized scooter; or

51 (xi) a motorcycle.

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

53 (a) operate a motor vehicle within three feet of a moving bicycle, unless the operator of
54 the motor vehicle operates the motor vehicle within a reasonable and safe distance of the
55 bicycle[-];
56

57 (b) distract or attempt to distract a vulnerable user of a highway for a purpose unrelated
58 to public safety; or

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

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

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