

TRAFFIC CODE AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Calvin R. Musselman

Senate Sponsor: _____

LONG TITLE**General Description:**

This bill amends the Traffic Code to clarify the law with regard to a turn signal and objects that might obstruct a driver's view.

Highlighted Provisions:

This bill:

- ▶ amends the Traffic Code to:
 - clarify that a driver is required to use a turn signal to merge to another lane from a lane that is ending; and
 - prohibits a driver from operating a vehicle when the driver's view is obstructed by certain objects; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-804, as last amended by Laws of Utah 2015, Chapter 412**41-6a-1635**, as last amended by Laws of Utah 2015, Chapter 412

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

Section 1. Section **41-6a-804** is amended to read:

41-6a-804. Turning or changing lanes -- Safety -- Signals -- Stopping or sudden decrease in speed -- Signal flashing -- Where prohibited.

(1) (a) A person may not turn a vehicle, enter a roadway, merge into a continuing lane from a lane of travel that is ending, or otherwise move right or left on a roadway or change lanes until:

(i) the movement can be made with reasonable safety; and

(ii) an appropriate signal has been given as provided under this section.

(b) A signal of intention to turn right or left or to change lanes shall be given continuously for at least the last two seconds preceding the beginning of the movement.

(2) A person may not stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal to the operator of any vehicle immediately to the rear when there is opportunity to give a signal.

(3) (a) A stop or turn signal when required shall be given either by the hand and arm or by signal lamps.

(b) If hand and arm signals are used, a person operating a vehicle shall give the required hand and arm signals from the left side of the vehicle as follows:

(i) left turn: hand and arm extended horizontally;

(ii) right turn: hand and arm extended upward; and

(iii) stop or decrease speed: hand and arm extended downward.

(c) (i) A person operating a bicycle or device propelled by human power may give the required hand and arm signals for a right turn by extending the right hand and arm horizontally to the right.

(ii) This Subsection (3)(c) is an exception to the provision of Subsection (3)(b)(ii).

(4) A person required to make a signal under this section may not flash a signal:

(a) on one side only on a disabled vehicle;

(b) as a courtesy or "do pass" to operators of other vehicles approaching from the rear;

or

(c) on one side only of a parked vehicle.

(5) A violation of this section is an infraction.

Section 2. Section **41-6a-1635** is amended to read:

41-6a-1635. Windshields and windows -- Tinting -- Obstructions reducing visibility -- Wipers -- Prohibitions.

(1) Except as provided in Subsections (2) [~~and~~], (3), and (4) a person may not operate a motor vehicle with:

(a) a windshield that allows less than 70% light transmittance;
(b) a front side window that allows less than 43% light transmittance;
(c) any windshield or window that is composed of, covered by, or treated with any material or component that presents a metallic or mirrored appearance; [~~or~~]

(d) any sign, poster, or other nontransparent material on the windshield or side windows of the motor vehicle except:

(i) a certificate or other paper required to be so displayed by law; or
(ii) the vehicle's identification number displayed or etched in accordance with rules made by the department under Section 41-6a-1601[-]; or

(e) any debris, frost, or other substance that materially obstructs the operator's view.

(2) (a) A person may not operate a motor vehicle with an object or device hanging or mounted in a manner that materially obstructs the operator's view.

(b) There is a rebuttable presumption that an object or device hanging or mounted in an operator's field of view does not materially obstruct the operator's view if:

(i) the object or device obscures a zone no larger than 25 square inches; and

(ii) extends no more than seven inches:

(A) from the extreme outside left edge of the windshield;

(B) from the extreme outside right edge of the windshield; or

(C) in aggregate as measured from the center line of the windshield.

(c) A person shall ensure that an object or device hanging or mounted as described in this Subsection (2) is used in accordance with this chapter.

[~~(2)~~] (3) Nontransparent materials may be used:

(a) along the top edge of the windshield if the materials do not extend downward more than four inches from the top edge of the windshield or beyond the AS-1 line whichever is lowest;

(b) in the lower left-hand corner of the windshield provided they do not extend more

90 than three inches to the right of the left edge or more than four inches above the bottom edge of
91 the windshield; or

92 (c) on the rear windows including rear side windows located behind the vehicle
93 operator.

94 ~~[(3)]~~ (4) A windshield or other window is considered to comply with the requirements
95 of Subsection (1) if the windshield or other window meets the federal statutes and regulations
96 for motor vehicle window composition, covering, light transmittance, and treatment.

97 ~~[(4)]~~ (5) Except for material used on the windshield in compliance with Subsections
98 ~~[(2)]~~ (3)(a) and (b), a motor vehicle with tinting or nontransparent material on any window
99 shall be equipped with rear-view mirrors mounted on the left side and on the right side of the
100 motor vehicle to reflect to the driver a view of the highway to the rear of the motor vehicle.

101 ~~[(5)]~~ (6) (a) (i) The windshield on a motor vehicle shall be equipped with a device for
102 cleaning rain, snow, or other moisture from the windshield.

103 (ii) The device shall be constructed to be operated by the operator of the motor vehicle.

104 (b) A windshield wiper on a motor vehicle shall be maintained in good working order.

105 ~~[(6)]~~ (7) A person may not have for sale, sell, offer for sale, install, cover, or treat a
106 windshield or window in violation of this section.

107 ~~[(7)]~~ (8) Notwithstanding this section, any person subject to the federal Motor Vehicle
108 Safety Standards, including motor vehicle manufacturers, distributors, dealers, importers, and
109 repair businesses, shall comply with the federal standards on motor vehicle window tinting.

110 ~~[(8)]~~ (9) A violation of this section is an infraction.