

367 lane.

368 (3) An operator of a vehicle traveling in the left general purpose lane that has a vehicle
 369 following directly behind the operator's vehicle at a distance so that less than two seconds
 370 elapse before reaching the location of the operator's vehicle when space is available for the
 371 operator to yield to the overtaking vehicle by traveling in the right-hand lane is prima facie
 372 evidence that the operator is violating Subsection (2).

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

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

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

378 (c) responding to emergency conditions;

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

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

383 (5) An individual may engage in lane filtering only when the following conditions
 384 exist:

385 (a) the individual is operating a motorcycle;

386 (b) the individual is on a roadway divided into two or more adjacent traffic lanes in the
 387 same direction of travel;

388 (c) the individual is on a roadway with a speed limit of ~~50~~ 45 ~~50~~ miles per hour or
 388a less;

389 (d) the vehicle being overtaken in the same lane is stopped;

390 (e) the motorcycle is traveling at a speed of 15 miles per hour or less; and

391 (f) the movement may be made safely.

392 ~~(5)~~ (6) A violation of Subsection ~~[(1) or (2)]~~ (1), (2), or (5) is an infraction.

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

394 **41-6a-710. Roadway divided into marked lanes -- Provisions -- Traffic-control**
 395 **devices.**

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