

A-Engrossed
Senate Bill 591

Ordered by the House July 21
Including House Amendment dated July 21

Sponsored by Senator PROZANSKI (at the request of Florence Police Department)

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.

[Clarifies which parts of roadway are considered adjacent to lane in which driver's vehicle is traveling for purposes of offense of failure to stop and remain stopped for a pedestrian in a crosswalk.]

Revises laws regarding driver duties to certain pedestrians.

A BILL FOR AN ACT

1
2 Relating to pedestrians; creating new provisions; amending ORS 811.360; and repealing ORS 811.010,
3 811.040 and 811.045.

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

5 **SECTION 1. Section 2 of this 2005 Act is added to and made a part of the Oregon Vehicle**
6 **Code.**

7 **SECTION 2. (1) The driver of a vehicle commits the offense of failure to stop and remain**
8 **stopped for a pedestrian if the driver does not stop and remain stopped for a pedestrian when**
9 **the pedestrian is:**

10 (a) **Proceeding in accordance with a traffic control device as provided under ORS 814.010**
11 **or crossing the roadway in a crosswalk, as defined in ORS 801.220; and**

12 (b) **In any of the following locations:**

13 (A) **In the lane in which the driver's vehicle is traveling;**

14 (B) **In a lane adjacent to the lane in which the driver's vehicle is traveling;**

15 (C) **In the lane into which the driver's vehicle is turning;**

16 (D) **In a lane adjacent to the lane into which the driver's vehicle is turning, if the driver**
17 **is making a turn at an intersection that does not have a traffic control device under which**
18 **a pedestrian may proceed as provided under ORS 814.010; or**

19 (E) **Less than six feet from the lane into which the driver's vehicle is turning, if the**
20 **driver is making a turn at an intersection that has a traffic control device under which a**
21 **pedestrian may proceed as provided under ORS 814.010.**

22 (2) **For the purpose of this section, a bicycle lane or the part of a roadway where a ve-**
23 **hicle stops, stands or parks that is adjacent to a lane of travel is considered to be part of**
24 **that adjacent lane of travel.**

25 (3) **This section does not require a driver to stop and remain stopped for a pedestrian**
26 **under any of the following circumstances:**

27 (a) **Upon a roadway with a safety island, if the driver is proceeding along the half of the**

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 roadway on the far side of the safety island from the pedestrian; or

2 (b) Where a pedestrian tunnel or overhead crossing has been provided at or near a
3 crosswalk.

4 (4) The offense described in this section, failure to stop and remain stopped for a pedes-
5 trian, is a Class B traffic violation.

6 **SECTION 3.** ORS 811.360 is amended to read:

7 811.360. (1) The driver of a vehicle, subject to this section, who is intending to turn at an
8 intersection where there is a traffic control device showing a steady circular red signal or a steady
9 red arrow signal may do any of the following without violating ORS 811.260 and 811.265:

10 (a) Make a right turn into a two-way street.

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

13 (2) A person commits the offense of improper turn at a stop light if the person does any of the
14 following while making a turn described in this section:

15 (a) Fails to stop at the light as required.

16 (b) Fails to exercise care to avoid an accident.

17 (c) Disobeys the directions of a traffic control device or a police officer that prohibits the turn.

18 (d) Fails to yield the right of way to traffic lawfully within the intersection or approaching so
19 close as to constitute an immediate hazard.

20 (3) A driver who is making a turn described in this section is also subject to the requirements
21 under [ORS 811.045] **section 2 of this 2005 Act** to stop for a pedestrian while making the turn.

22 (4) The offense described in this section, improper turn at a stop light, is a Class B traffic vio-
23 lation.

24 **SECTION 4. ORS 811.010, 811.040 and 811.045 are repealed.**
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