

Senate Bill 301

Sponsored by Senator THATCHER (at the request of David Samuel Hill) (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**.

Provides that person operating bicycle may not treat stop signs and flashing red lights as yield signs if bicyclist slows bicycle to safe speed.

A BILL FOR AN ACT

1
2 Relating to traffic violations; creating new provisions; amending ORS 811.260 and 811.265; and re-
3 pealing ORS 814.414 and 814.416.

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

5 **SECTION 1.** ORS 811.265 is amended to read:

6 811.265. (1) A person commits the offense of driver failure to obey a traffic control device if the
7 person drives a vehicle and the person does any of the following:

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

9 (b) Fails to obey any specific traffic control device described in ORS 811.260 in the manner re-
10 quired by that section.

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

12 (a) Following the directions of a police officer.

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

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

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

18 *[(e) Properly entering an intersection or executing a turn at a stop sign as authorized under ORS*
19 *814.414.]*

20 *[(f) Properly entering an intersection or executing a turn at a flashing red signal as authorized*
21 *under ORS 814.416.]*

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

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

25 811.260. Except as provided in ORS 811.265 (2), a driver is in violation of ORS 811.265 if the
26 driver makes a response to traffic control devices that is not permitted under the following:

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

30 (2) Green arrow. A driver facing a green arrow signal light, shown alone or in combination with
31 another signal, may cautiously enter the intersection only to make the movement indicated by such

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 arrow or such other movement as is permitted by other signals shown at the same time.

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

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

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

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

24 (7) Steady circular red signal. A driver facing a steady circular red signal light alone shall stop
25 at a clearly marked stop line, but if none, before entering the marked crosswalk on the near side
26 of the intersection, or if 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 driver is permitted to
28 proceed under ORS 811.360.

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

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

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

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

7 [(a) *A person operating a bicycle; or*]

8 [(b)] drivers at railroad grade crossings. Conduct of a driver approaching a railroad grade
9 crossing is governed by ORS 811.455.

10 (12) Flashing circular yellow signal. When a driver facing a flashing circular yellow signal ap-
11 proaches an intersection, the driver may cautiously enter the intersection to proceed straight
12 through, turn right or turn left except as such movement is modified by lane use signs, turn prohi-
13 bition signs, lane markings, roadway design, separate turn signal indications or other traffic control
14 devices. This subsection does not apply at railroad grade crossings. Conduct of a driver approaching
15 a railroad grade crossing is governed by ORS 811.455.

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

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

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

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

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

42 **SECTION 3. ORS 814.414 and 814.416 are repealed.**

43 **SECTION 4. The amendments to ORS 811.260 and 811.265 by sections 1 and 2 of this 2023**
44 **Act and the repeal of ORS 814.414 and 814.416 by section 3 of this 2023 Act apply to offenses**
45 **occurring on or after the effective date of this 2023 Act.**

