

TRAFFIC CODE MODIFICATIONS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kay J. Christofferson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Traffic Code by amending traffic code provisions.

Highlighted Provisions:

This bill:

- ▶ defines free-flowing traffic;
- ▶ provides that in free-flowing traffic on a highway having more than one lane in the same direction, an operator of a vehicle shall, when changing to a different lane, avoid disrupting traffic flow by accelerating or decelerating with due regard for the speed and proximity of other vehicles in that lane;
- ▶ provides that in free-flowing traffic on a highway having more than one lane in the same direction, if a vehicle is following directly behind an operator's vehicle in the left general purpose lane ~~H→ [at a distance so that less than three seconds elapse before reaching the location of the operator's vehicle;]~~ ←H or if the operator's vehicle is passed by two or more vehicles in the next lane right, the operator:
 - shall move safely to a lane to the right; and
 - may not impede the movement or traffic in the left general purpose lane; and
- ▶ makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:



338 (iii) a motorcycle; or

339 (iv) a snowmobile as defined in Section 41-22-2.

340 ~~[(72)] (73)~~ "Vehicle" means a device in, on, or by which a person or property is or may
341 be transported or drawn on a highway, except devices used exclusively on stationary rails or
342 tracks.

343 Section 2. Section **41-6a-704** is amended to read:

344 **41-6a-704. Changing lanes -- Overtaking and passing vehicles proceeding in same**
345 **direction.**

346 ~~[(1)(a) On any highway:]~~

347 (1) In free-flowing traffic on a highway having more than one lane in the same
348 direction, an operator of a vehicle shall, when changing to a different lane, avoid disrupting
349 traffic flow by accelerating or decelerating with due regard for the speed and proximity of other
350 vehicles in that lane.

351 (2) (a) In free-flowing traffic:

352 (i) the operator of a vehicle overtaking another vehicle proceeding in the same
353 direction shall:

354 ~~[(A) except as provided under Section 41-6a-705;]~~

355 (A) promptly pass the overtaken vehicle on the left at a safe distance; and

356 (B) enter a right-hand lane or the right side of the roadway ~~[only]~~ when safely clear of
357 the overtaken vehicle; and

358 (ii) the operator of an overtaken vehicle:

359 (A) shall give way to the right in favor of the overtaking vehicle; and

360 (B) may not increase the speed of the vehicle until completely passed by the overtaking
361 vehicle.

362 (b) The exemption from the minimum speed regulations for a vehicle operating on a
363 grade under Section 41-6a-605 does not exempt the vehicle from promptly passing a vehicle as
364 required under Subsection ~~[(1)]~~ (2)(a)(i)(A).

365 ~~[(2) On]~~ (3) In free-flowing traffic on a highway having more than one lane in the
366 same direction, ~~[the operator of a vehicle traveling in the left general purpose lane]~~ if a vehicle
367 is following directly behind an operator's vehicle in the left general purpose lane ~~it~~ → [at a distance
368 so that less than three seconds elapse before reaching the location of the operator's vehicle;] ← ~~it~~ or if

369 the operator's vehicle is passed by two or more vehicles in the next lane right, the operator:

370 (a) shall ~~[, upon being overtaken by another vehicle in the same lane, yield to the~~
 371 ~~overtaking vehicle by moving]~~ move safely to a lane to the right; and

372 (b) may not impede the movement ~~[or free flow]~~ of traffic in the left general purpose
 373 lane.

374 ~~[(3) An operator of a vehicle traveling in the left general purpose lane that has a vehicle~~
 375 ~~following directly behind the operator's vehicle at a distance so that less than two seconds~~
 376 ~~elapse before reaching the location of the operator's vehicle when space is available for the~~
 377 ~~operator to yield to the overtaking vehicle by traveling in the right-hand lane is prima facie~~
 378 ~~evidence that the operator is violating Subsection (2).]~~

379 (4) The provisions of ~~§~~ ~~→~~ **[Subsection] Subsections (1) and ←** ~~§~~ ~~[(2)] (3)~~ do not apply to
 379a an operator of a vehicle
 380 traveling in the left general purpose lane when:

381 ~~[(a) overtaking and passing another vehicle proceeding in the same direction in~~
 382 ~~accordance with Subsection (1)(a)(i);]~~

383 ~~[(b)]~~ (a) preparing to turn left or taking a different highway or an exit on the left;

384 ~~[(c)]~~ (b) responding to emergency conditions;

385 ~~[(d)]~~ (c) avoiding actual or potential traffic moving onto the highway from an
 386 acceleration or merging lane; or

387 ~~[(e)]~~ (d) following the direction of a traffic-control device that directs the use of a
 388 designated lane.

389 Section 3. Section **41-6a-705** is amended to read:

390 **41-6a-705. Passing upon right -- When permissible.**

391 (1) The operator of a vehicle may overtake and pass on the right of another vehicle
 392 only:

393 (a) when the vehicle overtaken is making or preparing to make a left turn; ~~[or]~~

394 (b) on a roadway with unobstructed pavement of sufficient width for two or more lines
 395 of vehicles moving lawfully in the direction being traveled by the overtaking vehicle~~[-]; or~~

396 ~~[(2) The operator of a vehicle may overtake and pass another vehicle on the right only]~~

397 (c) under conditions permitting the movement with safety.

398 ~~[(3)]~~ (2) Except for a person operating a bicycle, the operator of a vehicle may not
 399 overtake ~~[and pass]~~ another vehicle if the movement is made by driving off the roadway.