
M E M O R A N D U M

DATE: May 13, 2009
TO: City Council Members
FROM: Russell Weeks
RE: Proposed Amendments to *Salt Lake City Code* Pertaining to Vehicles in Bicycle Lanes and Bicycles on One-Way Streets to Conform to Utah Vehicle Traffic Laws
CC: Cindy Gust-Jenson, David Everitt, Ed Rutan, Frank Gray, Tim Harpst, Jennifer Bruno, Dan Bergenthal

This memorandum pertains to proposed amendments to the Salt Lake City Code that would make the code conform to state laws that regulate how motorized vehicles should operate in a marked bicycle lane and how bicycles should operate on one-way streets.

The proposed amendments are scheduled for a briefing at the City Council work session on May 19. The work session is scheduled to start at 2 p.m. in Room 326 of the City & County Building, 451 South State Street.

OPTIONS

- Adopt the proposed ordinance.
- Do not adopt the proposed ordinance.

POTENTIAL MOTIONS

- I move that the City Council adopt the ordinance repealing Salt Lake City Code Section 12.80.150 pertaining to the operation of bicycles on one-way roadways and amending Section 12.52.140 pertaining to bicycle lane vehicle restrictions.
- I move that the City Council consider the next item on the agenda.

KEY POINTS

- The proposed ordinance would bring the City Code into compliance with Utah traffic laws.
- The Salt Lake City Mayor's Bicycle Advisory Committee supports the proposed amendments, according to the Administration transmittal.

DISCUSSION/BACKGROUND

The City Council adopted an amendment to Section 12.52.140, titled *Bicycle Lanes – Vehicle Restrictions*, on September 9, 2008 to allow motor buses and school buses to stop in marked bicycle lanes to pick up and let off passengers.

The proposed ordinance would – as Utah law allows – allow other motor vehicles to briefly cross marked bicycle lanes when making a right turn into intersections, streets, alleys, driveways or other parking areas, according to the Administration transmittal. Section 12.52.140 currently contains the following sentence: “No motor vehicle may use a bicycle lane as a turning lane.” The proposed ordinance would omit the sentence.

The proposed ordinance also would repeal *City Code* Section 12.80.150 titled *Operation of Bicycle on One Way Roadway*. The section allows bicycle riders to “ride as near to the left side of the left through lane as is safe.” According to the Administration transmittal, *Utah Code* 41.-6a-701 includes the following language:

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.*

According to the Administration, repealing *City Code* Section 12.80.150 would bring the City into conformity with the Utah law.

As indicated, the Mayor’s Bicycle Advisory Committee has reviewed the proposed ordinance and supports it, according to the Administration.

SALT LAKE CITY CORPORATION

FRANK B. GRAY
DIRECTOR

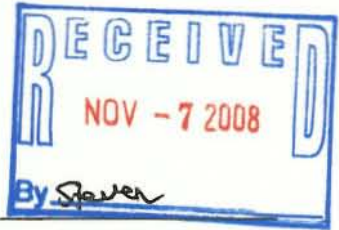
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
OFFICE OF THE DIRECTOR


RALPH BECKER
MAYOR

MARY DE LA MARE-SCHAEFER
DEPUTY DIRECTOR

ROBERT FARRINGTON, JR.
DEPUTY DIRECTOR

CITY COUNCIL TRANSMITTAL





David Everitt, Chief of Staff
Ralph Becker, Mayor

Date Received: _____

Date Sent to City Council: _____

11/26/08

TO: Salt Lake City Council
Jill Remington-Love, Chair

DATE: November 4, 2008

FROM: Frank Gray, Community & Economic
Development Department Director

RE: An Ordinance Amending Section 12.52.140, Salt Lake City Code, Pertaining to
Bicycle Lanes – Vehicle Restrictions and Repealing Section 12.80.150, Salt Lake
City Code, Pertaining to Operation of Bicycles on One-Way Roadways

STAFF CONTACT: Tim Harpst, Transportation Director, at 535-6630 or
tim.harpst@slcgov.com

Dan Bergenthal, Trails Coordinator, at 535-7106 or
dan.bergenthal@slcgov.com

RECOMMENDATION: That the City Council schedule a briefing and hold a public hearing

DOCUMENT TYPE: Ordinance

BUDGET IMPACT: None

DISCUSSION:

Issue Origin: City staff recently noted that all or parts of Salt Lake City Code (“City Code” or “SLCC”) Sections 12.52.140 and 12.80.150 conflict with State law. The proposed ordinance changes included with this transmittal update the City Code to agree with State law.

Analysis: SLCC Section 12.52.140 addresses operation of motor vehicles in bicycle lanes.

Utah Code Ann. § 41-6a-801 states, in part:

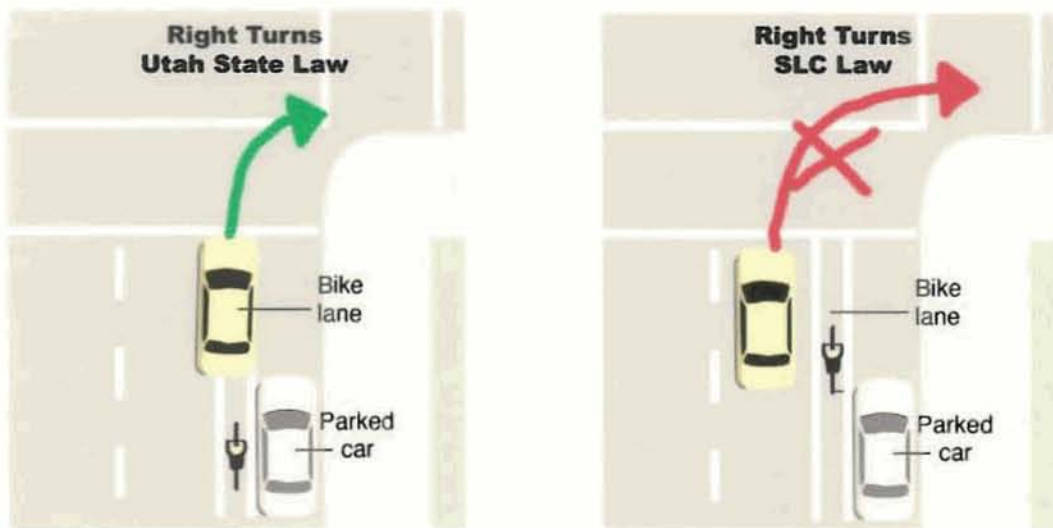
The operator of a vehicle shall make turns as follows:

(1) Right turns: both a right turn and an approach for a right turn shall be made as close as practical to the right-hand curb or edge of the roadway (2005).

State statute agrees with standard driving practice and standard bicycle education courses that teach that a vehicle must make a right turn from the right-most travel lane (which includes a bike lane) or as close as practical to the right-hand edge of the roadway. City Code Section 12.52.140 conflicts with State statute because it restricts automobiles from using a bike lane as a turning lane:

No motor vehicle shall at any time be driven within or through, or parked or stopped within a marked bicycle lane, except to briefly cross such lane to turn into an intersection, street, alley, driveway or other parking area. . . . No motor vehicle may use a bicycle lane as a turning lane. SLCC § 12.52.140 (emphasis added)

The current language encourages right-hook accidents by requiring motor vehicles to make right turns across an active vehicular travel lane (e.g., a bike lane). It also runs counter to common driver expectation when making a right turn, in that a driver is not expecting to be required to yield to traffic legally approaching from the rear, on the right.



SLCC Section 12.80.150 addresses operation of bicycles on one-way roadways and states:

On a roadway, other than a limited access highway, designed and signposted for one-way traffic and which has two (2) or more marked traffic lanes, a person operating a bicycle may ride as near to the left side of the left through lane as is safe.

Utah Code Ann. § 41-6a-701 states, in part:

- (1) *On all roadways of sufficient width, a person operating a vehicle shall operate the vehicle on the right half of the roadway, except:*
 - (d) *on a roadway designed and signposted for one-way traffic.*
- (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 (2005).*

City Code Section 12.80.150 conflicts with the Utah Code provision cited here because the City Code grants permission for bicyclists to travel on one-way roadways “as near to the left side of the left through lane travel as is safe” regardless of speed (SLCC § 12.80.150(3)). By repealing City Code Section 12.80.150, the conflict between City and State law is resolved.

Master Plan Considerations: None

PUBLIC PROCESS:

These issues were discussed in meetings of the Salt Lake City Mayor’s Bicycle Advisory Committee. The Committee supports the proposed ordinance changes.

RELEVANT ORDINANCES:

Salt Lake City Code Section 12.80.150 Operation of Bicycle on One-Way Roadway and Section Salt Lake City Code Section 12.52.140, Salt Lake City Code, Bicycle Lanes Vehicle Restrictions.

SALT LAKE CITY ORDINANCE

No. _____ of 2008

(Bicycle Code Updates: Amending Section 12.52.140 which addresses operation of motor vehicles in bicycle lanes and repealing section 12.80.150 to eliminate conflicts with state law)

AN ORDINANCE REPEALING SECTION 12.80.150, SALT LAKE CITY CODE, PERTAINING TO OPERATION OF BICYCLE ON ONE-WAY ROADWAYS; AND AMENDING SECTION 12.52.140, SALT LAKE CITY CODE, PERTAINING TO BICYCLE LANES -- VEHICLE RESTRICTIONS.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 12.52.140, Salt Lake City Code, pertaining to Bicycle Lanes -- Vehicle Restrictions be, and the same hereby is, enacted to read as follows:

12.52.140 Bicycle Lanes -- Vehicle Restrictions:

No motor vehicle shall at any time be driven within or through, or park or stop within a marked bicycle lane, except ~~to briefly cross such lane to~~when turning into an intersection, street, alley, driveway or other parking area. A motor bus or school bus may briefly drive within or through, or stop within a marked bicycle lane while in the process of taking on or discharging passengers but, when doing so, said vehicles shall stop as near as practicable to the right-hand edge of the roadway. Any vehicle entering or crossing a marked bicycle lane shall yield the right of way to all bicycles within the lane that are close enough to constitute an immediate hazard. ~~No motor vehicle may use a bicycle lane as a turning lane.~~

SECTION 2. That Section 12.80.150 Salt Lake City Code, pertaining to Operation of Bicycle on One-Way Roadway be, and the same hereby is, repealed.

12.80.150 Operation Of Bicycle On One-Way Roadway:

~~On a roadway, other than a limited access highway, designed and signposted for one way traffic and which has two (2) or more marked traffic lanes, a person operating a bicycle may ride as near to the left side of the left through lane as is safe.~~

SECTION 3. This ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____, 2008.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

ATTEST:

CHIEF DEPUTY CITY RECORDER

APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date September 30, 2008
By Melanie Keif

(SEAL)

Bill No. _____ of 2008.
Published: _____.

SALT LAKE CITY ORDINANCE

No. _____ of 2008

(Bicycle Code Updates: Amending Section 12.52.140 which addresses operation of motor vehicles in bicycle lanes and repealing section 12.80.150 to eliminate conflicts with state law)

AN ORDINANCE REPEALING SECTION 12.80.150, SALT LAKE CITY CODE, PERTAINING TO OPERATION OF BICYCLE ON ONE-WAY ROADWAYS; AND AMENDING SECTION 12.52.140, SALT LAKE CITY CODE, PERTAINING TO BICYCLE LANES -- VEHICLE RESTRICTIONS.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 12.52.140, Salt Lake City Code, pertaining to Bicycle Lanes -- Vehicle Restrictions be, and the same hereby is, enacted to read as follows:

12.52.140 Bicycle Lanes -- Vehicle Restrictions:

No motor vehicle shall at any time be driven within or through, or park or stop within a marked bicycle lane, except briefly when turning into an intersection, street, alley, driveway or other parking area. A motor bus or school bus may briefly drive within or through, or stop within a marked bicycle lane while in the process of taking on or discharging passengers but, when doing so, said vehicles shall stop as near as practicable to the right-hand edge of the roadway. Any vehicle entering or crossing a marked bicycle lane shall yield the right of way to all bicycles within the lane that are close enough to constitute an immediate hazard.

SECTION 2. That Section 12.80.150 Salt Lake City Code, pertaining to Operation of Bicycle on One-Way Roadway be, and the same hereby is, repealed.

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MAYOR

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APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date September 30, 2008
By Melanie Bief

(SEAL)

Bill No. _____ of 2008.
Published: _____.