

35 **41-6a-710**, as renumbered and amended by Laws of Utah 2005, Chapter 2
36 **41-6a-701**, as renumbered and amended by Laws of Utah 2005, Chapter 2
37 **10-8-69**, as renumbered and amended by Laws of Utah 2005, Chapter 2

38
39 *Be it enacted by the Legislature of the state of Utah:*

40 Section 1. Section **41-6a-1105** is amended to read:

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

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

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

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

47 ~~(c) traveling straight through an intersection that has a right turn only lane that is in conflict with~~
48 ~~the straight through movement; or~~

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

51 ~~—(i) fixed or moving objects;~~

52 ~~—(ii) parked or moving vehicles;~~

53 ~~—(iii) bicycles;~~

54 ~~—(iv) pedestrians;~~

55 ~~—(v) animals;~~

56 ~~—(vi) surface hazards; or~~

57 ~~—(vii) a lane that is too narrow for a bicycle and a vehicle to travel safely side by side within the~~
58 ~~lane. ;~~

59 (a) ride in the right-hand lane on the roadway then available for traffic, subject to the following
60 conditions:

61 (i) if the right-hand lane is wide enough to be safely shared with overtaking vehicles, a
62 operator shall ride far enough to the right as judged safe by the operator to facilitate the
63 movement of such overtaking vehicles unless other conditions make it unsafe to do so.

64 (ii) the operator may use a lane other than the right-hand lane when:

65 (A) preparing for a left turn at an intersection or into a private roadway or
66 driveway;

67 (B) overtaking a slower vehicle; or

68 (C) taking reasonably necessary precautions to avoid hazards or road conditions.

69 (b) the operator upon a one-way roadway with two or more marked traffic lanes may ride in the
70 left-hand lane then available for traffic of such roadway as judged safe by the operator, subject to
71 the following conditions:

72 (i) if the left-hand lane is wide enough to be safely shared with overtaking vehicles, a
73 operator shall ride far enough to the left as judged safe by the operator to facilitate the
74 movement of such overtaking vehicles unless other conditions make it unsafe to do so.

75 (c) the operator shall not be expected or required to:

76 (i) ride over or through hazards, including but not limited to fixed or moving objects,
77 parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or narrow
78 lanes; or

79 (ii) ride without a reasonable safety margin on the near side of the roadway, or

80 (iii) use a bike lane or other area set aside for the preferential use by bicycles if it cannot
81 be used in a reasonable and safe manner as judged by the operator .

82 (d) as used in this section: a lane that is less than 14 feet in width, including an existing adjacent
83 bike lane or other area set aside for the preferential use by bicycles, shall be considered to be too
84 narrow to "safely share."

85 (e) as used in this section: an "operator" is the driver of a bicycle or moped.

86 (f) as used in this section: all fixtures, mirrors, cargo, drivers, passengers, and other items carried
87 on a vehicle shall be treated as part of the vehicle for the purpose of determining the width of the
88 vehicle in order to determine whether a lane is wide enough to safely share.

89 (g) as used in this section, "right-hand lane" includes the right side of an un-marked roadway.

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

92 (3) (a) A person ~~riding~~ operating a bicycle or moped on a roadway ~~may~~ shall not ride more than
93 two abreast with another person operating a bicycle or moped except on paths or parts of
94 roadways set aside for the exclusive use of bicycles.

95 (b) If allowed under Subsection (3)(a), a person ~~riding~~ operating a bicycle or moped two abreast with
96 another person operating a bicycle or moped may not unnecessarily impede the normal and
97 reasonable movement of traffic provided that the lane is wide enough to safely share and shall
98 ride within a single lane as provided by section (1).

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

101
102 Section 2. Section **41-6a-710** is amended to read:

103 **41-6a-710. Roadway divided into marked lanes -- Provisions -- Traffic-control devices.**

104 On a roadway divided into two or more clearly marked lanes for traffic the following
105 provisions apply:

106 (1) (a) A person operating a vehicle:

107 (i) shall keep the vehicle as nearly as practical entirely within a single lane; and

108 (ii) may not move the vehicle from the lane until the operator has reasonably determined the
109 movement can be made safely.

110 (b) A determination under Subsection (1)(a)(ii) is reasonable if a reasonable person acting
111 under the same conditions and having regard for actual and potential hazards then existing would
112 determine that the movement could be made safely.

113 (2) On a roadway divided into three or more lanes and providing for two-way movement of
114 traffic, a person operating a vehicle may not drive in the center lane except:

115 (a) when overtaking and passing another vehicle traveling in the same direction, and when the
116 center lane is:

117 (i) clear of traffic within a safe distance; and

118 (ii) not a two-way left turn lane;

119 (b) in preparation of making or completing a left turn in compliance with Section **41-6a-801**;
120 or

121 (c) where the center lane is allocated exclusively to traffic moving in the same direction that
122 the vehicle is proceeding as indicated by traffic-control devices.

123 (3) (a) A highway authority may erect traffic-control devices directing specified traffic to use a
124 designated lane or designating those lanes to be used by traffic moving in a particular direction
125 regardless of the center of the roadway.

126 (b) An operator of a vehicle shall obey the directions of a traffic-control device erected under
127 Subsection (3)(a).

128 (4) A person shall not operate a motor vehicle at any time within or through, or parked or stopped
129 within a marked bicycle lane or path, or other area set aside for the preferential use by bicycles by
130 a state or local authority, except in the case of emergency or to gain access to and within 100 feet
131 of an intersection, street, alley, driveway or other parking area.

132 (5). Subsection (4) does not prohibit the use of the lane or path by:

133 (a) the appropriate local authority; or

134 (b) for the active loading and unloading of passengers by a transit authority or school bus
135 operator by briefly driving within or through, or stopping within the lane while in the

136 process of taking on or discharging passengers. When doing so, operators shall stop said
137 vehicles as near as practicable to the right-hand edge of the roadway.

138 (6) Any operator entering or crossing a marked bicycle lane shall yield the right of way to all
139 bicycles, pedestrians and other vehicles within the lane that are close enough to constitute an
140 immediate hazard

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142 Section 3. Section **41-6a-701** is amended to read:

143 **41-6a-701. Duty to operate vehicle on right side of roadway -- Exceptions.**

144 (1) On all roadways of sufficient width, a person operating a vehicle shall operate the vehicle
145 on the right half of the roadway, except:

146 (a) when overtaking and passing another vehicle proceeding in the same direction under the
147 rules governing that movement;

148 (b) when an obstruction requires operating the vehicle to the left of the center of the roadway
149 subject to the provisions of Subsection (2);

150 (c) on a roadway divided into three marked lanes for traffic under the applicable rules; or

151 (d) on a roadway designed and signposted for one-way traffic; or

152 (e) when overtaking and passing another vehicle proceeding in the same direction at a speed
153 that is at least 15 miles per hour less than the normal speed of traffic then present subject to the
154 provisions of Subsection (2).

155 (2) A person operating a vehicle shall yield the right-of-way to a vehicle:

156 (a) traveling in the proper direction on a roadway; and

157 (b) that is within a distance constituting an immediate hazard.

158 (3) A person operating a vehicle on a roadway at less than the normal speed of traffic shall
159 operate the vehicle in the right-hand lane then available for traffic, or as close as practicable to the
160 right-hand curb or edge of the roadway, except when:

161 (a) overtaking and passing another vehicle proceeding in the same direction;

162 (b) preparing to turn left; or

163 (c) taking a different highway or an exit on the left.

164

165 Section 4. Section **10-8-69** is amended to read:

166 **10-8-69. Annoying pastimes in streets.**

167 They may prohibit or regulate the rolling of hoops, playing of ball, flying of kites, ~~riding of~~
168 ~~bicycles or tri-cycles~~, or any other amusements or practices having a tendency to annoy persons
169 passing in the streets or on sidewalks, or to frighten teams of horses, or to interfere with traffic.

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FISCAL IMPACT: We don't expect any significant impact related to these changes.

As Submitted to
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