

BICYCLES ON STREETS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Johnny Anderson

Senate Sponsor: Daniel W. Thatcher

LONG TITLE

General Description:

This bill modifies the Traffic Code by amending provisions relating to overtaking and passing bicycles and mopeds on the highway.

Highlighted Provisions:

This bill:

- ▶ provides that, under certain circumstances, a person operating a vehicle may operate the vehicle to the left of the center of the roadway when overtaking and passing a bicycle or moped proceeding in the same direction at a speed less than the reasonable speed of traffic then present, including in a no-passing zone; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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

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



28 Section 1. Section **41-6a-701** is amended to read:

29 **41-6a-701. Duty to operate vehicle on right side of roadway -- Exceptions.**

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

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

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

36 (c) when overtaking and passing a bicycle or moped proceeding in the same direction
37 at a speed less than the reasonable speed of traffic ~~H→~~ [then] that is ~~←H~~ present requires operating
37a the vehicle to
38 the left of the center of the roadway subject to the provisions of Subsection (2);

39 ~~[(c)]~~ (d) on a roadway divided into three marked lanes for traffic under the applicable
40 rules; or

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

42 (2) (a) A person operating a vehicle as described under Subsection (1) shall yield the
43 right-of-way to a vehicle:

44 ~~[(a)]~~ (i) traveling in the proper direction on a roadway; and

45 ~~[(b)]~~ (ii) that is within a distance constituting an immediate hazard.

46 (b) When overtaking and passing a bicycle or moped under Subsection (1)(c), a person
47 operating a vehicle shall not pass a bicycle or moped proceeding in the same direction if the
48 pass cannot be made safely, including under any of the following conditions:

49 (i) when approaching or upon the crest of a grade or upon a curve in the highway
50 where the operator's view is in any way obstructed;

51 (ii) when approaching within 100 feet of, or traversing, any intersection or railroad
52 grade crossing unless otherwise indicated by an official traffic control device;

53 (iii) when the view is obstructed upon approaching within 100 feet of any bridge,
54 viaduct, or tunnel; or

55 (iv) when the pass cannot be made in accordance with Section 41-6a-706.5.

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

- 59 (a) overtaking and passing another vehicle proceeding in the same direction;
- 60 (b) preparing to turn left; or
- 61 (c) taking a different highway or an exit on the left.

62 Section 2. Section **41-6a-708** is amended to read:

63 **41-6a-708. Signs and markings on roadway -- No-passing zones -- Exceptions.**

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

67 (b) A highway authority shall designate a no-passing zone under Subsection (1)(a) by
68 placing appropriate traffic-control devices on the highway.

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

- 70 (a) the roadway within the no-passing zone; or
- 71 (b) any pavement striping designed to mark the no-passing zone.

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

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

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

Legislative Review Note
as of 1-18-13 4:08 PM

Office of Legislative Research and General Counsel