

OPERATION OF BICYCLES ON HIGHWAYS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Johnny Anderson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Traffic Code.

Highlighted Provisions:

This bill:

- ▶ provides and amends definitions;
- ▶ provides that the operator of a motorcycle, moped, or bicycle facing a steady circular red or red arrow signal may cautiously enter the intersection to proceed straight through, turn right, or turn left if the operator of the motorcycle, moped, or bicycle:
 - brings the motorcycle, moped, or bicycle to a complete stop at a clearly marked stop line, but if none, before entering the marked or unmarked crosswalk on the near side of the intersection;
 - determines that the traffic-control signal has not detected the operator's presence by waiting for a minimum of 90 seconds at the intersection;
 - yields the right-of-way to vehicles moving through the intersection in accordance with an official traffic-control signal; and
 - yields the right-of-way to pedestrians lawfully within an adjacent crosswalk;
- ▶ provides that a person may operate a vehicle to the left of center of the roadway, including in a no-passing zone, when a bicycle or moped proceeding in the same direction at a speed less than the reasonable speed of traffic then present requires



28 operating the vehicle to the left of the center of the roadway;

29 ▶ provides that on a roadway divided into three or more lanes and providing for
30 two-way movement of traffic, a person operating a vehicle may drive in the center
31 lane under certain circumstances;

32 ▶ provides that a person may not operate a motor vehicle in a bicycle lane except
33 under certain circumstances;

34 ▶ provides that a bicycle lane may be used by:

- 35 • the highway authority that has jurisdiction over the bicycle lane;
- 36 • an authorized emergency vehicle;
- 37 • a school bus or transit vehicle under certain circumstances; and
- 38 • a person operating a moped at a speed no greater than is reasonable or prudent,

39 having due regard for visibility, traffic conditions, and the conditions of the
40 roadway, and in a manner which does not endanger the safety of bicyclists;

41 ▶ provides that a person operating a motor vehicle in a bicycle lane shall yield the
42 right-of-way to all bicycles, mopeds, and pedestrians within the bicycle lane;

43 ▶ provides that a person operating a bicycle or moped in a bicycle lane shall ride in
44 the same direction as traffic on the roadway unless the bicycle lane is designated for
45 two-way travel; and

46 ▶ makes conforming changes.

47 **Money Appropriated in this Bill:**

48 None

49 **Other Special Clauses:**

50 None

51 **Utah Code Sections Affected:**

52 AMENDS:

53 **41-6a-102**, as last amended by Laws of Utah 2009, Chapter 311

54 **41-6a-305**, as renumbered and amended by Laws of Utah 2005, Chapter 2

55 **41-6a-701**, as renumbered and amended by Laws of Utah 2005, Chapter 2

56 **41-6a-708**, as renumbered and amended by Laws of Utah 2005, Chapter 2

57 **41-6a-710**, as last amended by Laws of Utah 2009, Chapter 292

58

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

60 Section 1. Section **41-6a-102** is amended to read:

61 **41-6a-102. Definitions.**

62 As used in this chapter:

63 (1) "Alley" means a street or highway intended to provide access to the rear or side of
64 lots or buildings in urban districts and not intended for through vehicular traffic.

65 (2) "All-terrain type I vehicle" has the same meaning as defined in Section 41-22-2.

66 (3) "Authorized emergency vehicle" includes:

67 (a) fire department vehicles;

68 (b) police vehicles;

69 (c) ambulances; and

70 (d) other publicly or privately owned vehicles as designated by the commissioner of the
71 Department of Public Safety.

72 (4) (a) "Bicycle" means every ~~[device]~~ wheeled vehicle:

73 (i) (A) propelled by human power; or

74 (B) with fully operable pedals and an electric motor of less than 750 watts, whose
75 maximum speed on a paved level surface, when powered solely by such a motor while ridden
76 by an operator who weighs 170 pounds, is less than 20 mph; and

77 (ii) upon which a person may ride~~[-and].~~

78 ~~[(iii) having two tandem wheels.]~~

79 (b) "Bicycle" includes a trailer towed by the bicycle and secured by mechanical means,
80 and shall be considered one vehicle.

81 ~~[(b)]~~ (c) "Bicycle" does not include scooters and similar devices.

82 (5) (a) "Bus" means a motor vehicle:

83 (i) designed for carrying more than 15 passengers and used for the transportation of
84 persons; or

85 (ii) designed and used for the transportation of persons for compensation.

86 (b) "Bus" does not include a taxicab.

87 (6) (a) "Circular intersection" means an intersection that has an island, generally
88 circular in design, located in the center of the intersection where traffic passes to the right of
89 the island.

- 90 (b) "Circular intersection" includes:
- 91 (i) roundabouts;
- 92 (ii) rotaries; and
- 93 (iii) traffic circles.
- 94 (7) "Commissioner" means the commissioner of the Department of Public Safety.
- 95 (8) "Controlled-access highway" means a highway, street, or roadway:
- 96 (a) designed primarily for through traffic; and
- 97 (b) to or from which owners or occupants of abutting lands and other persons have no
- 98 legal right of access, except at points as determined by the highway authority having
- 99 jurisdiction over the highway, street, or roadway.
- 100 (9) "Crosswalk" means:
- 101 (a) that part of a roadway at an intersection included within the connections of the
- 102 lateral lines of the sidewalks on opposite sides of the highway measured from:
- 103 (i) (A) the curbs; or
- 104 (B) in the absence of curbs, from the edges of the traversable roadway; and
- 105 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway
- 106 included within the extension of the lateral lines of the existing sidewalk at right angles to the
- 107 centerline; or
- 108 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
- 109 pedestrian crossing by lines or other markings on the surface.
- 110 (10) "Department" means the Department of Public Safety.
- 111 (11) "Direct supervision" means oversight at a distance within which:
- 112 (a) visual contact is maintained; and
- 113 (b) advice and assistance can be given and received.
- 114 (12) "Divided highway" means a highway divided into two or more roadways by:
- 115 (a) an unpaved intervening space;
- 116 (b) a physical barrier; or
- 117 (c) a clearly indicated dividing section constructed to impede vehicular traffic.
- 118 (13) "Electric assisted bicycle" means a moped:
- 119 (a) with an electric motor with a power output of not more than 1,000 watts; and
- 120 (b) which is not capable of:

121 (i) propelling the device at a speed of more than 20 miles per hour on level ground; and
122 (ii) increasing the speed of the device when human power is used to propel the device
123 at more than 20 miles per hour.

124 (14) (a) "Electric personal assistive mobility device" means a self-balancing device
125 with:

- 126 (i) two nontandem wheels in contact with the ground;
- 127 (ii) a system capable of steering and stopping the unit under typical operating
128 conditions;
- 129 (iii) an electric propulsion system with average power of one horsepower or 750 watts;
- 130 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
- 131 (v) a deck design for a person to stand while operating the device.

132 (b) "Electric personal assistive mobility device" does not include a wheelchair.

133 (15) "Explosives" means any chemical compound or mechanical mixture commonly
134 used or intended for the purpose of producing an explosion and which contains any oxidizing
135 and combustive units or other ingredients in proportions, quantities, or packing so that an
136 ignition by fire, friction, concussion, percussion, or detonator of any part of the compound or
137 mixture may cause a sudden generation of highly heated gases, and the resultant gaseous
138 pressures are capable of producing destructive effects on contiguous objects or of causing death
139 or serious bodily injury.

140 (16) "Farm tractor" means a motor vehicle designed and used primarily as a farm
141 implement, for drawing plows, mowing machines, and other implements of husbandry.

142 (17) "Flammable liquid" means a liquid which has a flashpoint of 100 degrees F. or
143 less, as determined by a tagliabue or equivalent closed-cup test device.

144 (18) "Freeway" means a controlled-access highway that is part of the interstate system
145 as defined in Section 72-1-102.

146 (19) "Gore area" means the area delineated by two solid white lines that is between a
147 continuing lane of a through roadway and a lane used to enter or exit the continuing lane
148 including similar areas between merging or splitting highways.

149 (20) "Gross weight" means the weight of a vehicle without a load plus the weight of
150 any load on the vehicle.

151 (21) "Highway" means the entire width between property lines of every way or place of

152 any nature when any part of it is open to the use of the public as a matter of right for vehicular
153 travel.

154 (22) "Highway authority" has the same meaning as defined in Section 72-1-102.

155 (23) (a) "Intersection" means the area embraced within the prolongation or connection
156 of the lateral curblines, or, if none, then the lateral boundary lines of the roadways of two or
157 more highways which join one another.

158 (b) Where a highway includes two roadways 30 feet or more apart:

159 (i) every crossing of each roadway of the divided highway by an intersecting highway
160 is a separate intersection; and

161 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then
162 every crossing of two roadways of the highways is a separate intersection.

163 (c) "Intersection" does not include the junction of an alley with a street or highway.

164 (24) "Island" means an area between traffic lanes or at an intersection for control of
165 vehicle movements or for pedestrian refuge designated by:

166 (a) pavement markings, which may include an area designated by two solid yellow
167 lines surrounding the perimeter of the area;

168 (b) channelizing devices;

169 (c) curbs;

170 (d) pavement edges; or

171 (e) other devices.

172 (25) "Law enforcement agency" has the same meaning as defined in Section 53-1-102.

173 (26) "Limited access highway" means a highway:

174 (a) that is designated specifically for through traffic; and

175 (b) over, from, or to which neither owners nor occupants of abutting lands nor other
176 persons have any right or easement, or have only a limited right or easement of access, light,
177 air, or view.

178 (27) "Local highway authority" means the legislative, executive, or governing body of
179 a county, municipal, or other local board or body having authority to enact laws relating to
180 traffic under the constitution and laws of the state.

181 (28) (a) "Low-speed vehicle" means a four wheeled electric motor vehicle that:

182 (i) is designed to be operated at speeds of not more than 25 miles per hour; and

- 183 (ii) has a capacity of not more than four passengers, including the driver.
- 184 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.
- 185 (29) "Metal tire" means a tire, the surface of which in contact with the highway is
- 186 wholly or partly of metal or other hard nonresilient material.
- 187 (30) (a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a seat or
- 188 saddle that is less than 24 inches from the ground as measured on a level surface with properly
- 189 inflated tires.
- 190 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.
- 191 (c) "Mini-motorcycle" does not include a motorcycle that is:
- 192 (i) designed for off-highway use; and
- 193 (ii) registered as an off-highway vehicle under Section 41-22-3.
- 194 (31) "Mobile home" means:
- 195 (a) a trailer or semitrailer which is:
- 196 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
- 197 place either permanently or temporarily; and
- 198 (ii) equipped for use as a conveyance on streets and highways; or
- 199 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and
- 200 constructed for use as a mobile home, as defined in Subsection (31)(a), but which is instead
- 201 used permanently or temporarily for:
- 202 (i) the advertising, sale, display, or promotion of merchandise or services; or
- 203 (ii) any other commercial purpose except the transportation of property for hire or the
- 204 transportation of property for distribution by a private carrier.
- 205 (32) (a) "Moped" means a motor-driven cycle having:
- 206 (i) pedals to permit propulsion by human power; and
- 207 (ii) a motor which:
- 208 (A) produces not more than two brake horsepower; and
- 209 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour on
- 210 level ground.
- 211 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
- 212 centimeters and the moped shall have a power drive system that functions directly or
- 213 automatically without clutching or shifting by the operator after the drive system is engaged.

214 (c) "Moped" includes an electric assisted bicycle and a motor assisted scooter.
215 (33) "Motor assisted scooter" means a self-propelled device with:
216 (a) at least two wheels in contact with the ground;
217 (b) a braking system capable of stopping the unit under typical operating conditions;
218 (c) a gas or electric motor not exceeding 40 cubic centimeters;
219 (d) either:

220 (i) a deck design for a person to stand while operating the device; or
221 (ii) a deck and seat designed for a person to sit, straddle, or stand while operating the
222 device; and
223 (e) a design for the ability to be propelled by human power alone.

224 (34) (a) "Motor vehicle" means a vehicle which is self-propelled and every vehicle
225 which is propelled by electric power obtained from overhead trolley wires, but not operated
226 upon rails.

227 (b) "Motor vehicle" does not include vehicles moved solely by human power,
228 motorized wheelchairs, or an electric personal assistive mobility device.

229 (35) "Motorcycle" means a motor vehicle, other than a tractor, having a seat or saddle
230 for the use of the rider and designed to travel with not more than three wheels in contact with
231 the ground.

232 (36) (a) "Motor-driven cycle" means every motorcycle, motor scooter, moped, electric
233 assisted bicycle, motor assisted scooter, and every motorized bicycle having:
234 (i) an engine with less than 150 cubic centimeters displacement; or
235 (ii) a motor which produces not more than five horsepower.

236 (b) "Motor-driven cycle" does not include an electric personal assistive mobility
237 device.

238 (37) "Off-highway implement of husbandry" has the same meaning as defined under
239 Section 41-22-2.

240 (38) "Off-highway vehicle" has the same meaning as defined under Section 41-22-2.

241 (39) "Operator" means a person who is in actual physical control of a vehicle.

242 (40) (a) "Park" or "parking" means the standing of a vehicle, whether occupied or not.

243 (b) "Park" or "parking" does not include the standing of a vehicle temporarily for the
244 purpose of and while actually engaged in loading or unloading property or passengers.

245 (41) "Peace officer" means a peace officer authorized under Title 53, Chapter 13, Peace
246 Officer Classifications, to direct or regulate traffic or to make arrests for violations of traffic
247 laws.

248 (42) "Pedestrian" means a person traveling:

249 (a) on foot; or

250 (b) in a wheelchair.

251 (43) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate
252 pedestrians.

253 (44) "Person" means every natural person, firm, copartnership, association, or
254 corporation.

255 (45) "Pole trailer" means every vehicle without motive power:

256 (a) designed to be drawn by another vehicle and attached to the towing vehicle by
257 means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle; and

258 (b) that is ordinarily used for transporting long or irregular shaped loads including
259 poles, pipes, or structural members generally capable of sustaining themselves as beams
260 between the supporting connections.

261 (46) "Private road or driveway" means every way or place in private ownership and
262 used for vehicular travel by the owner and those having express or implied permission from the
263 owner, but not by other persons.

264 (47) "Railroad" means a carrier of persons or property upon cars operated on stationary
265 rails.

266 (48) "Railroad sign or signal" means a sign, signal, or device erected by authority of a
267 public body or official or by a railroad and intended to give notice of the presence of railroad
268 tracks or the approach of a railroad train.

269 (49) "Railroad train" means a locomotive propelled by any form of energy, coupled
270 with or operated without cars, and operated upon rails.

271 (50) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a lawful
272 manner in preference to another vehicle or pedestrian approaching under circumstances of
273 direction, speed, and proximity which give rise to danger of collision unless one grants
274 precedence to the other.

275 (51) (a) "Roadway" means that portion of highway improved, designed, or ordinarily

276 used for vehicular travel.

277 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of
278 them are used by persons riding bicycles or other human-powered vehicles.

279 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if
280 a highway includes two or more separate roadways.

281 (52) "Safety zone" means the area or space officially set apart within a roadway for the
282 exclusive use of pedestrians and which is protected, marked, or indicated by adequate signs as
283 to be plainly visible at all times while set apart as a safety zone.

284 (53) (a) "School bus" means a motor vehicle that:

285 (i) complies with the color and identification requirements of the most recent edition of
286 "Minimum Standards for School Buses"; and

287 (ii) is used to transport school children to or from school or school activities.

288 (b) "School bus" does not include a vehicle operated by a common carrier in
289 transportation of school children to or from school or school activities.

290 (54) (a) "Semitrailer" means a vehicle with or without motive power:

291 (i) designed for carrying persons or property and for being drawn by a motor vehicle;
292 and

293 (ii) constructed so that some part of its weight and that of its load rests on or is carried
294 by another vehicle.

295 (b) "Semitrailer" does not include a pole trailer.

296 (55) "Shoulder area" means:

297 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
298 edge line as established in the current approved "Manual on Uniform Traffic Control Devices";
299 or

300 (b) that portion of the road contiguous to the roadway for accommodation of stopped
301 vehicles, for emergency use, and lateral support.

302 (56) "Sidewalk" means that portion of a street between the curb lines, or the lateral
303 lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

304 (57) "Solid rubber tire" means a tire of rubber or other resilient material which does not
305 depend on compressed air for the support of the load.

306 (58) "Stand" or "standing" means the temporary halting of a vehicle, whether occupied

307 or not, for the purpose of and while actually engaged in receiving or discharging passengers.

308 (59) "Stop" when required means complete cessation from movement.

309 (60) "Stop" or "stopping" when prohibited means any halting even momentarily of a
310 vehicle, whether occupied or not, except when:

311 (a) necessary to avoid conflict with other traffic; or

312 (b) in compliance with the directions of a peace officer or traffic-control device.

313 (61) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I
314 vehicle or utility type vehicle that is modified to meet the requirements of Section 41-6a-1509
315 to operate on highways in the state in accordance with Section 41-6a-1509.

316 (62) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other
317 conveyances either singly or together while using any highway for the purpose of travel.

318 (63) "Traffic-control device" means a sign, signal, marking, or device not inconsistent
319 with this chapter placed or erected by a highway authority for the purpose of regulating,
320 warning, or guiding traffic.

321 (64) "Traffic-control signal" means a device, whether manually, electrically, or
322 mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

323 (65) "Traffic signal preemption device" means an instrument or mechanism designed,
324 intended, or used to interfere with the operation or cycle of a traffic-control signal.

325 (66) (a) "Trailer" means a vehicle with or without motive power designed for carrying
326 persons or property and for being drawn by a motor vehicle and constructed so that no part of
327 its weight rests upon the towing vehicle.

328 (b) "Trailer" does not include a pole trailer.

329 (67) "Truck" means a motor vehicle designed, used, or maintained primarily for the
330 transportation of property.

331 (68) "Truck tractor" means a motor vehicle:

332 (a) designed and used primarily for drawing other vehicles; and

333 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck
334 tractor.

335 (69) "Two-way left turn lane" means a lane:

336 (a) provided for vehicle operators making left turns in either direction;

337 (b) that is not used for passing, overtaking, or through travel; and

338 (c) that has been indicated by a lane traffic-control device which may include lane
339 markings.

340 (70) "Urban district" means the territory contiguous to and including any street, in
341 which structures devoted to business, industry, or dwelling houses are situated at intervals of
342 less than 100 feet, for a distance of a quarter of a mile or more.

343 (71) (a) "Utility type vehicle" means any recreational vehicle designed for and capable
344 of travel over unimproved terrain:

- 345 (i) traveling on four or more tires;
- 346 (ii) having a width of 30 to 70 inches;
- 347 (iii) having an unladen dry weight of 2,200 pounds or less;
- 348 (iv) having a seat height of 25 to 40 inches when measured at the forward edge of the
349 seat bottom; and

350 (v) having side-by-side seating with a steering wheel for control.

351 (b) "Utility type vehicle" does not include:

- 352 (i) an all-terrain type I vehicle;
- 353 (ii) an all-terrain type II vehicle;
- 354 (iii) a motorcycle; or
- 355 (iv) a snowmobile as defined in Section 41-22-2.

356 (72) "Vehicle" means a device in, on, or by which a person or property is or may be
357 transported or drawn on a highway, except devices used exclusively on stationary rails or
358 tracks.

359 Section 2. Section **41-6a-305** is amended to read:

360 **41-6a-305. Traffic-control signal -- At intersections -- At place other than**
361 **intersection -- Color of light signal -- Inoperative traffic-control signals.**

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

- 364 (i) pedestrian traffic-control signal that may use white and orange; and
- 365 (ii) rail vehicle that may use white.

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

368 (2) (a) (i) Except as provided in Subsection (2)(a)(ii), the operator of a vehicle facing a

369 circular green signal may:

370 (A) proceed straight through the intersection;

371 (B) turn right; or

372 (C) turn left.

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

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

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

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

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

382 (ii) shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk
383 and to other traffic lawfully using the intersection.

384 (c) Unless otherwise directed by a pedestrian traffic-control signal under Section
385 41-6a-306, a pedestrian facing any green signal other than a green turn arrow may proceed
386 across the roadway within any marked or unmarked crosswalk.

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

389 (b) Unless otherwise directed by a pedestrian traffic-control signal under Section
390 41-6a-306, a pedestrian facing a steady circular yellow or yellow arrow signal is advised that
391 there is insufficient time to cross the roadway before a red indication is shown, and a pedestrian
392 may not start to cross the roadway.

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

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

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

400 (b) Unless otherwise directed by a pedestrian traffic-control signal under Section
401 41-6a-306, a pedestrian facing a steady red signal alone may not enter the roadway.

402 (c) (i) Except when facing a red arrow signal or when a sign is in place prohibiting a
403 turn, the operator of a vehicle facing any steady circular red signal may cautiously enter the
404 intersection to turn right, or may turn left from a one-way street into a one-way street, after
405 stopping as required by Subsection (4)(a).

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

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

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

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

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

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

417 (a) stop before entering the intersection; and

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

419 (7) (a) Notwithstanding the provisions of this section, the operator of a motorcycle,
420 moped, or bicycle facing a steady circular red or red arrow signal may cautiously enter the
421 intersection to proceed straight through, turn right, or turn left if the operator of the motorcycle,
422 moped, or bicycle:

423 (i) brings the motorcycle, moped, or bicycle to a complete stop at a clearly marked stop
424 line, but if none, before entering the marked or unmarked crosswalk on the near side of the
425 intersection; and

426 (ii) determines that the traffic-control signal has not detected the operator's presence by
427 waiting for a minimum of 90 seconds at the intersection.

428 (b) The operator of a motorcycle, moped, or bicycle proceeding through an intersection
429 as described under Subsection (7)(a) shall yield the right-of-way to a:

430 (i) vehicle moving through the intersection in accordance with an official

431 traffic-control signal; or

432 (ii) pedestrian lawfully crossing an adjacent crosswalk.

433 Section 3. Section **41-6a-701** is amended to read:

434 **41-6a-701. Duty to operate vehicle on right side of roadway -- Exceptions.**

435 (1) On all roadways of sufficient width, a person operating a vehicle shall operate the
436 vehicle on the right half of the roadway, except:

437 (a) when overtaking and passing another vehicle proceeding in the same direction
438 under the rules governing that movement;

439 (b) when an obstruction requires operating the vehicle to the left of the center of the
440 roadway subject to the provisions of Subsection (2);

441 (c) when a bicycle or moped proceeding in the same direction at a speed less than the
442 reasonable speed of traffic then present requires operating the vehicle to the left of the center of
443 the roadway subject to the provisions of Subsection (2);

444 [~~(e)~~] (d) on a roadway divided into three marked lanes for traffic under the applicable
445 rules; or

446 [~~(d)~~] (e) on a roadway designed and signposted for one-way traffic.

447 (2) A person operating a vehicle shall yield the right-of-way to a vehicle:

448 (a) traveling in the proper direction on a roadway; and

449 (b) that is within a distance constituting an immediate hazard.

450 (3) A person operating a vehicle on a roadway at less than the normal speed of traffic
451 shall operate the vehicle in the right-hand lane then available for traffic, or as close as
452 practicable to the right-hand curb or edge of the roadway, except when:

453 (a) overtaking and passing another vehicle proceeding in the same direction;

454 (b) preparing to turn left; or

455 (c) taking a different highway or an exit on the left.

456 Section 4. Section **41-6a-708** is amended to read:

457 **41-6a-708. Signs and markings on roadway -- No-passing zones -- Exceptions.**

458 (1) (a) A highway authority may designate no-passing zones on any portion of a
459 highway under its jurisdiction if the highway authority determines passing is especially
460 hazardous.

461 (b) A highway authority shall designate a no-passing zone under Subsection (1)(a) by

462 placing appropriate traffic-control devices on the highway.

463 (2) A person operating a vehicle may not drive on the left side of:

464 (a) the roadway within the no-passing zone; or

465 (b) any pavement striping designed to mark the no-passing zone.

466 (3) Subsection (2) does not apply:

467 (a) under the conditions described under [~~Subsection~~] Subsections 41-6a-701(1)(b) and
468 (c); or

469 (b) to a person operating a vehicle turning left onto or from an alley, private road, or
470 driveway.

471 Section 5. Section **41-6a-710** is amended to read:

472 **41-6a-710. Roadway divided into marked lanes -- Provisions -- Traffic-control**
473 **devices.**

474 (1) For the purposes of this section, "bicycle lane" means a portion of the roadway that
475 has been designated for the preferential or exclusive use of bicyclists by:

476 (a) a highway authority; and

477 (b) one or a combination of the following:

478 (i) striping;

479 (ii) pavement markings; or

480 (iii) signage.

481 (2) On a roadway divided into two or more clearly marked lanes for traffic the
482 following provisions apply:

483 [~~(1)~~-(a)] (a) (i) A person operating a vehicle:

484 [~~(i)~~] (A) shall keep the vehicle as nearly as practical entirely within a single lane; and

485 [~~(ii)~~] (B) may not move the vehicle from the lane until the operator has reasonably
486 determined the movement can be made safely.

487 [~~(b)~~] (ii) A determination under Subsection [~~(1)~~-(a)](ii) (2)(a)(i)(B) is reasonable if a
488 reasonable person acting under the same conditions and having regard for actual and potential
489 hazards then existing would determine that the movement could be made safely.

490 [~~(2)~~] (b) On a roadway divided into three or more lanes and providing for two-way
491 movement of traffic, a person operating a vehicle may not drive in the center lane except:

492 [~~(a)~~] (i) when overtaking and passing another vehicle traveling in the same direction,

493 and when the center lane is:

494 [~~(i)~~] (A) clear of traffic within a safe distance; and

495 [~~(ii)~~] (B) not a two-way left turn lane;

496 [~~(b)~~] (ii) in preparation of making or completing a left turn in compliance with Section
497 41-6a-801; or

498 [~~(c)~~] (iii) where the center lane is allocated exclusively to traffic moving in the same
499 direction that the vehicle is proceeding as indicated by traffic-control devices.

500 [~~(3)(a)~~] (c) (i) A highway authority may erect traffic-control devices directing
501 specified traffic to use a designated lane or designating those lanes to be used by traffic moving
502 in a particular direction regardless of the center of the roadway.

503 [~~(b)~~] (ii) An operator of a vehicle shall obey the directions of a traffic-control device
504 erected under Subsection [~~(3)(a)~~] (2)(c)(i).

505 (d) Notwithstanding Subsection (2)(b)(i), on a roadway divided into three or more
506 lanes and providing for two-way movement of traffic, a person operating a vehicle may drive in
507 the center lane when:

508 (i) the center lane is clear of traffic within a safe distance; and

509 (ii) overtaking and passing a bicycle or moped moving at less than the reasonable
510 speed of traffic then present.

511 (3) (a) A person may not operate a motor vehicle in a bicycle lane except:

512 (i) to access parking where parking is permitted;

513 (ii) to enter the roadway from an alley, private road, or driveway;

514 (iii) to prepare for a turn within a distance of 100 feet from the intersection, alley,
515 private road, or driveway; and

516 (iv) in case of an emergency.

517 (b) Subsection (3)(a) does not prohibit the use of a bicycle lane by:

518 (i) the highway authority that has jurisdiction over the bicycle lane;

519 (ii) an authorized emergency vehicle;

520 (iii) a school bus or transit vehicle, as defined in Section 17B-2a-802, for the active
521 loading and unloading of passengers by:

522 (A) briefly driving within or through the bicycle lane; or

523 (B) stopping within the bicycle lane while in the process of taking on or discharging

524 passengers; and
525 (iv) a person operating a moped:
526 (A) at a speed no greater than is reasonable or prudent, having due regard for visibility,
527 traffic conditions, and the conditions of the roadway; and
528 (B) in a manner that does not endanger the safety of bicyclists.
529 (c) A person operating a motor vehicle in a bicycle lane in accordance with Subsection
530 (3) shall yield the right-of-way to all bicycles, mopeds, and pedestrians within the bicycle lane.
531 (d) A person operating a bicycle or moped in a bicycle lane shall ride in the same
532 direction as traffic on the roadway unless the bicycle lane is designated for two-way travel.

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