

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	7 - 0 - 0
Yeas:	Beyer, Dingfelder, Gilman, Greenlick, Mabrey, Zauner, Brown
Nays:	0
Exc.:	0
Prepared By:	Janet Adkins, Administrator
Meeting Dates:	3-19, 4-18

WHAT THE MEASURE DOES: Allows bicycle operators, after first yielding the right of way to traffic or pedestrians, to proceed through stop signs and flashing red light signals without stopping. Requires the bicyclist to proceed at a safe speed and to yield to traffic and pedestrians lawfully within or approaching the intersection. Creates the offense of improper entry into an intersection controlled by a stop sign and classifies the offense as a Class B traffic violation, punishable by a maximum fine of \$300. Creates a similar offense and fine level for intersections controlled by flashing red lights.

ISSUES DISCUSSED:

- Alignment with practices of many bicyclists
- Inconvenience to bicycle commuters of getting out of toe clips or pedal attachments
- Energy required to stop and start a bicycle
- Benefits of bicycle commuting and making bicycle riding more convenient and attractive
- Concern over safety and educational effect of different “readings” of a stop sign on children

EFFECT OF COMMITTEE AMENDMENT: Increases level of violations created in the bill from Class D to Class B traffic violations.

BACKGROUND: Under current law, failure to obey a traffic control device, including stop signs and flashing red lights, is a Class B traffic violation, punishable by a maximum fine of \$300. ORS 814.400 specifies that a bicycle operator on a public way is “subject to the provisions applicable to and has the same rights and duties of the driver of any other vehicle” unless specifically exempted.

HB 2768-A would create a specific exemption for bicycle operators from the requirement to come to a complete stop at stop signs and flashing red lights if the cyclist yields right of way to vehicles and pedestrians in, or approaching, the intersection and proceeds safely. The stop sign would, in effect, be legally treated as a “yield” sign to bicyclists. The bill also defines improper entry into an intersection controlled by a stop sign or flashing red light and creates new offenses for improper entry.

Idaho law allows bicycle operators to proceed at a safe speed through stop signs and steady red signals, as long as they yield right of way to traffic. Proponents of HB 2768-A understand the Idaho bill to be well received there. HB 2768-A (unlike the Idaho law) would not allow a bicyclist to proceed through a steady red light without stopping.