

1 **PEDESTRIANS' RIGHT-OF-WAY**

2 **AMENDMENTS**

3 2006 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Bradley M. Daw**

6 Senate Sponsor: \_\_\_\_\_

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8 **LONG TITLE**

9 **General Description:**

10 This bill modifies the Motor Vehicles Code by amending provisions related to certain  
11 pedestrians' right-of-way in a crosswalk.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ requires an operator of a vehicle facing a steady red circular signal to stop at a  
15 marked or unmarked crosswalk and prohibits the operator from making a right turn  
16 into the intersection or turning left from a one-way street onto a one-way street if  
17 the crosswalk is occupied by a blind or visually impaired person or a person with a  
18 physical disability in a wheelchair, operating a pedestrian vehicle, or using a cane,  
19 walker, or other ambulatory aid;

20 ▶ requires an operator of a vehicle approaching a marked crosswalk to come to a  
21 complete stop if the crosswalk is occupied by a blind or visually impaired person or  
22 a person with a physical disability in a wheel chair, operating a pedestrian vehicle,  
23 or using a cane, walker, or other ambulatory aid; and

24 ▶ makes technical changes.

25 **Monies Appropriated in this Bill:**

26 None

27 **Other Special Clauses:**



28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **41-6a-305**, as renumbered and amended by Chapter 2, Laws of Utah 2005

32 **41-6a-1002**, as renumbered and amended by Chapter 2, Laws of Utah 2005



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

35 Section 1. Section **41-6a-305** is amended to read:

36 **41-6a-305. Traffic-control signal -- At intersections -- At place other than**  
37 **intersection -- Color of light signal -- Inoperative traffic-control signals.**

38 (1) (a) Green, red, and yellow are the only colors that may be used in a traffic-control  
39 signal, except for a:

40 (i) pedestrian traffic-control signal that may use white and orange; and

41 (ii) rail vehicle that may use white.

42 (b) Traffic-control signals apply to the operator of a vehicle and to a pedestrian as  
43 provided in this section.

44 (2) (a) (i) Except as provided in Subsection (2)(a)(ii), the operator of a vehicle facing a  
45 circular green signal may:

46 (A) proceed straight through the intersection;

47 (B) turn right; or

48 (C) turn left.

49 (ii) The operator of a vehicle facing a circular green signal, including an operator  
50 turning right or left:

51 (A) shall yield the right-of-way to other vehicles and to pedestrians lawfully within the  
52 intersection or an adjacent crosswalk at the time the signal is exhibited; and

53 (B) may not turn right or left if a sign at the intersection prohibits the turn.

54 (b) The operator of a vehicle facing a green arrow signal shown alone or in  
55 combination with another indication:

56 (i) may cautiously enter the intersection only to make the movement indicated by the  
57 arrow or other indication shown at the same time; and

58 (ii) shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk

59 and to other traffic lawfully using the intersection.

60 (c) Unless otherwise directed by a pedestrian traffic-control signal under Section  
61 41-6a-306, a pedestrian facing any green signal other than a green turn arrow may proceed  
62 across the roadway within any marked or unmarked crosswalk.

63 (3) (a) The operator of a vehicle facing a steady circular yellow or yellow arrow signal  
64 is warned that the allowable movement related to a green signal is being terminated.

65 (b) Unless otherwise directed by a pedestrian traffic-control signal under Section  
66 41-6a-306, a pedestrian facing a steady circular yellow or yellow arrow signal is advised that  
67 there is insufficient time to cross the roadway before a red indication is shown, and a pedestrian  
68 may not start to cross the roadway.

69 (4) (a) Except as provided in Subsection (4)(c), the operator of a vehicle facing a  
70 steady circular red or red arrow signal:

71 (i) may not enter the intersection unless entering the intersection to make a movement  
72 is permitted by another indication; and

73 (ii) shall stop at a clearly marked stop line, but if none, before entering the marked or  
74 unmarked crosswalk on the near side of the intersection and shall remain stopped until an  
75 indication to proceed is shown.

76 (b) Unless otherwise directed by a pedestrian traffic-control signal under Section  
77 41-6a-306, a pedestrian facing a steady red signal alone may not enter the roadway.

78 (c) (i) Except when facing a red arrow signal or when a sign is in place prohibiting a  
79 turn, the operator of a vehicle facing any steady circular red signal may cautiously enter the  
80 intersection to turn right, or may turn left from a one-way street [~~into~~] onto a one-way street,  
81 after stopping as required by Subsection (4)(a).

82 (ii) The operator of a vehicle shall yield the right-of-way to:

83 (A) another vehicle moving through the intersection in accordance with an official  
84 traffic-control signal; and

85 (B) a pedestrian lawfully within an adjacent crosswalk.

86 (iii) The operator of a vehicle facing a steady circular red signal shall stop at a marked  
87 or unmarked crosswalk and may not enter the intersection to turn right or turn left from a  
88 one-way street onto a one-way street if the crosswalk is occupied by a:

89 (A) blind or visually impaired pedestrian:

90 (I) carrying a clearly visible white cane; or  
91 (II) accompanied by a guide dog specially trained for that purpose and equipped with a  
92 harness; or

93 (B) person with a physical disability:  
94 (I) in a wheel chair or operating a pedestrian vehicle as defined in Section 41-6a-1011;  
95 or

96 (II) using a clearly visible cane, walker, or other ambulatory aid.

97 (5) (a) This section applies to a highway or rail line where a traffic-control signal is  
98 erected and maintained.

99 (b) Any stop required shall be made at a sign or marking on the highway pavement  
100 indicating where the stop shall be made, but, in the absence of any sign or marking, the stop  
101 shall be made at the signal.

102 (6) The operator of a vehicle approaching an intersection that has an inoperative  
103 traffic-control signal shall:

104 (a) stop before entering the intersection; and

105 (b) yield the right-of-way to any vehicle as required under Section 41-6a-901.

106 Section 2. Section **41-6a-1002** is amended to read:

107 **41-6a-1002. Pedestrians' right-of-way -- Duty of pedestrian.**

108 (1) (a) Except as provided under [~~Subsection~~] Subsections (2) and (3), when  
109 traffic-control signals are not in place or not in operation, the operator of a vehicle shall yield  
110 the right-of-way by slowing down or stopping if necessary:

111 (i) to a pedestrian crossing the roadway within a crosswalk when the pedestrian is on  
112 the half of the roadway upon which the vehicle is traveling; or

113 (ii) when the pedestrian is approaching so closely from the opposite half of the  
114 roadway as to be in danger.

115 (b) Subsection (1)(a) does not apply under conditions of Subsection 41-6a-1003(2).

116 (c) A pedestrian may not suddenly leave a curb or other place of safety and walk or run  
117 into the path of a vehicle which is so close as to constitute an immediate hazard.

118 (2) The operator of a vehicle approaching a school crosswalk shall come to a complete  
119 stop at the school crosswalk if:

120 (a) a school speed limit sign has the warning lights operating; and

121 (b) the crosswalk is occupied by a person.  
122 (3) The operator of a vehicle approaching a marked crosswalk shall come to a complete  
123 stop at the marked crosswalk if the crosswalk is occupied by a:  
124 (a) blind or visually impaired pedestrian:  
125 (i) carrying a clearly visible white cane; or  
126 (ii) accompanied by a guide dog specially trained for that purpose and equipped with a  
127 harness; or  
128 (b) person with a physical disability:  
129 (i) in a wheelchair or operating a pedestrian vehicle as defined in Section 41-6a-1011;  
130 or  
131 (ii) using a clearly visible cane, walker, or other ambulatory aid.  
132 [~~3~~] (4) If a vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at  
133 an intersection to permit a pedestrian to cross the roadway, the operator of any other vehicle  
134 approaching from the rear may not overtake and pass the stopped vehicle.

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**Legislative Review Note**  
**as of 1-11-06 10:42 AM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number HB0096**

**Pedestrians' Right-of-way Amendments**

*20-Jan-06*

*3:25 PM*

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**State Impact**

No fiscal impact.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**