

**Representative Walt Brooks** proposes the following substitute bill:

**TRAFFIC CODE AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Walt Brooks**

Senate Sponsor: David P. Hinkins

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**LONG TITLE**

**General Description:**

This bill amends provisions of the Traffic Code to allow lane filtering by a motorcycle.

**Highlighted Provisions:**

This bill:

- ▶ defines lane filtering;
- ▶ allows lane filtering if a motorcycle is overtaking a vehicle that is stopped in the same lane of travel and there are two or more adjacent traffic lanes in the same direction of travel;
- ▶ provides a sunset of provisions related to lane filtering, subject to review; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**41-6a-102**, as last amended by Laws of Utah 2018, Chapters 166 and 205

**41-6a-704**, as last amended by Laws of Utah 2015, Chapter 412



26 [41-6a-710](#), as last amended by Laws of Utah 2015, Chapter 412

27 [63I-1-241](#), as last amended by Laws of Utah 2015, Chapter 109

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

30 Section 1. Section **41-6a-102** is amended to read:

31 **41-6a-102. Definitions.**

32 As used in this chapter:

33 (1) "Alley" means a street or highway intended to provide access to the rear or side of  
34 lots or buildings in urban districts and not intended for through vehicular traffic.

35 (2) "All-terrain type I vehicle" means the same as that term is defined in Section  
36 [41-22-2](#).

37 (3) "Authorized emergency vehicle" includes:

38 (a) fire department vehicles;

39 (b) police vehicles;

40 (c) ambulances; and

41 (d) other publicly or privately owned vehicles as designated by the commissioner of the  
42 Department of Public Safety.

43 (4) "Autocycle" means the same as that term is defined in Section [53-3-102](#).

44 (5) (a) "Bicycle" means a wheeled vehicle:

45 (i) propelled by human power by feet or hands acting upon pedals or cranks;

46 (ii) with a seat or saddle designed for the use of the operator;

47 (iii) designed to be operated on the ground; and

48 (iv) whose wheels are not less than 14 inches in diameter.

49 (b) "Bicycle" includes an electric assisted bicycle.

50 (c) "Bicycle" does not include scooters and similar devices.

51 (6) (a) "Bus" means a motor vehicle:

52 (i) designed for carrying more than 15 passengers and used for the transportation of  
53 persons; or

54 (ii) designed and used for the transportation of persons for compensation.

55 (b) "Bus" does not include a taxicab.

56 (7) (a) "Circular intersection" means an intersection that has an island, generally

57 circular in design, located in the center of the intersection where traffic passes to the right of  
58 the island.

59 (b) "Circular intersection" includes:

60 (i) roundabouts;

61 (ii) rotaries; and

62 (iii) traffic circles.

63 (8) "Class 1 electric assisted bicycle" means an electric assisted bicycle described in  
64 Subsection (17)(d)(i).

65 (9) "Class 2 electric assisted bicycle" means an electric assisted bicycle described in  
66 Subsection (17)(d)(ii).

67 (10) "Class 3 electric assisted bicycle" means an electric assisted bicycle described in  
68 Subsection (17)(d)(iii).

69 (11) "Commissioner" means the commissioner of the Department of Public Safety.

70 (12) "Controlled-access highway" means a highway, street, or roadway:

71 (a) designed primarily for through traffic; and

72 (b) to or from which owners or occupants of abutting lands and other persons have no  
73 legal right of access, except at points as determined by the highway authority having  
74 jurisdiction over the highway, street, or roadway.

75 (13) "Crosswalk" means:

76 (a) that part of a roadway at an intersection included within the connections of the  
77 lateral lines of the sidewalks on opposite sides of the highway measured from:

78 (i) (A) the curbs; or

79 (B) in the absence of curbs, from the edges of the traversable roadway; and

80 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway  
81 included within the extension of the lateral lines of the existing sidewalk at right angles to the  
82 centerline; or

83 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for  
84 pedestrian crossing by lines or other markings on the surface.

85 (14) "Department" means the Department of Public Safety.

86 (15) "Direct supervision" means oversight at a distance within which:

87 (a) visual contact is maintained; and

- 88 (b) advice and assistance can be given and received.
- 89 (16) "Divided highway" means a highway divided into two or more roadways by:
  - 90 (a) an unpaved intervening space;
  - 91 (b) a physical barrier; or
  - 92 (c) a clearly indicated dividing section constructed to impede vehicular traffic.
- 93 (17) "Electric assisted bicycle" means a bicycle with an electric motor that:
  - 94 (a) has a power output of not more than 750 watts;
  - 95 (b) has fully operable pedals on permanently affixed cranks;
  - 96 (c) is fully operable as a bicycle without the use of the electric motor; and
  - 97 (d) is one of the following:
    - 98 (i) an electric assisted bicycle equipped with a motor or electronics that:
      - 99 (A) provides assistance only when the rider is pedaling; and
      - 100 (B) ceases to provide assistance when the bicycle reaches the speed of 20 miles per
      - 101 hour;
    - 102 (ii) an electric assisted bicycle equipped with a motor or electronics that:
      - 103 (A) may be used exclusively to propel the bicycle; and
      - 104 (B) is not capable of providing assistance when the bicycle reaches the speed of 20
      - 105 miles per hour; or
    - 106 (iii) an electric assisted bicycle equipped with a motor or electronics that:
      - 107 (A) provides assistance only when the rider is pedaling;
      - 108 (B) ceases to provide assistance when the bicycle reaches the speed of 28 miles per
      - 109 hour; and
    - 110 (C) is equipped with a speedometer.
- 111 (18) (a) "Electric personal assistive mobility device" means a self-balancing device
- 112 with:
  - 113 (i) two nontandem wheels in contact with the ground;
  - 114 (ii) a system capable of steering and stopping the unit under typical operating
  - 115 conditions;
  - 116 (iii) an electric propulsion system with average power of one horsepower or 750 watts;
  - 117 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
  - 118 (v) a deck design for a person to stand while operating the device.

119 (b) "Electric personal assistive mobility device" does not include a wheelchair.

120 (19) "Explosives" means any chemical compound or mechanical mixture commonly  
121 used or intended for the purpose of producing an explosion and that contains any oxidizing and  
122 combustive units or other ingredients in proportions, quantities, or packing so that an ignition  
123 by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture  
124 may cause a sudden generation of highly heated gases, and the resultant gaseous pressures are  
125 capable of producing destructive effects on contiguous objects or of causing death or serious  
126 bodily injury.

127 (20) "Farm tractor" means a motor vehicle designed and used primarily as a farm  
128 implement, for drawing plows, mowing machines, and other implements of husbandry.

129 (21) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less,  
130 as determined by a tagliabue or equivalent closed-cup test device.

131 (22) "Freeway" means a controlled-access highway that is part of the interstate system  
132 as defined in Section [72-1-102](#).

133 (23) "Gore area" means the area delineated by two solid white lines that is between a  
134 continuing lane of a through roadway and a lane used to enter or exit the continuing lane  
135 including similar areas between merging or splitting highways.

136 (24) "Gross weight" means the weight of a vehicle without a load plus the weight of  
137 any load on the vehicle.

138 (25) "Highway" means the entire width between property lines of every way or place of  
139 any nature when any part of it is open to the use of the public as a matter of right for vehicular  
140 travel.

141 (26) "Highway authority" means the same as that term is defined in Section [72-1-102](#).

142 (27) (a) "Intersection" means the area embraced within the prolongation or connection  
143 of the lateral curblines, or, if none, then the lateral boundary lines of the roadways of two or  
144 more highways which join one another.

145 (b) Where a highway includes two roadways 30 feet or more apart:

146 (i) every crossing of each roadway of the divided highway by an intersecting highway  
147 is a separate intersection; and

148 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then  
149 every crossing of two roadways of the highways is a separate intersection.

150 (c) "Intersection" does not include the junction of an alley with a street or highway.

151 (28) "Island" means an area between traffic lanes or at an intersection for control of  
152 vehicle movements or for pedestrian refuge designated by:

153 (a) pavement markings, which may include an area designated by two solid yellow  
154 lines surrounding the perimeter of the area;

155 (b) channelizing devices;

156 (c) curbs;

157 (d) pavement edges; or

158 (e) other devices.

159 (29) "Lane filtering" means, when operating a motorcycle other than an autocycle, the  
160 act of overtaking and passing another vehicle that is stopped in the same direction of travel in  
161 the same lane.

162 [~~(29)~~] (30) "Law enforcement agency" means the same as that term is as defined in  
163 Section 53-1-102.

164 [~~(30)~~] (31) "Limited access highway" means a highway:

165 (a) that is designated specifically for through traffic; and

166 (b) over, from, or to which neither owners nor occupants of abutting lands nor other  
167 persons have any right or easement, or have only a limited right or easement of access, light,  
168 air, or view.

169 [~~(31)~~] (32) "Local highway authority" means the legislative, executive, or governing  
170 body of a county, municipal, or other local board or body having authority to enact laws  
171 relating to traffic under the constitution and laws of the state.

172 [~~(32)~~] (33) (a) "Low-speed vehicle" means a four wheeled electric motor vehicle that:

173 (i) is designed to be operated at speeds of not more than 25 miles per hour; and

174 (ii) has a capacity of not more than four passengers, including the driver.

175 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.

176 [~~(33)~~] (34) "Metal tire" means a tire, the surface of which in contact with the highway  
177 is wholly or partly of metal or other hard nonresilient material.

178 [~~(34)~~] (35) (a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a  
179 seat or saddle that is less than 24 inches from the ground as measured on a level surface with  
180 properly inflated tires.

- 181 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.
- 182 (c) "Mini-motorcycle" does not include a motorcycle that is:
- 183 (i) designed for off-highway use; and
- 184 (ii) registered as an off-highway vehicle under Section [41-22-3](#).
- 185 ~~(35)~~ (36) "Mobile home" means:
- 186 (a) a trailer or semitrailer that is:
- 187 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
- 188 place either permanently or temporarily; and
- 189 (ii) equipped for use as a conveyance on streets and highways; or
- 190 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and
- 191 constructed for use as a mobile home, as defined in Subsection ~~(35)~~ (36)(a), but that is
- 192 instead used permanently or temporarily for:
- 193 (i) the advertising, sale, display, or promotion of merchandise or services; or
- 194 (ii) any other commercial purpose except the transportation of property for hire or the
- 195 transportation of property for distribution by a private carrier.
- 196 ~~(36)~~ (37) (a) "Moped" means a motor-driven cycle having:
- 197 (i) pedals to permit propulsion by human power; and
- 198 (ii) a motor that:
- 199 (A) produces not more than two brake horsepower; and
- 200 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour on
- 201 level ground.
- 202 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
- 203 centimeters and the moped shall have a power drive system that functions directly or
- 204 automatically without clutching or shifting by the operator after the drive system is engaged.
- 205 (c) "Moped" includes a motor assisted scooter.
- 206 (d) "Moped" does not include an electric assisted bicycle.
- 207 ~~(37)~~ (38) (a) "Motor assisted scooter" means a self-propelled device with:
- 208 (i) at least two wheels in contact with the ground;
- 209 (ii) a braking system capable of stopping the unit under typical operating conditions;
- 210 (iii) a gas or electric motor not exceeding 40 cubic centimeters;
- 211 (iv) either:

- 212 (A) a deck design for a person to stand while operating the device; or  
213 (B) a deck and seat designed for a person to sit, straddle, or stand while operating the  
214 device; and  
215 (v) a design for the ability to be propelled by human power alone.  
216 (b) "Motor assisted scooter" does not include an electric assisted bicycle.  
217 ~~[(38)]~~ (39) (a) "Motor vehicle" means a vehicle that is self-propelled and every vehicle  
218 which is propelled by electric power obtained from overhead trolley wires, but not operated  
219 upon rails.  
220 (b) "Motor vehicle" does not include vehicles moved solely by human power,  
221 motorized wheelchairs, an electric personal assistive mobility device, an electric assisted  
222 bicycle, or a personal delivery device, as defined in Section [41-6a-1119](#).  
223 ~~[(39)]~~ (40) "Motorcycle" means:  
224 (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider  
225 and designed to travel with not more than three wheels in contact with the ground; or  
226 (b) an auticycle.  
227 ~~[(40)]~~ (41) (a) "Motor-driven cycle" means every motorcycle, motor scooter, moped,  
228 motor assisted scooter, and every motorized bicycle having:  
229 (i) an engine with less than 150 cubic centimeters displacement; or  
230 (ii) a motor that produces not more than five horsepower.  
231 (b) "Motor-driven cycle" does not include:  
232 (i) an electric personal assistive mobility device; or  
233 (ii) an electric assisted bicycle.  
234 ~~[(41)]~~ (42) "Off-highway implement of husbandry" means the same as that term is  
235 defined under Section [41-22-2](#).  
236 ~~[(42)]~~ (43) "Off-highway vehicle" means the same as that term is defined under Section  
237 [41-22-2](#).  
238 ~~[(43)]~~ (44) "Operator" means a person who is in actual physical control of a vehicle.  
239 ~~[(44)]~~ (45) (a) "Park" or "parking" means the standing of a vehicle, whether the vehicle  
240 is occupied or not.  
241 (b) "Park" or "parking" does not include the standing of a vehicle temporarily for the  
242 purpose of and while actually engaged in loading or unloading property or passengers.



243            [~~(45)~~] (46) "Peace officer" means a peace officer authorized under Title 53, Chapter 13,  
244 Peace Officer Classifications, to direct or regulate traffic or to make arrests for violations of  
245 traffic laws.

246            [~~(46)~~] (47) "Pedestrian" means a person traveling:

247            (a) on foot; or

248            (b) in a wheelchair.

249            [~~(47)~~] (48) "Pedestrian traffic-control signal" means a traffic-control signal used to  
250 regulate pedestrians.

251            [~~(48)~~] (49) "Person" means every natural person, firm, copartnership, association, or  
252 corporation.

253            [~~(49)~~] (50) "Pole trailer" means every vehicle without motive power:

254            (a) designed to be drawn by another vehicle and attached to the towing vehicle by  
255 means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle; and

256            (b) that is ordinarily used for transporting long or irregular shaped loads including  
257 poles, pipes, or structural members generally capable of sustaining themselves as beams  
258 between the supporting connections.

259            [~~(50)~~] (51) "Private road or driveway" means every way or place in private ownership  
260 and used for vehicular travel by the owner and those having express or implied permission  
261 from the owner, but not by other persons.

262            [~~(51)~~] (52) "Railroad" means a carrier of persons or property upon cars operated on  
263 stationary rails.

264            [~~(52)~~] (53) "Railroad sign or signal" means a sign, signal, or device erected by  
265 authority of a public body or official or by a railroad and intended to give notice of the presence  
266 of railroad tracks or the approach of a railroad train.

267            [~~(53)~~] (54) "Railroad train" means a locomotive propelled by any form of energy,  
268 coupled with or operated without cars, and operated upon rails.

269            [~~(54)~~] (55) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a  
270 lawful manner in preference to another vehicle or pedestrian approaching under circumstances  
271 of direction, speed, and proximity that give rise to danger of collision unless one grants  
272 precedence to the other.

273            [~~(55)~~] (56) (a) "Roadway" means that portion of highway improved, designed, or

274 ordinarily used for vehicular travel.

275 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of  
276 them are used by persons riding bicycles or other human-powered vehicles.

277 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if  
278 a highway includes two or more separate roadways.

279 ~~[(56)]~~ (57) "Safety zone" means the area or space officially set apart within a roadway  
280 for the exclusive use of pedestrians and that is protected, marked, or indicated by adequate  
281 signs as to be plainly visible at all times while set apart as a safety zone.

282 ~~[(57)]~~ (58) (a) "School bus" means a motor vehicle that:

283 (i) complies with the color and identification requirements of the most recent edition of  
284 "Minimum Standards for School Buses"; and

285 (ii) is used to transport school children to or from school or school activities.

286 (b) "School bus" does not include a vehicle operated by a common carrier in  
287 transportation of school children to or from school or school activities.

288 ~~[(58)]~~ (59) (a) "Semitrailer" means a vehicle with or without motive power:

289 (i) designed for carrying persons or property and for being drawn by a motor vehicle;  
290 and

291 (ii) constructed so that some part of its weight and that of its load rests on or is carried  
292 by another vehicle.

293 (b) "Semitrailer" does not include a pole trailer.

294 ~~[(59)]~~ (60) "Shoulder area" means:

295 (a) that area of the hard-surfaced highway separated from the roadway by a pavement  
296 edge line as established in the current approved "Manual on Uniform Traffic Control Devices";  
297 or

298 (b) that portion of the road contiguous to the roadway for accommodation of stopped  
299 vehicles, for emergency use, and for lateral support.

300 ~~[(60)]~~ (61) "Sidewalk" means that portion of a street between the curb lines, or the  
301 lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

302 ~~[(61)]~~ (62) "Solid rubber tire" means a tire of rubber or other resilient material that  
303 does not depend on compressed air for the support of the load.

304 ~~[(62)]~~ (63) "Stand" or "standing" means the temporary halting of a vehicle, whether

305 occupied or not, for the purpose of and while actually engaged in receiving or discharging  
306 passengers.

307 ~~[(63)]~~ (64) "Stop" when required means complete cessation from movement.

308 ~~[(64)]~~ (65) "Stop" or "stopping" when prohibited means any halting even momentarily  
309 of a vehicle, whether occupied or not, except when:

310 (a) necessary to avoid conflict with other traffic; or

311 (b) in compliance with the directions of a peace officer or traffic-control device.

312 ~~[(65)]~~ (66) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain  
313 type I vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that is modified to meet  
314 the requirements of Section 41-6a-1509 to operate on highways in the state in accordance with  
315 Section 41-6a-1509.

316 ~~[(66)]~~ (67) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other  
317 conveyances either singly or together while using any highway for the purpose of travel.

318 ~~[(67)]~~ (68) "Traffic signal preemption device" means an instrument or mechanism  
319 designed, intended, or used to interfere with the operation or cycle of a traffic-control signal.

320 ~~[(68)]~~ (69) "Traffic-control device" means a sign, signal, marking, or device not  
321 inconsistent with this chapter placed or erected by a highway authority for the purpose of  
322 regulating, warning, or guiding traffic.

323 ~~[(69)]~~ (70) "Traffic-control signal" means a device, whether manually, electrically, or  
324 mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

325 ~~[(70)]~~ (71) (a) "Trailer" means a vehicle with or without motive power designed for  
326 carrying persons or property and for being drawn by a motor vehicle and constructed so that no  
327 part of its weight rests upon the towing vehicle.

328 (b) "Trailer" does not include a pole trailer.

329 ~~[(71)]~~ (72) "Truck" means a motor vehicle designed, used, or maintained primarily for  
330 the transportation of property.

331 ~~[(72)]~~ (73) "Truck tractor" means a motor vehicle:

332 (a) designed and used primarily for drawing other vehicles; and

333 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck  
334 tractor.

335 ~~[(73)]~~ (74) "Two-way left turn lane" means a lane:

- 336 (a) provided for vehicle operators making left turns in either direction;
- 337 (b) that is not used for passing, overtaking, or through travel; and
- 338 (c) that has been indicated by a lane traffic-control device that may include lane
- 339 markings.

340 [~~(74)~~] (75) "Urban district" means the territory contiguous to and including any street,  
341 in which structures devoted to business, industry, or dwelling houses are situated at intervals of  
342 less than 100 feet, for a distance of a quarter of a mile or more.

343 [~~(75)~~] (76) "Vehicle" means a device in, on, or by which a person or property is or may  
344 be transported or drawn on a highway, except devices used exclusively on stationary rails or  
345 tracks.

346 Section 2. Section **41-6a-704** is amended to read:

347 **41-6a-704. Overtaking and passing vehicles proceeding in same direction.**

348 (1) (a) On any highway:

349 (i) the operator of a vehicle overtaking another vehicle proceeding in the same  
350 direction shall:

351 (A) except as provided under Section **41-6a-705**, promptly pass the overtaken vehicle  
352 on the left at a safe distance; and

353 (B) enter a right-hand lane or the right side of the roadway only when safely clear of the  
354 overtaken vehicle;

355 (ii) the operator of an overtaken vehicle:

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

357 (B) may not increase the speed of the vehicle until completely passed by the overtaking  
358 vehicle.

359 (b) The exemption from the minimum speed regulations for a vehicle operating on a  
360 grade under Section **41-6a-605** does not exempt the vehicle from promptly passing a vehicle as  
361 required under Subsection (1)(a)(i)(A).

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

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

366 (b) may not impede the movement or free flow of traffic in the left general purpose

367 lane.

368 (3) An operator of a vehicle traveling in the left general purpose lane that has a vehicle  
 369 following directly behind the operator's vehicle at a distance so that less than two seconds  
 370 elapse before reaching the location of the operator's vehicle when space is available for the  
 371 operator to yield to the overtaking vehicle by traveling in the right-hand lane is prima facie  
 372 evidence that the operator is violating Subsection (2).

373 (4) The provisions of Subsection (2) do not apply to an operator of a vehicle traveling  
 374 in the left general purpose lane when:

375 (a) overtaking and passing another vehicle proceeding in the same direction in  
 376 accordance with Subsection (1)(a)(i);

377 (b) preparing to turn left or taking a different highway or an exit on the left;

378 (c) responding to emergency conditions;

379 (d) avoiding actual or potential traffic moving onto the highway from an acceleration  
 380 or merging lane; or

381 (e) following the direction of a traffic-control device that directs the use of a designated  
 382 lane.

383 (5) An individual may engage in lane filtering only when the following conditions  
 384 exist:

385 (a) the individual is operating a motorcycle;

386 (b) the individual is on a roadway divided into two or more adjacent traffic lanes in the  
 387 same direction of travel;

388 (c) the individual is on a roadway with a speed limit of ~~50~~ 45 miles per hour or  
 388a less;

389 (d) the vehicle being overtaken in the same lane is stopped;

390 (e) the motorcycle is traveling at a speed of 15 miles per hour or less; and

391 (f) the movement may be made safely.

392 ~~(5)~~ (6) A violation of Subsection ~~[(1) or (2)] (1), (2), or (5)~~ is an infraction.

393 Section 3. Section **41-6a-710** is amended to read:

394 **41-6a-710. Roadway divided into marked lanes -- Provisions -- Traffic-control**  
 395 **devices.**

396 On a roadway divided into two or more clearly marked lanes for traffic the following  
 397 provisions apply and any violation of this section is an infraction:

398 (1) (a) [~~A~~] Except as provided in Subsection (1)(c), a person operating a vehicle:

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

400 (ii) may not move the vehicle from the lane until the operator has reasonably

401 determined the movement can be made safely.

402 (b) A determination under Subsection (1)(a)(ii) is reasonable if a reasonable person

403 acting under the same conditions and having regard for actual and potential hazards then

404 existing would determine that the movement could be made safely.

405 (c) Subsection (1)(a) does not apply to an individual operating a motorcycle engaging

406 in lane filtering as described in Section [41-6a-704](#).

407 (2) (a) On a roadway divided into three or more lanes and providing for two-way

408 movement of traffic, a person operating a vehicle may not drive in the center lane except:

409 (i) when overtaking and passing another vehicle traveling in the same direction, and

410 when the center lane is:

411 (A) clear of traffic within a safe distance; and

412 (B) not a two-way left turn lane;

413 (ii) in preparation of making or completing a left turn in compliance with Section

414 [41-6a-801](#); or

415 (iii) where the center lane is allocated exclusively to traffic moving in the same

416 direction that the vehicle is proceeding as indicated by traffic-control devices.

417 (b) Notwithstanding Subsection (2)(a)(i) and in accordance with Subsection (1)(a), a

418 person operating a vehicle may drive in a center lane that is a two-way left turn lane if:

419 (i) the center lane is:

420 (A) on a roadway divided into three or more lanes that provides for two-way

421 movement of traffic; and

422 (B) clear of traffic within a safe distance;

423 (ii) there is only one lane of travel in the direction the person operating the vehicle is

424 traveling; and

425 (iii) the person operating the vehicle is overtaking and passing a bicycle or moped that

426 is moving at less than the reasonable speed of traffic that is present.

427 (3) (a) A highway authority may erect traffic-control devices directing specified traffic

428 to use a designated lane or designating those lanes to be used by traffic moving in a particular

429 direction regardless of the center of the roadway.

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

432 Section 4. Section **63I-1-241** is amended to read:

433 **63I-1-241. Repeal dates, Title 41.**

434 (1) The following subsections addressing lane filtering are repealed on July 1, 2022:

435 (a) Subsection [41-6a-102\(29\)](#);

436 (b) Subsection [41-6a-704\(5\)](#); and

437 (c) Subsection [41-6a-710\(1\)\(c\)](#).

438 (2) Subsection [41-12a-806\(5\)](#) is repealed on July 1, 2020.