

Effective 5/1/2024

41-6a-704 Overtaking and passing vehicles proceeding in same direction.

- (1) As used in this section:
 - (a)
 - (i) "Off-ramp" means the portion of a roadway that connects a freeway or limited access highway to an intersection.
 - (ii) "Off-ramp" does not include the portion of a roadway that connects two controlled access highways, two limited access highways, or a controlled access highway and a limited access highway.
 - (b)
 - (i) "On-ramp" means the portion of a roadway that connects an intersection to a freeway or limited access highway.
 - (ii) "On-ramp" does not include the portion of a roadway that connects two controlled access highways, two limited access highways, or a controlled access highway and a limited access highway.
- (2)
 - (a) Except as provided in Section 41-6a-718, on any highway:
 - (i) the operator of a vehicle overtaking another vehicle proceeding in the same direction shall:
 - (A) except as provided under Section 41-6a-705, promptly pass the overtaken vehicle on the left at a safe distance; and
 - (B) enter a right-hand lane or the right side of the roadway only when safely clear of the overtaken vehicle;
 - (ii) the operator of an overtaken vehicle:
 - (A) shall give way to the right in favor of the overtaking vehicle; and
 - (B) may not increase the speed of the vehicle until completely passed by the overtaking vehicle.
 - (b) The exemption from the minimum speed regulations for a vehicle operating on a grade under Section 41-6a-605 does not exempt the vehicle from promptly passing a vehicle as required under Subsection (2)(a)(i)(A).
- (3) On a highway having more than one lane in the same direction, the operator of a vehicle traveling in the left general purpose lane:
 - (a) shall, upon being overtaken by another vehicle in the same lane, yield to the overtaking vehicle by moving safely to a lane to the right; and
 - (b) may not impede the movement or free flow of traffic in the left general purpose lane.
- (4) An operator of a vehicle traveling in the left general purpose lane that has a vehicle following directly behind the operator's vehicle at a distance so that less than two seconds elapse before reaching the location of the operator's vehicle when space is available for the operator to yield to the overtaking vehicle by traveling in the right-hand lane is prima facie evidence that the operator is violating Subsection (3).
- (5) The provisions of Subsection (3) do not apply to an operator of a vehicle traveling in the left general purpose lane when:
 - (a) overtaking and passing another vehicle proceeding in the same direction in accordance with Subsection (2)(a)(i);
 - (b) preparing to turn left or taking a different highway or an exit on the left;
 - (c) responding to emergency conditions;
 - (d) avoiding actual or potential traffic moving onto the highway from an acceleration or merging lane; or
 - (e) following the direction of a traffic-control device that directs the use of a designated lane.

- (6) An individual may engage in lane filtering only when the following conditions exist:
- (a) the individual is operating a motorcycle;
 - (b) the individual is:
 - (i) on a roadway that is divided into two or more adjacent traffic lanes in the same direction of travel; or
 - (ii) on an off-ramp that is divided into two or more adjacent traffic lanes in the same direction of travel;
 - (c) the individual is:
 - (i) on a roadway with a speed limit of 45 miles per hour or less; or
 - (ii) on an off-ramp;
 - (d) the individual is not on an on-ramp;
 - (e) the vehicle being overtaken in the same lane is stopped;
 - (f) the motorcycle is traveling at a speed of 15 miles per hour or less; and
 - (g) the movement may be made safely.
- (7) A violation of Subsection (2), (3), or (6) is an infraction.

Amended by Chapter 456, 2024 General Session