

Representative Marc K. Roberts proposes the following substitute bill:

MUNICIPAL REGULATION OF GOLF CARTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Marc K. Roberts

Senate Sponsor: Deidre M. Henderson

LONG TITLE

General Description:

This bill authorizes a municipality to allow a golf cart to operate on a highway under certain circumstances.

Highlighted Provisions:

This bill:

- ▶ defines “golf cart”;
- ▶ authorizes a municipality to enact an ordinance to allow the operation of a golf cart on a highway in specified circumstances;
- ▶ exempts a golf cart from title, registration, and other requirements applicable to other motor vehicles;
- ▶ prohibits the drinking of alcohol while operating a golf cart on a highway;
- ▶ prohibits the possession of an open container of alcohol while operating a golf cart on a highway;
- ▶ requires that a golf cart adhere to traffic laws similar to a bicycle; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:



26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **41-6a-102**, as last amended by Laws of Utah 2019, Chapters 49, 391, 428, and 459

30 **41-6a-526**, as last amended by Laws of Utah 2019, Chapter 428

31 **41-6a-706.5**, as last amended by Laws of Utah 2019, Chapters 428 and 461

32 **63I-1-241**, as last amended by Laws of Utah 2019, Chapters 49, 55, and 246

33 ENACTS:

34 **41-6a-1510**, Utah Code Annotated 1953



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

37 Section 1. Section **41-6a-102** is amended to read:

38 **41-6a-102. Definitions.**

39 As used in this chapter:

40 (1) "Alley" means a street or highway intended to provide access to the rear or side of
41 lots or buildings in urban districts and not intended for through vehicular traffic.

42 (2) "All-terrain type I vehicle" means the same as that term is defined in Section
43 **41-22-2**.

44 (3) "Authorized emergency vehicle" includes:

45 (a) fire department vehicles;

46 (b) police vehicles;

47 (c) ambulances; and

48 (d) other publicly or privately owned vehicles as designated by the commissioner of the
49 Department of Public Safety.

50 (4) "Autocycle" means the same as that term is defined in Section **53-3-102**.

51 (5) (a) "Bicycle" means a wheeled vehicle:

52 (i) propelled by human power by feet or hands acting upon pedals or cranks;

53 (ii) with a seat or saddle designed for the use of the operator;

54 (iii) designed to be operated on the ground; and

55 (iv) whose wheels are not less than 14 inches in diameter.

56 (b) "Bicycle" includes an electric assisted bicycle.

- 57 (c) "Bicycle" does not include scooters and similar devices.
- 58 (6) (a) "Bus" means a motor vehicle:
- 59 (i) designed for carrying more than 15 passengers and used for the transportation of
- 60 persons; or
- 61 (ii) designed and used for the transportation of persons for compensation.
- 62 (b) "Bus" does not include a taxicab.
- 63 (7) (a) "Circular intersection" means an intersection that has an island, generally
- 64 circular in design, located in the center of the intersection where traffic passes to the right of
- 65 the island.
- 66 (b) "Circular intersection" includes:
- 67 (i) roundabouts;
- 68 (ii) rotaries; and
- 69 (iii) traffic circles.
- 70 (8) "Class 1 electric assisted bicycle" means an electric assisted bicycle described in
- 71 Subsection (17)(d)(i).
- 72 (9) "Class 2 electric assisted bicycle" means an electric assisted bicycle described in
- 73 Subsection (17)(d)(ii).
- 74 (10) "Class 3 electric assisted bicycle" means an electric assisted bicycle described in
- 75 Subsection (17)(d)(iii).
- 76 (11) "Commissioner" means the commissioner of the Department of Public Safety.
- 77 (12) "Controlled-access highway" means a highway, street, or roadway:
- 78 (a) designed primarily for through traffic; and
- 79 (b) to or from which owners or occupants of abutting lands and other persons have no
- 80 legal right of access, except at points as determined by the highway authority having
- 81 jurisdiction over the highway, street, or roadway.
- 82 (13) "Crosswalk" means:
- 83 (a) that part of a roadway at an intersection included within the connections of the
- 84 lateral lines of the sidewalks on opposite sides of the highway measured from:
- 85 (i) (A) the curbs; or
- 86 (B) in the absence of curbs, from the edges of the traversable roadway; and
- 87 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway

88 included within the extension of the lateral lines of the existing sidewalk at right angles to the
89 centerline; or

90 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
91 pedestrian crossing by lines or other markings on the surface.

92 (14) "Department" means the Department of Public Safety.

93 (15) "Direct supervision" means oversight at a distance within which:

94 (a) visual contact is maintained; and

95 (b) advice and assistance can be given and received.

96 (16) "Divided highway" means a highway divided into two or more roadways by:

97 (a) an unpaved intervening space;

98 (b) a physical barrier; or

99 (c) a clearly indicated dividing section constructed to impede vehicular traffic.

100 (17) "Electric assisted bicycle" means a bicycle with an electric motor that:

101 (a) has a power output of not more than 750 watts;

102 (b) has fully operable pedals on permanently affixed cranks;

103 (c) is fully operable as a bicycle without the use of the electric motor; and

104 (d) is one of the following:

105 (i) an electric assisted bicycle equipped with a motor or electronics that:

106 (A) provides assistance only when the rider is pedaling; and

107 (B) ceases to provide assistance when the bicycle reaches the speed of 20 miles per

108 hour;

109 (ii) an electric assisted bicycle equipped with a motor or electronics that:

110 (A) may be used exclusively to propel the bicycle; and

111 (B) is not capable of providing assistance when the bicycle reaches the speed of 20

112 miles per hour; or

113 (iii) an electric assisted bicycle equipped with a motor or electronics that:

114 (A) provides assistance only when the rider is pedaling;

115 (B) ceases to provide assistance when the bicycle reaches the speed of 28 miles per

116 hour; and

117 (C) is equipped with a speedometer.

118 (18) (a) "Electric personal assistive mobility device" means a self-balancing device

119 with:

- 120 (i) two nontandem wheels in contact with the ground;
- 121 (ii) a system capable of steering and stopping the unit under typical operating
- 122 conditions;
- 123 (iii) an electric propulsion system with average power of one horsepower or 750 watts;
- 124 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
- 125 (v) a deck design for a person to stand while operating the device.

126 (b) "Electric personal assistive mobility device" does not include a wheelchair.

127 (19) "Explosives" means a chemical compound or mechanical mixture commonly used

128 or intended for the purpose of producing an explosion and that contains any oxidizing and

129 combustive units or other ingredients in proportions, quantities, or packing so that an ignition

130 by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture

131 may cause a sudden generation of highly heated gases, and the resultant gaseous pressures are

132 capable of producing destructive effects on contiguous objects or of causing death or serious

133 bodily injury.

134 (20) "Farm tractor" means a motor vehicle designed and used primarily as a farm

135 implement, for drawing plows, mowing machines, and other implements of husbandry.

136 (21) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less,

137 as determined by a tagliabue or equivalent closed-cup test device.

138 (22) "Freeway" means a controlled-access highway that is part of the interstate system

139 as defined in Section [72-1-102](#).

140 (23) (a) "Golf cart" means a device that:

- 141 (i) is designed for transportation by players on a golf course;
- 142 (ii) has not less than three wheels in contact with the ground;
- 143 (iii) has an unladen weight of less than 1,800 pounds;
- 144 (iv) is designed to operate at low speeds; and
- 145 (v) is designed to carry not more than six persons including the driver.

146 (b) "Golf cart" does not include:

- 147 (i) a low-speed vehicle or an off-highway vehicle;
- 148 (ii) a motorized wheelchair;
- 149 (iii) an electric personal assistive mobility device;

150 (iv) an electric assisted bicycle;

151 (v) a motor assisted scooter;

152 (vi) a personal delivery device, as defined in Section [41-6a-1119](#); or

153 (vii) a mobile carrier, as defined in Section [41-6a-1120](#).

154 [~~(23)~~] (24) "Gore area" means the area delineated by two solid white lines that is
155 between a continuing lane of a through roadway and a lane used to enter or exit the continuing
156 lane including similar areas between merging or splitting highways.

157 [(24)] (25) "Gross weight" means the weight of a vehicle without a load plus the
158 weight of any load on the vehicle.

159 [(25)] (26) "Highway" means the entire width between property lines of every way or
160 place of any nature when any part of it is open to the use of the public as a matter of right for
161 vehicular travel.

162 [(26)] (27) "Highway authority" means the same as that term is defined in Section
163 [72-1-102](#).

164 [(27)] (28) (a) "Intersection" means the area embraced within the prolongation or
165 connection of the lateral curblines, or, if none, then the lateral boundary lines of the roadways
166 of two or more highways that join one another.

167 (b) Where a highway includes two roadways 30 feet or more apart:

168 (i) every crossing of each roadway of the divided highway by an intersecting highway
169 is a separate intersection; and

170 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then
171 every crossing of two roadways of the highways is a separate intersection.

172 (c) "Intersection" does not include the junction of an alley with a street or highway.

173 [(28)] (29) "Island" means an area between traffic lanes or at an intersection for control
174 of vehicle movements or for pedestrian refuge designated by:

175 (a) pavement markings, which may include an area designated by two solid yellow
176 lines surrounding the perimeter of the area;

177 (b) channelizing devices;

178 (c) curbs;

179 (d) pavement edges; or

180 (e) other devices.

181 ~~[(29)]~~ (30) "Lane filtering" means, when operating a motorcycle other than an
182 autocycle, the act of overtaking and passing another vehicle that is stopped in the same
183 direction of travel in the same lane.

184 ~~[(30)]~~ (31) "Law enforcement agency" means the same as that term is as defined in
185 Section [53-1-102](#).

186 ~~[(31)]~~ (32) "Limited access highway" means a highway:

187 (a) that is designated specifically for through traffic; and

188 (b) over, from, or to which neither owners nor occupants of abutting lands nor other
189 persons have any right or easement, or have only a limited right or easement of access, light,
190 air, or view.

191 ~~[(32)]~~ (33) "Local highway authority" means the legislative, executive, or governing
192 body of a county, municipal, or other local board or body having authority to enact laws
193 relating to traffic under the constitution and laws of the state.

194 ~~[(33)]~~ (34) (a) "Low-speed vehicle" means a four wheeled electric motor vehicle that:

195 (i) is designed to be operated at speeds of not more than 25 miles per hour; and

196 (ii) has a capacity of not more than six passengers, including a conventional driver or
197 fallback-ready user if on board the vehicle, as those terms are defined in Section [41-26-102.1](#).

198 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.

199 ~~[(34)]~~ (35) "Metal tire" means a tire, the surface of which in contact with the highway
200 is wholly or partly of metal or other hard nonresilient material.

201 ~~[(35)]~~ (36) (a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a
202 seat or saddle that is less than 24 inches from the ground as measured on a level surface with
203 properly inflated tires.

204 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.

205 (c) "Mini-motorcycle" does not include a motorcycle that is:

206 (i) designed for off-highway use; and

207 (ii) registered as an off-highway vehicle under Section [41-22-3](#).

208 ~~[(36)]~~ (37) "Mobile home" means:

209 (a) a trailer or semitrailer that is:

210 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
211 place either permanently or temporarily; and

- 212 (ii) equipped for use as a conveyance on streets and highways; or
213 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and
214 constructed for use as a mobile home, as defined in Subsection [~~(36)~~(a)] (37)(a), but that is
215 instead used permanently or temporarily for:
- 216 (i) the advertising, sale, display, or promotion of merchandise or services; or
 - 217 (ii) any other commercial purpose except the transportation of property for hire or the
218 transportation of property for distribution by a private carrier.
- 219 [~~(37)~~] (38) (a) "Moped" means a motor-driven cycle having:
- 220 (i) pedals to permit propulsion by human power; and
 - 221 (ii) a motor that:
 - 222 (A) produces not more than two brake horsepower; and
 - 223 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour on
224 level ground.
 - 225 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
226 centimeters and the moped shall have a power drive system that functions directly or
227 automatically without clutching or shifting by the operator after the drive system is engaged.
 - 228 (c) "Moped" does not include:
 - 229 (i) an electric assisted bicycle; or
 - 230 (ii) a motor assisted scooter.
- 231 [~~(38)~~] (39) (a) "Motor assisted scooter" means a self-propelled device with:
- 232 (i) at least two wheels in contact with the ground;
 - 233 (ii) a braking system capable of stopping the unit under typical operating conditions;
 - 234 (iii) an electric motor not exceeding 2,000 watts;
 - 235 (iv) either:
 - 236 (A) handlebars and a deck design for a person to stand while operating the device; or
 - 237 (B) handlebars and a seat designed for a person to sit, straddle, or stand while operating
238 the device; [~~and~~]
 - 239 (v) a design for the ability to be propelled by human power alone; and
 - 240 (vi) a maximum speed of 20 miles per hour on a paved level surface.
- 241 (b) "Motor assisted scooter" does not include:
- 242 (i) an electric assisted bicycle; or

243 (ii) a motor-driven cycle.

244 [~~39~~] (40) (a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that
245 is propelled by electric power obtained from overhead trolley wires, but not operated upon
246 rails.

247 (b) "Motor vehicle" does not include:

248 (i) vehicles moved solely by human power;

249 (ii) motorized wheelchairs;

250 (iii) an electric personal assistive mobility device;

251 (iv) an electric assisted bicycle;

252 (v) a motor assisted scooter;

253 (vi) a personal delivery device, as defined in Section 41-6a-1119; or

254 (vii) a mobile carrier, as defined in Section 41-6a-1120.

255 [~~40~~] (41) "Motorcycle" means:

256 (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider
257 and designed to travel with not more than three wheels in contact with the ground; or

258 (b) an auticycle.

259 [~~41~~] (42) (a) "Motor-driven cycle" means a motorcycle, moped, and a motorized
260 bicycle having:

261 (i) an engine with less than 150 cubic centimeters displacement; or

262 (ii) a motor that produces not more than five horsepower.

263 (b) "Motor-driven cycle" does not include:

264 (i) an electric personal assistive mobility device;

265 (ii) a motor assisted scooter; or

266 (iii) an electric assisted bicycle.

267 [~~42~~] (43) "Off-highway implement of husbandry" means the same as that term is
268 defined under Section 41-22-2.

269 [~~43~~] (44) "Off-highway vehicle" means the same as that term is defined under Section
270 41-22-2.

271 [~~44~~] (45) "Operate" means the same as that term is defined in Section 41-1a-102.

272 [~~45~~] (46) "Operator" means:

273 (a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or

274 (b) an automated driving system, as defined in Section [41-26-102.1](#), that operates a
275 vehicle.

276 [~~46~~] [\(47\)](#) (a) "Park" or "parking" means the standing of a vehicle, whether the vehicle
277 is occupied or not.

278 (b) "Park" or "parking" does not include:

279 (i) the standing of a vehicle temporarily for the purpose of and while actually engaged
280 in loading or unloading property or passengers; or

281 (ii) a motor vehicle with an engaged automated driving system that has achieved a
282 minimal risk condition, as those terms are defined in Section [41-26-102.1](#).

283 [~~47~~] [\(48\)](#) "Peace officer" means a peace officer authorized under Title 53, Chapter 13,
284 Peace Officer Classifications, to direct or regulate traffic or to make arrests for violations of
285 traffic laws.

286 [~~48~~] [\(49\)](#) "Pedestrian" means a person traveling:

287 (a) on foot; or

288 (b) in a wheelchair.

289 [~~49~~] [\(50\)](#) "Pedestrian traffic-control signal" means a traffic-control signal used to
290 regulate pedestrians.

291 [~~50~~] [\(51\)](#) "Person" means a natural person, firm, copartnership, association,
292 corporation, business trust, estate, trust, partnership, limited liability company, association,
293 joint venture, governmental agency, public corporation, or any other legal or commercial entity.

294 [~~51~~] [\(52\)](#) "Pole trailer" means a vehicle without motive power:

295 (a) designed to be drawn by another vehicle and attached to the towing vehicle by
296 means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle; and

297 (b) that is ordinarily used for transporting long or irregular shaped loads including
298 poles, pipes, or structural members generally capable of sustaining themselves as beams
299 between the supporting connections.

300 [~~52~~] [\(53\)](#) "Private road or driveway" means every way or place in private ownership
301 and used for vehicular travel by the owner and those having express or implied permission
302 from the owner, but not by other persons.

303 [~~53~~] [\(54\)](#) "Railroad" means a carrier of persons or property upon cars operated on
304 stationary rails.

305 [~~(54)~~] (55) "Railroad sign or signal" means a sign, signal, or device erected by
306 authority of a public body or official or by a railroad and intended to give notice of the presence
307 of railroad tracks or the approach of a railroad train.

308 [~~(55)~~] (56) "Railroad train" means a locomotive propelled by any form of energy,
309 coupled with or operated without cars, and operated upon rails.

310 [~~(56)~~] (57) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a
311 lawful manner in preference to another vehicle or pedestrian approaching under circumstances
312 of direction, speed, and proximity that give rise to danger of collision unless one grants
313 precedence to the other.

314 [~~(57)~~] (58) (a) "Roadway" means that portion of highway improved, designed, or
315 ordinarily used for vehicular travel.

316 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of
317 them are used by persons riding bicycles or other human-powered vehicles.

318 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if
319 a highway includes two or more separate roadways.

320 [~~(58)~~] (59) "Safety zone" means the area or space officially set apart within a roadway
321 for the exclusive use of pedestrians and that is protected, marked, or indicated by adequate
322 signs as to be plainly visible at all times while set apart as a safety zone.

323 [~~(59)~~] (60) (a) "School bus" means a motor vehicle that:

324 (i) complies with the color and identification requirements of the most recent edition of
325 "Minimum Standards for School Buses"; and

326 (ii) is used to transport school children to or from school or school activities.

327 (b) "School bus" does not include a vehicle operated by a common carrier in
328 transportation of school children to or from school or school activities.

329 [~~(60)~~] (61) (a) "Semitrailer" means a vehicle with or without motive power:

330 (i) designed for carrying persons or property and for being drawn by a motor vehicle;

331 and

332 (ii) constructed so that some part of its weight and that of its load rests on or is carried
333 by another vehicle.

334 (b) "Semitrailer" does not include a pole trailer.

335 [~~(61)~~] (62) "Shoulder area" means:

336 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
337 edge line as established in the current approved "Manual on Uniform Traffic Control Devices";
338 or

339 (b) that portion of the road contiguous to the roadway for accommodation of stopped
340 vehicles, for emergency use, and for lateral support.

341 ~~[(62)]~~ (63) "Sidewalk" means that portion of a street between the curb lines, or the
342 lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

343 ~~[(63)]~~ (64) "Solid rubber tire" means a tire of rubber or other resilient material that
344 does not depend on compressed air for the support of the load.

345 ~~[(64)]~~ (65) "Stand" or "standing" means the temporary halting of a vehicle, whether
346 occupied or not, for the purpose of and while actually engaged in receiving or discharging
347 passengers.

348 ~~[(65)]~~ (66) "Stop" when required means complete cessation from movement.

349 ~~[(66)]~~ (67) "Stop" or "stopping" when prohibited means any halting even momentarily
350 of a vehicle, whether occupied or not, except when:

351 (a) necessary to avoid conflict with other traffic; or

352 (b) in compliance with the directions of a peace officer or traffic-control device.

353 ~~[(67)]~~ (68) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain
354 type I vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that is modified to meet
355 the requirements of Section 41-6a-1509 to operate on highways in the state in accordance with
356 Section 41-6a-1509.

357 ~~[(68)]~~ (69) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other
358 conveyances either singly or together while using any highway for the purpose of travel.

359 ~~[(69)]~~ (70) "Traffic signal preemption device" means an instrument or mechanism
360 designed, intended, or used to interfere with the operation or cycle of a traffic-control signal.

361 ~~[(70)]~~ (71) "Traffic-control device" means a sign, signal, marking, or device not
362 inconsistent with this chapter placed or erected by a highway authority for the purpose of
363 regulating, warning, or guiding traffic.

364 ~~[(71)]~~ (72) "Traffic-control signal" means a device, whether manually, electrically, or
365 mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

366 ~~[(72)]~~ (73) (a) "Trailer" means a vehicle with or without motive power designed for

367 carrying persons or property and for being drawn by a motor vehicle and constructed so that no
368 part of its weight rests upon the towing vehicle.

369 (b) "Trailer" does not include a pole trailer.

370 [~~(73)~~] (74) "Truck" means a motor vehicle designed, used, or maintained primarily for
371 the transportation of property.

372 [~~(74)~~] (75) "Truck tractor" means a motor vehicle:

373 (a) designed and used primarily for drawing other vehicles; and

374 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck
375 tractor.

376 [~~(75)~~] (76) "Two-way left turn lane" means a lane:

377 (a) provided for vehicle operators making left turns in either direction;

378 (b) that is not used for passing, overtaking, or through travel; and

379 (c) that has been indicated by a lane traffic-control device that may include lane
380 markings.

381 [~~(76)~~] (77) "Urban district" means the territory contiguous to and including any street,
382 in which structures devoted to business, industry, or dwelling houses are situated at intervals of
383 less than 100 feet, for a distance of a quarter of a mile or more.

384 [~~(77)~~] (78) "Vehicle" means a device in, on, or by which a person or property is or may
385 be transported or drawn on a highway, except a mobile carrier, as defined in Section
386 41-6a-1120, or a device used exclusively on stationary rails or tracks.

387 Section 2. Section 41-6a-526 is amended to read:

388 **41-6a-526. Drinking alcoholic beverage and open containers in motor vehicle**
389 **prohibited -- Definitions -- Exceptions.**

390 (1) As used in this section:

391 (a) "Alcoholic beverage" has the same meaning as defined in Section 32B-1-102.

392 (b) "Chartered bus" has the same meaning as defined in Section 32B-1-102.

393 (c) "Limousine" has the same meaning as defined in Section 32B-1-102.

394 (d) (i) "Passenger compartment" means the area of the vehicle normally occupied by
395 the operator and passengers.

396 (ii) "Passenger compartment" includes areas accessible to the operator and passengers
397 while traveling, including a utility or glove compartment.

398 (iii) "Passenger compartment" does not include a separate front or rear trunk
399 compartment or other area of the vehicle not accessible to the operator or passengers while
400 inside the vehicle.

401 (e) "Waters of the state" has the same meaning as defined in Section 73-18-2.

402 (2) A person may not drink an alcoholic beverage while operating a golf cart, a motor
403 vehicle, a motor assisted scooter, or a class 2 electric assisted bicycle, or while a passenger in a
404 motor vehicle, whether the vehicle is moving, stopped, or parked on any highway or waters of
405 the state.

406 (3) A person may not keep, carry, possess, transport, or allow another to keep, carry,
407 possess, or transport in the passenger compartment of a motor vehicle, on a golf cart, on a
408 motor assisted scooter, or on a class 2 electric assisted bicycle, when the vehicle is on any
409 highway or waters of the state, any container that contains an alcoholic beverage if the
410 container has been opened, its seal broken, or the contents of the container partially consumed.

411 (4) Subsections (2) and (3) do not apply to a passenger:

412 (a) in the living quarters of a motor home or camper;

413 (b) who has carried an alcoholic beverage onto a limousine or chartered bus that is in
414 compliance with Subsections 32B-4-415(4)(b) and (c); or

415 (c) in a motorboat on the waters of the state.

416 (5) Subsection (3) does not apply to passengers traveling in any licensed taxicab or bus.

417 (6) A violation of Subsection (2) or (3) is a class C misdemeanor.

418 Section 3. Section 41-6a-706.5 is amended to read:

419 **41-6a-706.5. Definitions -- Operation of motor vehicle near a vulnerable user of a**
420 **highway prohibited -- Endangering a vulnerable user of a highway prohibited.**

421 (1) As used in this section, "vulnerable user of a highway" means:

422 (a) a pedestrian, including a person engaged in work upon a highway or upon utilities
423 facilities along a highway or providing emergency services within the right-of-way of a
424 highway;

425 (b) a person riding an animal; or

426 (c) a person operating any of the following on a highway:

427 (i) a farm tractor or implement of husbandry, without an enclosed shell;

428 (ii) a skateboard;

- 429 (iii) roller skates;
- 430 (iv) in-line skates;
- 431 (v) a bicycle;
- 432 (vi) an electric-assisted bicycle;
- 433 (vii) an electric personal assistive mobility device;
- 434 (viii) a moped;
- 435 (ix) a motor assisted scooter;
- 436 (x) a motor-driven cycle;
- 437 (xi) a motorcycle; [or]
- 438 (xii) a manual wheelchair[:]; or
- 439 (xiii) a golf cart.

440 (2) An operator of a motor vehicle may not knowingly, intentionally, or recklessly:

- 441 (a) operate a motor vehicle within three feet of a vulnerable user of a highway;
- 442 (b) distract or attempt to distract a vulnerable user of a highway for the purpose of
- 443 causing violence or injury to the vulnerable user of a highway;
- 444 (c) force or attempt to force a vulnerable user of a highway off of the roadway for a
- 445 purpose unrelated to public safety; or
- 446 (d) cause a motor vehicle to emit an excessive amount of exhaust in a manner that
- 447 distracts or endangers a vulnerable user of a highway.

448 (3) (a) Except as provided in Subsection (3)(b), a violation of Subsection (2) is an
449 infraction.

450 (b) A violation of Subsection (2) that results in bodily injury to the vulnerable user of a
451 highway is a class C misdemeanor.

452 Section 4. Section **41-6a-1510** is enacted to read:

453 **41-6a-1510. Golf carts -- Operation on highways -- Registration, licensing**
454 **requirements, titling, and taxes.**

455 (1) (a) In accordance with this section and Section 10-8-30, a municipality may, by
456 ordinance, allow a person to operate a golf cart on specified highways under the jurisdiction of
457 the municipality.

458 (b) A person may not operate a golf cart on a highway unless authorized by the
459 municipality in which the highway is located.

460 (c) If a municipality allows the operation of a golf cart on a highway in the
 461 municipality's jurisdiction, the municipality shall provide sufficient parameters regarding the
 462 operation of a golf cart on a highway to ensure public safety, including specifying:

463 (i) on which highways a person may operate a golf cart;

464 (ii) who may operate a golf cart on a highway; and

465 (iii) hours during which a golf cart may operate on a highway.

466 (2) ~~H→ [(a) Except as provided under Subsection (2)(b), and subject]~~ Subject ←H to
 466a Subsection (4), a

467 person operating a golf cart has all the rights and is subject to the provisions of this chapter
 468 applicable to the operator of any other vehicle.

469 ~~H→[(b) Except as provided in Section 41-6a-526, a person operating a golf cart is not~~
 470 ~~subject to the penalties related to operator licenses under alcohol and drug-related traffic~~
 471 ~~offenses.]←H~~

472 (3) A golf cart is exempt from the requirements of:

473 (a) titling, odometer statement, vehicle identification, license plates, and registration
 474 under Title 41, Chapter 1a, Motor Vehicle Act;

475 (b) the county motor vehicle emissions inspection and maintenance programs under
 476 Section 41-6a-1642;

477 (c) motor vehicle insurance under Title 41, Chapter 12a, Financial Responsibility of
 478 Motor Vehicle Owners and Operators Act;

479 (d) driver licensing under Title 53, Chapter 3, Uniform Driver License Act; and

480 (e) the uniform statewide fee described in Section 59-2-405.2.

481 (4) Except as described in Subsections 41-6a-526(2) and (3), a golf cart shall comply
 482 with the same requirements as a bicycle for traffic rules under Title 41, Chapter 6a, Traffic
 483 Code.

484 Section 5. Section **63I-1-241** is amended to read:

485 **63I-1-241. Repeal dates, Title 41.**

486 (1) Subsection 41-1a-1201(9), related to the Spinal Cord and Brain Injury
 487 Rehabilitation Fund, is repealed January 1, 2023.

488 (2) The following subsections addressing lane filtering are repealed on July 1, 2022:

489 (a) Subsection 41-6a-102[(29)](30) that defines "lane filtering";

490 (b) Subsection 41-6a-704(5); and

491 (c) Subsection 41-6a-710(1)(c).

492 (3) Subsection 41-6a-1406(6)(b)(iii), related to the Spinal Cord and Brain Injury
493 Rehabilitation Fund, is repealed January 1, 2023.

494 (4) Subsection 41-22-8(3), related to the Spinal Cord and Brain Injury Rehabilitation
495 Fund, is repealed January 1, 2023.