



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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NOTICE OF BILL RETURNED TO RULES COMMITTEE

March 1, 2012

Madam Speaker:

The Transportation Committee recommends **H.B. 327**, OPERATION OF BICYCLES ON HIGHWAYS, by Representative J. Anderson, be replaced with **1st Sub. H.B. 327**, OPERATION OF BICYCLES ON HIGHWAYS, with the following amendments, and has returned it to the Rules Committee without recommendation:

1. *Page 1, Lines 16 through 20:*

16 {~~—provides that a person may operate a vehicle to the left of center of the~~
 ~~roadway,~~
17 ~~including in a no-passing zone, when a bicycle or moped proceeding in the same~~
18 ~~direction at a speed less than the reasonable speed of traffic then present requires~~
19 ~~operating the vehicle to the left of the center of the roadway except under certain~~
20 ~~circumstances;~~}

2. *Page 2, Lines 43 through 52:*

43 Utah Code Sections Affected:
44 AMENDS:
45 13-20-2, as last amended by Laws of Utah 2008, Chapter 175
46 13-35-102, as last amended by Laws of Utah 2007, Chapter 86
47 41-1a-202, as last amended by Laws of Utah 2008, Chapter 36
48 41-6a-102, as last amended by Laws of Utah 2009, Chapter 311
49 41-6a-305, as renumbered and amended by Laws of Utah 2005, Chapter 2
50 {~~41-6a-701, as renumbered and amended by Laws of Utah 2005, Chapter 2~~
51 ~~—41-6a-708, as renumbered and amended by Laws of Utah 2005, Chapter 2 }~~
52 41-6a-710, as last amended by Laws of Utah 2009, Chapter 292

3. *Page 20, Line 614 through Page 22, Line 661:*

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614 ~~{ Section 6. Section 41-6a-701 is amended to read:~~
615 ~~— 41-6a-701. Duty to operate vehicle on right side of roadway -- Exceptions:~~
616 ~~— (1) On all roadways of sufficient width, a person operating a vehicle shall~~
617 ~~operate the~~
618 ~~vehicle on the right half of the roadway, except:~~
619 ~~— (a) when overtaking and passing another vehicle proceeding in the same~~
620 ~~direction~~
621 ~~under the rules governing that movement;~~
622 ~~— (b) when an obstruction requires operating the vehicle to the left of the center of~~
623 ~~the~~
624 ~~roadway subject to the provisions of Subsection (2);~~
625 ~~— (c) when overtaking and passing a bicycle or moped proceeding in the same~~
626 ~~direction~~
627 ~~at a speed less than the reasonable speed of traffic then present requires operating the~~
628 ~~vehicle to~~
629 ~~the left of the center of the roadway subject to the provisions of Subsection (2);~~
630 ~~— [(c)] (d) on a roadway divided into three marked lanes for traffic under the~~
631 ~~applicable~~
632 ~~rules; or~~
633 ~~— [(d)] (e) on a roadway designed and signposted for one-way traffic.~~
634 ~~— (2) (a) A person operating a vehicle shall yield the right-of-way to a vehicle:~~
635 ~~— [(a)] (i) traveling in the proper direction on a roadway; and~~
636 ~~— [(b)] (ii) that is within a distance constituting an immediate hazard.~~
637 ~~— (b) When overtaking and passing a bicycle or moped under Subsection (1)(c), a~~
638 ~~person~~
639 ~~operating a vehicle shall not pass a bicycle or moped proceeding in the same direction~~
640 ~~if the~~
641 ~~pass cannot be made safely, including under any of the following conditions:~~
642 ~~— (i) when approaching or upon the crest of a grade or upon a curve in the~~
643 ~~highway~~
644 ~~where the operator's view is in any way obstructed;~~
645 ~~— (ii) when approaching within 100 feet of, or traversing, any intersection or~~
646 ~~railroad~~
647 ~~grade crossing unless otherwise indicated by official traffic control devices;~~

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638 ~~—(iii) when the view is obstructed upon approaching within 100 feet of any bridge,~~
639 ~~viaduct or tunnel; or~~
640 ~~—(iv) when the pass cannot be made in accordance with Section 41-6a-706.5;~~
641 ~~—(3) A person operating a vehicle on a roadway at less than the normal speed of~~
642 ~~traffic~~
643 ~~shall operate the vehicle in the right-hand lane then available for traffic, or as close as~~
644 ~~practicable to the right-hand curb or edge of the roadway, except when:~~
645 ~~—(a) overtaking and passing another vehicle proceeding in the same direction;~~
646 ~~—(b) preparing to turn left; or~~
647 ~~—(c) taking a different highway or an exit on the left.~~
648 ~~—Section 7. Section 41-6a-708 is amended to read:~~
649 ~~—41-6a-708. Signs and markings on roadway -- No-passing zones -- Exceptions:~~
650 ~~—(1) (a) A highway authority may designate no-passing zones on any portion of a~~
651 ~~highway under its jurisdiction if the highway authority determines passing is~~
652 ~~especially~~
653 ~~hazardous.~~
654 ~~—(b) A highway authority shall designate a no-passing zone under Subsection~~
655 ~~(1)(a) by~~
656 ~~placing appropriate traffic-control devices on the highway.~~
657 ~~—(2) A person operating a vehicle may not drive on the left side of:~~
658 ~~—(a) the roadway within the no-passing zone; or~~
659 ~~—(b) any pavement striping designed to mark the no-passing zone.~~
660 ~~—(3) Subsection (2) does not apply:~~
661 ~~—(a) under the conditions described under [Subsection] Subsections~~
~~41-6a-701(1)(b) and~~
~~(c); or~~
~~—(b) to a person operating a vehicle turning left onto or from an alley, private~~
~~road, or~~
~~driveway.}~~

Renumber remaining sections accordingly.

1. Page 22, Lines 665 through 671:

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665 (1) For the purposes of this section, "bicycle lane" means a portion of the roadway
that
666 has been designated for the preferential or exclusive use of bicyclists by:
667 (a) a highway authority; and
668 (b) { ~~one or a combination of the following:~~ } longitudinal pavement
striping.
669 { ~~(i) striping;~~
670 ~~(ii) pavement markings; or~~
671 ~~(iii) a traffic control device.~~ }

Respectfully,

Bradley M. Daw
Committee Chair

Voting: --

16 HB0327.HC1.WPD 3/1/12 11:03 am lelder/LGE SCH/LGE

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