

SB0212S01 compared with SB0212

{Omitted text} shows text that was in SB0212 but was omitted in SB0212S01

inserted text shows text that was not in SB0212 but was inserted into SB0212S01

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Motor Assisted Transportation Devices Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jen Plumb

House Sponsor:

LONG TITLE

General Description:

This bill addresses motorcycle and electric assisted bicycle use.

Highlighted Provisions:

This bill:

- clarifies the definition of a motorcycle to address electric motorcycles;
- modifies helmet requirements for youth; and
- addresses the use of a bicycle, electric assisted bicycle, mini-motorcycle, motor assisted scooter, or moped.

Money Appropriated in this Bill:

None

None

AMENDS:

41-6a-102, as last amended by Laws of Utah 2024, Chapter 236, as last amended by Laws of Utah 2024, Chapter 236

SB0212

SB0212 compared with SB0212S01

41-6a-1103 , as renumbered and amended by Laws of Utah 2005, Chapter 2 , as renumbered and amended by Laws of Utah 2005, Chapter 2

20 **41-6a-1106** , as last amended by Laws of Utah 2018, Chapter 175 , as last amended by Laws of Utah 2018, Chapter 175

21 **41-6a-1505** , as last amended by Laws of Utah 2017, Chapter 369 , as last amended by Laws of Utah 2017, Chapter 369

22

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

24 Section 1. Section **41-6a-102** is amended to read:

25 **41-6a-102. Definitions.**

As used in this chapter:

27 (1) "Alley" means a street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for through vehicular traffic.

29 (2) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.

30 (3) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.

31 (4) "All-terrain type III vehicle" means the same as that term is defined in Section 41-22-2.

32 (5) "Authorized emergency vehicle" includes:

33 (a) a fire department vehicle;

34 (b) a police vehicle;

35 (c) an ambulance; and

36 (d) other publicly or privately owned vehicles as designated by the commissioner of the Department of Public Safety.

38 (6) "Autocycle" means the same as that term is defined in Section 53-3-102.

39 (7)

. (a) "Bicycle" means a wheeled vehicle:

40 (i) propelled by human power by feet or hands acting upon pedals or cranks;

41 (ii) with a seat or saddle designed for the use of the operator;

42 (iii) designed to be operated on the ground; and

43 (iv) whose wheels are not less than 14 inches in diameter.

44 (b) "Bicycle" includes an electric assisted bicycle.

45 (c) "Bicycle" does not include scooters and similar devices.

SB0212 compared with SB0212S01

- 46 (8)
- . (a) "Bus" means a motor vehicle:
- 47 (i) designed for carrying more than 15 passengers and used for the transportation of persons; or
- 49 (ii) designed and used for the transportation of persons for compensation.
- 50 (b) "Bus" does not include a taxicab.
- 51 (9)
- . (a) "Circular intersection" means an intersection that has an island, generally circular in design, located
in the center of the intersection where traffic passes to the right of the island.
- 54 (b) "Circular intersection" includes:
- 55 (i) roundabouts;
- 56 (ii) rotaries; and
- 57 (iii) traffic circles.
- 58 (10) "Class 1 electric assisted bicycle" means an electric assisted bicycle equipped with a motor or
electronics that:
- 60 (a) provides assistance only when the rider is pedaling; and
- 61 (b) ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.
- 62 (11) "Class 2 electric assisted bicycle" means an electric assisted bicycle equipped with a motor or
electronics that:
- 64 (a) may be used exclusively to propel the bicycle; and
- 65 (b) is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.
- 67 (12) "Class 3 electric assisted bicycle" means an electric assisted bicycle equipped with a motor or
electronics that:
- 69 (a) provides assistance only when the rider is pedaling;
- 70 (b) ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour; and
- 72 (c) is equipped with a speedometer.
- 73 (13) "Commissioner" means the commissioner of the Department of Public Safety.
- 74 (14) "Controlled-access highway" means a highway, street, or roadway:
- 75 (a) designed primarily for through traffic; and
- 76 (b) to or from which owners or occupants of abutting lands and other persons have no legal right
of access, except at points as determined by the highway authority having jurisdiction over the
highway, street, or roadway.

SB0212 compared with SB0212S01

- 79 (15) "Crosswalk" means:
- 80 (a) that part of a roadway at an intersection included within the connections of the lateral lines of the
sidewalks on opposite sides of the highway measured from:
- 82 (i)
- . (A) the curbs; or
- 83 (B) in the absence of curbs, from the edges of the traversable roadway; and
- 84 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway included within the
extension of the lateral lines of the existing sidewalk at right angles to the centerline; or
- 87 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing
by lines or other markings on the surface.
- 89 (16) "Department" means the Department of Public Safety.
- 90 (17) "Direct supervision" means oversight at a distance within which:
- 91 (a) visual contact is maintained; and
- 92 (b) advice and assistance can be given and received.
- 93 (18) "Divided highway" means a highway divided into two or more roadways by:
- 94 (a) an unpaved intervening space;
- 95 (b) a physical barrier; or
- 96 (c) a clearly indicated dividing section constructed to impede vehicular traffic.
- 97 (19) "Echelon formation" means the operation of two or more snowplows arranged side-by-side or
diagonally across multiple lanes of traffic of a multi-lane highway to clear snow from two or more
lanes at once.
- 100 (20)
- . (a) "Electric assisted bicycle" means a bicycle with an electric motor that:
- 101 (i) has a power output of not more than 750 watts;
- 102 (ii) has fully operable pedals;
- 103 (iii) has permanently affixed cranks that were installed at the time of the original manufacture;
- 105 (iv) is fully operable as a bicycle without the use of the electric motor; and
- 106 (v) is one of the following:
- 107 (A) a class 1 electric assisted bicycle;
- 108 (B) a class 2 electric assisted bicycle;
- 109 (C) a class 3 electric assisted bicycle; or

SB0212 compared with SB0212S01

- 110 (D) a programmable electric assisted bicycle.
- 111 (b) "Electric assisted bicycle" does not include:
- 112 (i) a moped;
- 113 (ii) a motor assisted scooter;
- 114 (iii) a motorcycle;
- 115 (iv) a motor-driven cycle; or
- 116 (v) any other vehicle with less than four wheels that is designed, manufactured, intended, or advertised by the seller to have any of the following capabilities or features, or that is modifiable or is modified to have any of the following capabilities or features:
- 120 (A) has the ability to attain the speed of 20 miles per hour or greater on motor power alone;
- 122 (B) is equipped with a continuous rated motor power of 750 watts or greater;
- 123 (C) is equipped with foot pegs for the operator at the time of manufacture, or requires installation of a pedal kit to have operable pedals; or
- 125 (D) if equipped with multiple operating modes and a throttle, has one or more modes that exceed 20 miles per hour on motor power alone.
- 127 (21)
- . (a) "Electric personal assistive mobility device" means a self-balancing device with:
- 128 (i) two nontandem wheels in contact with the ground;
- 129 (ii) a system capable of steering and stopping the unit under typical operating conditions;
- 131 (iii) an electric propulsion system with average power of one horsepower or 750 watts;
- 133 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
- 134 (v) a deck design for a person to stand while operating the device.
- 135 (b) "Electric personal assistive mobility device" does not include a wheelchair.
- 136 (22) "Explosives" means a chemical compound or mechanical mixture commonly used or intended for the purpose of producing an explosion and that contains any oxidizing and combustive units or other ingredients in proportions, quantities, or packing so that an ignition by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture may cause a sudden generation of highly heated gases, and the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of causing death or serious bodily injury.
- 143 (23) "Farm tractor" means a motor vehicle designed and used primarily as a farm implement, for drawing plows, mowing machines, and other implements of husbandry.

SB0212 compared with SB0212S01

- 145 (24) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less, as determined by
a Tagliabue or equivalent closed-cup test device.
- 147 (25) "Freeway" means a controlled-access highway that is part of the interstate system as defined in
Section 72-1-102.
- 149 (26)
- . (a) "Golf cart" means a device that:
- 150 (i) is designed for transportation by players on a golf course;
- 151 (ii) has not less than three wheels in contact with the ground;
- 152 (iii) has an unladen weight of less than 1,800 pounds;
- 153 (iv) is designed to operate at low speeds; and
- 154 (v) is designed to carry not more than six persons including the driver.
- 155 (b) "Golf cart" does not include:
- 156 (i) a low-speed vehicle or an off-highway vehicle;
- 157 (ii) a motorized wheelchair;
- 158 (iii) an electric personal assistive mobility device;
- 159 (iv) an electric assisted bicycle;
- 160 (v) a motor assisted scooter;
- 161 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
- 162 (vii) a mobile carrier, as defined in Section 41-6a-1120.
- 163 (27) "Gore area" means the area delineated by two solid white lines that is between a continuing lane
of a through roadway and a lane used to enter or exit the continuing lane including similar areas
between merging or splitting highways.
- 166 (28) "Gross weight" means the weight of a vehicle without a load plus the weight of any load on the
vehicle.
- 168 (29) "Hi-rail vehicle" means a roadway maintenance vehicle that is:
- 169 (a) manufactured to meet Federal Motor Vehicle Safety Standards; and
- 170 (b) equipped with retractable flanged wheels that allow the vehicle to travel on a highway or railroad
tracks.
- 172 (30) "Highway" means the entire width between property lines of every way or place of any nature
when any part of it is open to the use of the public as a matter of right for vehicular travel.
- 175 (31) "Highway authority" means the same as that term is defined in Section 72-1-102.

SB0212 compared with SB0212S01

176 (32)

. (a) "Intersection" means the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two or more highways that join one another.

179 (b) Where a highway includes two roadways 30 feet or more apart:

180 (i) every crossing of each roadway of the divided highway by an intersecting highway is a separate intersection; and

182 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of the highways is a separate intersection.

184 (c) "Intersection" does not include the junction of an alley with a street or highway.

185 (33) "Island" means an area between traffic lanes or at an intersection for control of vehicle movements or for pedestrian refuge designated by:

187 (a) pavement markings, which may include an area designated by two solid yellow lines surrounding the perimeter of the area;

189 (b) channelizing devices;

190 (c) curbs;

191 (d) pavement edges; or

192 (e) other devices.

193 (34) "Lane filtering" means, when operating a motorcycle other than an autocycle, the act of overtaking and passing another vehicle that is stopped in the same direction of travel in the same lane.

196 (35) "Law enforcement agency" means the same as that term is as defined in Section 53-1-102.

198 (36) "Limited access highway" means a highway:

199 (a) that is designated specifically for through traffic; and

200 (b) over, from, or to which neither owners nor occupants of abutting lands nor other persons have any right or easement, or have only a limited right or easement of access, light, air, or view.

203 (37) "Local highway authority" means the legislative, executive, or governing body of a county, municipal, or other local board or body having authority to enact laws relating to traffic under the constitution and laws of the state.

206 (38)

. (a) "Low-speed vehicle" means a four wheeled motor vehicle that:

207 (i) is designed to be operated at speeds of not more than 25 miles per hour; and

SB0212 compared with SB0212S01

- 208 (ii) has a capacity of not more than six passengers, including a conventional driver or fallback-
ready user if on board the vehicle, as those terms are defined in Section 41-26-102.1.
- 211 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.
- 212 (39) "Metal tire" means a tire, the surface of which in contact with the highway is wholly or partly of
metal or other hard nonresilient material.
- 214 (40)
- . (a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a seat or saddle that is less
than 24 inches from the ground as measured on a level surface with properly inflated tires.
- 217 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.
- 218 (c) "Mini-motorcycle" does not include a motorcycle that is:
- 219 (i) designed for off-highway use; and
- 220 (ii) registered as an off-highway vehicle under Section 41-22-3.
- 221 (41) "Mobile home" means:
- 222 (a) a trailer or semitrailer that is:
- 223 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping place either
permanently or temporarily; and
- 225 (ii) equipped for use as a conveyance on streets and highways; or
- 226 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and constructed for use as a
mobile home, as defined in Subsection (41)(a), but that is instead used permanently or temporarily
for:
- 229 (i) the advertising, sale, display, or promotion of merchandise or services; or
- 230 (ii) any other commercial purpose except the transportation of property for hire or the transportation of
property for distribution by a private carrier.
- 232 (42) "Mobility disability" means the inability of a person to use one or more of the person's extremities
or difficulty with motor skills, that may include limitations with walking, grasping, or lifting an
object, caused by a neuro-muscular, orthopedic, or other condition.
- 235 (43)
- . (a) "Moped" means a motor-driven cycle having:
- 236 (i) pedals to permit propulsion by human power; and
- 237 (ii) a motor that:
- 238 (A) produces not more than two brake horsepower; and

SB0212 compared with SB0212S01

- 239 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour on level ground.
- 241 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters and
the moped shall have a power drive system that functions directly or automatically without clutching
or shifting by the operator after the drive system is engaged.
- 245 (c) "Moped" does not include:
- 246 (i) an electric assisted bicycle; or
- 247 (ii) a motor assisted scooter.
- 248 (44)
- . (a) "Motor assisted scooter" means a self-propelled device with:
- 249 (i) at least two wheels in contact with the ground;
- 250 (ii) a braking system capable of stopping the unit under typical operating conditions;
- 251 (iii) an electric motor not exceeding 2,000 watts;
- 252 (iv) either:
- 253 (A) handlebars and a deck design for a person to stand while operating the device; or
- 255 (B) handlebars and a seat designed for a person to sit, straddle, or stand while operating the device;
- 257 (v) a design for the ability to be propelled by human power alone; and
- 258 (vi) a maximum speed of 20 miles per hour on a paved level surface.
- 259 (b) "Motor assisted scooter" does not include:
- 260 (i) an electric assisted bicycle; or
- 261 (ii) a motor-driven cycle.
- 262 (45)
- . (a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that is propelled by electric
power obtained from overhead trolley wires, but not operated upon rails.
- 265 (b) "Motor vehicle" does not include:
- 266 (i) vehicles moved solely by human power;
- 267 (ii) motorized wheelchairs;
- 268 (iii) an electric personal assistive mobility device;
- 269 (iv) an electric assisted bicycle;
- 270 (v) a motor assisted scooter;
- 271 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
- 272 (vii) a mobile carrier, as defined in Section 41-6a-1120.

SB0212 compared with SB0212S01

- 273 (46) "Motorcycle" means:
- 274 (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider and designed to
travel with not more than three wheels in contact with the ground, regardless of whether the vehicle
275 is propelled by an electric motor or internal combustion engine; or
- 278 (b) an auticycle.
- 279 (47)
- . (a) "Motor-driven cycle" means a motorcycle, moped, and a motorized bicycle having:
- 281 (i) an engine with less than 150 cubic centimeters displacement; or
- 282 (ii) a motor that produces not more than five horsepower.
- 283 (b) "Motor-driven cycle" does not include:
- 284 (i) an electric personal assistive mobility device;
- 285 (ii) a motor assisted scooter; or
- 286 (iii) an electric assisted bicycle.
- 287 (48) "Off-highway implement of husbandry" means the same as that term is defined under Section
41-22-2.
- 289 (49) "Off-highway vehicle" means the same as that term is defined under Section 41-22-2.
- 290 (50) "Operate" means the same as that term is defined in Section 41-1a-102.
- 291 (51) "Operator" means:
- 292 (a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or
- 293 (b) an automated driving system, as defined in Section 41-26-102.1, that operates a vehicle.
- 295 (52) "Other on-track equipment" means a railroad car, hi-rail vehicle, rolling stock, or other device
operated, alone or coupled with another device, on stationary rails.
- 297 (53)
- . (a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is occupied or not.
- 299 (b) "Park" or "parking" does not include:
- 300 (i) the standing of a vehicle temporarily for the purpose of and while actually engaged in loading or
unloading property or passengers; or
- 302 (ii) a motor vehicle with an engaged automated driving system that has achieved a minimal risk
condition, as those terms are defined in Section 41-26-102.1.
- 304 (54) "Peace officer" means a peace officer authorized under Title 53, Chapter 13, Peace Officer
Classifications, to direct or regulate traffic or to make arrests for violations of traffic laws.

SB0212 compared with SB0212S01

- 307 (55) "Pedestrian" means a person traveling:
308 (a) on foot; or
309 (b) in a wheelchair.
- 310 (56) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate pedestrians.
- 312 (57) "Person" means a natural person, firm, copartnership, association, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, governmental agency, public corporation, or any other legal or commercial entity.
- 316 (58) "Pole trailer" means a vehicle without motive power:
317 (a) designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle; and
320 (b) that is ordinarily used for transporting long or irregular shaped loads including poles, pipes, or structural members generally capable of sustaining themselves as beams between the supporting connections.
- 323 (59) "Private road or driveway" means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.
- 326 (60) "Programmable electric assisted bicycle" means an electric assisted bicycle with capability to switch or be programmed to function as a class 1 electric assisted bicycle, class 2 electric assisted bicycle, or class 3 electric assisted bicycle, provided that the electric assisted bicycle fully conforms with the respective requirements of each class of electric assisted bicycle when operated in that mode.
- 331 (61) "Railroad" means a carrier of persons or property upon cars operated on stationary rails.
- 332 (62) "Railroad sign or signal" means a sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.
- 335 (63) "Railroad train" means a locomotive propelled by any form of energy, coupled with or operated without cars, and operated upon rails.
- 337 (64) "Restored-modified vehicle" means the same as the term defined in Section 41-1a-102.
- 338 (65) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under circumstances of direction, speed, and proximity that give rise to danger of collision unless one grants precedence to the other.

SB0212 compared with SB0212S01

- 342 (66)
- . (a) "Roadway" means that portion of highway improved, designed, or ordinarily used for vehicular travel.
- 344 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of them are used by persons riding bicycles or other human-powered vehicles.
- 346 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if a highway includes two or more separate roadways.
- 348 (67) "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and that is protected, marked, or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.
- 351 (68)
- . (a) "School bus" means a motor vehicle that:
- 352 (i) complies with the color and identification requirements of the most recent edition of "Minimum Standards for School Buses"; and
- 354 (ii) is used to transport school children to or from school or school activities.
- 355 (b) "School bus" does not include a vehicle operated by a common carrier in transportation of school children to or from school or school activities.
- 357 (69)
- . (a) "Semitrailer" means a vehicle with or without motive power:
- 358 (i) designed for carrying persons or property and for being drawn by a motor vehicle; and
- 360 (ii) constructed so that some part of its weight and that of its load rests on or is carried by another vehicle.
- 362 (b) "Semitrailer" does not include a pole trailer.
- 363 (70) "Shoulder area" means:
- 364 (a) that area of the hard-surfaced highway separated from the roadway by a pavement edge line as established in the current approved "Manual on Uniform Traffic Control Devices"; or
- 367 (b) that portion of the road contiguous to the roadway for accommodation of stopped vehicles, for emergency use, and for lateral support.
- 369 (71) "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.
- 371 (72)

SB0212 compared with SB0212S01

- . (a) "Soft-surface trail" means a marked trail surfaced with sand, rock, or dirt that is designated for the use of a bicycle.
- 373 (b) "Soft-surface trail" does not mean a trail:
- 374 (i) where the use of a motor vehicle or an electric assisted bicycle is prohibited by a federal law, regulation, or rule; or
- 376 (ii) located in whole or in part on land granted to the state or a political subdivision subject to a conservation easement that prohibits the use of a motorized vehicle.
- 378 (73) "Solid rubber tire" means a tire of rubber or other resilient material that does not depend on compressed air for the support of the load.
- 380 (74) "Stand" or "standing" means the temporary halting of a vehicle, whether occupied or not, for the purpose of and while actually engaged in receiving or discharging passengers.
- 383 (75) "Stop" when required means complete cessation from movement.
- 384 (76) "Stop" or "stopping" when prohibited means any halting even momentarily of a vehicle, whether occupied or not, except when:
- 386 (a) necessary to avoid conflict with other traffic; or
- 387 (b) in compliance with the directions of a peace officer or traffic-control device.
- 388 (77) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that is modified to meet the requirements of Section 41-6a-1509 to operate on highways in the state in accordance with Section 41-6a-1509.
- 392 (78) "Street-legal novel vehicle" means a vehicle registered as a novel vehicle under Section 41-27-201 that is modified to meet the requirements of Section 41-6a-1509 to operate on highways in the state in accordance[-with] with Section 41-6a-1509.
- 395 (79) "Tow truck operator" means the same as that term is defined in Section 72-9-102.
- 396 (80) "Tow truck motor carrier" means the same as that term is defined in Section 72-9-102.
- 397 (81) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using any highway for the purpose of travel.
- 399 (82) "Traffic signal preemption device" means an instrument or mechanism designed, intended, or used to interfere with the operation or cycle of a traffic-control signal.
- 401 (83) "Traffic-control device" means a sign, signal, marking, or device not inconsistent with this chapter placed or erected by a highway authority for the purpose of regulating, warning, or guiding traffic.
- 404

SB0212 compared with SB0212S01

(84) "Traffic-control signal" means a device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

407 (85)

(a) "Trailer" means a vehicle with or without motive power designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that no part of its weight rests upon the towing vehicle.

410 (b) "Trailer" does not include a pole trailer.

411 (86) "Truck" means a motor vehicle designed, used, or maintained primarily for the transportation of property.

413 (87) "Truck tractor" means a motor vehicle:

414 (a) designed and used primarily for drawing other vehicles; and

415 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck tractor.

417 (88) "Two-way left turn lane" means a lane:

418 (a) provided for vehicle operators making left turns in either direction;

419 (b) that is not used for passing, overtaking, or through travel; and

420 (c) that has been indicated by a lane traffic-control device that may include lane markings.

422 (89) "Urban district" means the territory contiguous to and including any street, in which structures devoted to business, industry, or dwelling houses are situated at intervals of less than 100 feet, for a distance of a quarter of a mile or more.

425 (90) "Vehicle" means a device in, on, or by which a person or property is or may be transported or drawn on a highway, except a mobile carrier, as defined in Section 41-6a-1120, or a device used exclusively on stationary rails or tracks.

428 Section 2. Section **41-6a-1103** is amended to read:

429 **41-6a-1103. Carrying more persons than design permits prohibited -- Exception.**

430 (1) Except as provided in Subsection (2), a bicycle, electric assisted bicycle, mini-motorcycle, motor assisted scooter, or moped may not be used to carry more persons at one time than the number for which it is designed or equipped.

433 (2) An adult rider may carry a child securely attached to the adult rider's person in a back pack or sling.

435 Section 3. Section **41-6a-1106** is amended to read:

436

SB0212 compared with SB0212S01

41-6a-1106. Bicycles, electric assisted bicycles, mini-motorcycles, motor assisted scooters, or mopeds to yield right-of-way to pedestrians on sidewalks, paths, or trails -- Uses prohibited -- Negligent collision prohibited -- Speed restrictions -- Rights and duties same as pedestrians.

- 440 [~~(1) A person operating a bicycle or a vehicle or device propelled by human power shall:~~]
- 441 [~~(a) yield the right-of-way to any pedestrian; and]~~
- 442 [~~(b) give an audible signal before overtaking and passing a pedestrian.]~~
- 443 [~~(2) A person 18 years of age or older may not operate a bicycle or a vehicle or device propelled by human power on a sidewalk, path, or trail, or across a roadway in a crosswalk, where prohibited by a traffic-control device or ordinance.]~~
- 446 [~~(3) A person may not operate a bicycle or a vehicle or device propelled by human power in a negligent manner so as to collide with a:~~]
- 448 [~~(a) pedestrian; or]~~
- 449 [~~(b) person operating a:~~]
- 450 [~~(i) bicycle; or]~~
- 451 [~~(ii) vehicle or device propelled by human power.]~~
- 452 [~~(4) A person operating a bicycle or a vehicle or device propelled by human power on a sidewalk, path, or trail, or across a driveway, or across a roadway on a crosswalk may not operate at a speed greater than is reasonable and prudent under the existing conditions, giving regard to the actual and potential hazards then existing.]~~
- 456 [~~(5) Except as provided under Subsections (1) and (4), a person operating a bicycle or a vehicle or device propelled by human power on a sidewalk, path, or trail, or across a roadway on a crosswalk, has all the rights and duties applicable to a pedestrian under the same circumstances.]~~
- 460 (1) This section applies to the following devices:
- 461 (a) a bicycle;
- 462 (b) an electric assisted bicycle;
- 463 (c) a mini-motorcycle;
- 464 (d) a motor assisted scooter; or
- 465 (e) a moped.
- 466 (2) An individual operating a device described in Subsection (1) shall:
- 467 (a) yield the right-of-way to a pedestrian; and
- 468 (b) give an audible signal before overtaking and passing a pedestrian.

SB0212 compared with SB0212S01

- 469 (3) An individual 18 years old or older may not operate a device described in Subsection (1) on a sidewalk, path, or trail, or across a roadway in a crosswalk, where prohibited by a traffic control device or ordinance.
- 472 (4) An individual may not operate a device described in Subsection (1) in a negligent manner so as to collide with:
- 474 (a) a pedestrian; or
- 475 (b) another device described in Subsection (1).
- 476 ~~{(5) {An individual operating a device described in Subsection (1) on a sidewalk, path, trail, across a driveway, or across a roadway in a crosswalk may not operate at a speed greater than the lesser of:}}~~
- 479 ~~{(a) {the posted speed limit; or}}~~
- 480 ~~{(b) {if a speed limit is not posted, 20 miles per hour.}}~~
- 481 ~~{(6)}~~ (5) Except as provided under ~~{Subsections}~~ **Subsection** (2) ~~{and (5)}~~, an individual operating a device described in Subsection (1) on a sidewalk, path, trail, or across a roadway in a crosswalk, has all the rights and duties applicable to a pedestrian under the same circumstances.
- 479 Section 4. Section **41-6a-1505** is amended to read:
- 480 **41-6a-1505. Motorcycle or motor-driven cycle -- Protective headgear -- Closed cab excepted -- Electric assisted bicycles, motor assisted scooters, electric personal assistive mobility devices.**
- 489 (1) A person under the age of 21 may not operate or ride any of the following on a highway unless the person is wearing protective headgear that complies with specifications adopted under Subsection (3):
- 492 (a) a motorcycle;
- 493 (b) a motor-driven cycle;
- 494 (c) ~~[a class 3]~~ an electric assisted bicycle; or
- 495 (d) an auticycle that is not fully enclosed.
- 496 (2) This section does not apply to persons riding within an enclosed cab.
- 497 (3) The following standards and specifications for protective headgear are adopted:
- 498 (a) 49 C.F.R. 571.218 related to protective headgear for motorcycles; and
- 499 (b) 16 C.F.R. Part 1203 related to protective headgear for bicycles, motor assisted scooters, and electric personal assistive mobility devices.

501

SB0212 compared with SB0212S01

(4) A court shall waive \$8 of a fine charged to a person operating a vehicle described in Subsection (1) for a moving traffic violation if the person was:

503 (a) 21 years of age or older at the time of operation; and

504 (b) wearing protective headgear that complies with the specifications adopted under Subsection (3) at the time of operation.

506 (5) The failure to wear protective headgear:

507 (a) does not constitute contributory or comparative negligence on the part of a person seeking recovery for injuries; and

509 (b) may not be introduced as evidence in any civil litigation on the issue of negligence, injuries, or the mitigation of damages.

511 (6) Notwithstanding Subsection (4), a court may not waive \$8 of a fine charged to a person operating a motorcycle or motor-driven cycle for a driving under the influence violation of Section 41-6a-502.

514 (7) A violation of this section is an infraction.

509 Section 5. **Effective date.**

This bill takes effect on May 7, 2025.

2-5-25 11:15 AM