

# Senate Bill 424

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## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Clarifies that pedestrian is crossing roadway when any part or extension of pedestrian's body moves onto roadway with intent to proceed.

## A BILL FOR AN ACT

1  
2 Relating to pedestrians; amending ORS 811.028 and 811.035.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 811.028 is amended to read:

5 811.028. (1) The driver of a vehicle commits the offense of failure to stop and remain stopped for  
6 a pedestrian if the driver does not stop and remain stopped for a pedestrian when the pedestrian is:

7 (a) Proceeding in accordance with a traffic control device as provided under ORS 814.010 or  
8 crossing the roadway in a crosswalk[, *as defined in ORS 801.220*]; and

9 (b) In any of the following locations:

10 (A) In the lane in which the driver's vehicle is traveling;

11 (B) In a lane adjacent to the lane in which the driver's vehicle is traveling;

12 (C) In the lane into which the driver's vehicle is turning;

13 (D) In a lane adjacent to the lane into which the driver's vehicle is turning, if the driver is  
14 making a turn at an intersection that does not have a traffic control device under which a pedes-  
15 trian may proceed as provided under ORS 814.010; or

16 (E) Less than six feet from the lane into which the driver's vehicle is turning, if the driver is  
17 making a turn at an intersection that has a traffic control device under which a pedestrian may  
18 proceed as provided under ORS 814.010.

19 (2) For the purpose of this section, a bicycle lane or the part of a roadway where a vehicle  
20 stops, stands or parks that is adjacent to a lane of travel is considered to be part of that adjacent  
21 lane of travel.

22 (3) This section does not require a driver to stop and remain stopped for a pedestrian under any  
23 of the following circumstances:

24 (a) Upon a roadway with a safety island, if the driver is proceeding along the half of the  
25 roadway on the far side of the safety island from the pedestrian; or

26 (b) Where a pedestrian tunnel or overhead crossing has been provided at or near a crosswalk.

27 **(4) For the purposes of this section, a pedestrian is crossing the roadway when any part**  
28 **or extension of the pedestrian, including but not limited to any part of the pedestrian's body,**  
29 **wheelchair, cane, crutch, bicycle or leashed animal moves onto the roadway with the intent**  
30 **to proceed.**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1        [(4)] (5) The offense described in this section, failure to stop and remain stopped for a pedes-  
2 trian, is a Class B traffic violation.

3        **SECTION 2.** ORS 811.035 is amended to read:

4        811.035. (1) The driver of a vehicle commits the offense of failure to stop and remain stopped for  
5 a pedestrian who is blind if the driver violates any of the following:

6        (a) A driver approaching a pedestrian who is blind or blind and deaf, who is carrying a white  
7 cane or accompanied by a dog guide, and who is crossing or about to cross a roadway, shall stop  
8 and remain stopped until the pedestrian has crossed the roadway.

9        (b) Where the movement of vehicular traffic is regulated by traffic control devices, a driver ap-  
10 proaching a pedestrian who is blind or blind and deaf shall stop and remain stopped until the pe-  
11 destrian has vacated the roadway if the pedestrian has entered the roadway and is carrying a white  
12 cane or is accompanied by a dog guide. This paragraph applies notwithstanding any other provisions  
13 of the vehicle code relating to traffic control devices.

14        (2) This section is subject to the provisions and definitions relating to the rights of pedestrians  
15 who are blind or blind and deaf under ORS 814.110.

16        **(3) For the purposes of this section, a pedestrian is crossing the roadway when any part**  
17 **or extension of the pedestrian, including but not limited to any part of the pedestrian's body,**  
18 **wheelchair, cane, crutch, bicycle or leashed animal moves onto the roadway with the intent**  
19 **to proceed.**

20        [(3)] (4) The offense described in this section, failure to stop and remain stopped for a pedestrian  
21 who is blind, is a Class B traffic violation.

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