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**CYCLIST ROAD USE REQUIREMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael L. Kohler**

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

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**LONG TITLE**

**General Description:**

This bill requires an individual operating a bicycle or moped to use a designated bicycle path if available.

**Highlighted Provisions:**

This bill:

- ▶ requires an individual operating a bicycle or moped to operate the bicycle or moped in a designated bicycle path if available on the roadway; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**41-6a-1102**, as renumbered and amended by Laws of Utah 2005, Chapter 2

**41-6a-1105**, as last amended by Laws of Utah 2021, Chapter 119

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

Section 1. Section **41-6a-1102** is amended to read:

**41-6a-1102. Bicycle and device propelled by human power and moped riders**



28 **subject to chapter -- Exception.**

29 (1) Except as provided under Subsection (2), Subsection 41-6a-1105(1), or as  
30 otherwise specified under this part, ~~[a person]~~ an individual operating a bicycle, a vehicle or  
31 device propelled by human power, or a moped has all the rights and is subject to the provisions  
32 of this chapter applicable to the operator of any other vehicle.

33 (2) ~~[A person]~~ An individual operating a nonmotorized bicycle or a vehicle or device  
34 propelled by human power is not subject to the penalties related to operator licenses under  
35 alcohol and drug-related traffic offenses.

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

37 **41-6a-1105. Operation of bicycle or moped on and use of roadway -- Duties,**  
38 **prohibitions.**

39 (1) An individual operating a bicycle or moped on a roadway shall operate the bicycle  
40 or moped within the path or part of the roadway set aside for the exclusive use of a bicycle or  
41 moped if a path or part of the roadway set aside for the exclusive use of a bicycle or moped  
42 exists on the roadway.

43 ~~[(1)]~~ (2) [A person] An individual operating a bicycle or a moped on a roadway at less  
44 than the normal speed of traffic at the time and place and under the conditions then existing  
45 shall ride as near as practicable to the right-hand edge of the roadway except when:

- 46 (a) overtaking and passing another bicycle or vehicle proceeding in the same direction;
- 47 (b) preparing to make a left turn at an intersection or into a private road or driveway;
- 48 (c) traveling straight through an intersection that has a right-turn only lane that is in  
49 conflict with the straight through movement; or

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

- 52 (i) fixed or moving objects;
- 53 (ii) parked or moving vehicles;
- 54 (iii) bicycles;
- 55 (iv) pedestrians;
- 56 (v) animals;
- 57 (vi) surface hazards; or
- 58 (vii) a lane that is too narrow for a bicycle and a vehicle to travel safely side by side

59 within the lane.

60 ~~[(2)]~~ (3) ~~[A person]~~ An individual operating a bicycle or moped on a highway shall  
61 operate in the designated direction of traffic.

62 ~~[(3)]~~ (4) (a) ~~[A person]~~ An individual riding a bicycle or moped on a roadway may not  
63 ride more than two abreast with another ~~[person]~~ individual except on paths or parts of  
64 roadways set aside for the exclusive use of bicycles.

65 (b) If allowed under Subsection ~~[(3)(a)]~~ (4)(a), ~~[a person]~~ an individual riding two  
66 abreast with another ~~[person]~~ individual may not impede the normal and reasonable movement  
67 of traffic and shall ride within a single lane.

68 ~~[(4)]~~ (5) If a usable path for bicycles has been provided adjacent to a roadway, a  
69 bicycle rider may be directed by a traffic-control device to use the path and not the roadway.

70 ~~[(5)]~~ (6) (a) As used in this Subsection ~~[(5)]~~ (6), "immediate hazard" means a vehicle  
71 approaching an intersection at a proximity and rate of speed sufficient to indicate to a  
72 reasonable ~~[person]~~ individual that there is a danger of collision or accident.

73 (b) Except as provided in Subsection ~~[(6)]~~ (7), an individual operating a bicycle  
74 approaching a stop sign may proceed through the intersection without stopping at the stop sign  
75 if:

- 76 (i) the individual slows to a reasonable speed; and
- 77 (ii) yields the right-of-way to:
  - 78 (A) any pedestrian within the intersection or an adjacent crosswalk;
  - 79 (B) other traffic within the intersection; and
  - 80 (C) oncoming traffic that poses an immediate hazard during the time the individual is
  - 81 traveling through the intersection.

82 ~~[(6)]~~ (7) Subsection ~~[(5)(b)]~~ (6)(b) does not apply to an intersection with an active  
83 railroad grade crossing as defined in Section 41-6a-1005.