

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO
SENATE BILL 998**

1 In line 2 of the printed bill, after the semicolon delete the rest of the line
2 and insert “creating new provisions; and amending ORS 811.260 and
3 811.265.”.

4 Delete lines 4 through 10 and insert:

5 **“SECTION 1. Sections 2 and 3 of this 2019 Act are added to and
6 made a part of ORS 814.410 to 814.480.**

7 **“SECTION 2. (1) A person operating a bicycle who is approaching
8 an intersection where traffic is controlled by a stop sign may, without
9 violating ORS 811.265, do any of the following without stopping if the
10 person slows the bicycle to a safe speed:**

11 **“(a) Proceed through the intersection.**

12 **“(b) Make a right or left turn into a two-way street.**

13 **“(c) Make a right or left turn into a one-way street in the direction
14 of traffic upon the one-way street.**

15 **“(2) A person commits the offense of improper entry into an inter-
16 section where traffic is controlled by a stop sign if the person does any
17 of the following while proceeding as described in subsection (1) of this
18 section:**

19 **“(a) Fails to yield the right of way to traffic lawfully within the
20 intersection or approaching so close as to constitute an immediate
21 hazard;**

1 **“(b) Disobeys the directions of a police officer;**
2 **“(c) Fails to exercise care to avoid an accident; or**
3 **“(d) Fails to yield the right of way to a pedestrian in an intersection**
4 **or crosswalk under ORS 811.028.**

5 **“(3) The offense described in this section, improper entry into an**
6 **intersection where traffic is controlled by a stop sign, is a Class D**
7 **traffic violation.**

8 **“SECTION 3. (1) A person operating a bicycle who is approaching**
9 **an intersection where traffic is controlled by a flashing red signal may,**
10 **without violating ORS 811.265, do any of the following without stopping**
11 **if the person slows the bicycle to a safe speed:**

12 **“(a) Proceed through the intersection.**

13 **“(b) Make a right or left turn into a two-way street.**

14 **“(c) Make a right or left turn into a one-way street in the direction**
15 **of traffic upon the one-way street.**

16 **“(2) A person commits the offense of improper entry into an inter-**
17 **section where traffic is controlled by a flashing red signal if the person**
18 **does any of the following while proceeding as described in subsection**
19 **(1) of this section:**

20 **“(a) Fails to yield the right of way to traffic lawfully within the**
21 **intersection or approaching so close as to constitute an immediate**
22 **hazard;**

23 **“(b) Disobeys the directions of a police officer;**

24 **“(c) Fails to exercise care to avoid an accident; or**

25 **“(d) Fails to yield the right of way to a pedestrian in an intersection**
26 **or crosswalk under ORS 811.028.**

27 **“(3) The offense described in this section, improper entry into an**
28 **intersection where traffic is controlled by a flashing red signal, is a**
29 **Class D traffic violation.**

30 **“SECTION 4. ORS 811.260 is amended to read:**

1 "811.260. Except as provided in ORS 811.265 (2), a driver is in violation
2 of ORS 811.265 if the driver makes a response to traffic control devices that
3 is not permitted under the following:

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

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

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

16 "(4) Steady circular yellow signal. A driver facing a steady circular yel-
17 low signal light is thereby warned that the related right of way is being
18 terminated and that a red or flashing red light will be shown immediately.
19 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
21 intersection, or if there is no marked crosswalk, then before entering the
22 intersection. If a driver cannot stop in safety, the driver may drive cau-
23 tiously through the intersection.

24 "(5) Steady yellow arrow signal. A driver facing a steady yellow arrow
25 signal, alone or in combination with other signal indications, is thereby
26 warned that the related right of way is being terminated. Unless entering the
27 intersection to make a movement permitted by another signal, a driver facing
28 a steady yellow arrow signal shall stop at a clearly marked stop line, but if
29 none, shall stop before entering the marked crosswalk on the near side of the
30 intersection, or if there is no marked crosswalk, then before entering the

1 intersection. If a driver cannot stop in safety, the driver may drive cau-
2 tiously through the intersection.

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

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

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

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

1 remain stopped until a green bicycle signal is shown except when the
2 bicyclist is permitted to proceed under ORS 811.360.

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

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

17 **“(a) A person operating a bicycle; or**

18 **“(b) Drivers** at railroad grade crossings. Conduct of a driver approaching
19 a railroad grade crossing is governed by ORS 811.455.

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

26 “(13) Flashing yellow arrow signal. A driver facing a flashing yellow ar-
27 row signal, alone or in combination with other signal indications, may cau-
28 tiously enter the intersection only to make the movement indicated by the
29 flashing yellow arrow signal or the movement permitted by other signals
30 shown at the same time. A driver shall yield the right of way to other ve-

1 hicles within the intersection at the time the flashing yellow arrow signal
2 is shown. In addition, a driver turning left shall yield the right of way to
3 other vehicles approaching from the opposite direction so closely as to con-
4 stitute an immediate hazard during the time when the turning vehicle is
5 moving across or within the intersection.

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

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

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

24 “**SECTION 5.** ORS 811.265 is amended to read:

25 “811.265. (1) A person commits the offense of driver failure to obey a
26 traffic control device if the person drives a vehicle and the person does any
27 of the following:

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

29 “(b) Fails to obey any specific traffic control device described in ORS
30 811.260 in the manner required by that section.

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

3 “(a) Following the directions of a police officer.

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

6 “(c) Properly proceeding on a red light as authorized under ORS 811.360.

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

9 **“(e) Properly entering an intersection or executing a turn at a stop
10 sign as authorized under section 2 of this 2019 Act.**

11 **“(f) Properly entering an intersection or executing a turn at a
12 flashing red signal as authorized under section 3 of this 2019 Act.**

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

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