

Representative Ken Ivory proposes the following substitute bill:

TRAFFIC FLOW AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ken Ivory

Senate Sponsor: Jacob L. Anderegg

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:

► provides an affirmative defense to a violation for running a red light to an individual who proceeds through a red light after coming to a complete stop for at least 90 seconds and reasonably determining that:

- the traffic-control signal has not detected the individual's presence;
- no other vehicle is approaching the intersection; and
- no other safety hazard exists; and

► makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



26 **41-6a-305**, as last amended by Laws of Utah 2015, Chapter 412



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 (4)(c), the operator of a vehicle facing a
65 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 (5) (a) This section applies to a highway or rail line where a traffic-control signal is
84 erected and maintained.

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

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

90 (a) stop before entering the intersection; and

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

92 (7) (a) For an operator of a [~~motorcycle, moped, or~~] motor vehicle, or an operator of a
93 bicycle who is 16 years of age or older, it is an affirmative defense to a violation of Subsection
94 (4)(a) if the operator of a [~~motorcycle, moped,~~] motor vehicle or bicycle facing a steady circular
95 red signal or red arrow:

96 (i) brings the [~~motorcycle, moped,~~] motor vehicle or bicycle to a complete stop at the
97 intersection or stop line;

98 (ii) determines that:

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

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

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

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

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

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