

MOTOR VEHICLE CODE AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gage Froerer

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends the traffic code to allow certain motorcycles to pass another vehicle in the same lane, under certain circumstances.

Highlighted Provisions:

This bill:

- ▶ creates a definition for lane ~~Ĥ→~~ **[splitting] filtering ←Ĥ** ;
- ▶ amends the traffic code to allow for lane ~~Ĥ→~~ **[splitting] filtering ←Ĥ** under certain circumstances when operating certain motorcycles on roadways divided into two or more adjacent traffic lanes in the same direction of travel; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-102, as last amended by Laws of Utah 2016, Chapters 40 and 173

41-6a-704, as last amended by Laws of Utah 2015, Chapter 412

41-6a-710, as last amended by Laws of Utah 2015, Chapter 412



152 (26) "Highway" means the entire width between property lines of every way or place of
 153 any nature when any part of it is open to the use of the public as a matter of right for vehicular
 154 travel.

155 (27) "Highway authority" means the same as that term is defined in Section 72-1-102.

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

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

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

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

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

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

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

169 (b) channelizing devices;

170 (c) curbs;

171 (d) pavement edges; or

172 (e) other devices.

173 (30) "Lane ~~H~~→ [splitting] filtering ←~~H~~" means, when operating a motorcycle, other than
 173a an autocycle, the

174 act of overtaking and passing another vehicle moving in the same direction in the same lane.

175 (31) "Law enforcement agency" means the same as that term is as defined in Section
 176 53-1-102.

177 [~~31~~] (32) "Limited access highway" means a highway:

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

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

182 [~~32~~] (33) "Local highway authority" means the legislative, executive, or governing

400 (4) The provisions of Subsection (2) do not apply to an operator of a vehicle traveling
401 in the left general purpose lane when:

402 (a) overtaking and passing another vehicle proceeding in the same direction in
403 accordance with Subsection (1)(a)(i);

404 (b) preparing to turn left or taking a different highway or an exit on the left;

405 (c) responding to emergency conditions;

406 (d) avoiding actual or potential traffic moving onto the highway from an acceleration
407 or merging lane; or

408 (e) following the direction of a traffic-control device that directs the use of a designated
409 lane.

410 (5) On a roadway divided into two or more adjacent traffic lanes in the same direction
411 of travel, a person operating a motorcycle may engage in lane ~~H→~~ [splitting] filtering ~~←H~~ only
411a when the following
412 conditions exist:

413 (a) the motorcycle is traveling at a speed of ~~H→~~ [40] 35 ~~←H~~ miles per hour or less;
413a ~~H→~~ [-and]

413b (b) the motorcycle is traveling at a speed not more than 10 miles per hour faster than
413c surrounding traffic; and

414 [~~(b)~~] (c) ~~←H~~ the movement may be made safely.

415 [~~(5)~~] (6) A violation of [~~Subsection (1) or (2)~~] Subsection (1), (2), or (5) is an
416 infraction.

417 Section 3. Section **41-6a-710** is amended to read:

418 **41-6a-710. Roadway divided into marked lanes -- Provisions -- Traffic-control**
419 **devices.**

420 On a roadway divided into two or more clearly marked lanes for traffic the following
421 provisions apply and any violation of this section is an infraction:

422 (1) (a) [~~A~~] Except as provided in Subsection (1)(c), a person operating a vehicle:

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

424 (ii) may not move the vehicle from the lane until the operator has reasonably
425 determined the movement can be made safely.

426 (b) A determination under Subsection (1)(a)(ii) is reasonable if a reasonable person
427 acting under the same conditions and having regard for actual and potential hazards then
428 existing would determine that the movement could be made safely.

429 (c) On a roadway divided into two or more adjacent traffic lanes in the same direction
430 of travel, a person operating a motorcycle may engage in lane ~~H→~~ [splitting] filtering ~~←H~~ only
430a when the following

431 conditions exist:

432 (i) the motorcycle is traveling at a speed of ~~H~~→ [40] 35 ←~~H~~ miles per hour or less;

432a ~~H~~→ [-and]

432b (ii) the motorcycle is traveling at a speed not more than 10 miles per hour faster than

432c surrounding traffic; and

433 ~~(ii)~~ (iii) ←~~H~~ the movement may be completed safely.

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

436 (i) when overtaking and passing another vehicle traveling in the same direction, and
437 when the center lane is:

438 (A) clear of traffic within a safe distance; and

439 (B) not a two-way left turn lane;

440 (ii) in preparation of making or completing a left turn in compliance with Section
441 41-6a-801; or

442 (iii) where the center lane is allocated exclusively to traffic moving in the same
443 direction that the vehicle is proceeding as indicated by traffic-control devices.

444 (b) Notwithstanding Subsection (2)(a)(i) and in accordance with Subsection (1)(a), a
445 person operating a vehicle may drive in a center lane that is a two-way left turn lane if:

446 (i) the center lane is:

447 (A) on a roadway divided into three or more lanes that provides for two-way
448 movement of traffic; and

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

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

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

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

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