LONG TITLE

General Description:
This bill modifies the Traffic Code by amending provisions relating to overtaking and passing bicycles and mopeds on the highway.

Highlighted Provisions:
This bill:
• provides that, under certain circumstances, a person operating a vehicle may operate the vehicle to the left of the center of the roadway when overtaking and passing a bicycle or moped proceeding in the same direction at a speed less than the reasonable speed of traffic then present, including in a no-passing zone; and
• makes technical changes.

Money Appropriated in this Bill:
None

Other Special Clauses:
None

Utah Code Sections Affected:
AMENDS:
41-6a-701, as renumbered and amended by Laws of Utah 2005, Chapter 2
41-6a-708, as renumbered and amended by Laws of Utah 2005, Chapter 2

Be it enacted by the Legislature of the state of Utah:
Section 1. Section 41-6a-701 is amended to read:

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

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

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

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

   (c) when overtaking and passing a bicycle or moped proceeding in the same direction at a speed less than the reasonable speed of traffic then present requires operating the vehicle to the left of the center of the roadway subject to the provisions of Subsection (2);

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

   (e) on a roadway designed and signposted for one-way traffic.

(2) (a) A person operating a vehicle as described under Subsection (1) shall yield the right-of-way to a vehicle:

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

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

(b) When overtaking and passing a bicycle or moped proceeding in the same direction if the pass cannot be made safely, including under any of the following conditions:

   (i) when approaching or upon the crest of a grade or upon a curve in the highway where the operator's view is in any way obstructed;

   (ii) when approaching within 100 feet of, or traversing, any intersection or railroad grade crossing unless otherwise indicated by an official traffic control device;

   (iii) when the view is obstructed upon approaching within 100 feet of any bridge, viaduct, or tunnel; or

   (iv) when the pass cannot be made in accordance with Section 41-6a-706.5.

(3) A person operating a vehicle on a roadway at less than the normal speed of traffic shall operate the vehicle in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when:
(a) overtaking and passing another vehicle proceeding in the same direction;
(b) preparing to turn left; or
(c) taking a different highway or an exit on the left.
Section 2. Section 41-6a-708 is amended to read:

41-6a-708. Signs and markings on roadway -- No-passing zones -- Exceptions.
(1) (a) A highway authority may designate no-passing zones on any portion of a
highway under its jurisdiction if the highway authority determines passing is especially
hazardous.
(b) A highway authority shall designate a no-passing zone under Subsection (1)(a) by
placing appropriate traffic-control devices on the highway.
(2) A person operating a vehicle may not drive on the left side of:
(a) the roadway within the no-passing zone; or
(b) any pavement striping designed to mark the no-passing zone.
(3) Subsection (2) does not apply:
(a) under the conditions described under [Subsection] Subsections 41-6a-701(1)(b) and
(c); or
(b) to a person operating a vehicle turning left onto or from an alley, private road, or
driveway.

Legislative Review Note
as of 1-18-13 4:08 PM

Office of Legislative Research and General Counsel