

**Representative Lee B. Perry** 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

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**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 stop and 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 as if the person had approached a yield sign; and

- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**



26 AMENDS:

27 [41-6a-902](#), as last amended by Laws of Utah 2015, Chapter 412

28 [41-6a-1105](#), as renumbered and amended by Laws of Utah 2005, Chapter 2



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

31 Section 1. Section **41-6a-902** is amended to read:

32 **41-6a-902. Right-of-way -- Stop or yield signals -- Yield -- Collisions at**  
33 **intersections or junctions of roadways -- Evidence.**

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

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

38 (i) at a clearly marked stop line;

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

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

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

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

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

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

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

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

56 (ii) The operator of a vehicle approaching a yield sign shall yield to pedestrians within

57 an adjacent crosswalk.

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

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

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

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

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

66 Section 2. Section **41-6a-1105** is amended to read:

67 **41-6a-1105. Operation of bicycle or moped on and use of roadway -- Duties,**  
68 **prohibitions.**

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

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

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

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

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

78 (i) fixed or moving objects;

79 (ii) parked or moving vehicles;

80 (iii) bicycles;

81 (iv) pedestrians;

82 (v) animals;

83 (vi) surface hazards; or

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

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

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

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

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

96 (5) (a) Except as provided in Subsection (5)(b), a person operating a bicycle  
97 approaching a stop sign shall stop before entering the intersection.

98 (b) Except as provided in Subsection (6), after slowing to a reasonable speed or  
99 stopping as required by Subsection (5)(a), if the person reasonably determines that there is no  
100 other vehicle in the intersection or approaching on another highway so closely as to constitute  
101 an immediate hazard during the time the person is moving across or within the intersection or  
102 junction of highways, the person may proceed as if the stop sign were a yield sign as described  
103 in Section [41-6a-903](#).

104 (6) Subsection (5)(b) does not apply to an intersection:

105 (a) with an active railroad grade crossing as defined in Section [41-6a-1005](#); or

106 (b) in which any street has three or more lanes of traffic in one direction.