

LEFT LANE RESTRICTION AMENDMENTS

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Dan R. Eastman

This act modifies the Motor Vehicle Code by amending vehicle left lane restrictions. This act requires an operator in a high occupancy vehicle lane to yield to an overtaking vehicle in the same lane.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

41-6-53.5, as last amended by Chapter 369, Laws of Utah 2001

41-6-55, as last amended by Chapter 138, Laws of Utah 1987

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **41-6-53.5** is amended to read:

41-6-53.5. Left lane restrictions -- Exceptions -- Other lane restrictions -- Penalties.

(1) As used in this section and Section 41-6-55, "general purpose lane" means a highway lane open to vehicular traffic ~~[except]~~ but does not include an officially designated:

(a) ~~[a]~~ high occupancy vehicle (HOV) lane; ~~[and]~~ or

(b) ~~[an]~~ auxiliary lane that begins as a freeway on-ramp and ends as part of the next freeway off-ramp.

(2) ~~[A]~~ On a highway or section of a highway that is part of the interstate system as defined in Section 72-1-102 and which has three or more general purpose lanes in the same direction, a person may not operate a vehicle in the left most general purpose lane [of a highway or section of a highway which has three or more general purpose lanes in the same direction] if the person's:

(a) vehicle is drawing a trailer or semitrailer regardless of size; or

(b) vehicle or combination of vehicle has a gross vehicle weight of 12,001 or more pounds.

(3) Subsection (2) does not apply to a person operating a vehicle who is:

(a) preparing to turn left or taking a highway split or exit on the left;



28 (b) responding to emergency conditions;

29 (c) avoiding actual or potential traffic moving onto the highway from an acceleration or
30 merging lane; or

31 (d) following direction signs that direct use of a designated lane.

32 (4) (a) The Department of Transportation or local authorities may designate a specific lane
33 or lanes of travel for any type of vehicle on a highway or portion of a highway under their
34 respective jurisdiction for the:

35 (i) safety of the public;

36 (ii) efficient maintenance of a highway; or

37 (iii) use of high occupancy vehicles.

38 (b) The lane designation under Subsection (4)(a) is effective when appropriate signs giving
39 notice are erected on the highway or portion of the highway.

40 (5) The lane designation under Subsection (4)(a) shall allow a vehicle with clean fuel
41 special group license plates to travel in lanes designated for the use of high occupancy vehicles
42 regardless of the number of occupants.

43 (6) A person who operates a vehicle in violation of Subsection (2) or in violation of the
44 restrictions made under Subsection (4) is guilty of a class C misdemeanor.

45 Section 2. Section **41-6-55** is amended to read:

46 **41-6-55. Overtaking and passing vehicles proceeding in same direction.**

47 [~~The overtaking and passing of vehicles proceeding in the same direction is subject to the~~
48 ~~following provisions:~~]

49 (1) On any highway:

50 (a) The operator of a vehicle overtaking another vehicle proceeding in the same direction;

51 (i) shall, except as provided under Section 41-6-56, pass to the left at a safe distance; and

52 (ii) may not [~~again~~] drive to the right side of the roadway until safely clear of the overtaken
53 vehicle.

54 [~~(2)~~] (b) The operator of an overtaken vehicle;

55 (i) shall give way to the right in favor of the overtaking vehicle; and

56 (ii) may not increase the speed of [~~his~~] the vehicle until completely passed by the
57 overtaking vehicle.

58 [~~(3)~~] (2) On a highway having more than one lane in the same direction, the operator of

59 a vehicle traveling in a left general purpose lane or HOV lane:

60 (a) shall, upon being overtaken by another vehicle in the same lane, yield to the
61 [~~over-taking~~] overtaking vehicle by moving safely to a lane to the right[-]; and

62 (b) may not impede the movement or free flow of traffic in a left general purpose lane or
63 HOV lane except:

64 [~~(a)~~] (i) when overtaking and passing another vehicle proceeding in the same direction in
65 accordance with Subsection (1)(a);

66 [~~(b)~~] (ii) when preparing to turn left or taking a highway split or exit on the left;

67 [~~(c)~~] (iii) when [~~reasonably necessary in response~~] responding to emergency conditions;

68 [~~(d)~~] (iv) to avoid actual or potential traffic moving onto the [~~right lane~~] highway from an
69 acceleration or merging lane; or

70 [~~(e) when necessary to follow~~]

71 (v) when following direction signs that direct use of a designated lane [~~other than the right~~
72 ~~lane~~].

Legislative Review Note
as of 12-18-01 11:28 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel