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Red Light Running

Oregon has a legislative bill (SB 533) to allow a motorcyclist to proceed through a red light after waiting a full signal cycle.

<https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/SB533/Introduced>

* I know Washington has this law on the books. How many other states have enacted such a law? (a "no" response is not necessary, thanks!).

* If you do have such a law do you have any information on increase/reduction of motorcycle crashes at intersections as a result? Or other crash data?

* I'm writing testimony so any offer to share what has already been submitted would be helpful.

While I'd love to extoll the anecdotal virtues of this legislation I'll restrain myself...for now...

Thanks everyone. It's nice to know I can count on this group for help/information.

VIRGINIA

Michele, the red light bill passed in 2011 and we have not seen an increase in crashes at intersections.

history<<http://leg1.state.va.us/cgi-bin/legp504.exe?111+sum+HB1981>> |
hilite<<http://leg1.state.va.us/cgi-bin/legp504.exe?111+ful+HB1981ER+hil>> |
pdf<<http://leg1.state.va.us/cgi-bin/legp504.exe?111+ful+HB1981ER+pdf>>

VIRGINIA ACTS OF ASSEMBLY -- CHAPTER

An Act to amend and reenact § 46.2-833<<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+46.2-833>> of the Code of Virginia, relating to traffic lights.

[H 1981]

Approved

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-833<<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+46.2-833>> of the Code of Virginia is amended and reenacted as follows:

§ 46.2-833<<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+46.2-833>>.

Traffic lights; penalty.

A. Signals by traffic lights shall be as follows:

Steady red indicates that moving traffic shall stop and remain stopped as long as the red signal is shown, except in the direction indicated by a lighted green arrow.

Green indicates the traffic shall move in the direction of the signal and remain in motion as long as the green signal is given, except that such traffic shall yield to other vehicles and pedestrians lawfully within the intersection.

Steady amber indicates that a change is about to be made in the direction of the moving of traffic. When the amber signal is shown, traffic which has not already entered the intersection, including the crosswalks, shall stop if it is not reasonably safe to continue, but traffic which has already entered the intersection shall continue to move until the intersection has been cleared. The amber signal is a warning that the steady red signal is imminent.

Flashing red indicates that traffic shall stop before entering an intersection.

Flashing amber indicates that traffic may proceed through the intersection or past such signal with reasonable care under the circumstances.

B. Notwithstanding any other provision of law, if a driver of a motorcycle or moped or a bicycle rider approaches an intersection that is controlled by a traffic light, the driver or rider may proceed through the intersection on a steady red light only if the driver or rider (i) comes to a full and complete stop at the intersection for two complete cycles of the traffic light or for two minutes, whichever is shorter, (ii) exercises due care as provided by law, (iii) otherwise treats the traffic control device as a stop sign, (iv) determines that it is safe to proceed, and (v) yields the right of way to the driver of any vehicle approaching on such other highway from either direction.

C. If the traffic lights controlling an intersection are out of service because of a power failure or other event that prevents the giving of signals by the traffic lights, the drivers of vehicles approaching such an intersection shall proceed as though such intersection were controlled by a stop sign on all approaches. The provisions of this subsection shall not apply to: intersections controlled by portable stop signs, intersections with law-enforcement officers or other authorized persons directing traffic, or intersections controlled by traffic lights displaying flashing red or flashing amber lights as provided in subsection A.

C D. The driver of any motor vehicle may be detained or arrested for a violation of this section if the detaining law-enforcement officer is in uniform, displays his badge of authority, and (i) has observed the violation or (ii) has received a message by radio or other wireless telecommunication device from another law-enforcement officer who observed the violation. In the case of a person being detained or arrested based on a radio message, the message shall be sent immediately after the violation is observed, and the observing officer shall furnish the license number or other positive identification of the vehicle to the detaining officer.

Violation of any provision of this section shall constitute a traffic infraction punishable by a fine of no more than \$350.

Legislative Information System <<http://leg1.state.va.us/111/lis.htm>>

~Bruce Biondo

NORTH CAROLINA

North Carolina's law reads as follows... I don't have any statistical data concerning crashes, etc., but anecdotally people seem happy with the law. My law enforcement friends seem to think that it works well... Basically, it

allows a motorcyclist to treat the light as a stop sign after 3 minutes... I have to admit that I find it helpful, personally, as we have some really bad lights near my home...

AN ACT TO ALLOW THE OPERATOR OF A MOTORCYCLE TO PROCEED THROUGH AN INTERSECTION CONTROLLED BY A TRAFFIC SIGNAL ONLY IF THE TRAFFIC SIGNAL USES AN INDUCTIVE LOOP VEHICLE SENSOR THAT ACTIVATES THE TRAFFIC SIGNAL AND THE INDUCTIVE LOOP FAILS TO DETECT THE MOTORCYCLE AND ACTIVATE THE TRAFFIC SIGNAL.

Defense. - It shall be a defense to a violation of sub-subdivision (b)(2)a. of this section if the operator of a motorcycle, as defined in G.S. 20-4.01(27)d., shows all of the following:

- (1) The operator brought the motorcycle to a complete stop at the intersection or stop bar where a steady red light was being emitted in the direction of the operator.
- (2) The intersection is controlled by a vehicle actuated traffic signal using an inductive loop to activate the traffic signal.
- (3) No other vehicle that was entitled to have the right-of-way under applicable law was sitting at, traveling through, or approaching the intersection.
- (4) No pedestrians were attempting to cross at or near the intersection.
- (5) The motorcycle operator who received the citation waited a minimum of three minutes at the intersection or stop bar where the steady red light was being emitted in the direction of the operator before entering the intersection."

~Bob Wagner

MARYLAND

Bob,

So I=ER?

~Phil Sause

MINNESOTA

Minnesota statute provides an affirmative defense for proceeding through an unchanging red light. Here's the relevant language.

Subd. 9. Affirmative defense relating to unchanging traffic-control signal.

(a) A person operating a bicycle or motorcycle who violates subdivision 4 by entering or crossing an intersection controlled by a traffic-control signal against a red light has an affirmative defense to that charge if the person establishes all of the following conditions:

- (1) the bicycle or motorcycle has been brought to a complete stop;
- (2) the traffic-control signal continues to show a red light for an unreasonable time;
- (3) the traffic-control signal is apparently malfunctioning or, if programmed or engineered to change to a green light only after detecting the approach of a motor vehicle, the signal has apparently failed to detect the arrival of the bicycle or motorcycle; and
- (4) no motor vehicle or person is approaching on the street or highway to be crossed or entered or is so far away from the intersection that it does not

constitute an immediate hazard.

(b) The affirmative defense in this subdivision applies only to a violation for entering or crossing an intersection controlled by a traffic-control signal against a red light and does not provide a defense to any other civil or criminal action.

~Bill Shaffer

NEVADA

Nevada's law was passed in 2013.

<https://legiscan.com/NV/text/AB117/id/851238/Nevada-2013-AB117-Enrolled.pdf>

It was sold as a measure to primarily help bicyclists as a safety measure. In fact, that group handled a fair amount of the testimony.

One issue with the language is a rider has to wait for two cycles of the light before proceeding. The problem is that some lights, since they don't recognize there is an MC or bicycle waiting, do not cycle at all! So, there is no way the cycle can legally proceed against the red light.

No one has complained about the law and there haven't been any reports of crashes because of the law.

~Pete Vander Aa

MARYLAND

Not sure why folks refer to these bills as "red light running". These bills rather legitimize what has been going on for, well, as long as I have been riding/driving, which is, well, a long time.

Like lane sharing in CA, proceeding through a non-functioning signal is a generally accepted practice. I do not know of any rider, or car driver, that has been cited for this. The advice is to wait a couple of cycles and proceed with caution. The point Peter raises that some lights cycle if no traffic is detected. Here waiting an appropriate amount of time is the factor.

When traffic lights are out due to a power failure, drivers are advised to treat a non-functioning light as a 4-way stop. Very similar advice, and I do not believe there is a law to this effect.

There was a light coming out of my neighborhood that seemed to always fail to detect me on my bad motor scooter. Mostly another car would pull up and the light would cycle, but not always. I called the county department responsible for maintaining the signal and they ignored me until I advised them that if I am cited I would subpoena their entire department to appear at my trial. The signal was repaired within a week.

No bill like this pending in MD as it may not be necessary. That's my two-cents worth.

Regards.

~Phil Sause