

# Enrolled Senate Bill 533

Sponsored by Senator EDWARDS, Representative WHISNANT; Senators HANSELL, KNOPP, Representatives BARKER, DAVIS, HUFFMAN, LIVELY

CHAPTER .....

## AN ACT

Relating to authority to proceed at a stop light; creating new provisions; and amending ORS 811.260, 811.265 and 811.360.

### Be It Enacted by the People of the State of Oregon:

**SECTION 1.** ORS 811.360 is amended to read:

811.360. (1) The driver of a vehicle, subject to this section, who is intending to turn at an intersection where there is a traffic control device showing a steady circular red signal, a steady red bicycle signal or a steady red arrow signal may do any of the following without violating ORS 811.260 and 811.265:

- (a) Make a right turn into a two-way street.
- (b) Make a right or left turn into a one-way street in the direction of traffic upon the one-way street.

**(2) In addition to the provisions of subsection (1) of this section, a bicyclist or motorcyclist does not violate ORS 811.260 and 811.265 if:**

- (a) The bicyclist or motorcyclist approaches an intersection where there is a traffic control device showing a steady circular red signal, a steady red bicycle signal or a steady red arrow signal;**
- (b) The traffic control device is controlled by a vehicle detection device;**
- (c) The bicyclist or motorcyclist comes to a complete stop and waits for the traffic control device to complete one full cycle; and**
- (d) After the vehicle detection device fails to detect the presence of the bicycle or motorcycle and change the traffic control device to a green signal, the bicyclist or motorcyclist proceeds with caution through the intersection.**

[2] (3) A person commits the offense of [*improper turn at a*] **improperly proceeding at a stop light** if the person does any of the following while [*making a turn*] **proceeding as** described in this section:

- (a) Fails to stop at the light as required.
- (b) Fails to exercise [*care*] **caution** to avoid an accident.
- (c) Disobeys the directions of [*a*] **another** traffic control device, **other than the device described in subsections (1) and (2) of this section**, or a police officer that prohibits the [*turn*] **driver, motorcyclist or bicyclist from proceeding.**
- (d) Fails to yield the right of way to traffic lawfully within the intersection or approaching so close **to the intersection** as to constitute an immediate hazard.

[3] (4) A driver, **motorcyclist or bicyclist** who is [*making a turn*] **proceeding as** described in this section is also subject to the requirements under ORS 811.028 to stop for a pedestrian [*while making the turn*] **before proceeding**.

[4] (5) The offense described in this section, [*improper turn*] **improperly proceeding** at a stop light, is a Class B traffic violation.

**SECTION 2.** ORS 811.260 is amended to read:

811.260. Except as provided in ORS 811.265 (2), a driver is in violation of ORS 811.265 if the driver makes a response to traffic control devices that is not permitted under the following:

(1) Green signal. A driver facing a green light may proceed straight through or turn right or left unless a sign at that place prohibits either turn. A driver shall yield the right of way to other vehicles within the intersection at the time the green light is shown.

(2) Green arrow. A driver facing a green arrow signal light, shown alone or in combination with another signal, may cautiously enter the intersection only to make the movement indicated by such arrow or such other movement as is permitted by other signals shown at the same time.

(3) Green bicycle signal. A bicyclist facing a green bicycle signal may proceed straight through or turn right or left unless a sign at that place prohibits either turn. The bicyclist shall yield the right of way to other vehicles within the intersection at the time the green bicycle signal is shown.

(4) Steady circular yellow signal. A driver facing a steady circular yellow signal light is thereby warned that the related right of way is being terminated and that a red or flashing red light will be shown immediately. A driver facing the light shall stop at a clearly marked stop line, but if none, shall stop before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, then before entering the intersection. If a driver cannot stop in safety, the driver may drive cautiously through the intersection.

(5) Steady yellow arrow signal. A driver facing a steady yellow arrow signal, alone or in combination with other signal indications, is thereby warned that the related right of way is being terminated. Unless entering the intersection to make a movement permitted by another signal, a driver facing a steady yellow arrow signal shall stop at a clearly marked stop line, but if none, shall stop before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, then before entering the intersection. If a driver cannot stop in safety, the driver may drive cautiously through the intersection.

(6) Steady yellow bicycle signal. A bicyclist facing a steady yellow bicycle signal is thereby warned that the related right of way is being terminated and that a red bicycle signal will be shown immediately. A bicyclist facing a steady yellow bicycle signal shall stop at a clearly marked stop line, but if none, shall stop before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, then before entering the intersection. If a bicyclist cannot stop in safety, the bicyclist may proceed cautiously through the intersection.

(7) Steady circular red signal. A driver facing a steady circular red signal light alone shall stop at a clearly marked stop line, but if none, before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, then before entering the intersection. The driver shall remain stopped until a green light is shown except when the driver is permitted to [*make a turn*] **proceed** under ORS 811.360.

(8) Steady red arrow signal. A driver facing a steady red arrow signal, alone or in combination with other signal indications, may not enter the intersection to make the movement indicated by the red arrow signal. Unless entering the intersection to make some other movement which is permitted by another signal, a driver facing a steady red arrow signal shall stop at a clearly marked stop line, but if none, before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, then before entering the intersection. The vehicle shall remain stopped until a green light is shown except when the driver is permitted to [*make a turn*] **proceed** under ORS 811.360.

(9) Steady red bicycle signal. A bicyclist facing a steady red bicycle signal shall stop at a clearly marked stop line, but if none, before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, then before entering the intersection. The bicyclist shall

remain stopped until a green bicycle signal is shown except when the bicyclist is permitted to [*make a turn*] **proceed** under ORS 811.360.

(10) Traffic control devices at places other than intersections. If a traffic control device that is a signal is erected and maintained at a place other than an intersection, the provisions of this section relating to signals shall be applicable. A required stop shall be made at a sign or marking on the roadway indicating where the stop shall be made, but in the absence of such sign or marking the stop shall be made at the signal.

(11) Flashing red signal. When a driver approaches a flashing red light used in a traffic control device or with a traffic sign, the driver shall stop at a clearly marked stop line, but if none, before entering the marked crosswalk on the near side of the intersection, or if there is no marked crosswalk, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. The right to proceed shall be subject to the rules applicable after making a stop at a stop sign. This subsection does not apply at railroad grade crossings. Conduct of a driver approaching a railroad grade crossing is governed by ORS 811.455.

(12) Flashing circular yellow signal. When a driver approaches a flashing circular yellow light used as a signal in a traffic control device or with a traffic sign, the driver may proceed through the intersection or past the signal only with caution. This subsection does not apply at railroad grade crossings. Conduct of a driver approaching a railroad grade crossing is governed by ORS 811.455.

(13) Flashing yellow arrow signal. A driver facing a flashing yellow arrow signal, alone or in combination with other signal indications, may cautiously enter the intersection only to make the movement indicated by the flashing yellow arrow signal or the movement permitted by other signals shown at the same time. A driver shall yield the right of way to other vehicles within the intersection at the time the flashing yellow arrow signal is shown. In addition, a driver turning left shall yield the right of way to other vehicles approaching from the opposite direction so closely as to constitute an immediate hazard during the time when the turning vehicle is moving across or within the intersection.

(14) Lane direction control signals. When lane direction control signals are placed over the individual lanes of a highway, a person may drive a vehicle in any lane over which a green signal light is shown, but may not enter or travel in any lane over which a red signal light is shown.

(15) Stop signs. A driver approaching a stop sign shall stop at a clearly marked stop line, but if none, before entering the marked crosswalk on the near side of the intersection or, if there is no marked crosswalk, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering it. After stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching so closely as to constitute an immediate hazard during the time when the driver is moving across or within the intersection.

(16) Yield signs. A driver approaching a yield sign shall slow the driver's vehicle to a speed reasonable for the existing conditions and if necessary for safety, shall stop at a line as required for stop signs under this section, and shall yield the right of way to any vehicles in the intersection or approaching so closely as to constitute an immediate hazard.

**SECTION 3.** ORS 811.265 is amended to read:

811.265. (1) A person commits the offense of driver failure to obey a traffic control device if the person drives a vehicle and the person does any of the following:

(a) Fails to obey the directions of any traffic control device.

(b) Fails to obey any specific traffic control device described in ORS 811.260 in the manner required by that section.

(2) A person is not subject to this section if the person is doing any of the following:

(a) Following the directions of a police officer.

(b) Driving an emergency vehicle or ambulance in accordance with the privileges granted those vehicles under ORS 820.300.

(c) Properly [*executing a turn*] **proceeding** on a red light as authorized under ORS 811.360.

(d) Driving in a funeral procession led by a funeral lead vehicle or under the direction of the driver of a funeral escort vehicle.

(3) The offense described in this section, driver failure to obey a traffic control device, is a Class B traffic violation.

**SECTION 4. The amendments to ORS 811.260, 811.265 and 811.360 by sections 1 to 3 of this 2015 Act apply to offenses occurring on or after the effective date of this 2015 Act.**

**Passed by Senate March 10, 2015**

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House May 13, 2015**

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Tina Kotek, Speaker of House

**Received by Governor:**

.....M.,....., 2015

**Approved:**

.....M.,....., 2015

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M.,....., 2015

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Jeanne P. Atkins, Secretary of State