

## **Part 10 Pedestrians' Rights and Duties**

### **41-6a-1001 Pedestrians subject to traffic-control devices -- Other controls.**

- (1) A pedestrian shall obey the instructions of a traffic-control device specifically applicable to the pedestrian unless otherwise directed by a peace officer.
- (2) A pedestrian is subject to traffic and pedestrian-control signals under Sections 41-6a-305 and 41-6a-306.
- (3) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

### **41-6a-1002 Pedestrians' right-of-way -- Duty of pedestrian.**

- (1)
  - (a) Except as provided under Subsection (2), the operator of a vehicle shall yield the right-of-way by slowing down or stopping if necessary:
    - (i) to a pedestrian crossing the roadway within a crosswalk when the pedestrian is on the half of the roadway upon which the vehicle is traveling; or
    - (ii) when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
  - (b) Subsection (1)(a) does not apply under conditions of Subsection 41-6a-1003(2).
  - (c) A pedestrian may not suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close as to constitute an immediate hazard.
- (2) The operator of a vehicle approaching a school crosswalk shall come to a complete stop at the school crosswalk if the crosswalk is occupied by a person.
- (3) If a vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the operator of any other vehicle approaching from the rear may not overtake and pass the stopped vehicle.

Amended by Chapter 122, 2018 General Session

### **41-6a-1003 Pedestrians yielding right-of-way -- Limits on pedestrians.**

- (1) A pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles on the roadway.
- (2) A pedestrian crossing a roadway at a point where there is a pedestrian tunnel or overhead pedestrian crossing shall yield the right-of-way to all vehicles on the roadway.
- (3) Between adjacent intersections at which traffic-control signals are in operation, a pedestrian may not cross at any place except in a marked crosswalk.
- (4)
  - (a) A pedestrian may not cross a roadway intersection diagonally unless authorized by a traffic-control device.
  - (b) If a pedestrian is authorized to cross diagonally under Subsection (4)(a), the pedestrian shall cross only as directed by the appropriate traffic-control device.
- (5) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

**41-6a-1004 Emergency vehicle -- Necessary signals -- Duties of operator -- Pedestrian to yield.**

- (1) A pedestrian shall yield the right-of-way to an authorized emergency vehicle upon the immediate approach of an authorized emergency vehicle using audible or visual signals in accordance with Section 41-6a-212 or 41-6a-1625.
- (2) This section does not relieve the operator of an authorized emergency vehicle from:
  - (a) the duty to drive with regard for the safety of all persons using the highway; nor
  - (b) from the duty to exercise care to avoid colliding with a pedestrian.
- (3) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

**41-6a-1005 Limitation on pedestrians related to railroad grade crossings or bridges.**

- (1) As used in this section, "active railroad grade crossing" means a railroad grade crossing when:
  - (a) the gate or barrier is closed or is being opened or closed;
  - (b) warning lights are flashing;
  - (c) audible warning devices are being sounded; or
  - (d) other traffic control devices signal the approach of a railroad train.
- (2) A pedestrian may not pass through, around, over, or under or remain on a crossing gate or barrier at an active railroad grade crossing or bridge.
- (3) A pedestrian may not enter or remain within the area between a railroad track and a railroad sign or signal if the railroad grade crossing is active.
- (4) A pedestrian may not occupy or remain on a railroad grade crossing when the railroad sign or signal is not active except to cross the railroad crossing on a designated walkway.
- (5) A pedestrian may not remain in an area between railroad signs or signals, railroad gates, or railroad crossing arms if the railroad grade crossing is active.
- (6) A violation of Subsection (2), (3), (4), or (5) is an infraction.

Amended by Chapter 412, 2015 General Session

**41-6a-1006 Vehicles to exercise due care to avoid pedestrians -- Audible signals and caution.**

- (1) The operator of a vehicle shall:
  - (a) exercise care to avoid colliding with a pedestrian;
  - (b) give an audible signal when necessary; and
  - (c) exercise appropriate precaution if the operator of the vehicle observes a child or an obviously confused, incapacitated, or intoxicated person.
- (2) This section supersedes any conflicting provision of:
  - (a) this chapter; or
  - (b) a local ordinance in accordance with Section 41-6a-208.

Renumbered and Amended by Chapter 2, 2005 General Session

**41-6a-1007 Operators to yield right-of-way to blind pedestrian -- Duties of blind pedestrian -- Use of cane -- Failure to yield -- Liability.**

- (1)
  - (a) The operator of a vehicle shall yield the right-of-way to a blind or visually impaired pedestrian:

- (i) carrying a clearly visible white cane; or
  - (ii) accompanied by a guide dog specially trained for that purpose and equipped with a harness.
- (b)
- (i) Except as provided in Subsection (1)(b)(ii), a person who fails to yield the right-of-way is liable for any loss or damage which results as a proximate cause of the failure to yield the right-of-way to blind or visually impaired persons.
  - (ii) Blind or visually impaired persons shall:
    - (A) exercise due care in approaching and crossing roadways; and
    - (B) yield the right-of-way to authorized emergency vehicles giving an audible warning signal.
- (2) A pedestrian other than a blind or visually impaired person may not carry a cane as described in Subsection (1).

Renumbered and Amended by Chapter 2, 2005 General Session

**41-6a-1008 Vehicle crossing sidewalk -- Operator to yield.**

The operator of a vehicle crossing a sidewalk shall yield the right-of-way to any pedestrian and all other traffic on the sidewalk.

Renumbered and Amended by Chapter 2, 2005 General Session

**41-6a-1009 Use of roadway by pedestrians -- Prohibited activities.**

- (1) Where there is a sidewalk provided and its use is practicable, a pedestrian may not walk along or on an adjacent roadway.
- (2) Where a sidewalk is not provided, a pedestrian walking along or on a highway shall walk only on the shoulder, as far as practicable from the edge of the roadway.
- (3) Where a sidewalk or a shoulder is not available, a pedestrian walking along or on a highway shall:
  - (a) walk as near as practicable to the outside edge of the roadway; and
  - (b) if on a two-way roadway, walk only on the left side of the roadway facing traffic.
- (4)
  - (a) An individual may not impede or block traffic within any of the following:
    - (i) an interstate system, as defined in Section 72-1-102;
    - (ii) a freeway, as defined in Section 41-6a-102;
    - (iii) a state highway, as defined in Title 72, Chapter 4, Designation of State Highways Act;
    - (iv) a state route, or "SR," as defined in Section 72-1-102; or
    - (v) a highway, as defined in Section 72-1-102, that:
      - (A) is paved and has a speed limit of 35 miles per hour or higher;
      - (B) has a median, whether elevated or flat; or
      - (C) has a fixed guideway as defined in Section 59-12-102 or any other railway that shares the highway right-of-way.
  - (b) The locations described in Subsection (4)(a) include:
    - (i) shoulder areas, as defined in Section 41-6a-102;
    - (ii) on-ramps;
    - (iii) off-ramps; and
    - (iv) an area between the roadways of a divided highway, as defined in Section 41-6a-102.
  - (c) The locations described in Subsection (4)(a) do not include sidewalks, as defined in Section 41-6a-102.
  - (d) Conduct that may impede or block traffic includes:

- (i) while a pedestrian, accepting, transacting, exchanging, or otherwise taking possession or control of money or property from a person within a motor vehicle while that motor vehicle is within an area described in Subsection (4)(a); or
  - (ii) while a driver or passenger of a motor vehicle within an area described in Subsection (4)(a), accepting, transacting, exchanging, or otherwise taking possession or control of money or property from a pedestrian.
- (e) Conduct that impedes or blocks traffic does not include:
- (i) the conduct described in Section 41-6a-209 or other lawful direction of a peace officer;
  - (ii) conduct or actions resulting from a traffic accident, medical emergency, or similar exigent circumstance, including:
    - (A) exchanging insurance information; or
    - (B) exchanging contact information; or
  - (iii) conduct or actions that occur while the motor vehicle is legally parked.
- (f) A county or municipality may adopt a resolution, ordinance, or regulation prohibiting conduct in locations described in Subsections (4)(a) and (b) within any of the roadways under its jurisdiction.
- (g)
- (i) The state, a county, or a municipality shall create a permitting process for granting a person an exemption from this Subsection (4).
  - (ii) Upon receipt of a valid permit application, the state, a county, or a municipality shall grant a person a temporary exemption from this Subsection (4) for a specified location or time.
- (h) Nothing in this section prohibits a temporary spontaneous demonstration.
- (5) A pedestrian who is under the influence of alcohol or any drug to a degree which renders the pedestrian a hazard may not walk or be on a highway except on a sidewalk or sidewalk area.
- (6) Except as otherwise provided in this chapter, a pedestrian on a roadway shall yield the right-of-way to all vehicles on the roadway.
- (7) A pedestrian may not walk along or on a no-access freeway facility except during an emergency.
- (8)
- (a) As used in this Subsection (8):
    - (i) "Aggressive manner" means intentionally:
      - (A) persisting in approaching or following an individual after the individual has negatively responded to the solicitation;
      - (B) engaging in conduct that would cause a reasonable individual to fear imminent bodily harm;
      - (C) engaging in conduct that would intimidate a reasonable individual into giving money or goods;
      - (D) blocking the path of an individual; or
      - (E) physically contacting an individual or the individual's personal property without that individual's consent.
    - (ii) "Bank" is as defined in Section 13-42-102.
    - (iii) "Sidewalk" is as defined in Section 41-6a-102.
  - (b) An individual may not solicit money or goods from another individual in an aggressive manner:
    - (i) during the business hours of a bank if either the individual soliciting, or the individual being solicited, is on the portion of a sidewalk that is within 10 feet of the bank's entrance or exit; or
    - (ii) on the portion of a sidewalk that is within 10 feet of an automated teller machine.

- (9)
  - (a) Except as provided in Subsection (9)(b), a violation of this section is an infraction.
  - (b) A third or subsequent violation of Subsection (4) in a one-year period is a class C misdemeanor.

Amended by Chapter 122, 2018 General Session

**41-6a-1010 Unmarked crosswalk locations -- Restrictions on pedestrian.**

- (1) A highway authority in its respective jurisdiction may, after an engineering and traffic investigation, designate unmarked crosswalk locations where:
  - (a) pedestrian crossing is prohibited; or
  - (b) pedestrians shall yield the right-of-way to vehicles.
- (2) The restrictions in Subsection (1) are effective only when traffic-control devices indicating the restrictions are in place.

Renumbered and Amended by Chapter 2, 2005 General Session

**41-6a-1011 Pedestrian vehicles.**

- (1) As used in this section:
  - (a)
    - (i) "Pedestrian vehicle" means a self-propelled conveyance designed, manufactured, and intended for the exclusive use of a person with a physical disability.
    - (ii) A "pedestrian vehicle" may not:
      - (A) exceed 48 inches in width;
      - (B) have an engine or motor with more than 300 cubic centimeters displacement or with more than 12 brake horsepower; and
      - (C) be capable of developing a speed in excess of 30 miles per hour.
  - (b) "Physical disability" means any bodily impairment which precludes a person from walking or otherwise moving about as a pedestrian.
- (2) A pedestrian vehicle operated by a person with a physical disability is exempt from vehicle registration, inspection, and operator license requirements.
- (3)
  - (a) A person with a physical disability may operate a pedestrian vehicle with a motor of not more than .5 brake horsepower capable of developing a speed of not more than eight miles per hour:
    - (i) on the sidewalk; and
    - (ii) in all places where pedestrians are allowed.
  - (b) A permit, license, registration, authority, application, or restriction may not be required or imposed on a person with a physical disability who operates a pedestrian vehicle under this Subsection (3).
  - (c) The provisions of this Subsection (3) supercede the provision of Subsection (2).

Amended by Chapter 258, 2015 General Session