

Effective 5/12/2015

41-6a-706.5 Definitions -- Operation of motor vehicle near a vulnerable user of a highway prohibited -- Endangering a vulnerable user of a highway prohibited.

- (1) As used in this section, "vulnerable user of a highway" means:
 - (a) a pedestrian, including a person engaged in work upon a highway or upon utilities facilities along a highway or providing emergency services within the right-of-way of a highway;
 - (b) a person riding an animal; or
 - (c) a person operating any of the following on a highway:
 - (i) a farm tractor or implement of husbandry, without an enclosed shell;
 - (ii) a skateboard;
 - (iii) roller skates;
 - (iv) in-line skates;
 - (v) a bicycle;
 - (vi) an electric-assisted bicycle;
 - (vii) an electric personal assistive mobility device;
 - (viii) a moped;
 - (ix) a motor-driven cycle;
 - (x) a motorized scooter;
 - (xi) a motorcycle; or
 - (xii) a manual wheelchair.
- (2) An operator of a motor vehicle may not knowingly, intentionally, or recklessly:
 - (a) operate a motor vehicle within three feet of a vulnerable user of a highway;
 - (b) distract or attempt to distract a vulnerable user of a highway for the purpose of causing violence or injury to the vulnerable user of a highway; or
 - (c) force or attempt to force a vulnerable user of a highway off of the roadway for a purpose unrelated to public safety.
- (3)
 - (a) Except as provided in Subsection (3)(b), a violation of Subsection (2) is an infraction.
 - (b) A violation of Subsection (2) that results in bodily injury to the vulnerable user of a highway is a class C misdemeanor.

Amended by Chapter 412, 2015 General Session