

**TRAFFIC FLOW AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ken Ivory**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill amends provisions related to safe operation of a vehicle through a red light in certain situations.

**Highlighted Provisions:**

This bill:

▶ allows an operator of a vehicle at a red light on a highway with a speed limit of 55 miles per hour or lower during a time of extremely low traffic levels to proceed through the red light if the operator reasonably determines that:

- no other vehicle is at or near the intersection that might compromise the safety of either vehicle if the operator proceeds through the intersection;
- no pedestrian is attempting to cross at or near the intersection; and
- no other safety concern exists.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

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

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

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

30 **41-6a-305. Traffic-control signal -- At intersections -- At place other than**  
31 **intersection -- Color of light signal -- Inoperative traffic-control signals -- Affirmative**  
32 **defense.**

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

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

36 (ii) rail vehicle that may use white.

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

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

41 (A) proceed straight through the intersection;

42 (B) turn right; or

43 (C) turn left.

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

46 (A) shall yield the right-of-way to other vehicles and to pedestrians lawfully within the  
47 intersection or an adjacent crosswalk at the time the signal is exhibited; and

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

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

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

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

55 (c) Unless otherwise directed by a pedestrian traffic-control signal under Section  
56 **41-6a-306**, a pedestrian facing any green signal other than a green turn arrow may proceed  
57 across the roadway within any marked or unmarked crosswalk.

58 (3) (a) The operator of a vehicle facing a steady circular yellow or yellow arrow signal

59 is warned that the allowable movement related to a green signal is being terminated.

60 (b) Unless otherwise directed by a pedestrian traffic-control signal under Section  
61 41-6a-306, a pedestrian facing a steady circular yellow or yellow arrow signal is advised that  
62 there is insufficient time to cross the roadway before a red indication is shown, and a pedestrian  
63 may not start to cross the roadway.

64 (4) (a) Except as provided in [~~Subsection~~] Subsections (4)(c) and (4)(d), the operator of  
65 a vehicle facing a steady circular red or red arrow signal:

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

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

71 (b) Unless otherwise directed by a pedestrian traffic-control signal under Section  
72 41-6a-306, a pedestrian facing a steady red signal alone may not enter the roadway.

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

76 (B) If permitted by a traffic control device on the state highway system, the operator of  
77 a vehicle facing a steady red arrow signal may cautiously enter the intersection to turn left from  
78 a one-way street into a one-way street after stopping as required by Subsection (4)(a).

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

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

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

83 (d) If an operator of a vehicle on a highway with a speed limit of 55 miles per hour or  
84 lower faces a steady circular red signal during a time of extremely low traffic levels where no  
85 other vehicle is at the intersection, the operator may, after coming to a complete stop, proceed  
86 through the intersection if the operator reasonably determines that:

87 (i) no other vehicle is at or near the intersection that might compromise the safety of  
88 any vehicle if the operator proceeds through the intersection;

89 (ii) no pedestrian is attempting to cross in a crosswalk at the intersection; and

90            (iii) no other safety hazard exists.

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

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

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

98            (a) stop before entering the intersection; and

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

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

103           (i) brings the motorcycle, moped, or bicycle to a complete stop at the intersection or  
104 stop line;

105           (ii) determines that:

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

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

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

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

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

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