

SENATE AMENDMENTS TO SENATE BILL 998

By COMMITTEE ON JUDICIARY

April 26

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

3 Delete lines 4 through 10 and insert:

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

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

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

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

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

13 **“(2) A person commits the offense of improper entry into an intersection where traffic
14 is controlled by a stop sign if the person does any of the following while proceeding as de-
15 scribed in subsection (1) of this section:**

16 **“(a) Fails to yield the right of way to traffic lawfully within the intersection or ap-
17 proaching so close as to constitute an immediate hazard;**

18 **“(b) Disobeys the directions of a police officer or flagger, as defined in ORS 811.230;**

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

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

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

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

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

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

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

31 **“(2) A person commits the offense of improper entry into an intersection where traffic
32 is controlled by a flashing red signal if the person does any of the following while proceeding
33 as described in subsection (1) of this section:**

34 **“(a) Fails to yield the right of way to traffic lawfully within the intersection or ap-
35 proaching so close as to constitute an immediate 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 or crosswalk under**
4 **ORS 811.028.**

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

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

8 “811.260. Except as provided in ORS 811.265 (2), a driver is in violation of ORS 811.265 if the
9 driver makes a response to traffic control devices that is not permitted under the following:

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

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

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

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

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

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

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

43 “(8) Steady red arrow signal. A driver facing a steady red arrow signal, alone or in combination
44 with other signal indications, may not enter the intersection to make the movement indicated by the
45 red arrow signal. Unless entering the intersection to make some other movement which is permitted

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

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

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

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

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

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

24 “(12) Flashing circular yellow signal. When a driver approaches a flashing circular yellow light
25 used as a signal in a traffic control device or with a traffic sign, the driver may proceed through
26 the intersection or past the signal only with caution. This subsection does not apply at railroad
27 grade crossings. Conduct of a driver approaching a railroad grade crossing is governed by ORS
28 811.455.

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

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

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

1 intersection. **This subsection does not apply to a person operating a bicycle.**

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

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

7 “811.265. (1) A person commits the offense of driver failure to obey a traffic control device if the
8 person drives a vehicle and the person does any of the following:

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

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

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

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

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

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

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

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

21 **“(f) Properly entering an intersection or executing a turn at a flashing red signal as au-
22 thorized under section 3 of this 2019 Act.**

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

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