

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