

**2013 General Session**  
**House Bill 0297**  
**Passing Bicycles – 2 Way Lanes**  
**Background Material**  
**4 February 2013**  
**Representative Johnny Anderson**

## Summary and Intent

About eight years ago, Utah was one of the first states to adopt a three-foot rule for motorists passing cyclists. Since then, other states have followed suit.

Many of the other states have included an allowance for passing motorists to cross the double yellow line to pass a cyclist when it is safe to do so.

Local law enforcement reports that this is one of the chief complaints they get from motorists when questioned on passing to close on two lane roadways (and then fail to ticket the motorist). The motorist is making a conscious decision in this case of which law to violate, choosing to endanger the life of the cyclist who is un-protected who can easily be hit with a slight error in judgment in mirror placement passing the cyclist.

Most roadways which cyclists operate are designed with 11'-13' distance measured from the center of the stripes. Typical automobile is 6-7' wide mirror to mirror, trucks and large SUV's more. Safe passing distance is 3', and the cyclist is 2.5' plus "shy distance" (wiggle room) = 3' plus another foot from the curb or stripe. This all totals 13' under best circumstances with a small car, 14' for the typical car and the cyclist's tires only 2' from the edge of the roadway/lane.

## 41-6a-710

### Using the 2WTL to pass a cyclist

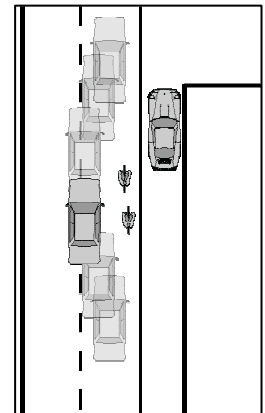
This section is updated to allow passing of a bicycle or moped in a two-way-turn-lane when it is not otherwise occupied and only when there is just one lane of traffic available in the direction of travel (with 2 lanes the overtaking motorist just needs to change lanes as they would passing any other vehicle).

Since a bicycle is generally going much slower and/or are easier to pass and see around than a normal vehicle, they take less time to pass and do not usually require completely changing lanes and passing using a straddle pass (see image at the right).

It would allow passing in certain situations in two way turn lanes.

It takes approximately 10 seconds and 500' and 15' lateral movement for a 35mph vehicle passing a 30mph vehicle.

It takes approximately 4 seconds and 200' and 8' lateral movement for a vehicle passing a cyclist accelerating to 35mph from 15mph



## Stakeholder Groups Consulted

Over the past four years, various versions and revisions of these proposed code changes have been presented to various groups, provided input formally and informally, and research conducted including both formally and informally. Arguments and suggestions were taken from these groups and were considered in the drafting of the language of this bill:

- Bike Utah (Utah Bicycle Coalition)
- Local and State Bicycle and Transportation Engineers
- Salt Lake City Mayor's Bicycle Advisory Committee

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- League of American Bicyclists
- Utah Municipal and County law enforcement agencies
- Community Councils
- Bicycle Safety Instructor user groups (similar to the motorcycle safety foundation courses)
- Association of Bicycle and Pedestrian Professionals
- Survey of other state’s codes
- Transportation Alliance
- Discussions with many cyclists and motorists groups

### Other Changes Considered

- Updating 41-6a-1105 changing the default position/view of the lane position of the cyclist from the side of the road with exceptions to the right of the full use of the lane and share the lane when the cyclist feel’s it is safe. Clarifying that riding two abreast is permissible on an otherwise narrow lane. Also considered removing section 1105 all together as there is already slower-than-traffic language elsewhere and it is a bit duplicative.

This section was removed in-part due to the discussions at the 2010 interim Transportation Committee hearings and due to pending certiorari petition (Supreme Court) in Colorado the “Black Hawk” case, Colorado was where the new language was derived from.

### Misc. Related Definitions (Emphasis Added):

- **Moped:** 41-6a-102 (32) (a) "Moped" means a motor-driven cycle having:
  - (i) pedals to permit propulsion by human power; and
  - (ii) a motor which:
    - (A) produces not more than two brake horsepower; and
    - (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour on level ground.
  - (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters and the moped shall have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged.
  - (c) "Moped" includes an electric assisted bicycle and a motor assisted scooter.
- **41-6a-1102 Bicycle and device propelled by human power and moped riders subject to chapter**
  - (1) Except as provided under Subsection (2) or as otherwise specified under this part, a person operating a bicycle, a vehicle or device propelled by human power, or a moped has all the rights and is subject to the provisions of this chapter applicable to the operator of any other vehicle.
  - (2) A person operating a nonmotorized bicycle or a vehicle or device propelled by human power is not subject to the penalties related to operator licenses under alcohol and drug-related traffic offenses.

**Websites of Interest**

<http://urban-rider.blogspot.com/2008/07/cyclist-facts.html> (common questions/answers regarding cyclist riding behavior)

<http://bicyclecolo.org/articles/black-hawk-bike-ban-pg1118.htm> (Black Hawk road rights case)

**Check for updates and more background information at:**

www.safe-route.org

urban-rider.blogspot.com

**For questions and comment:**

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