

Requested by Senator GELSER

**PROPOSED AMENDMENTS TO
HOUSE BILL 4036**

1 On page 1 of the printed bill, line 4, after “810.180,” insert “811.260,”.

2 On page 4, after line 34, insert:

3 **“SECTION 1a.** ORS 811.260 is amended to read:

4 “811.260. Except as provided in ORS 811.265 (2), a driver is in violation
5 of ORS 811.265 if the driver makes a response to traffic control devices that
6 is not permitted under the following:

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

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

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

19 “(4) Steady circular yellow signal. A driver facing a steady circular yel-
20 low signal light is thereby warned that the related right of way is being
21 terminated and that a red or flashing red light will be shown immediately.

1 A driver facing the light shall stop at a clearly marked stop line, but if none,
2 shall stop before entering the marked crosswalk on the near side of the
3 intersection, or if there is no marked crosswalk, then before entering the
4 intersection. If a driver cannot stop in safety, the driver may drive cau-
5 tiously through the intersection.

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

15 “(6) Steady yellow bicycle signal. A bicyclist facing a steady yellow bi-
16 cycle signal is thereby warned that the related right of way is being termi-
17 nated and that a red bicycle signal will be shown immediately. A bicyclist
18 facing a steady yellow bicycle signal shall stop at a clearly marked stop line,
19 but if none, shall stop before entering the marked crosswalk on the near side
20 of the intersection, or if there is no marked crosswalk, then before entering
21 the intersection. If a bicyclist cannot stop in safety, the bicyclist may pro-
22 ceed cautiously through the intersection.

23 “(7) Steady circular red signal. A driver facing a steady circular red sig-
24 nal light alone shall stop at a clearly marked stop line, but if none, before
25 entering the marked crosswalk on the near side of the intersection, or if
26 there is no marked crosswalk, then before entering the intersection. The
27 driver shall remain stopped until a green light is shown except when the
28 driver is permitted to proceed under ORS 811.360.

29 “(8) Steady red arrow signal. A driver facing a steady red arrow signal,
30 alone or in combination with other signal indications, may not enter the

1 intersection to make the movement indicated by the red arrow signal. Unless
2 entering the intersection to make some other movement which is permitted
3 by another signal, a driver facing a steady red arrow signal shall stop at a
4 clearly marked stop line, but if none, before entering the marked crosswalk
5 on the near side of the intersection, or if there is no marked crosswalk, then
6 before entering the intersection. The vehicle shall remain stopped until a
7 green light is shown except when the driver is permitted to proceed under
8 ORS 811.360.

9 “(9) Steady red bicycle signal. A bicyclist facing a steady red bicycle
10 signal shall stop at a clearly marked stop line, but if none, before entering
11 the marked crosswalk on the near side of the intersection, or if there is no
12 marked crosswalk, then before entering the intersection. The bicyclist shall
13 remain stopped until a green bicycle signal is shown except when the
14 bicyclist is permitted to proceed under ORS 811.360.

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

21 “(11) Flashing red signal. When a driver approaches a flashing red light
22 used in a traffic control device or with a traffic sign, the driver shall stop
23 at a clearly marked stop line, but if none, before entering the marked
24 crosswalk on the near side of the intersection, or if there is no marked
25 crosswalk, then at the point nearest the intersecting roadway where the
26 driver has a view of approaching traffic on the intersecting roadway before
27 entering it. The right to proceed shall be subject to the rules applicable after
28 making a stop at a stop sign. This subsection does not apply to:

29 “(a) A person operating a bicycle; or

30 “(b) Drivers at railroad grade crossings. Conduct of a driver approaching

1 a railroad grade crossing is governed by ORS 811.455.

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

8 “(13) Flashing yellow arrow signal. A driver facing a flashing yellow ar-
9 row signal, alone or in combination with other signal indications, may cau-
10 tiously enter the intersection only to make the movement indicated by the
11 flashing yellow arrow signal or the movement permitted by other signals
12 shown at the same time. A driver shall yield the right of way to other ve-
13 hicles within the intersection at the time the flashing yellow arrow signal
14 is shown. In addition, a driver turning left shall yield the right of way to
15 other vehicles approaching from the opposite direction so closely as to con-
16 stitute an immediate hazard during the time when the turning vehicle is
17 moving across or within the intersection.

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

22 “(15) Stop signs. A driver approaching a stop sign shall stop at a clearly
23 marked stop line, but if none, before entering the marked crosswalk on the
24 near side of the intersection or, if there is no marked crosswalk, then at the
25 point nearest the intersecting roadway where the driver has a view of ap-
26 proaching traffic on the intersecting roadway before entering it. After stop-
27 ping, the driver shall yield the right of way to any vehicle in the intersection
28 or approaching so close as to constitute an immediate hazard during the time
29 when the driver is moving across or within the intersection. This subsection
30 does not apply to a person operating a bicycle.

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

6 **“(17) Flashing yellow beacon. When a flashing yellow beacon is used
7 to supplement another traffic control device, a driver shall pay extra
8 attention to the message provided by the beacon and follow the re-
9 quirements of the other traffic control device, which might not be
10 otherwise applicable at all times.”.**

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