

# Senate Bill 561

Sponsored by Senator GELSER (Pre-session filed.)

## 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**.

Adds flashing yellow beacons to list of traffic control devices.  
Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to traffic control devices; creating new provisions; amending ORS 811.260; and declaring  
3 an emergency.

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

5 **SECTION 1.** ORS 811.260 is amended to read:

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

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

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

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

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

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

30 (6) Steady yellow bicycle signal. A bicyclist facing a steady yellow bicycle signal is thereby  
31 warned that the related right of way is being terminated and that a red bicycle signal will be shown

**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 immediately. A bicyclist facing a steady yellow bicycle signal shall stop at a clearly marked stop  
2 line, but if none, shall stop before entering the marked crosswalk on the near side of the inter-  
3 section, or if there is no marked crosswalk, then before entering the intersection. If a bicyclist  
4 cannot stop in safety, the bicyclist may proceed cautiously through the intersection.

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

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

17 (9) Steady red bicycle signal. A bicyclist facing a steady red bicycle signal shall stop at a clearly  
18 marked stop line, but if none, before entering the marked crosswalk on the near side of the inter-  
19 section, or if there is no marked crosswalk, then before entering the intersection. The bicyclist shall  
20 remain stopped until a green bicycle signal is shown except when the bicyclist is permitted to pro-  
21 ceed under ORS 811.360.

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

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

33 (a) A person operating a bicycle; or

34 (b) Drivers at railroad grade crossings. Conduct of a driver approaching a railroad grade  
35 crossing is governed by ORS 811.455.

36 (12) Flashing circular yellow signal. When a driver approaches a flashing circular yellow light  
37 used as a signal in a traffic control device or with a traffic sign, the driver may proceed through  
38 the intersection or past the signal only with caution. This subsection does not apply at railroad  
39 grade crossings. Conduct of a driver approaching a railroad grade crossing is governed by ORS  
40 811.455.

41 (13) Flashing yellow arrow signal. A driver facing a flashing yellow arrow signal, alone or in  
42 combination with other signal indications, may cautiously enter the intersection only to make the  
43 movement indicated by the flashing yellow arrow signal or the movement permitted by other signals  
44 shown at the same time. A driver shall yield the right of way to other vehicles within the inter-  
45 section at the time the flashing yellow arrow signal is shown. In addition, a driver turning left shall

1 yield the right of way to other vehicles approaching from the opposite direction so closely as to  
2 constitute an immediate hazard during the time when the turning vehicle is moving across or within  
3 the intersection.

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

7 (15) Stop signs. A driver approaching a stop sign shall stop at a clearly marked stop line, but  
8 if none, before entering the marked crosswalk on the near side of the intersection or, if there is no  
9 marked crosswalk, then at the point nearest the intersecting roadway where the driver has a view  
10 of approaching traffic on the intersecting roadway before entering it. After stopping, the driver shall  
11 yield the right of way to any vehicle in the intersection or approaching so close as to constitute an  
12 immediate hazard during the time when the driver is moving across or within the intersection. This  
13 subsection does not apply to a person operating a bicycle.

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

18 **(17) Flashing yellow beacon. When a flashing yellow beacon is used to supplement another**  
19 **traffic control device, a driver shall pay extra attention to the message provided by the**  
20 **beacon and follow the requirements of the other traffic control device, which might not be**  
21 **otherwise applicable at all times.**

22 **SECTION 2. The amendments to ORS 811.260 by section 1 of this 2021 Act apply to of-**  
23 **fenses committed on or after the effective date of this 2021 Act.**

24 **SECTION 3. This 2021 Act being necessary for the immediate preservation of the public**  
25 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**  
26 **on its passage.**

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