

Representative Carol Spackman Moss proposes the following substitute bill:

TRAFFIC CONTROL SIGNS FOR BICYCLES

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carol Spackman Moss

Senate Sponsor: Todd Weiler

LONG TITLE

General Description:

This bill modifies the Traffic Code by amending provisions related to operating a bicycle on the roadway.

Highlighted Provisions:

This bill:

- ▶ provides that a person operating a bicycle approaching a stop sign shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time the person is moving across or within the intersection or junction of highways, except that a person after slowing to a reasonable speed and yielding the right-of-way if required, may cautiously make a turn or proceed through the intersection without stopping;
- ▶ provides that once a person operating a bicycle approaching a steady red traffic-control signal has stopped and yielded to all other traffic, the person may cautiously:
 - proceed straight through the steady red signal; or
 - turn left onto a highway that is a highway with one lane in each direction;
- ▶ provides that after slowing to a reasonable speed and yielding the right-of-way, if required, a person operating a bicycle approaching a steady red traffic-control signal



26 may cautiously make a right-hand turn without stopping; and

27 ▶ makes technical changes.

28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 None

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **41-6a-305**, as last amended by Laws of Utah 2015, Chapter 412

35 **41-6a-902**, as last amended by Laws of Utah 2015, Chapter 412

36 **41-6a-1105**, as renumbered and amended by Laws of Utah 2005, Chapter 2



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

39 Section 1. Section **41-6a-305** is amended to read:

40 **41-6a-305. Traffic-control signal -- At intersections -- At place other than**
41 **intersection -- Color of light signal -- Inoperative traffic-control signals -- Affirmative**
42 **defense.**

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

45 (i) pedestrian traffic-control signal that may use white and orange; and

46 (ii) rail vehicle that may use white.

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

49 (2) (a) (i) Except as provided in Subsection (2)(a)(ii), the operator of a vehicle facing a
50 circular green signal may:

51 (A) proceed straight through the intersection;

52 (B) turn right; or

53 (C) turn left.

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

56 (A) shall yield the right-of-way to other vehicles and to pedestrians lawfully within the

57 intersection or an adjacent crosswalk at the time the signal is exhibited; and

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

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

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

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

65 (c) Unless otherwise directed by a pedestrian traffic-control signal under Section
66 [41-6a-306](#), a pedestrian facing any green signal other than a green turn arrow may proceed
67 across the roadway within any marked or unmarked crosswalk.

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

70 (b) Unless otherwise directed by a pedestrian traffic-control signal under Section
71 [41-6a-306](#), a pedestrian facing a steady circular yellow or yellow arrow signal is advised that
72 there is insufficient time to cross the roadway before a red indication is shown, and a pedestrian
73 may not start to cross the roadway.

74 (4) (a) Except as provided in Subsection (4)(c) or in Subsection [41-6a-1105\(6\)](#), the
75 operator of a vehicle facing a steady circular red or red arrow signal:

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

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

81 (b) Unless otherwise directed by a pedestrian traffic-control signal under Section
82 [41-6a-306](#), a pedestrian facing a steady red signal alone may not enter the roadway.

83 (c) (i) (A) The operator of a vehicle facing a steady circular red signal may cautiously
84 enter the intersection to turn right, or may turn left from a one-way street into a one-way street,
85 after stopping as required by Subsection (4)(a).

86 (B) If permitted by a traffic control device on the state highway system, the operator of
87 a vehicle facing a steady red arrow signal may cautiously enter the intersection to turn left from

88 a one-way street into a one-way street after stopping as required by Subsection (4)(a).

89 (ii) The operator of a vehicle under Subsection (4)(c)(i) shall yield the right-of-way to:

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

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

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

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

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

100 (a) stop before entering the intersection; and

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

102 (7) (a) For an operator of a motorcycle[;] or moped, [~~or bicycle who is 16 years of age~~
103 ~~or older~~], it is an affirmative defense to a violation of Subsection (4)(a) if the operator of a
104 motorcycle[;] or moped[~~, or bicycle~~] facing a steady circular red signal or red arrow:

105 (i) brings the motorcycle[;] or moped[~~, or bicycle~~] to a complete stop at the intersection
106 or stop line;

107 (ii) determines that:

108 (A) the traffic-control signal has not detected the operator's presence by waiting a
109 reasonable period of time of not less than 90 seconds at the intersection or stop line before
110 entering the intersection;

111 (B) no other vehicle that is entitled to have the right-of-way under applicable law is
112 sitting at, traveling through, or approaching the intersection; and

113 (C) no pedestrians are attempting to cross at or near the intersection in the direction of
114 travel of the operator; and

115 (iii) cautiously enters the intersection and proceeds across the roadway.

116 (b) The affirmative defense under this section does not apply at an active railroad grade
117 crossing as defined in Section [41-6a-1005](#).

118 (8) A violation of this section is an infraction.

119 Section 2. Section **41-6a-902** is amended to read:

120 **41-6a-902. Right-of-way -- Stop or yield signals -- Yield -- Collisions at**
121 **intersections or junctions of roadways -- Evidence.**

122 (1) Preferential right-of-way may be indicated by stop signs or yield signs under
123 Section [41-6a-906](#).

124 (2) (a) Except as provided in Section [41-6a-1105](#), or when directed to proceed by a
125 peace officer, every operator of a vehicle approaching a stop sign shall stop:

126 (i) at a clearly marked stop line;

127 (ii) before entering the crosswalk on the near side of the intersection if there is not a
128 clearly marked stop line; or

129 (iii) at a point nearest the intersecting roadway where the operator has a view of
130 approaching traffic on the intersecting roadway before entering it if there is not a clearly
131 marked stop line or a crosswalk.

132 (b) After having stopped at a stop sign, the operator of a vehicle shall yield the
133 right-of-way to any vehicle in the intersection or approaching on another roadway so closely as
134 to constitute an immediate hazard.

135 (c) The operator of a vehicle approaching a stop sign shall yield the right-of-way to
136 pedestrians within an adjacent crosswalk.

137 (3) (a) The operator of a vehicle approaching a yield sign shall:

138 (i) slow down to a speed reasonable for the existing conditions; and

139 (ii) if required for safety, stop as provided under Subsection (2).

140 (b) (i) After slowing or stopping at a yield sign, the operator of a vehicle shall yield the
141 right-of-way to any vehicle in the intersection or approaching on another roadway so closely as
142 to constitute an immediate hazard during the time the operator is moving across or within the
143 intersection or junction of roadways.

144 (ii) The operator of a vehicle approaching a yield sign shall yield to pedestrians within
145 an adjacent crosswalk.

146 (4) (a) A collision is prima facie evidence of an operator's failure to yield the
147 right-of-way after passing a yield sign without stopping if the operator is involved in a
148 collision:

149 (i) with a vehicle in the intersection or junction of roadways; or

150 (ii) with a pedestrian at an adjacent crosswalk.

151 (b) A collision under Subsection (4)(a) is not considered negligence per se in
152 determining liability for the accident.

153 (5) A violation of Subsection (2) or (3) is an infraction.

154 Section 3. Section **41-6a-1105** is amended to read:

155 **41-6a-1105. Operation of bicycle or moped on and use of roadway -- Duties,**
156 **prohibitions.**

157 (1) A person operating a bicycle or a moped on a roadway at less than the normal speed
158 of traffic at the time and place and under the conditions then existing shall ride as near as
159 practicable to the right-hand edge of the roadway except when:

160 (a) overtaking and passing another bicycle or vehicle proceeding in the same direction;

161 (b) preparing to make a left turn at an intersection or into a private road or driveway;

162 (c) traveling straight through an intersection that has a right-turn only lane that is in
163 conflict with the straight through movement; or

164 (d) reasonably necessary to avoid conditions that make it unsafe to continue along the
165 right-hand edge of the roadway including:

166 (i) fixed or moving objects;

167 (ii) parked or moving vehicles;

168 (iii) bicycles;

169 (iv) pedestrians;

170 (v) animals;

171 (vi) surface hazards; or

172 (vii) a lane that is too narrow for a bicycle and a vehicle to travel safely side by side
173 within the lane.

174 (2) A person operating a bicycle or moped on a highway shall operate in the designated
175 direction of traffic.

176 (3) (a) A person riding a bicycle or moped on a roadway may not ride more than two
177 abreast with another person except on paths or parts of roadways set aside for the exclusive use
178 of bicycles.

179 (b) If allowed under Subsection (3)(a), a person riding two abreast with another person
180 may not impede the normal and reasonable movement of traffic and shall ride within a single

181 lane.

182 (4) If a usable path for bicycles has been provided adjacent to a roadway, a bicycle
183 rider may be directed by a traffic-control device to use the path and not the roadway.

184 (5) (a) A person operating a bicycle approaching a stop sign shall slow down and, if
185 required for safety, stop before entering the intersection.

186 (b) Except as provided in Subsection (7), after slowing to a reasonable speed or
187 stopping as required by Subsection (5)(a), the person shall yield the right-of-way to any vehicle
188 or pedestrian in the intersection or approaching on another highway so closely as to constitute
189 an immediate hazard during the time the person is moving across or within the intersection or
190 junction of highways, except that a person after slowing to a reasonable speed and yielding the
191 right-of-way, if required, may cautiously make a turn or proceed through the intersection
192 without stopping.

193 (6) (a) (i) Except as provided in Subsection (6)(b), a person operating a bicycle
194 approaching a steady red traffic-control signal shall stop before entering the intersection and
195 shall yield to all other traffic and pedestrians.

196 (ii) Except as provided in Subsection (7), once the person has stopped and yielded to
197 all other traffic and pedestrians as required by Subsection (6)(a)(i), the person may cautiously:

198 (A) proceed straight through the steady red signal; or

199 (B) turn left onto a highway that is a highway with one lane in each direction.

200 (b) After slowing to a reasonable speed and yielding the right-of-way, if required, a
201 person operating a bicycle approaching a steady red traffic-control signal may cautiously make
202 a right-hand turn without stopping.

203 (7) Subsections (5)(b) and (6)(a)(ii) do not apply to an intersection with an active
204 railroad grade crossing as defined in Section [41-6a-1005](#).