

**BICYCLE AND MOPED AMENDMENTS**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Johnny Anderson**

Senate Sponsor: Daniel W. Thatcher

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**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This bill:

- ▶ provides that a person operating a vehicle may drive in a center lane that is a two-way left turn lane to overtake and pass a bicycle or moped if:
  - the center lane is on a roadway divided into three or more lanes that provides for two-way movement of traffic and is clear of traffic within a safe distance;
  - there is only one lane of travel in the direction the person operating the vehicle is traveling; and
  - the bicycle or moped is moving at less than the reasonable speed of traffic then present; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:



28 **41-6a-710**, as last amended by Laws of Utah 2009, Chapter 292



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

31 Section 1. Section **41-6a-710** is amended to read:

32 **41-6a-710. Roadway divided into marked lanes -- Provisions -- Traffic-control**  
33 **devices.**

34 On a roadway divided into two or more clearly marked lanes for traffic the following  
35 provisions apply:

36 (1) (a) A person operating a vehicle:

37 (i) shall keep the vehicle as nearly as practical entirely within a single lane; and

38 (ii) may not move the vehicle from the lane until the operator has reasonably

39 determined the movement can be made safely.

40 (b) A determination under Subsection (1)(a)(ii) is reasonable if a reasonable person

41 acting under the same conditions and having regard for actual and potential hazards then

42 existing would determine that the movement could be made safely.

43 (2) (a) On a roadway divided into three or more lanes and providing for two-way

44 movement of traffic, a person operating a vehicle may not drive in the center lane except:

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

46 and when the center lane is:

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

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

49 ~~[(b)]~~ (ii) in preparation of making or completing a left turn in compliance with Section

50 41-6a-801; or

51 ~~[(c)]~~ (iii) where the center lane is allocated exclusively to traffic moving in the same

52 direction that the vehicle is proceeding as indicated by traffic-control devices.

53 (b) Notwithstanding Subsection (2)(a)(i) and in accordance with Subsection (1)(a), a

54 person operating a vehicle may drive in a center lane that is a two-way left turn lane if:

55 (i) the center lane is:

56 (A) on a roadway divided into three or more lanes that provides for two-way

57 movement of traffic; and

58 (B) clear of traffic within a safe distance;

59            (ii) there is only one lane of travel in the direction the person operating the vehicle is  
60 traveling; and

61            (iii) the person operating the vehicle is overtaking and passing a bicycle or moped that  
62 is moving at less than the reasonable speed of traffic then present.

63            (3) (a) A highway authority may erect traffic-control devices directing specified traffic  
64 to use a designated lane or designating those lanes to be used by traffic moving in a particular  
65 direction regardless of the center of the roadway.

66            (b) An operator of a vehicle shall obey the directions of a traffic-control device erected  
67 under Subsection (3)(a).

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**Legislative Review Note**  
**as of 1-18-13 4:09 PM**

**Office of Legislative Research and General Counsel**