

## **Part 11**

### **Bicycles and Other Vehicles, Regulation of Operation**

#### **41-6a-1101 Parents and guardians may not authorize child's violation of chapter.**

The parent or guardian of a child may not authorize or knowingly permit the child to violate any of the provisions of this chapter.

Renumbered and Amended by Chapter 2, 2005 General Session

#### **41-6a-1102 Bicycle and device propelled by human power and moped riders subject to chapter -- Exception.**

- (1) Except as provided under Subsection (2) or as otherwise specified under this part, a person operating a bicycle, a vehicle or device propelled by human power, or a moped has all the rights and is subject to the provisions of this chapter applicable to the operator of any other vehicle.
- (2) A person operating a nonmotorized bicycle or a vehicle or device propelled by human power is not subject to the penalties related to operator licenses under alcohol and drug-related traffic offenses.

Renumbered and Amended by Chapter 2, 2005 General Session

#### **41-6a-1103 Carrying more persons than design permits prohibited -- Exception.**

- (1) Except as provided in Subsection (2), a bicycle or moped may not be used to carry more persons at one time than the number for which it is designed or equipped.
- (2) An adult rider may carry a child securely attached to the adult rider's person in a back pack or sling.

Renumbered and Amended by Chapter 2, 2005 General Session

#### **41-6a-1104 Persons on bicycles, mopeds, skates, and sleds not to attach to moving vehicles -- Exception.**

- (1) A person riding a bicycle, moped, coaster, skate board, roller skates, sled, or toy vehicle may not attach it or a person to any moving vehicle on a highway.
- (2) This section does not prohibit attaching a trailer or semitrailer to a bicycle or moped if that trailer or semitrailer has been designed for attachment.

Renumbered and Amended by Chapter 2, 2005 General Session

#### **41-6a-1105 Operation of bicycle or moped on and use of roadway -- Duties, prohibitions.**

- (1) A person operating a bicycle or a moped on a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as near as practicable to the right-hand edge of the roadway except when:
  - (a) overtaking and passing another bicycle or vehicle proceeding in the same direction;
  - (b) preparing to make a left turn at an intersection or into a private road or driveway;
  - (c) traveling straight through an intersection that has a right-turn only lane that is in conflict with the straight through movement; or

- (d) reasonably necessary to avoid conditions that make it unsafe to continue along the right-hand edge of the roadway including:
  - (i) fixed or moving objects;
  - (ii) parked or moving vehicles;
  - (iii) bicycles;
  - (iv) pedestrians;
  - (v) animals;
  - (vi) surface hazards; or
  - (vii) a lane that is too narrow for a bicycle and a vehicle to travel safely side by side within the lane.
- (2) A person operating a bicycle or moped on a highway shall operate in the designated direction of traffic.
- (3)
  - (a) A person riding a bicycle or moped on a roadway may not ride more than two abreast with another person except on paths or parts of roadways set aside for the exclusive use of bicycles.
  - (b) If allowed under Subsection (3)(a), a person riding two abreast with another person may not impede the normal and reasonable movement of traffic and shall ride within a single lane.
- (4) If a usable path for bicycles has been provided adjacent to a roadway, a bicycle rider may be directed by a traffic-control device to use the path and not the roadway.
- (5)
  - (a) As used in this Subsection (5), "immediate hazard" means a vehicle approaching an intersection at a proximity and rate of speed sufficient to indicate to a reasonable person that there is a danger of collision or accident.
  - (b) Except as provided in Subsection (6), an individual operating a bicycle approaching a stop sign may proceed through the intersection without stopping at the stop sign if:
    - (i) the individual slows to a reasonable speed; and
    - (ii) yields the right-of-way to:
      - (A) any pedestrian within the intersection or an adjacent crosswalk;
      - (B) other traffic within the intersection; and
      - (C) oncoming traffic that poses an immediate hazard during the time the individual is traveling through the intersection.
- (6) Subsection (5)(b) does not apply to an intersection with an active railroad grade crossing as defined in Section 41-6a-1005.

Amended by Chapter 119, 2021 General Session

**41-6a-1106 Bicycles and human powered vehicle or device to yield right-of-way to pedestrians on sidewalks, paths, or trails -- Uses prohibited -- Negligent collision prohibited -- Speed restrictions -- Rights and duties same as pedestrians.**

- (1) A person operating a bicycle or a vehicle or device propelled by human power shall:
  - (a) yield the right-of-way to any pedestrian; and
  - (b) give an audible signal before overtaking and passing a pedestrian.
- (2) A person 18 years of age or older may not operate a bicycle or a vehicle or device propelled by human power on a sidewalk, path, or trail, or across a roadway in a crosswalk, where prohibited by a traffic-control device or ordinance.
- (3) A person may not operate a bicycle or a vehicle or device propelled by human power in a negligent manner so as to collide with a:

- (a) pedestrian; or
- (b) person operating a:
  - (i) bicycle; or
  - (ii) vehicle or device propelled by human power.
- (4) A person operating a bicycle or a vehicle or device propelled by human power on a sidewalk, path, or trail, or across a driveway, or across a roadway on a crosswalk may not operate at a speed greater than is reasonable and prudent under the existing conditions, giving regard to the actual and potential hazards then existing.
- (5) Except as provided under Subsections (1) and (4), a person operating a bicycle or a vehicle or device propelled by human power on a sidewalk, path, or trail, or across a roadway on a crosswalk, has all the rights and duties applicable to a pedestrian under the same circumstances.

Amended by Chapter 175, 2018 General Session

**41-6a-1107 Bicycles -- Parking on sidewalk, roadway -- Prohibitions.**

- (1) A person may park a bicycle on a sidewalk unless prohibited or restricted by a traffic-control device.
- (2) A bicycle parked on a sidewalk may not impede the normal and reasonable movement of pedestrian or other traffic.
- (3) A bicycle may be parked on the roadway at any location where parking is allowed:
  - (a) at any angle to the curb or edge of the roadway; and
  - (b) abreast of another bicycle or bicycles near the side of the roadway.
- (4) A bicycle may not be parked on a roadway in a manner as to obstruct the movement of a legally parked motor vehicle.
- (5) In all other respects, bicycles parked anywhere on a highway shall conform with the provisions of Part 14, Stopping, Standing, and Parking, regarding the parking of vehicles.

Renumbered and Amended by Chapter 2, 2005 General Session

**41-6a-1108 Bicycles and mopeds -- Turns -- Designated lanes.**

- (1) A person riding a bicycle or moped and intending to turn left shall comply with Section 41-6a-801 or Subsection (2).
- (2)
  - (a) A person riding a bicycle or moped intending to turn left shall approach the turn as close as practicable to the right curb or edge of the roadway.
  - (b) After proceeding across the intersecting roadway, to the far corner of the curb or intersection of the roadway edges, the bicyclist or moped operator shall stop, as far out of the way of traffic as practical.
  - (c) After stopping, the bicyclist or moped operator shall yield to any traffic proceeding in either direction along the roadway he had been using.
  - (d) After yielding and complying with any traffic-control device or peace officer regulating traffic, the bicyclist or moped operator may proceed in the new direction.
- (3)
  - (a) Notwithstanding Subsections (1) and (2), a highway authority in its respective jurisdiction may place traffic-control devices that require and direct turning bicyclists and moped operators to travel a specific course.

- (b) When the devices are placed under Subsection (3)(a), a person may not turn a bicycle other than as directed by the devices.

Renumbered and Amended by Chapter 2, 2005 General Session

**41-6a-1109 Bicycles and mopeds -- Turn signals -- Exceptions.**

- (1) Except as provided in this section, a person riding a bicycle or moped shall comply with Section 41-6a-804 regarding turn signals and turning.
- (2) A person is not required to signal by hand and arm continuously if the hand is needed in the control or operation of the bicycle or moped.
- (3) A person operating a bicycle or moped who is stopped in a lane designated for turning traffic only is not required to signal prior to making the turning movement.

Renumbered and Amended by Chapter 2, 2005 General Session

**41-6a-1110 Bicycle and moped inspections -- At request of officer.**

A peace officer may at any time require a person riding a bicycle or moped to stop and submit the bicycle or moped to an inspection and a test as appropriate if the officer has reasonable cause to believe that:

- (1) the bicycle or moped is unsafe or not equipped as required by law; or
- (2) the bicycle or moped's equipment is not in proper adjustment or repair.

Renumbered and Amended by Chapter 2, 2005 General Session

**41-6a-1111 Bicycle racing -- When approved -- Prohibitions -- Exceptions -- Authorized exemptions from traffic laws.**

- (1) Bicycle racing on highways is prohibited under Section 41-6a-606, except as authorized in this section.
- (2)
  - (a) Bicycle racing on a highway is permitted when a racing event is approved by a highway authority on a highway under its jurisdiction.
  - (b) Approval of bicycle highway racing events may be granted only under conditions:
    - (i) which assure reasonable safety for all race participants, spectators, and other highway users; and
    - (ii) which prevent unreasonable interference with traffic flow which would seriously inconvenience other highway users.
- (3) Participants in an approved bicycle highway racing event may be exempted from compliance with any traffic laws otherwise applicable:
  - (a) by agreement with the approving highway authority; and
  - (b) if traffic control is adequate to assure the safety of all highway users.

Renumbered and Amended by Chapter 2, 2005 General Session

**41-6a-1112 Bicycles and mopeds -- Carrying bundle -- One hand on handlebars.**

- (1) A person operating a bicycle or moped may not carry any package, bundle, or article which prevents the use of both hands in the control and operation of the bicycle or moped.
- (2) A person operating a bicycle or moped shall keep at least one hand on the handlebars at all times.

Renumbered and Amended by Chapter 2, 2005 General Session

**41-6a-1113 Bicycle -- Prohibited equipment -- Brakes required.**

- (1) A bicycle may not be equipped with, and a person may not use on a bicycle, a siren or whistle.
- (2) Every bicycle shall be equipped with a brake or brakes which enable its driver to stop the bicycle within 25 feet from a speed of 10 miles per hour on dry, level, clean pavement.

Renumbered and Amended by Chapter 2, 2005 General Session

**41-6a-1114 Bicycles -- Lamps and reflective material required.**

- (1) A bicycle in use or a person operating a bicycle at the times described in Section 41-6a-1603 shall be equipped with a:
  - (a) forward facing lamp that emits a white light visible from a distance of at least 500 feet to the front; and
  - (b)
    - (i) rear facing red reflector that is visible for 500 feet when directly in front of lawful lower beams of head lamps on a motor vehicle; or
    - (ii) rear facing red lamp that is designed for use on a bicycle and that emits flashing or nonflashing light visible from a distance of 500 feet to the rear.
- (2) A bicycle when in use or a person operating a bicycle at the times described in Section 41-6a-1603 shall be equipped with:
  - (a) reflective material of sufficient size and reflectivity to be visible from both sides for 500 feet when directly in front of lawful lower beams of head lamps on a motor vehicle; or
  - (b) a lamp that emits light visible from both sides from a distance of at least 500 feet.
- (3) A bicycle or a person operating a bicycle may be equipped with lamps or reflectors in addition to those required by Subsections (1) and (2).

Amended by Chapter 140, 2013 General Session

**41-6a-1115 Motor assisted scooters -- Conflicting provisions -- Restrictions -- Penalties.**

- (1)
  - (a) Except as otherwise provided in this section, a motor assisted scooter is subject to the provisions under this chapter for a bicycle.
  - (b) For a person operating a motor assisted scooter, the following provisions do not apply:
    - (i) seating positions under Section 41-6a-1501;
    - (ii) required lights, horns, and mirrors under Section 41-6a-1506;
    - (iii) entitlement to full use of a lane under Subsection 41-6a-1502(1); and
    - (iv) driver licensing requirements under Section 53-3-202.
  - (c) A person may operate a motor assisted scooter across a roadway in a crosswalk, except that the person may not operate the motor assisted scooter in a negligent manner in the crosswalk:
    - (i) so as to collide with a:
      - (A) pedestrian; or
      - (B) person operating a bicycle or vehicle or device propelled by human power; or
    - (ii) at a speed greater than is reasonable and prudent under the existing conditions, giving regard to the actual and potential hazards then existing.

- (2) A person under eight years of age may not operate a motor assisted scooter with the motor running on any public property, highway, path, or sidewalk.
- (3) A person may not operate a motor assisted scooter:
  - (a) in a public parking structure;
  - (b) on public property posted as an area prohibiting bicycles;
  - (c) while carrying more persons at one time than the number for which it is designed;
  - (d) that has been structurally or mechanically altered from the original manufacturer's design, except for an alteration by, or done at the request of, a person who rents the motor assisted scooter to lower the maximum speed for the motor assisted scooter; or
  - (e) at a speed of greater than 15 miles per hour or in violation of Subsection 41-6a-1115.1(3).
- (4) Except where posted or prohibited by local ordinance, a motor assisted scooter is considered a nonmotorized vehicle if it is being used with the motor turned off.
- (5) An owner may not authorize or knowingly permit a person under the age of 18 to operate a motor assisted scooter in violation of this section.
- (6) A person who violates this section is guilty of an infraction.

Amended by Chapter 428, 2019 General Session

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**41-6a-1115.1 Scooter-share programs -- Local ordinances regulating motor assisted scooters.**

- (1) For the purposes of this section:
  - (a) "Local authority" means a county, city, or town.
  - (b) "Scooter-share operator" means a person offering a shared scooter for hire.
  - (c) "Scooter-share program" means the offering of a shared scooter for hire.
  - (d) "Shared scooter" means a motor assisted scooter offered for hire.
- (2) A local authority may regulate the operation of a motor assisted scooter within its jurisdiction.
- (3) A local authority may authorize the operation of a motor assisted scooter on sidewalks and regulate the operation, including the maximum speed on the sidewalks.
- (4) A regulation adopted by a local authority pursuant to this section regarding the operation of a motor assisted scooter shall be consistent with the regulation of bicycles and this title.
- (5)
  - (a) A local authority may regulate the operation of a scooter-share program within its jurisdiction. Regulation of scooter-share programs shall be consistent with this Subsection (5).
  - (b) A shared scooter shall bear a single unique alphanumeric identification visible from a distance of five feet, that may not be obfuscated by branding or other markings, and that shall be used throughout the state, including by local authorities, to identify the shared scooter.
  - (c) A scooter-share operator shall maintain the following insurance coverage dedicated exclusively for operation of shared scooters:
    - (i) commercial general liability insurance coverage with a limit of at least \$1,000,000 each occurrence and \$5,000,000 aggregate;
    - (ii) automobile insurance coverage with a limit of at least \$1,000,000 each occurrence and \$1,000,000 aggregate;
    - (iii) umbrella or excess liability coverage with a limit of at least \$5,000,000 each occurrence and \$5,000,000 aggregate; and
    - (iv) when the scooter-share operator employs an individual, workers' compensation coverage of no less than required by law.

- (d) Penalties for a moving or parking violation involving a motor assisted scooter or a shared scooter shall be assessed to the person responsible for the violation, and may not exceed penalties assessed to a rider of a bicycle.
- (e) A scooter-share operator may be required to pay fees, provided that the total amount of the fees collected may not exceed the reasonable and necessary cost to the local authority of administering scooter-share programs, including a reasonable fee for the use of the right-of-way, commensurate and proportional to fees charged for similar uses.
- (f) A scooter-share operator may be required to indemnify the local authority for claims, demands, costs, including reasonable attorney fees, losses, or damages brought against the local authority, and arising out of a negligent act, error, omission, or willful misconduct by the scooter-share operator or the scooter-share operator's employees, except to the extent the claims, demands, costs, losses, or damages arise out of such local authority's negligence or willful misconduct.
- (g) In the interests of safety and right-of-way management, a local authority may designate locations where scooter-share operators may not stage shared scooters, provided that at least one location shall be permitted on each side of each city block in commercial zones and business districts.
- (h) A local authority may require scooter-share operators, as a condition for operating a scooter-share program, to provide to the local authority anonymized fleet and ride activity data for completed trips starting or ending within the jurisdiction of the local authority on a vehicle of the scooter-share operator or of any person or company controlled by, controlling, or under common control with the scooter-share operator, provided that, to ensure individual privacy the trip data:
  - (i) is provided via an application programming interface, subject to the scooter-share operator's license agreement for such interface, in compliance with a national data format specification;
  - (ii) provided shall be treated as trade secret and proprietary business information, and may not be shared to third parties without the scooter-share operator's consent, and may not be treated as owned by the local authority; and
  - (iii) shall be considered private information, and may not be disclosed under Title 63G, Chapter 2, Government Records Access and Management Act, pursuant to a public records request received by the local authority without prior aggregation or obfuscation to protect individual privacy.
- (i) In regulating a shared scooter or a scooter-share program, a local authority may not impose any unduly restrictive requirement on a scooter-share operator, including:
  - (i) requiring operation below cost; or
  - (ii) subjecting riders of shared scooters to requirements more restrictive than those applicable to riders of privately owned motor assisted scooters or bicycles.

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#### **41-6a-1115.5 Electric assisted bicycles -- Restrictions -- Penalties.**

- (1) Except as otherwise provided in this section, an electric assisted bicycle is subject to the provisions under this chapter for a bicycle.
- (2) An individual may operate an electric assisted bicycle on a path or trail designated for the use of a bicycle.
- (3)

- (a) A local authority or state agency may adopt an ordinance or rule to regulate or restrict the use of an electric assisted bicycle, or a specific classification of an electric assisted bicycle, on a sidewalk, path, or trail within the jurisdiction of the local authority or state agency.
- (b) When enacting ordinances or making rules related to the use of a pathway or soft-surface trail, and during the planning or construction of a pathway or soft-surface trail, a local authority or state agency shall consider accommodations and increased trail access by a person with a mobility disability.
- (4) An individual under 16 years old may not operate a class 3 electric assisted bicycle.
- (5) An individual under 14 years old may not operate an electric assisted bicycle with the electric motor engaged on any public property, highway, path, or sidewalk unless the individual is under the direct supervision of the individual's parent or guardian.
- (6) An individual under eight years old may not operate an electric assisted bicycle with the electric motor engaged on any public property, highway, path, or sidewalk.
- (7) The owner of an electric assisted bicycle may not authorize or knowingly permit an individual to operate an electric assisted bicycle in violation of this section.
- (8)
  - (a) Beginning January 1, 2017, each Utah-based manufacturer of an electric assisted bicycle and each distributor of an electric assisted bicycle in Utah shall permanently affix a label in a prominent location on the electric assisted bicycle.
  - (b) Each manufacturer and each distributor shall ensure that the label is printed in Arial font, in 9-point type or larger, and includes the:
    - (i) appropriate electric assisted bicycle classification number described in Section 41-6a-102;
    - (ii) top assisted speed; and
    - (iii) wattage of the motor.
  - (c) A Utah-based manufacturer or seller shall ensure that a programmable electric assisted bicycle is equipped with a conspicuous label indicating the class or classes of electric assisted bicycle of which the programmable electric assisted bicycle is capable of operating.
  - (d) Beginning May 1, 2024, a seller of any new or used vehicle with less than four wheels that is powered by an electric motor that is not an electric assisted bicycle shall clearly and conspicuously provide the following disclosure to a prospective purchaser at the time of sale and in any advertising materials, online website, or social media post promoting the vehicle: "THIS VEHICLE IS NOT AN "ELECTRIC ASSISTED BICYCLE" AS DEFINED BY UTAH MOTOR VEHICLE CODE AND IS INSTEAD A TYPE OF MOTOR VEHICLE AND SUBJECT TO APPLICABLE MOTOR VEHICLE LAWS IF USED ON PUBLIC ROADS OR PUBLIC LANDS. YOUR INSURANCE POLICIES MAY NOT PROVIDE COVERAGE FOR ACCIDENTS INVOLVING THE USE OF THIS VEHICLE. TO DETERMINE IF COVERAGE IS PROVIDED YOU SHOULD CONTACT YOUR INSURANCE COMPANY OR AGENT."
  - (e) For a disclosure described in Subsection (8)(d), the seller shall ensure that the disclosure appears in bold, capital letters at least the same font size as the description of the vehicle.
  - (f) A person's actions to knowingly advertise, offer for sale, or sell a vehicle that is not an electric assisted bicycle as an electric bicycle, electric assisted bicycle, electric bike, or e-bike without making the disclosure described in Subsection (8)(d) constitutes prima facie evidence of a deceptive trade practice under Section 13-11a-3.
- (9) An individual who violates this section is guilty of an infraction.
- (10) A class 2 electric assisted bicycle is subject to the restrictions of Section 41-6a-526.



**41-6a-1116 Electric personal assistive mobility devices -- Conflicting provisions -- Restrictions -- Penalties.**

- (1)
  - (a) Except as otherwise provided in this section, an electric personal assistive mobility device is subject to the provisions under this chapter for a bicycle, moped, or a motor-driven cycle.
  - (b) For a person operating an electric personal assistive mobility device, the following provisions do not apply:
    - (i) seating positions under Section 41-6a-1501;
    - (ii) required lights, horns, and mirrors under Section 41-6a-1506;
    - (iii) entitlement to full use of a lane under Subsection 41-6a-1502(1); and
    - (iv) driver licensing requirements under Section 53-3-202.
- (2) A person under 15 years of age may not operate an electric personal assistive mobility device using the motor unless the person is under the direct supervision of the person's parent or guardian.
- (3) A person may not operate an electric personal assistive mobility device:
  - (a) on a highway consisting of a total of four or more lanes designated for regular vehicular traffic;
  - (b) on a highway with a posted speed limit greater than 35 miles per hour; or
  - (c) that has been structurally or mechanically altered from the original manufacturer's design.
- (4) An owner may not authorize or knowingly permit a person to operate an electric personal assistive mobility device in violation of this section.
- (5) A person may operate an electric personal assistive mobility device on a sidewalk if the operation does not:
  - (a) exceed a speed which is greater than is reasonable or prudent having due regard for weather, visibility, and pedestrians; or
  - (b) endanger the safety of other persons or property.
- (6) A person operating an electric personal assistive mobility device shall yield to a pedestrian or other person using a mobility aid.
- (7)
  - (a) An electric personal assistive mobility device may be operated on:
    - (i) a path or trail designed for the use of a bicycle; or
    - (ii) on a highway where a bicycle is allowed if the speed limit on the highway does not exceed 35 miles per hour.
  - (b) A person operating an electric personal assistive mobility device in an area described in Subsection (7)(a)(i) or (ii) is subject to the laws governing bicycles.
- (8) A person may operate an electric personal assistive mobility device at night if the device is equipped with or the operator is wearing:
  - (a) a lamp pointing to the front that emits a white light visible from a distance of not less than 300 feet in front of the device; and
  - (b) front, rear, and side reflectors.
- (9) A person may not operate an electric personal assistive mobility device while carrying an article that prevents the person from keeping both hands on the handlebars or interferes with the person's ability to safely operate the electric personal assistive mobility device.
- (10) Only one person may operate an electric personal assistive mobility device at a time.
- (11) A person may not park an electric personal assistive mobility device on a highway or sidewalk in a manner that obstructs vehicular or pedestrian traffic.
- (12) A person who violates this section is guilty of an infraction.

Amended by Chapter 412, 2015 General Session

#### **41-6a-1116.5 Local ordinances regulating electric personal assistive mobility devices.**

A local authority may adopt an ordinance to regulate or restrict the use of electric personal assistive mobility devices.

Enacted by Chapter 86, 2007 General Session

#### **41-6a-1117 Mini-motorcycle restrictions -- Exceptions.**

- (1) A person may not operate a mini-motorcycle on any public property, highway, path, or sidewalk unless:
  - (a) the mini-motorcycle is registered for highway use in accordance with Title 41, Chapter 1a, Motor Vehicle Act; and
  - (b) the operator is licensed to operate a motorcycle in accordance with Title 53, Chapter 3, Uniform Driver License Act.
- (2) An owner may not authorize or knowingly permit a person to operate a mini-motorcycle in violation of this section.
- (3) A person who violates this section is guilty of an infraction.

Amended by Chapter 412, 2015 General Session

#### **41-6a-1118 Mobility vehicles.**

- (1) As used in this section:
  - (a) "Division" means the Driver License Division created in Section 53-3-103.
  - (b) "Mobility vehicle" means a vehicle that:
    - (i) is certified by the division for use by a person with a physical disability; and
    - (ii) complies with the requirements specified by the division in rules made under Subsection (3).
  - (c) "Mobility vehicle certification" means evidence that a vehicle meets the requirements for certification by the division as a mobility vehicle.
  - (d) "Mobility vehicle permit" means a permit issued by the division granting authority and specifying the conditions for a person with a physical disability to operate a mobility vehicle on a public highway.
  - (e) "Physical disability" means a substantial impairment in one or more major life activities that prevents an individual from qualifying to obtain a license certificate.
- (2) A person may operate a mobility vehicle on a public highway in accordance with rules made by the division under Subsection (3).
- (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division shall make rules:
  - (a) establishing procedures for certification of a vehicle to be operated as a mobility vehicle;
  - (b) specifying the vehicle requirements for a vehicle to qualify as a mobility vehicle;
  - (c) for acceptable documentation of a mobility vehicle permit applicant's identity, Social Security number if applicable, Utah resident status, and Utah residence address;
  - (d) establishing procedures for the issuance of a mobility vehicle permit to an individual with a physical disability;
  - (e) for examining applicants for a mobility vehicle permit, as necessary for the safety and welfare of the applicant and the traveling public; and
  - (f) granting authority and specifying the conditions and restrictions for a person to operate a mobility vehicle on a public highway.
- (4) An application for a mobility vehicle permit shall be:

- (a) made upon a form furnished by the division;
- (b) accompanied by a nonrefundable fee set under Section 53-3-105; and
- (c) accompanied by a medical questionnaire form that includes information:
  - (i) that establishes the applicant has a physical disability as defined under Subsection (1)(e); and
  - (ii) to determine whether it would be a public safety hazard to permit the applicant to drive a mobility vehicle on a public highway.
- (5) An application and fee for a mobility vehicle permit entitle the applicant to:
  - (a) not more than three attempts to pass both the knowledge and skills tests within six months of the date of application; and
  - (b) a mobility vehicle permit after all tests are passed and requirements are completed.
- (6) A mobility vehicle permit expires on the birth date of the applicant in the fifth year following the year the mobility vehicle permit was issued.
- (7) A person may not hold both a license certificate and a mobility vehicle permit.

Enacted by Chapter 225, 2014 General Session

**41-6a-1119 Personal delivery device.**

- (1) As used in this section:
  - (a) "Eligible entity" means a corporation, partnership, association, firm, sole proprietorship, or other entity engaged in a business that includes the operation of a personal delivery device.
  - (b) "Main-traveled way" means the same as that term is defined in Section 72-7-502.
  - (c) "Pedestrian area" means a sidewalk, crosswalk, school crosswalk, school crossing zone, or safety zone.
  - (d)
    - (i) "Personal delivery device" means an electrically powered device to which all of the following apply:
      - (A) the device is manufactured for transporting cargo and goods; and
      - (B) the device is equipped with automated driving technology, including hardware and software, that enables the operation of the device with or without active control or monitoring by a person.
    - (ii) A mobile carrier as defined in Section 41-6a-1120 is not a personal delivery device.
    - (iii) "Personal delivery device" does not include:
      - (A) a motor vehicle; or
      - (B) an ADS-dedicated vehicle as that term is defined in Section 41-26-102.1.
  - (e)
    - (i) "Personal delivery device operator" means an employee or agent of an eligible entity who exercises active physical control over, or monitoring of, the navigation and operation of a personal delivery device.
    - (ii) "Personal delivery device operator" does not include:
      - (A) with respect to a delivery or other service rendered by a personal delivery device, the person who requests the delivery or service; or
      - (B) a person who only arranges for and dispatches a personal delivery device for a delivery or other service.
- (2) An eligible entity may operate a personal delivery device so long as all of the following requirements are met:
  - (a) the personal delivery device is operated at a maximum speed of:
    - (i) 10 miles per hour when in a pedestrian area; or

- (ii) 20 miles per hour on a highway in an area that is not a pedestrian area;
  - (b) the eligible entity maintains an insurance policy that includes general liability coverage of not less than \$100,000 for damages arising from the operation of the personal delivery device by the eligible entity and any agent of the eligible entity; and
  - (c) the personal delivery device is equipped with all of the following:
    - (i) a marker that clearly identifies the name and contact information of the eligible entity operating the personal delivery device and a unique identification number;
    - (ii) a braking system that enables the personal delivery device to come to a controlled stop; and
    - (iii) if the personal delivery device is being operated between sunset and sunrise, a light on both the front and rear of the personal delivery device that is visible on all sides of the personal delivery device in clear weather from a distance of at least 500 feet to the front and rear of the personal delivery device when directly in front of low beams of headlights on a motor vehicle.
- (3) A personal delivery device operator may not allow a personal delivery device to do any of the following:
  - (a) fail to comply with traffic or pedestrian control devices and signals;
  - (b) unreasonably interfere with pedestrians or traffic; or
  - (c) transport hazardous material that is:
    - (i) regulated under 49 U.S.C. Chapter 51, Transportation of Hazardous Material; and
    - (ii) required to be placarded under 49 C.F.R., Part 172, Subpart F, Placarding.
- (4)
  - (a) When operating on a highway, the personal delivery device:
    - (i) shall operate as close as practicable to the edge of the highway in the direction of authorized traffic movement; and
    - (ii) except as provided in Subsection (4)(b), may not travel in the main-traveled way.
  - (b) Notwithstanding Subsection (4)(a), a personal delivery device:
    - (i) if practical and with due regard for safety and traffic conditions may temporarily operate in the main-traveled way to avoid a parked car or other obstacle on the edge of the highway; and
    - (ii) shall return to the edge of the highway as described in Subsection (4)(a) as soon as conditions allow.
  - (c) Notwithstanding Subsections (4)(a) and (b), a personal delivery device may not operate on a:
    - (i) highway with a speed limit of 45 miles per hour or higher; or
    - (ii) limited access highway.
- (5) A personal delivery device has the rights and obligations applicable to a pedestrian under the same circumstances, except that a personal delivery device shall yield the right-of-way to a pedestrian.
- (6) A person may not operate a personal delivery device unless the person complies with this section.
- (7) An eligible entity is responsible for both of the following:
  - (a) a violation of this section that is committed by a personal delivery device operator operated for the benefit of the eligible entity; and
  - (b) any other circumstance, including a technological malfunction, in which a personal delivery device operates in a manner prohibited by Subsection (3).
- (8)
  - (a) Following discussions with and input from eligible entities, a local authority or political subdivision may reasonably regulate the operation of personal delivery devices on a highway or pedestrian area.

- (b) This section does not affect the authority of a peace officer of a local authority or political subdivision to enforce the laws of this state relating to the operation of a personal delivery device.
- (9) A violation of this section is an infraction.

Amended by Chapter 106, 2020 General Session

**41-6a-1120 Mobile carrier device.**

- (1) "Mobile carrier" means an electrically powered device that:
  - (a) is operated on a sidewalk or crosswalk;
  - (b) is intended primarily for the transport of property while remaining within 25 feet of the human operator;
  - (c) weighs less than 150 pounds, excluding cargo;
  - (d) has a maximum speed of 12.5 miles per hour;
  - (e) is equipped with a technology to transport personal property with the active monitoring of a personal property owner; and
  - (f) is primarily designed to remain within 25 feet of the personal property owner.
- (2) A mobile carrier is not a vehicle or personal delivery device as defined in Section 41-6a-1119.
- (3) A mobile carrier may be operated on a sidewalk or crosswalk if all of the following requirements are met:
  - (a) the mobile carrier is operated in accordance with the local ordinances, if any, established by the local highway authority;
  - (b) the mobile carrier remains at all times within 25 feet of the human operator while the mobile carrier is in motion;
  - (c) the mobile carrier is equipped with a braking system that enables the mobile carrier to come to a controlled stop; and
  - (d) if the mobile carrier is being operated between sunset and sunrise, a light on both the front and rear of the mobile carrier that is visible on all sides of the mobile carrier in clear weather from a distance of at least 500 feet to the front and rear of the mobile carrier when directly in front of low beams of headlights on a motor vehicle.
- (4) A personal property owner monitoring the mobile carrier may not allow a mobile carrier to:
  - (a) fail to comply with a traffic or pedestrian control device or signal;
  - (b) unreasonably interfere with a pedestrian or traffic;
  - (c) transport hazardous material; or
  - (d) operate on a street or highway, except when crossing the street or highway within a crosswalk.
- (5) A mobile carrier has the rights and obligations applicable to a pedestrian under the same circumstances, except that a mobile carrier shall yield the right-of-way to a pedestrian on a sidewalk or crosswalk.
- (6) A personal property owner may not operate a mobile carrier unless the person complies with this section.
- (7) A violation of this section is an infraction.

Enacted by Chapter 391, 2019 General Session