

## Part 15 Special Vehicles

### **41-6a-1501 Motorcycle or motor-driven cycle -- Place for operator to ride -- Passengers.**

- (1) A person operating a motorcycle or motor-driven cycle shall ride only on the permanent and regular seat attached to the motorcycle or motor-driven cycle.
- (2)
  - (a) Except as provided in Subsection (2)(b):
    - (i) a person operating a motorcycle or motor-driven cycle may not carry any other person on the motorcycle or motor-driven cycle; and
    - (ii) a passenger may not ride on a motorcycle or a motor-driven cycle.
  - (b) If a motorcycle or motor-driven cycle is designed to carry more than one person, a passenger may ride on:
    - (i) the permanent and regular seat, if designed for two persons; or
    - (ii) another seat firmly attached to the motorcycle or motor-driven cycle at the rear or side of the operator.
- (3) A person shall ride on a motorcycle or motor-driven cycle only while sitting astride the seat, facing forward, with one leg on either side of the motorcycle or motor-driven cycle.
- (4) A person may not operate a motorcycle or motor-driven cycle while carrying a package, bundle, or other article which prevents the person from keeping both hands on the handlebars.
- (5) An operator of a motorcycle or motor-driven cycle may not carry a person and a person may not ride in a position that interferes with:
  - (a) the operation or control of the motorcycle or motor-driven cycle; or
  - (b) the view of the operator.
- (6) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

### **41-6a-1502 Motorcycles, motor-driven cycles, or all-terrain type I vehicles -- Operation on public highways.**

- (1)
  - (a) A motorcycle or a motor-driven cycle is entitled to full use of a lane.
  - (b) A person may not operate a motor vehicle in a manner that deprives a motorcycle or motor-driven cycle of the full use of a lane.
  - (c) This Subsection (1) does not apply to motorcycles or motor-driven cycles operated two abreast in a single lane.
- (2) The operator of a motorcycle or motor-driven cycle may not overtake and pass in the same lane occupied by the vehicle being overtaken.
- (3) A person may not operate a motorcycle or motor-driven cycle between:
  - (a) lanes of traffic; or
  - (b) adjacent lines or rows of vehicles.
- (4) Motorcycles or motor-driven cycles may not be operated more than two abreast in a single lane.
- (5) Subsections (2) and (3) do not apply to peace officers acting in the peace officers' official capacities.
- (6) The provisions of this section also apply to all-terrain type I vehicles.
- (7) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

**41-6a-1503 Motorcycle or motor-driven cycle -- Attaching to another vehicle prohibited.**

- (1) A person riding on a motorcycle or motor-driven cycle may not attach himself to any other vehicle on a roadway.
- (2) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

**41-6a-1504 Motorcycle or motor-driven cycle -- Footrests for passenger -- Height of handlebars limited.**

- (1) A motorcycle or motor-driven vehicle carrying a passenger on a public highway, other than in a sidecar or enclosed cab, shall be equipped with footrests for the passenger.
- (2) A person may not operate a motorcycle or motor-driven cycle with handlebars above shoulder height.
- (3) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

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

- (1) A person under the age of 18 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):
  - (a) a motorcycle;
  - (b) a motor-driven cycle;
  - (c) a class 3 electric assisted bicycle; or
  - (d) an auticycle that is not fully enclosed.
- (2) This section does not apply to persons riding within an enclosed cab.
- (3) The following standards and specifications for protective headgear are adopted:
  - (a) 49 C.F.R. 571.218 related to protective headgear for motorcycles; and
  - (b) 16 C.F.R. Part 1203 related to protective headgear for bicycles, motor assisted scooters, and electric personal assistive mobility devices.
- (4) A court shall waive \$8 of a fine charged to a person operating a motorcycle or motor-driven cycle for a moving traffic violation if the person was:
  - (a) 18 years of age or older at the time of operation; and
  - (b) wearing protective headgear that complies with the specifications adopted under Subsection (3) at the time of operation.
- (5) The failure to wear protective headgear:
  - (a) does not constitute contributory or comparative negligence on the part of a person seeking recovery for injuries; and
  - (b) may not be introduced as evidence in any civil litigation on the issue of negligence, injuries, or the mitigation of damages.
- (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.

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

Amended by Chapter 40, 2016 General Session

Amended by Chapter 173, 2016 General Session

Amended by Chapter 173, 2016 General Session, (Coordination Clause)

**41-6a-1506 Motorcycles -- Required equipment -- Brakes.**

- (1) A motorcycle and a motor-driven cycle shall be equipped with the following items:
  - (a) one head lamp that, when factory equipped with an automatic lighting ignition system, may not be disconnected;
  - (b) one tail lamp;
  - (c) either a tail lamp or a separate lamp which illuminates the rear license plate with a white light;
  - (d) one red reflector on the rear, either separate or as part of the tail lamp;
  - (e) one stop lamp;
  - (f) a braking system, other than parking brake, in accordance with Section 41-6a-1623;
  - (g) a horn or warning device in accordance with Section 41-6a-1625;
  - (h) a muffler and emission control system in accordance with Section 41-6a-1626;
  - (i) a mirror in accordance with Section 41-6a-1627; and
  - (j) tires in accordance with Section 41-6a-1636.
- (2) An auticycle shall be equipped with the following items:
  - (a) a seatbelt for each seat installed in the auticycle in accordance with Section 41-6a-1628;
  - (b) at least one head lamp that, when factory equipped with an automatic lighting ignition system, may not be disconnected;
  - (c) at least one tail lamp;
  - (d) either a tail lamp or a separate lamp that illuminates the rear license plate with a white light;
  - (e) at least one red reflector, either separate or as part of the tail lamp or tail lamps;
  - (f) at least one stop lamp;
  - (g) a braking system, other than a parking brake, in accordance with Section 41-6a-1623;
  - (h) a horn or warning device in accordance with Section 41-6a-1625;
  - (i) a muffler and emission control system in accordance with Section 41-6a-1626 that, when factory equipped, may not be removed ;
  - (j) a mirror in accordance with Section 41-6a-1627; and
  - (k) tires in accordance with Section 41-6a-1636.
- (3) The department may require an inspection of the braking system on a motor-driven cycle and disapprove a braking system that is not designed or constructed as to insure reasonable and reliable performance in actual use in accordance with Section 41-6a-1623.
- (4) A person may not operate a motor-driven cycle on a highway if the department has disapproved the braking system on the motor-driven cycle.
- (5)
  - (a) Upon notice to the party to whom the motor-driven cycle is registered, the department may suspend the registration of a motor-driven cycle if the department has disapproved the braking system under this section.
  - (b) The Motor Vehicle Division shall, under Subsection 41-1a-109(1)(e) or (2), refuse to register a motor-driven cycle if it has reason to believe the motor-driven cycle has a braking system disapproved under this section.
- (6) A violation of this section is an infraction.

Amended by Chapter 40, 2016 General Session

**41-6a-1507 Custom vehicles -- Defined -- Compliance with all laws and standards -- Exceptions -- Revocation -- Signed statement required.**

- (1)
  - (a) As used in this section, "custom vehicle" means a motor vehicle that:
    - (i)
      - (A) is at least 25 years old and of a model year after 1948; or
      - (B)
        - (I) was manufactured to resemble a vehicle that is at least 25 years old and of a model year after 1948; and
        - (II)
          - (Aa) has been altered from the manufacturer's original design; or
          - (Bb) has a body constructed of non-original materials; and
      - (ii) is primarily a collector's item that is used for:
        - (A) club activities;
        - (B) exhibitions;
        - (C) tours;
        - (D) parades;
        - (E) occasional transportation; and
        - (F) other similar uses.
    - (b) A custom vehicle does not include:
      - (i) a motor vehicle that is used for general, daily transportation;
      - (ii) a vintage vehicle as defined in Section 41-21-1; or
      - (iii) a special interest vehicle as defined in Section 41-1a-102.
  - (2) Except as specified under this section, a custom vehicle shall meet all safety, registration, insurance, fees, and taxes required under this title.
  - (3)
    - (a) Except as provided in Subsection (3)(b), all safety equipment of a custom vehicle shall at least meet the safety standards applicable to the model year of the vehicle being replicated. Any replacement equipment shall comply with the design standards of the replacement equipment's manufacture.
    - (b) A custom vehicle shall comply with current vehicle brake and stopping standards.
  - (4) A custom vehicle is exempt from motor vehicle emissions inspection and maintenance program requirements under Section 41-6a-1642.
  - (5) The tax commission may revoke or deny the registration of a custom vehicle for failure to comply with this section.
  - (6) The owner of a custom vehicle shall provide a signed statement certifying that the custom vehicle is owned and operated for the purposes enumerated in this section to the safety inspection station in order to qualify for the exceptions provided under this section.

Amended by Chapter 171, 2009 General Session

**41-6a-1508 Low-speed vehicle.**

- (1) Except as otherwise provided in this section, a low-speed vehicle is considered a motor vehicle for purposes of the Utah Code including requirements for:
  - (a) traffic rules under Title 41, Chapter 6a, Traffic Code;
  - (b) driver licensing under Title 53, Chapter 3, Uniform Driver License Act;

- (c) motor vehicle insurance under Title 41, Chapter 12a, Financial Responsibility of Motor Vehicle Owners and Operators Act;
  - (d) vehicle registration, titling, vehicle identification numbers, license plates, and registration fees under Title 41, Chapter 1a, Motor Vehicle Act;
  - (e) vehicle taxation under Title 59, Chapter 13, Motor and Special Fuel Tax Act, and fee in lieu of property taxes or in lieu fees under Section 59-2-405;
  - (f) motor vehicle dealer licensing under Title 41, Chapter 3, Motor Vehicle Business Regulation Act;
  - (g) motor vehicle safety inspection requirements under Section 53-8-205; and
  - (h) safety belt requirements under Title 41, Chapter 6a, Part 18, Motor Vehicle Safety Belt Usage Act.
- (2)
- (a) A low-speed vehicle shall comply with federal safety standards established in 49 C.F.R. 571.500 and shall be equipped with:
    - (i) headlamps;
    - (ii) front and rear turn signals, tail lamps, and stop lamps;
    - (iii) turn signal lamps;
    - (iv) reflex reflectors one on the rear of the vehicle and one on the left and right side and as far to the rear of the vehicle as practical;
    - (v) a parking brake;
    - (vi) a windshield that meets the standards under Section 41-6a-1635, including a device for cleaning rain, snow, or other moisture from the windshield; and
    - (vii) an exterior rearview mirror on the driver's side and either an interior rearview mirror or an exterior rearview mirror on the passenger side.
  - (b) A low-speed vehicle that complies with this Subsection (2) and Subsection (3) and that is not altered from the manufacturer is considered to comply with equipment requirements under Part 16, Vehicle Equipment.
- (3) A person may not operate a low-speed vehicle that has been structurally altered from the original manufacturer's design.
- (4) A low-speed vehicle is exempt from a motor vehicle emissions inspection and maintenance program requirements under Section 41-6a-1642.
- (5)
- (a) Except to cross a highway at an intersection, a low-speed vehicle may not be operated on a highway with a posted speed limit of more than 35 miles per hour.
  - (b) In addition to the restrictions under Subsection (5)(a), a highway authority, may prohibit or restrict the operation of a low-speed vehicle on any highway under its jurisdiction, if the highway authority determines the prohibition or restriction is necessary for public safety.
- (6) A person may not operate a low-speed vehicle on a highway without displaying on the rear of the low-speed vehicle, a slow-moving vehicle identification emblem that complies with the Society of Automotive Engineers standard SAE J943.
- (7) A person who violates Subsection (2), (3), (5), or (6) is guilty of an infraction.

Amended by Chapter 412, 2015 General Session

**41-6a-1509 Street-legal all-terrain vehicle -- Operation on highways -- Registration and licensing requirements -- Equipment requirements.**

(1)

- (a) Except as provided in Subsection (1)(b), an all-terrain type I vehicle, utility type vehicle, or full-sized all-terrain vehicle that meets the requirements of this section may be operated as a street-legal ATV on a street or highway unless the highway is an interstate freeway as defined in Section 41-6a-102.
- (b) Unless a street or highway is designated as open for street-legal ATV use by the controlling highway authority in accordance with Section 41-22-10.5, a person may not operate a street-legal ATV on a street or highway in accordance with Subsection (1)(a) if the highway is under the jurisdiction of:
  - (i) a county of the first class; or
  - (ii) a municipality that is within a county of the first class.
- (2) A street-legal ATV shall comply with the same requirements as:
  - (a) a motorcycle for:
    - (i) traffic rules under Title 41, Chapter 6a, Traffic Code;
    - (ii) registration, titling, odometer statement, vehicle identification, license plates, and registration fees under Title 41, Chapter 1a, Motor Vehicle Act;
    - (iii) fees in lieu of property taxes or in lieu of fees under Section 59-2-405.2; and
    - (iv) the county motor vehicle emissions inspection and maintenance programs under Section 41-6a-1642;
  - (b) a motor vehicle for:
    - (i) driver licensing under Title 53, Chapter 3, Uniform Driver License Act;
    - (ii) motor vehicle insurance under Title 41, Chapter 12a, Financial Responsibility of Motor Vehicle Owners and Operators Act; and
    - (iii) safety inspection requirements under Title 53, Chapter 8, Part 2, Motor Vehicle Safety Inspection Act, except that a street-legal ATV shall be subject to a safety inspection:
      - (A) when registered for the first time; and
      - (B) subsequently, on the same frequency as described in Subsection 53-8-205(2) based on the age of the vehicle as determined by the model year identified by the manufacturer; and
  - (c) an all-terrain type I or type II vehicle for off-highway vehicle provisions under Title 41, Chapter 22, Off-Highway Vehicles, and Title 41, Chapter 3, Motor Vehicle Business Regulation Act, unless otherwise specified in this section.
- (3)
  - (a) An all-terrain type I vehicle and a utility type vehicle being operated as a street-legal ATV shall be equipped with:
    - (i) one or more headlamps that meet the requirements of Section 41-6a-1603;
    - (ii) one or more tail lamps;
    - (iii) a tail lamp or other lamp constructed and placed to illuminate the registration plate with a white light;
    - (iv) one or more red reflectors on the rear;
    - (v) one or more stop lamps on the rear;
    - (vi) amber or red electric turn signals, one on each side of the front and rear;
    - (vii) a braking system, other than a parking brake, that meets the requirements of Section 41-6a-1623;
    - (viii) a horn or other warning device that meets the requirements of Section 41-6a-1625;
    - (ix) a muffler and emission control system that meets the requirements of Section 41-6a-1626;
    - (x) rearview mirrors on the right and left side of the driver in accordance with Section 41-6a-1627;
    - (xi) a windshield, unless the operator wears eye protection while operating the vehicle;
    - (xii) a speedometer, illuminated for nighttime operation;

- (xiii) for vehicles designed by the manufacturer for carrying one or more passengers, a seat designed for passengers, including a footrest and handhold for each passenger;
  - (xiv) for vehicles with side-by-side seating, seatbelts for each vehicle occupant; and
  - (xv) tires that:
    - (A) are not larger than the tires that the all-terrain vehicle manufacturer made available for the all-terrain vehicle model; and
    - (B) have at least 2/32 inches or greater tire tread.
  - (b) A full-sized all-terrain vehicle being operated as a street-legal all-terrain vehicle shall be equipped with:
    - (i) two headlamps that meet the requirements of Section 41-6a-1603;
    - (ii) two tail lamps;
    - (iii) a tail lamp or other lamp constructed and placed to illuminate the registration plate with a white light;
    - (iv) one or more red reflectors on the rear;
    - (v) two stop lamps on the rear;
    - (vi) amber or red electric turn signals, one on each side of the front and rear;
    - (vii) a braking system, other than a parking brake, that meets the requirements of Section 41-6a-1623;
    - (viii) a horn or other warning device that meets the requirements of Section 41-6a-1625;
    - (ix) a muffler and emission control system that meets the requirements of Section 41-6a-1626;
    - (x) rearview mirrors on the right and left side of the driver in accordance with Section 41-6a-1627;
    - (xi) a windshield, unless the operator wears eye protection while operating the vehicle;
    - (xii) a speedometer, illuminated for nighttime operation;
    - (xiii) for vehicles designed by the manufacturer for carrying one or more passengers, a seat designed for passengers, including a footrest and handhold for each passenger;
    - (xiv) for vehicles with side-by-side seating, seatbelts for each vehicle occupant; and
    - (xv) tires that:
      - (A) do not exceed 44 inches in height; and
      - (B) have at least 2/32 inches or greater tire tread.
  - (c) A street-legal all-terrain vehicle is not required to be equipped with wheel covers, mudguards, flaps, or splash aprons.
- (4)
- (a) Subject to the requirement in Subsection (4)(b), an operator of a street-legal all-terrain vehicle, when operating a street-legal all-terrain vehicle on a highway, may not exceed the lesser of:
    - (i) the posted speed limit; or
    - (ii) 50 miles per hour.
  - (b) An operator of a street-legal all-terrain vehicle, when operating a street-legal all-terrain vehicle on a highway with a posted speed limit higher than 50 miles per hour, shall:
    - (i) operate the street-legal all-terrain vehicle on the extreme right hand side of the roadway; and
    - (ii) equip the street-legal all-terrain vehicle with a reflector or reflective tape to the front and back of both sides of the vehicle.
- (5)
- (a) A nonresident operator of an off-highway vehicle that is authorized to be operated on the highways of another state has the same rights and privileges as a street-legal ATV that is granted operating privileges on the highways of this state, subject to the restrictions under

this section and rules made by the Board of Parks and Recreation, if the other state offers reciprocal operating privileges to Utah residents.

- (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the Board of Parks and Recreation shall establish eligibility requirements for reciprocal operating privileges for nonresident users granted under Subsection (5)(a).
- (6) Nothing in this chapter shall restrict the operation of an off-highway vehicle in accordance with Section 41-22-10.5.
- (7) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

Amended by Chapter 454, 2015 General Session