

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 3 - 2 - 0

Yeas: Bonamici, Dingfelder, Prozanski

Nays: Kruse, Whitsett

Exc.: 0

Prepared By: Aaron Knott, Counsel

Meeting Dates: 3/29, 4/21

WHAT THE MEASURE DOES: Modifies the offense of failure to stop for a pedestrian by clarifying that a pedestrian is crossing the roadway when any part or extension of a pedestrian's body moves onto the roadway with the intent to proceed. Creates certain exceptions to the offense of pedestrian with improper position upon a highway.

ISSUES DISCUSSED:

- Definition of crosswalk
- Examples of collisions involving vulnerable victims
- Law enforcement difficulty in citing "marginal cases" where a person is partially but not fully in the crosswalk at the time of the accident

EFFECT OF COMMITTEE AMENDMENT: Adds exceptions.

BACKGROUND: ORS 811.028 states that a driver commits the offense of failure to stop and remain stopped for a pedestrian if the driver does not stop for a pedestrian who is proceeding in accordance with a traffic control device or crossing the roadway in a crosswalk, and in the lane or adjacent to the lane in which the driver's vehicle is traveling or turning. Senate Bill 424 A modifies the definition of crossing the roadway by making explicit that this term incorporates any part or extension of the pedestrian, including but not limited to any part of the pedestrian's body, wheelchair, cane, crutch, or bicycle. This offense is a Class B traffic violation. Senate Bill 424 A similarly extends this definition to cover the offense of failure to stop and remain stopped for a person who is blind, also a Class B traffic violation.

Senate Bill 424 A creates several exceptions for the offense of pedestrian with improper position upon a highway for individuals who do not impair traffic, post advance warning signs, wear high-visibility safety apparel and have a permit issued to conduct fundraising activities on the roadway pursuant to sec. 5, chap. 47, Oregon Laws 2008.