

REVENUE: No revenue impact

FISCAL: No fiscal impact

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Action: Do Pass as Amended and Be Printed Engrossed  
Vote: 3 - 0 - 2  
Yeas: Beyer, Walker, Burdick  
Nays: 0  
Exc.: Kruse, Prozanski  
Prepared By: Darian Stanford, Counsel  
Meeting Dates: 3/7, 4/3

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**WHAT THE MEASURE DOES:** Requires a driver to stop for pedestrian preparing to enter sidewalk.

**ISSUES DISCUSSED:**

- How to convey sense of immediacy, i.e., pedestrian must be ready to enter crosswalk with next step
- Grammatical structure of existing law

**EFFECT OF COMMITTEE AMENDMENT:** Deletes “preparing to enter a crosswalk.” Adds new language specifying that pedestrian must be waiting on curb or shoulder of highway at a crosswalk with arm raised toward traffic.

**BACKGROUND:** ORS 811.028 creates a Class B traffic violation for drivers who fail to stop and remain stopped for a pedestrian. Presently, the offense covers failing to stop and remain stopped for a pedestrian who:

ELEMENT ONE: (1) is proceeding in accordance with a traffic control device or

(2) is crossing a roadway in a crosswalk *and*

ELEMENT TWO: the pedestrian enters (1) the lane that the driver is in,  
(2) a lane adjacent to the lane that the driver is in,  
(3) the lane into which the driver is turning,  
(4) a lane adjacent to the lane into which the driver is turning, or  
(5) a location < 6 feet from the lane into which the driver is turning.

SB 573 adds a third option to “element one”—if the pedestrian is “preparing to enter a crosswalk.” It also specifies that “a pedestrian raising a hand and arm toward oncoming traffic is considered to be entering a lane.”