

SENATE BILL NO. 1367

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~~*This sentence is marked with strikethrough and italic, indicating text to be removed.*~~

Bill Status

S1367.....by TRANSPORTATION
MOTORCYCLES - TRAFFIC SIGNALS - Amends existing law relating to motor
vehicle traffic-control signals legend to provide a condition under which
the driver of a motorcycle may proceed through a steady red traffic-control
signal after coming to a full and complete stop at the intersection; and to
specify when such action is not a defense to a violation of the law.

02/10 Senate intro - 1st rdg - to printing

02/13 Rpt prt - to Transp

03/01 Rpt out - rec d/p - to 2nd rdg

03/02 2nd rdg - to 3rd rdg

03/06 3rd rdg - PASSED - 28-2-5

AYES -- Andreason, Broadsword, Burtenshaw, Cameron, Coiner, Compton,
Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill,
Jorgenson, Kelly, Langhorst, Little, Lodge, Marley, McGee, McKenzie,
Pearce, Richardson, Schroeder, Sweet, Werk, Williams

NAYS -- Keough, Stegner

Absent and excused -- Brandt, Bunderson, Burkett, Malepeai, Stennett

Floor Sponsor - Jorgenson

Title apvd - to House

03/07 House intro - 1st rdg -to Transp

03/27 Rpt out - rec d/p - to 2nd rdg

03/28 2nd rdg - to 3rd rdg

03/29 3rd rdg - PASSED - 66-1-3

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer,
Bedke, Bell, Bilbao, Black, Block, Boe, Brackett, Bradford, Cannon,
Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth,
Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Jaquet, Kemp,
Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague,
Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence,
Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler,
Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30),
Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood

NAYS -- Bolz

Absent and excused -- Field(23), Henderson, Mr. Speaker

Floor Sponsor - Hart

Title apvd - to Senate
03/30 To enrol
03/31 Rpt enrol - Pres signed
04/03 Sp signed - To Governor
04/07 Governor signed
Session Law Chapter 381
Effective: 07/01/06

Bill Text

|||| LEGISLATURE OF THE STATE OF IDAHO ||||
Fifty-eighth Legislature Second Regular Session - 2006

IN THE SENATE

SENATE BILL NO. 1367

BY TRANSPORTATION COMMITTEE

1 AN ACT
2 RELATING TO TRAFFIC-CONTROL SIGNAL LEGEND; AMENDING SECTION 49-802, IDAHO
3 CODE, TO PROVIDE A CONDITION UNDER WHICH THE DRIVER OF A MOTORCYCLE MAY
4 PROCEED THROUGH A STEADY RED TRAFFIC-CONTROL SIGNAL AFTER COMING TO A FULL
5 AND COMPLETE STOP AT THE INTERSECTION, TO SPECIFY WHEN SUCH ACTION IS NOT
6 A DEFENSE TO A VIOLATION OF THE LAW AND TO MAKE TECHNICAL CORRECTIONS.

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 49-802, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 49-802. TRAFFIC-CONTROL SIGNAL LEGEND. Whenever traffic is controlled by
11 traffic-control signals exhibiting different colored lights, or colored
12 lighted arrows, successively one (1) at a time or in combination, only the
13 colors green, red and yellow shall be used, except for pedestrian-control sig-
14 nals and the lights shall indicate and apply to drivers of vehicles and pedes-
15 trians as follows:

16 (1) Green indication:

17 (a) A driver facing a circular green signal shall proceed straight
18 through or turn right or left unless a sign prohibits a right or left
19 turn. Any driver, including one turning, shall yield the right-of-way to
20 other traffic and to pedestrians lawfully within the intersection, as
21 defined in section 49-110, Idaho Code, or an adjacent crosswalk.

22 (b) A driver facing a green arrow signal, shown alone or in combination
23 with another indication, shall enter the intersection only to make the
24 movement indicated by the green arrow, or other movement that is permitted
25 by other indications shown at the same time. A driver facing a left turn
26 green arrow shall yield the right-of-way to other traffic and to pedes-
27 trians lawfully within the intersection or an adjacent crosswalk.

28 (c) A pedestrian facing a circular green signal, unless prohibited by a
29 sign or otherwise ~~direction~~ directed by a pedestrian-control signal, as

provided in section 49-803, Idaho Code, may proceed across the highway within any marked or unmarked crosswalk, but shall yield the right-of-way to vehicles lawfully within the intersection at the time that signal is first shown.

(d) A pedestrian facing a green arrow turn signal, unless otherwise directed by a pedestrian-control signal, as provided in section 49-803, Idaho Code, shall not enter the highway.

(2) Steady yellow indication:

(a) A driver facing a steady circular yellow or yellow arrow signal is being warned that the related green movement is ending, or that a red indication will be shown immediately after it.

(b) A pedestrian facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian-control signal, as provided in section 49-803, Idaho Code, is being warned that there is insufficient

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time to cross the highway.

(3) Steady red indication:

(a) A driver facing a steady circular red signal alone shall stop before entering the intersection, as defined in section 49-110, Idaho Code, and shall remain stopped until an indication to proceed is shown except as provided in paragraph (b) of this subsection. While stopped at the intersection, the driver shall remain stopped behind the marked limit line, as defined in section 49-113, Idaho Code, or if there is no marked limit line, shall not block the crosswalk.

(b) Except when a sign is in place prohibiting a turn, a driver after stopping, facing a steady circular red signal, may turn right, or turn left from a highway onto a one-way highway after stopping. Vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(c) A driver facing a steady red arrow indication shall not enter the intersection to make the movement indicated by the arrow and, unless entering the intersection to make a movement permitted by another signal, shall stop at a clearly marked limit line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection and shall remain stopped until an indication permitting movement is shown.

(d) Unless otherwise directed by a pedestrian-control signal, a pedestrian facing a steady circular red or red arrow signal shall not enter the traffic lanes of a highway.

(e) Notwithstanding any provision of law to the contrary, the driver of a motorcycle approaching an intersection that is controlled by a triggered traffic-control signal using a vehicle detection device that is inoperative due to the size of the motorcycle, shall come to a full and complete stop at the intersection. If the signal fails to operate after one cycle of the traffic signal, the driver may proceed after exercising due caution and care. It is not a defense to a violation of section 49-801, Idaho Code, that the driver of a motorcycle proceeded under the belief that a traffic-control signal used a vehicle detection device or was inoperative due to the size of the motorcycle when such signal did not use a vehicle detection device or that any such device was not in fact inoperative due to the size of the motorcycle.

(4) When an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or crosswalk or limit

41 line indicating where the stop shall be made, but in the absence of a sign or
42 marking, the stop shall be made at the signal.

Statement of Purpose / Fiscal Impact

STATEMENT OF PURPOSE

RS 15825

Relating to traffic-control signal legend; amending Section 49-802, Idaho Code, to provide a condition under which the driver of a motorcycle may proceed through a steady red traffic-control signal after coming to a full and complete stop at the intersection, to specify when such action is not a defense to a violation of the law and to make technical corrections.

FISCAL NOTE

None

Contact

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STATEMENT OF PURPOSE/FISCAL NOTE

S 1367

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