

Jen Plumb proposes the following substitute bill:

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

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

- 41-6a-102**, as last amended by Laws of Utah 2024, Chapter 236
- 41-6a-1103**, as renumbered and amended by Laws of Utah 2005, Chapter 2
- 41-6a-1106**, as last amended by Laws of Utah 2018, Chapter 175
- 41-6a-1505**, as last amended by Laws of Utah 2017, Chapter 369

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

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

41-6a-102 . Definitions.

As used in this chapter:

- (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.
- (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
- 37 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.
- 46 (8)(a) "Bus" means a motor vehicle:
- 47 (i) designed for carrying more than 15 passengers and used for the transportation of
- 48 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
- 52 in design, located in the center of the intersection where traffic passes to the right of
- 53 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
- 59 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
- 63 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
66 per hour.
- 67 (12) "Class 3 electric assisted bicycle" means an electric assisted bicycle equipped with a
68 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;
71 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
77 legal right of access, except at points as determined by the highway authority having
78 jurisdiction over the highway, street, or roadway.
- 79 (15) "Crosswalk" means:
- 80 (a) that part of a roadway at an intersection included within the connections of the lateral
81 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
85 included within the extension of the lateral lines of the existing sidewalk at right
86 angles to the centerline; or
87 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
88 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

98 side-by-side or diagonally across multiple lanes of traffic of a multi-lane highway to
99 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
104 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
 - 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,
117 intended, or advertised by the seller to have any of the following capabilities or
118 features, or that is modifiable or is modified to have any of the following
119 capabilities or features:
 - 120 (A) has the ability to attain the speed of 20 miles per hour or greater on motor
121 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
124 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
126 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
130 conditions;
- 131 (iii) an electric propulsion system with average power of one horsepower or 750

- 132 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
- 137 intended for the purpose of producing an explosion and that contains any oxidizing and
- 138 combustive units or other ingredients in proportions, quantities, or packing so that an
- 139 ignition by fire, friction, concussion, percussion, or detonator of any part of the
- 140 compound or mixture may cause a sudden generation of highly heated gases, and the
- 141 resultant gaseous pressures are capable of producing destructive effects on contiguous
- 142 objects or of causing death or serious bodily injury.
- 143 (23) "Farm tractor" means a motor vehicle designed and used primarily as a farm
- 144 implement, for drawing plows, mowing machines, and other implements of husbandry.
- 145 (24) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less, as
- 146 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
- 148 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
- 164 continuing lane of a through roadway and a lane used to enter or exit the continuing lane
- 165 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
167 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
171 highway or railroad tracks.
- 172 (30) "Highway" means the entire width between property lines of every way or place of any
173 nature when any part of it is open to the use of the public as a matter of right for
174 vehicular travel.
- 175 (31) "Highway authority" means the same as that term is defined in Section 72-1-102.
- 176 (32)(a) "Intersection" means the area embraced within the prolongation or connection of
177 the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of
178 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
181 highway is a separate intersection; and
182 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then
183 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
186 movements or for pedestrian refuge designated by:
- 187 (a) pavement markings, which may include an area designated by two solid yellow lines
188 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
194 of overtaking and passing another vehicle that is stopped in the same direction of travel
195 in the same lane.
- 196 (35) "Law enforcement agency" means the same as that term is as defined in Section
197 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
201 persons have any right or easement, or have only a limited right or easement of
202 access, light, air, or view.
- 203 (37) "Local highway authority" means the legislative, executive, or governing body of a
204 county, municipal, or other local board or body having authority to enact laws relating to
205 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
208 (ii) has a capacity of not more than six passengers, including a conventional driver or
209 fallback-ready user if on board the vehicle, as those terms are defined in Section
210 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
213 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
215 saddle that is less than 24 inches from the ground as measured on a level surface with
216 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
224 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
227 for use as a mobile home, as defined in Subsection (41)(a), but that is instead used
228 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
231 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
233 extremities or difficulty with motor skills, that may include limitations with walking,

- 234 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
- 239 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour
- 240 on level ground.
- 241 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
- 242 centimeters and the moped shall have a power drive system that functions directly or
- 243 automatically without clutching or shifting by the operator after the drive system is
- 244 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;
- 254 or
- 255 (B) handlebars and a seat designed for a person to sit, straddle, or stand while
- 256 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
- 263 propelled by electric power obtained from overhead trolley wires, but not operated
- 264 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.
- 273 (46)(a) "Motorcycle" means:
- 274 [(a)] (i) a motor vehicle, other than a tractor, having a seat or saddle for the use of the
- 275 rider and designed to travel with not more than three wheels in contact with the
- 276 ground, regardless of whether the vehicle is propelled by an electric motor or
- 277 internal combustion engine; or
- 278 [~~(b)~~] (ii) an auticycle.
- 279 (b) "Motorcycle" does not include:
- 280 (i) an electric assisted bicycle; or
- 281 (ii) moped.
- 282 (47)(a) "Motor-driven cycle" means a motorcycle, moped, and a motorized bicycle
- 283 having:
- 284 (i) an engine with less than 150 cubic centimeters displacement; or
- 285 (ii) a motor that produces not more than five horsepower.
- 286 (b) "Motor-driven cycle" does not include:
- 287 (i) an electric personal assistive mobility device;
- 288 (ii) a motor assisted scooter; or
- 289 (iii) an electric assisted bicycle.
- 290 (48) "Off-highway implement of husbandry" means the same as that term is defined under
- 291 Section 41-22-2.
- 292 (49) "Off-highway vehicle" means the same as that term is defined under Section 41-22-2.
- 293 (50) "Operate" means the same as that term is defined in Section 41-1a-102.
- 294 (51) "Operator" means:
- 295 (a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or
- 296 (b) an automated driving system, as defined in Section 41-26-102.1, that operates a
- 297 vehicle.
- 298 (52) "Other on-track equipment" means a railroad car, hi-rail vehicle, rolling stock, or other
- 299 device operated, alone or coupled with another device, on stationary rails.
- 300 (53)(a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is
- 301 occupied or not.

- 302 (b) "Park" or "parking" does not include:
- 303 (i) the standing of a vehicle temporarily for the purpose of and while actually
- 304 engaged in loading or unloading property or passengers; or
- 305 (ii) a motor vehicle with an engaged automated driving system that has achieved a
- 306 minimal risk condition, as those terms are defined in Section 41-26-102.1.
- 307 (54) "Peace officer" means a peace officer authorized under Title 53, Chapter 13, Peace
- 308 Officer Classifications, to direct or regulate traffic or to make arrests for violations of
- 309 traffic laws.
- 310 (55) "Pedestrian" means a person traveling:
- 311 (a) on foot; or
- 312 (b) in a wheelchair.
- 313 (56) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate
- 314 pedestrians.
- 315 (57) "Person" means a natural person, firm, copartnership, association, corporation,
- 316 business trust, estate, trust, partnership, limited liability company, association, joint
- 317 venture, governmental agency, public corporation, or any other legal or commercial
- 318 entity.
- 319 (58) "Pole trailer" means a vehicle without motive power:
- 320 (a) designed to be drawn by another vehicle and attached to the towing vehicle by means
- 321 of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle;
- 322 and
- 323 (b) that is ordinarily used for transporting long or irregular shaped loads including poles,
- 324 pipes, or structural members generally capable of sustaining themselves as beams
- 325 between the supporting connections.
- 326 (59) "Private road or driveway" means every way or place in private ownership and used
- 327 for vehicular travel by the owner and those having express or implied permission from
- 328 the owner, but not by other persons.
- 329 (60) "Programmable electric assisted bicycle" means an electric assisted bicycle with
- 330 capability to switch or be programmed to function as a class 1 electric assisted bicycle,
- 331 class 2 electric assisted bicycle, or class 3 electric assisted bicycle, provided that the
- 332 electric assisted bicycle fully conforms with the respective requirements of each class of
- 333 electric assisted bicycle when operated in that mode.
- 334 (61) "Railroad" means a carrier of persons or property upon cars operated on stationary rails.
- 335 (62) "Railroad sign or signal" means a sign, signal, or device erected by authority of a

- 336 public body or official or by a railroad and intended to give notice of the presence of
337 railroad tracks or the approach of a railroad train.
- 338 (63) "Railroad train" means a locomotive propelled by any form of energy, coupled with or
339 operated without cars, and operated upon rails.
- 340 (64) "Restored-modified vehicle" means the same as the term defined in Section 41-1a-102.
- 341 (65) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a lawful
342 manner in preference to another vehicle or pedestrian approaching under circumstances
343 of direction, speed, and proximity that give rise to danger of collision unless one grants
344 precedence to the other.
- 345 (66)(a) "Roadway" means that portion of highway improved, designed, or ordinarily
346 used for vehicular travel.
- 347 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of
348 them are used by persons riding bicycles or other human-powered vehicles.
- 349 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if a
350 highway includes two or more separate roadways.
- 351 (67) "Safety zone" means the area or space officially set apart within a roadway for the
352 exclusive use of pedestrians and that is protected, marked, or indicated by adequate
353 signs as to be plainly visible at all times while set apart as a safety zone.
- 354 (68)(a) "School bus" means a motor vehicle that:
- 355 (i) complies with the color and identification requirements of the most recent edition
356 of "Minimum Standards for School Buses"; and
- 357 (ii) is used to transport school children to or from school or school activities.
- 358 (b) "School bus" does not include a vehicle operated by a common carrier in
359 transportation of school children to or from school or school activities.
- 360 (69)(a) "Semitrailer" means a vehicle with or without motive power:
- 361 (i) designed for carrying persons or property and for being drawn by a motor vehicle;
362 and
- 363 (ii) constructed so that some part of its weight and that of its load rests on or is
364 carried by another vehicle.
- 365 (b) "Semitrailer" does not include a pole trailer.
- 366 (70) "Shoulder area" means:
- 367 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
368 edge line as established in the current approved "Manual on Uniform Traffic Control
369 Devices"; or

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

- 404 (83) "Traffic-control device" means a sign, signal, marking, or device not inconsistent with
405 this chapter placed or erected by a highway authority for the purpose of regulating,
406 warning, or guiding traffic.
- 407 (84) "Traffic-control signal" means a device, whether manually, electrically, or
408 mechanically operated, by which traffic is alternately directed to stop and permitted to
409 proceed.
- 410 (85)(a) "Trailer" means a vehicle with or without motive power designed for carrying
411 persons or property and for being drawn by a motor vehicle and constructed so that
412 no part of its weight rests upon the towing vehicle.
- 413 (b) "Trailer" does not include a pole trailer.
- 414 (86) "Truck" means a motor vehicle designed, used, or maintained primarily for the
415 transportation of property.
- 416 (87) "Truck tractor" means a motor vehicle:
417 (a) designed and used primarily for drawing other vehicles; and
418 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck
419 tractor.
- 420 (88) "Two-way left turn lane" means a lane:
421 (a) provided for vehicle operators making left turns in either direction;
422 (b) that is not used for passing, overtaking, or through travel; and
423 (c) that has been indicated by a lane traffic-control device that may include lane
424 markings.
- 425 (89) "Urban district" means the territory contiguous to and including any street, in which
426 structures devoted to business, industry, or dwelling houses are situated at intervals of
427 less than 100 feet, for a distance of a quarter of a mile or more.
- 428 (90) "Vehicle" means a device in, on, or by which a person or property is or may be
429 transported or drawn on a highway, except a mobile carrier, as defined in Section
430 41-6a-1120, or a device used exclusively on stationary rails or tracks.
- 431 Section 2. Section **41-6a-1103** is amended to read:
432 **41-6a-1103 . Carrying more persons than design permits prohibited -- Exception.**
- 433 (1) Except as provided in Subsection (2), a bicycle, electric assisted bicycle,
434 mini-motorcycle, motor assisted scooter, or moped may not be used to carry more
435 persons at one time than the number for which it is designed or equipped.
- 436 (2) An adult rider may carry a child securely attached to the adult rider's person in a back
437 pack or sling.

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

439 **41-6a-1106 . Bicycles, electric assisted bicycles, mini-motorcycles, motor assisted**
 440 **scooters, or moped to yield right-of-way to pedestrians on sidewalks, paths, or trails --**
 441 **Uses prohibited -- Negligent collision prohibited -- Speed restrictions -- Rights and duties**
 442 **same as pedestrians.**

443 [~~(1) A person operating a bicycle or a vehicle or device propelled by human power shall:~~]

444 [~~(a) yield the right-of-way to any pedestrian; and]~~

445 [~~(b) give an audible signal before overtaking and passing a pedestrian.]~~

446 [~~(2) A person 18 years of age or older may not operate a bicycle or a vehicle or device~~
 447 ~~propelled by human power on a sidewalk, path, or trail, or across a roadway in a~~
 448 ~~crosswalk, where prohibited by a traffic-control device or ordinance.]~~

449 [~~(3) A person may not operate a bicycle or a vehicle or device propelled by human power in~~
 450 ~~a negligent manner so as to collide with a:]~~

451 [~~(a) pedestrian; or]~~

452 [~~(b) person operating a:]~~

453 [~~(i) bicycle; or]~~

454 [~~(ii) vehicle or device propelled by human power.]~~

455 [~~(4) A person operating a bicycle or a vehicle or device propelled by human power on a~~
 456 ~~sidewalk, path, or trail, or across a driveway, or across a roadway on a crosswalk may~~
 457 ~~not operate at a speed greater than is reasonable and prudent under the existing~~
 458 ~~conditions, giving regard to the actual and potential hazards then existing.]~~

459 [~~(5) Except as provided under Subsections (1) and (4), a person operating a bicycle or a~~
 460 ~~vehicle or device propelled by human power on a sidewalk, path, or trail, or across a~~
 461 ~~roadway on a crosswalk, has all the rights and duties applicable to a pedestrian under the~~
 462 ~~same circumstances.]~~

463 (1) This section applies to the following devices:

464 (a) a bicycle;

465 (b) an electric assisted bicycle;

466 (c) mini-motorcycle;

467 (d) a motor assisted scooter; or

468 (e) moped.

469 (2) An individual operating a device described in Subsection (1) shall:

470 (a) yield the right-of-way to a pedestrian; and

471 (b) give an audible signal before overtaking and passing a pedestrian.

- 472 (3) An individual 18 years old or older may not operate a device described in Subsection (1)
 473 on a sidewalk, path, or trail, or across a roadway in a crosswalk, where prohibited by a
 474 traffic control device or ordinance.
- 475 (4) An individual may not operate a device described in Subsection (1) in a negligent
 476 manner so as to collide with:
- 477 (a) a pedestrian; or
 478 (b) another device described in Subsection (1).
- 479 (5) An individual may not operate a device described in Subsection (1) at a speed greater
 480 than is reasonable and prudent under the existing conditions, giving regard to actual and
 481 potential hazards.
- 482 (6) Except as provided under Subsection (2), an individual operating a device described in
 483 Subsection (1) on a sidewalk, path, trail, or across a roadway in a crosswalk, has all the
 484 rights and duties applicable to a pedestrian under the same circumstances.

485 Section 4. Section **41-6a-1505** is amended to read:

486 **41-6a-1505 . Motorcycle or motor-driven cycle -- Protective headgear -- Closed**
 487 **cab excepted -- Electric assisted bicycles, motor assisted scooters, electric personal**
 488 **assistive mobility devices.**

- 489 (1) A person under the age of 21 may not operate or ride any of the following on a highway
 490 unless the person is wearing protective headgear that complies with specifications
 491 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
 500 scooters, and electric personal assistive mobility devices.
- 501 (4) A court shall waive \$8 of a fine charged to a person operating a vehicle described in
 502 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
 505 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
508 seeking recovery for injuries; and
509 (b) may not be introduced as evidence in any civil litigation on the issue of negligence,
510 injuries, or the mitigation of damages.
- 511 (6) Notwithstanding Subsection (4), a court may not waive \$8 of a fine charged to a person
512 operating a motorcycle or motor-driven cycle for a driving under the influence violation
513 of Section 41-6a-502.
- 514 (7) A violation of this section is an infraction.
- 515 Section 5. **Effective Date.**
516 This bill takes effect on May 7, 2025.