

BICYCLE SAFETY PROVISIONS

2005 GENERAL SESSION

STATE OF UTAH

Sponsor: Rosalind J. McGee

Ross I. Romero

LONG TITLE

General Description:

This bill modifies the Motor Vehicles Code by amending provisions related to overtaking and passing bicycles.

Highlighted Provisions:

This bill:

- ▶ provides that an operator of a vehicle passing or overtaking a bicycle shall:
 - leave a safe distance of no less than three feet between the vehicle and the bicycle; and
 - maintain the clearance until safely past the bicycle; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6-54, as last amended by Chapter 138, Laws of Utah 1987

41-6-55, as last amended by Chapter 74, Laws of Utah 2002

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



Section 1. Section **41-6-54** is amended to read:

41-6-54. Passing vehicles proceeding in opposite directions.

(1) Operators of vehicles proceeding in opposite directions shall pass each other to the right.

(2) On roadways having width for not more than one line of traffic in each direction, each operator shall give to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

(3) An operator of a vehicle proceeding in the opposite direction shall:

(a) pass a bicycle at a safe distance of no less than three feet between any part of the passing vehicle and the bicycle; and

(b) maintain the clearance required under Subsection (3)(a) until safely past the bicycle.

Section 2. Section **41-6-55** is amended to read:

41-6-55. Overtaking and passing vehicles proceeding in same direction.

(1) On any highway:

(a) the operator of a vehicle overtaking another vehicle proceeding in the same direction:

(i) shall, except as provided under Section 41-6-56, pass to the left at a safe distance; and

(ii) may not drive to the right side of the roadway until safely clear of the overtaken vehicle;

(b) the operator of an overtaken vehicle:

(i) shall give way to the right in favor of the overtaking vehicle; and

(ii) may not increase the speed of the vehicle until completely passed by the overtaking vehicle[-]; and

(c) the operator of a vehicle overtaking a bicycle proceeding in the same direction shall:

(i) leave a safe distance of no less than three feet between any part of the overtaking vehicle and the bicycle; and

(ii) maintain the clearance required under Subsection (1)(c)(i) until safely past the overtaken bicycle.

59 (2) On a highway having more than one lane in the same direction, the operator of a
60 vehicle traveling in a left general purpose lane:

61 (a) shall, upon being overtaken by another vehicle in the same lane, yield to the
62 overtaking vehicle by moving safely to a lane to the right; and

63 (b) may not impede the movement or free flow of traffic in a left general purpose lane
64 or except:

65 (i) when overtaking and passing another vehicle proceeding in the same direction in
66 accordance with Subsection (1)(a);

67 (ii) when preparing to turn left or taking a highway split or exit on the left;

68 (iii) when responding to emergency conditions;

69 (iv) to avoid actual or potential traffic moving onto the highway from an acceleration
70 or merging lane; or

71 (v) when following direction signs that direct use of a designated lane.

Legislative Review Note

as of 12-29-04 3:30 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel