

1 **CYCLIST TRAFFIC AMENDMENTS**

2 2021 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Carol Spackman Moss**

5 Senate Sponsor: Curtis S. Bramble

7 **LONG TITLE**

8 **General Description:**

9 This bill amends traffic code provisions relating to operating a bicycle on the roadway.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ allows an individual operating a bicycle to yield at stop signs under certain
- 13 circumstances; and
- 14 ▶ makes technical changes.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **41-6a-902**, as last amended by Laws of Utah 2015, Chapter 412

22 **41-6a-1105**, as renumbered and amended by Laws of Utah 2005, Chapter 2

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

25 Section 1. Section **41-6a-902** is amended to read:

26 **41-6a-902. Right-of-way -- Stop or yield signals -- Yield -- Collisions at**
27 **intersections or junctions of roadways -- Evidence.**

28 (1) Preferential right-of-way may be indicated by stop signs or yield signs under
29 Section **41-6a-906**.

30 (2) (a) Except as provided in Section 41-6a-1105, or when directed to proceed by a
31 peace officer, every operator of a vehicle approaching a stop sign shall stop:

32 (i) at a clearly marked stop line;

33 (ii) before entering the crosswalk on the near side of the intersection if there is not a
34 clearly marked stop line; or

35 (iii) at a point nearest the intersecting roadway where the operator has a view of
36 approaching traffic on the intersecting roadway before entering it if there is not a clearly
37 marked stop line or a crosswalk.

38 (b) After having stopped at a stop sign, the operator of a vehicle shall yield the
39 right-of-way to any vehicle in the intersection or approaching on another roadway so closely as
40 to constitute an immediate hazard.

41 (c) The operator of a vehicle approaching a stop sign shall yield the right-of-way to
42 pedestrians within an adjacent crosswalk.

43 (3) (a) The operator of a vehicle approaching a yield sign shall:

44 (i) slow down to a speed reasonable for the existing conditions; and

45 (ii) if required for safety, stop as provided under Subsection (2).

46 (b) (i) After slowing or stopping at a yield sign, the operator of a vehicle shall yield the
47 right-of-way to any vehicle in the intersection or approaching on another roadway so closely as
48 to constitute an immediate hazard during the time the operator is moving across or within the
49 intersection or junction of roadways.

50 (ii) The operator of a vehicle approaching a yield sign shall yield to pedestrians within
51 an adjacent crosswalk.

52 (4) (a) A collision is prima facie evidence of an operator's failure to yield the
53 right-of-way after passing a yield sign without stopping if the operator is involved in a
54 collision:

55 (i) with a vehicle in the intersection or junction of roadways; or

56 (ii) with a pedestrian at an adjacent crosswalk.

57 (b) A collision under Subsection (4)(a) is not considered negligence per se in

58 determining liability for the accident.

59 (5) A violation of Subsection (2) or (3) is an infraction.

60 Section 2. Section **41-6a-1105** is amended to read:

61 **41-6a-1105. Operation of bicycle or moped on and use of roadway -- Duties,**
62 **prohibitions.**

63 (1) A person operating a bicycle or a moped on a roadway at less than the normal speed
64 of traffic at the time and place and under the conditions then existing shall ride as near as
65 practicable to the right-hand edge of the roadway except when:

66 (a) overtaking and passing another bicycle or vehicle proceeding in the same direction;

67 (b) preparing to make a left turn at an intersection or into a private road or driveway;

68 (c) traveling straight through an intersection that has a right-turn only lane that is in
69 conflict with the straight through movement; or

70 (d) reasonably necessary to avoid conditions that make it unsafe to continue along the
71 right-hand edge of the roadway including:

72 (i) fixed or moving objects;

73 (ii) parked or moving vehicles;

74 (iii) bicycles;

75 (iv) pedestrians;

76 (v) animals;

77 (vi) surface hazards; or

78 (vii) a lane that is too narrow for a bicycle and a vehicle to travel safely side by side
79 within the lane.

80 (2) A person operating a bicycle or moped on a highway shall operate in the designated
81 direction of traffic.

82 (3) (a) A person riding a bicycle or moped on a roadway may not ride more than two
83 abreast with another person except on paths or parts of roadways set aside for the exclusive use
84 of bicycles.

85 (b) If allowed under Subsection (3)(a), a person riding two abreast with another person

86 may not impede the normal and reasonable movement of traffic and shall ride within a single
87 lane.

88 (4) If a usable path for bicycles has been provided adjacent to a roadway, a bicycle
89 rider may be directed by a traffic-control device to use the path and not the roadway.

90 (5) (a) As used in this Subsection (5), "immediate hazard" means a vehicle approaching
91 an intersection at a proximity and rate of speed sufficient to indicate to a reasonable person that
92 there is a danger of collision or accident.

93 (b) Except as provided in Subsection (6), an individual operating a bicycle approaching
94 a stop sign may proceed through the intersection without stopping at the stop sign if:

95 (i) the individual slows to a reasonable speed; and

96 (ii) yields the right-of-way to:

97 (A) any pedestrian within the intersection or an adjacent crosswalk;

98 (B) other traffic within the intersection; and

99 (C) oncoming traffic that poses an immediate hazard during the time the individual is
100 traveling through the intersection.

101 (6) Subsection (5)(b) does not apply to an intersection with an active railroad grade
102 crossing as defined in Section [41-6a-1005](#).