

## **Part 9 Right-of-Way**

### **41-6a-901 Right-of-way between vehicles -- Unregulated intersection.**

- (1) The operator of a vehicle approaching an intersection not regulated by a traffic-control device shall yield the right-of-way to any vehicle that has entered the intersection from a different highway.
- (2) Except as specified in Subsection (3) and unless otherwise directed by a peace officer, the operator of the vehicle on the left shall yield the right-of-way to the vehicle on the right when:
  - (a) more than one vehicle enters or approaches an intersection from different highways at approximately the same time; and
  - (b) the intersection:
    - (i) is not regulated by a traffic-control device;
    - (ii) is not regulated because the traffic-control signal is inoperative; or
    - (iii) is regulated from all directions by stop signs.
- (3) The operator of a vehicle approaching an intersection not regulated by a traffic-control device:
  - (a) from a highway that does not continue beyond the intersection, shall yield the right-of-way to the operator of any vehicle on the intersecting highway; and
  - (b) from a highway that is not paved, shall yield the right-of-way to the operator of any vehicle on a paved intersecting highway.
- (4) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

### **41-6a-902 Right-of-way -- Stop or yield signals -- Yield -- Collisions at intersections or junctions of roadways -- Evidence.**

- (1) Preferential right-of-way may be indicated by stop signs or yield signs under Section 41-6a-906.
- (2)
  - (a) Except as provided in Section 41-6a-1105, or when directed to proceed by a peace officer, every operator of a vehicle approaching a stop sign shall stop:
    - (i) at a clearly marked stop line;
    - (ii) before entering the crosswalk on the near side of the intersection if there is not a clearly marked stop line; or
    - (iii) at a point nearest the intersecting roadway where the operator has a view of approaching traffic on the intersecting roadway before entering it if there is not a clearly marked stop line or a crosswalk.
  - (b) After having stopped at a stop sign, the operator of a vehicle shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard.
  - (c) The operator of a vehicle approaching a stop sign shall yield the right-of-way to pedestrians within an adjacent crosswalk.
- (3)
  - (a) The operator of a vehicle approaching a yield sign shall:
    - (i) slow down to a speed reasonable for the existing conditions; and
    - (ii) if required for safety, stop as provided under Subsection (2).
  - (b)

- (i) After slowing or stopping at a yield sign, the operator of a vehicle shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time the operator is moving across or within the intersection or junction of roadways.
  - (ii) The operator of a vehicle approaching a yield sign shall yield to pedestrians within an adjacent crosswalk.
- (4)
- (a) A collision is prima facie evidence of an operator's failure to yield the right-of-way after passing a yield sign without stopping if the operator is involved in a collision:
    - (i) with a vehicle in the intersection or junction of roadways; or
    - (ii) with a pedestrian at an adjacent crosswalk.
  - (b) A collision under Subsection (4)(a) is not considered negligence per se in determining liability for the accident.
- (5) A violation of Subsection (2) or (3) is an infraction.

Amended by Chapter 119, 2021 General Session

**41-6a-903 Yield right-of-way -- Vehicle turning left -- Entering or crossing highway other than from another roadway -- Merging lanes.**

- (1) The operator of a vehicle:
- (a) intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is so close to the turning vehicle as to constitute an immediate hazard;
  - (b) about to enter or cross a highway from any place other than another highway shall yield the right-of-way to all vehicles approaching on the highway to be entered or crossed; and
  - (c) traveling in a lane that is about to merge into a continuing lane, shall yield the right-of-way to all vehicles traveling in the continuing lane and which are so close as to be an immediate hazard.
- (2) A violation of Subsection (1) is an infraction.

Amended by Chapter 412, 2015 General Session

**41-6a-904 Approaching emergency vehicle -- Necessary signals -- Stationary emergency vehicle -- Duties of respective operators.**

- (1) Except when otherwise directed by a peace officer, the operator of a vehicle, upon the immediate approach of an authorized emergency vehicle using audible or visual signals under Section 41-6a-212 or 41-6a-1625, shall:
- (a) yield the right-of-way and immediately move to a position parallel to, and as close as possible to, the right-hand edge or curb of the highway, clear of any intersection; and
  - (b) then stop and remain stopped until the authorized emergency vehicle has passed.
- (2)
- (a) The operator of a vehicle, upon approaching a stationary authorized emergency vehicle that is displaying alternately flashing red, red and white, or red and blue lights, shall:
    - (i) reduce the speed of the vehicle;
    - (ii) provide as much space as practical to the stationary authorized emergency vehicle; and
    - (iii) if traveling in a lane adjacent to the stationary authorized emergency vehicle and if practical, with due regard to safety and traffic conditions, make a lane change into a lane not adjacent to the authorized emergency vehicle.

- (b)
  - (i) If the operator of a vehicle is traveling in an HOV lane, upon approaching a stationary authorized emergency vehicle that is displaying alternately flashing red, red and white, or red and blue lights, the requirements in Subsection (2)(a) apply.
  - (ii) The operator of a vehicle traveling in an HOV lane, upon approaching a stationary authorized emergency vehicle that is displaying alternately flashing red, red and white, or red and blue lights, shall, if practical, with due regard to safety and traffic conditions, make a lane change out of the HOV lane into a lane not adjacent to the authorized emergency vehicle.
- (3)
  - (a) The operator of a vehicle, upon approaching a stationary tow truck or highway maintenance vehicle that is displaying flashing amber lights, shall:
    - (i) reduce the speed of the vehicle;
    - (ii) provide as much space as practical to the stationary tow truck or highway maintenance vehicle; and
    - (iii) if traveling in a lane adjacent to the stationary tow truck or highway maintenance vehicle, if practical and with due regard to safety and traffic conditions, make a lane change into a lane not adjacent to the tow truck or highway maintenance vehicle.
  - (b)
    - (i) If the operator of a vehicle is traveling in an HOV lane, upon approaching a stationary tow truck or highway maintenance vehicle that is displaying flashing amber lights, the requirements in Subsection (3)(a) apply.
    - (ii) The operator of a vehicle traveling in an HOV lane, upon approaching a stationary tow truck or highway maintenance vehicle that is displaying flashing amber lights, shall, if practical, with due regard to safety and traffic conditions, make a lane change out of the HOV lane into a lane not adjacent to the tow truck or highway maintenance vehicle.
- (4) When an authorized emergency vehicle is using audible or visual signals under Section 41-6a-212 or 41-6a-1625, the operator of a vehicle may not:
  - (a) follow closer than 500 feet behind the authorized emergency vehicle;
  - (b) pass the authorized emergency vehicle, if the authorized emergency vehicle is moving; or
  - (c) stop the vehicle within 500 feet of a fire apparatus which has stopped in answer to a fire alarm.
- (5) This section does not relieve the operator of an authorized emergency vehicle, tow truck, or highway maintenance vehicle from the duty to drive with regard for the safety of all persons using the highway.
- (6)
  - (a)
    - (i) In addition to the penalties prescribed under Subsection (8), a person who violates this section shall attend a four hour live classroom defensive driving course approved by:
      - (A) the Driver License Division; or
      - (B) a court in this state.
    - (ii) Upon completion of the four hour live classroom course under Subsection (6)(a)(i), the person shall provide to the Driver License Division a certificate of attendance of the classroom course.
  - (b) The Driver License Division shall suspend a person's driver license for a period of 90 days if the person:
    - (i) violates a provision of Subsections (1) through (3); and

- (ii) fails to meet the requirements of Subsection (6)(a)(i) within 90 days of sentencing for or pleading guilty to a violation of this section.
- (c) Notwithstanding the provisions of Subsection (6)(b), the Driver License Division shall shorten the 90-day suspension period imposed under Subsection (6)(b) effective immediately upon receiving a certificate of attendance of the four hour live classroom course required under Subsection (6)(a)(i) if the certificate of attendance is received before the completion of the suspension period.
- (d) A person whose license is suspended under Subsection (6)(b) and a person whose suspension is shortened as described under Subsection (6)(c) shall pay the license reinstatement fees under Subsection 53-3-105(26).
- (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the Driver License Division shall make rules to implement the provisions of this part.
- (8) A violation of Subsection (1), (2), (3), or (4) is an infraction.

Amended by Chapter 4, 2020 Special Session 5

**41-6a-905 Vehicle or pedestrian working upon highway -- Right-of-way.**

The operator of a vehicle shall yield the right-of-way to an:

- (1) authorized vehicle or pedestrian actually engaged in work on a highway within a highway construction or maintenance area indicated by a traffic-control device; or
- (2) authorized vehicle obviously and actually engaged in work on a highway when the vehicle displays lights in accordance with Section 41-6a-1617.

Renumbered and Amended by Chapter 2, 2005 General Session

**41-6a-906 Designation of through highways -- Stop signs, yield signs, and traffic-control devices -- Designation of intersections as locations for preferential right-of-way treatment.**

- (1) A highway authority, with reference to highways under its jurisdiction, may erect and maintain stop signs, yield signs, or other traffic-control devices to designate:
  - (a) through highways; or
  - (b) intersections or other roadway junctions at which vehicular traffic on one or more of the roadways should yield or stop and yield before entering the intersection or junction.
- (2) A violation of Subsection (1) is an infraction.

Amended by Chapter 412, 2015 General Session

**41-6a-907 Vehicles emerging from alleys, buildings, private roads, or driveways must stop prior to sidewalk area or street.**

- (1) The operator of a vehicle emerging from an alley, building, private road or driveway within a business or residence district shall stop:
  - (a) the vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across the alley, building, private road, or driveway; or
  - (b) if there is no sidewalk area, at the point nearest the street to be entered where the operator has a view of approaching traffic.
- (2) A violation of Subsection (1) is an infraction.

Amended by Chapter 412, 2015 General Session

