SENATE BILL NO. 206–SENATOR COFFIN

MARCH 5, 2007

Referred to Committee on Transportation and Homeland Security

SUMMARY—Clarifies provisions concerning the effect of certain signals exhibited by official traffic-control devices. (BDR 43-66)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets [~~omitted material~~] is material to be omitted.

AN ACT relating to traffic laws; clarifying provisions concerning the effect of certain signals exhibited by official traffic-control devices; declaring void and without effect certain local ordinances and regulations; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill prohibits a local authority from adopting an ordinance or regulation or taking any other action that prohibits vehicular traffic from crossing an intersection when the red signal is exhibited if such traffic had already completely entered the intersection before the red signal was exhibited. (NRS 484.283)

Section 2 of this bill declares that any ordinance or regulation adopted by a local authority is void and without effect to the extent that it violates the prohibition added by **section 1** of this bill.

WHEREAS, Before 1969, the provisions of the former NRS 484.0081 had stated that vehicular traffic shall not enter or be crossing an intersection when the red signal is exhibited; and

WHEREAS, In 1969, the Nevada Legislature repealed the former NRS 484.0081 and enacted a section that was later codified as NRS 484.283; and

WHEREAS, The provisions of NRS 484.283, as enacted by the Nevada Legislature in 1969, omitted the phrase "or be crossing," thereby limiting the scope of the prohibition to the situation in

which vehicular traffic enters an intersection when a red signal is exhibited; and

WHEREAS, The change made by the Nevada Legislature in 1969 was based upon an earlier change made to the Uniform Vehicle Code in 1962 by the National Committee on Uniform Traffic Laws and Ordinances; and

WHEREAS, The historical note accompanying the 1962 change to the Uniform Vehicle Code indicates that the purpose of removing the phrase "or be crossing" was to clarify "that a driver may now both legally enter the intersection on yellow and legally clear the intersection for use by traffic on intersecting streets even though a red signal is displayed while he is in the intersection"; and

WHEREAS, Differences between the provisions of NRS 484.283 and certain of the ordinances and regulations of the cities and counties of this State have resulted in confusion as to whether vehicular traffic may permissibly cross an intersection on a red signal provided that such traffic completely entered the intersection before the red signal was displayed; now, therefore,

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 484.283 is hereby amended to read as follows:

484.283 1. Whenever traffic is controlled by official traffic-control devices exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination as declared in the manual and specifications adopted by the Department of Transportation, only the colors green, yellow and red may be used, except for special pedestrian-control devices carrying a word legend as provided in NRS 484.325. The lights, arrows and combinations thereof indicate and apply to drivers of vehicles and pedestrians as provided in this section.

2. When the signal is circular green alone:

(a) Vehicular traffic facing the signal may proceed straight through or turn right or left unless another device at the place prohibits either or both such turns. Such vehicular traffic, including vehicles turning right or left, must yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time the signal is exhibited.

(b) Pedestrians facing such a signal may proceed across the highway within any marked or unmarked crosswalk, unless directed otherwise by another device as provided in NRS 484.325.

3. Where the signal is circular green with a green turn arrow:

(a) Vehicular traffic facing the signal may proceed to make the movement indicated by the green turn arrow or such other

movement as is permitted by the circular green signal, but the traffic must yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection at the time the signal is exhibited. Drivers turning in the direction of the arrow when displayed with the circular green are thereby advised that so long as a turn arrow is illuminated, oncoming or opposing traffic simultaneously faces a steady red signal.

(b) Pedestrians facing such a signal may proceed across the highway within any marked or unmarked crosswalk, unless directed otherwise by another device as provided in NRS 484.325.

4. Where the signal is a green turn arrow alone:

(a) Vehicular traffic facing the signal may proceed only in the direction indicated by the arrow signal so long as the arrow is illuminated, but the traffic must yield the right-of-way to pedestrians lawfully within the adjacent crosswalk and to other traffic lawfully using the intersection.

(b) Pedestrians facing such a signal shall not enter the highway until permitted to proceed by another device as provided in NRS 484.325.

5. Where the signal is a green straight-through arrow alone:

(a) Vehicular traffic facing the signal may proceed straight through, but must not turn right or left. Such vehicular traffic must yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time the signal is exhibited.

(b) Pedestrians facing such a signal may proceed across the highway within the appropriate marked or unmarked crosswalk, unless directed otherwise by another device as provided in NRS 484.325.

6. Where the signal is a steady yellow signal alone:

(a) Vehicular traffic facing the signal is thereby warned that the related green movement is being terminated or that a steady red indication will be exhibited immediately thereafter, and such vehicular traffic ~~[shall]~~ ***must*** not enter the intersection when the red signal is exhibited.

(b) Pedestrians facing such a signal, unless otherwise directed by another device as provided in NRS 484.325, are thereby advised that there is insufficient time to cross the highway.

7. Where the signal is a steady red signal alone:

(a) Vehicular traffic facing the signal must stop before entering the crosswalk on the nearest side of the intersection where the sign or pavement marking indicates where the stop must be made, or in the absence of any such crosswalk, sign or marking, then before

entering the intersection, and, except as provided in paragraph (c), must remain stopped or standing until the green signal is shown.

(b) Pedestrians facing such a signal shall not enter the highway, unless permitted to proceed by another device as provided in NRS 484.325.

(c) After complying with the requirement to stop, vehicular traffic facing such a signal and situated on the extreme right of the highway may proceed into the intersection for a right turn only when the intersecting highway is two-directional or one-way to the right, or vehicular traffic facing such a signal and situated on the extreme left of a one-way highway may proceed into the intersection for a left turn only when the intersecting highway is one-way to the left, but must yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection.

(d) Vehicular traffic facing the signal may not proceed on or through any private or public property to enter the intersecting street where traffic is not facing a red signal to avoid the red signal.

8. Where the signal is a steady red with a green turn arrow:

(a) Vehicular traffic facing the signal may enter the intersection only to make the movement indicated by the green turn arrow, but must yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection. Drivers turning in the direction of the arrow are thereby advised that so long as the turn arrow is illuminated, oncoming or opposing traffic simultaneously faces a steady red signal.

(b) Pedestrians facing such a signal shall not enter the highway, unless permitted to proceed by another device as provided in NRS 484.325.

9. If a signal is erected and maintained at a place other than an intersection, the provisions of this section are applicable except as to those provisions which by their nature can have no application. Any stop required must be made at a sign or pavement marking indicating where the stop must be made, but in the absence of any such device the stop must be made at the signal.

10. Whenever signals are placed over the individual lanes of a highway, the signals indicate, and apply to drivers of vehicles, as follows:

(a) A downward-pointing green arrow means that a driver facing the signal may drive in any lane over which the green signal is shown.

(b) A red "X" symbol means a driver facing the signal must not enter or drive in any lane over which the red signal is shown.

11. A local authority shall not adopt an ordinance or regulation or take any other action that prohibits vehicular traffic from crossing an intersection when:

(a) The red signal is exhibited; and

(b) The vehicular traffic in question had already completely entered the intersection before the red signal was exhibited. For the purposes of this paragraph, a vehicle shall be considered to have "completely entered" an intersection when all portions of the vehicle have crossed the limit line or other point of demarcation behind which vehicular traffic must stop when a red signal is displayed.

Sec. 2. 1. Any ordinance or regulation adopted by a local authority that is in existence on October 1, 2007, is hereby declared to be void and must not be given effect to the extent that it prohibits vehicular traffic from crossing an intersection when:

(a) The red signal is exhibited; and

(b) The vehicular traffic in question had already ***completely*** entered the intersection before the red signal was exhibited. ***For the purposes of this paragraph, a vehicle shall be considered to have "completely entered" an intersection when all portions of the vehicle have crossed the limit line or other point of demarcation behind which vehicular traffic must stop when a red signal is displayed.***

2. As used in this section, "local authority" has the meaning ascribed to it in NRS 484.079.

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