

HB0151S01 compared with HB0151

~~text~~ shows text that was in HB0151 but was deleted in HB0151S01.

Inserted text shows text that was not in HB0151 but was inserted into HB0151S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Ken Ivory proposes the following substitute bill:

TRAFFIC FLOW AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ken Ivory

Senate Sponsor: _____

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~~text~~.

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- ▶ enhances the penalty for running a red light, including additional enhancements if the violation results in an accident, injury, or serious bodily injury; and
- ▶ makes technical changes.

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

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

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

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

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

- (i) pedestrian traffic-control signal that may use white and orange; and
- (ii) rail vehicle that may use white.

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

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

- (A) proceed straight through the intersection;
- (B) turn right; or
- (C) turn left.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) a pedestrian lawfully within an adjacent crosswalk.

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

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

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

(iii) no other safety hazard exists.

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

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

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

(a) stop before entering the intersection; and

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

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

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

(ii) determines that:

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

(B) no other vehicle that is entitled to have the right-of-way under applicable law is

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sitting at, traveling through, or approaching the intersection; and

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

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

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

~~[(8) A violation of this section is an infraction.]~~

(8) (a) Except as provided in Subsection (8)(b), a person who violates this section is guilty of an infraction.

(b) (i) A person who violates Subsection (4) is guilty of a class C misdemeanor.

(ii) A person who violates Subsection (4) is guilty of a class B misdemeanor if the person has also caused a traffic accident as a proximate result of a violation of Subsection (4).

(iii) A person who violates Subsection (4) is guilty of a class A misdemeanor if the person has also caused bodily injury to another person as a proximate result of a violation of Subsection (4).

(iv) A person who violates Subsection (4) is guilty of a third degree felony if the person has also caused serious bodily injury to another person as a proximate result of a violation of Subsection (4).