

1 HB528
2 129475-1
3 By Representatives Johnson (K), Williams (D), Collins, Wood,
4 Treadaway, Ball and Long
5 RFD: Public Safety and Homeland Security
6 First Read: 14-APR-11

SYNOPSIS: Currently, the traffic-control signal law does not allow for drivers of motorcycles, mopeds, or bicycles to proceed at intersections controlled by traffic-control devices.

This bill would allow the driver of a motorcycle, moped, or bicycle to proceed through an intersection controlled by a traffic-control device after coming to a complete stop for 60 seconds provided it is safe to proceed.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 32-5A-32 of the Code of Alabama 1975, relating to traffic-control signal legends; to provide for the driver of a motorcycle, moped, or bicycle to proceed through an intersection that is controlled by a traffic-control device under certain conditions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 32-5A-32 of the Code of Alabama
2 1975, is amended to read as follows:

3 "§32-5A-32.

4 "Whenever traffic is controlled by traffic-control
5 signals exhibiting different colored lights, or colored
6 lighted arrows, successively one at a time or in combination,
7 only the colors green, red, and yellow shall be used, except
8 for special pedestrian signals carrying a word or symbol
9 legend, and the lights shall indicate and apply to drivers of
10 vehicles and pedestrians as follows:

11 "(1) Green indication:

12 "a. Vehicular traffic facing a circular green signal
13 may proceed straight through or turn right or left unless a
14 sign at such place prohibits either such turn. But vehicular
15 traffic, including vehicles turning right or left, shall yield
16 the right-of-way to other vehicles and to pedestrians lawfully
17 within the intersection or an adjacent crosswalk at the time
18 such signal is exhibited.

19 "b. Vehicular traffic facing a green arrow signal,
20 shown alone or in combination with another indication, may
21 cautiously enter the intersection only to make the movement
22 indicated by such arrow, or such other movement as is
23 permitted by other indications shown at the same time. Such
24 vehicular traffic shall yield the right-of-way to pedestrians
25 lawfully within an adjacent crosswalk and to other traffic
26 lawfully using the intersection.

1 "c. Unless otherwise directed by a
2 pedestrian-control signal, ~~as provided in~~ pursuant to Section
3 32-5A-33, pedestrians facing any green signal, except when the
4 sole green signal is a turn arrow, may proceed across the
5 roadway within any marked or unmarked crosswalk.

6 "(2) Steady yellow indication:

7 "a. Vehicular traffic facing a steady circular
8 yellow or yellow arrow signal is thereby warned that the
9 related green movement is being terminated or that a red
10 indication will be exhibited immediately thereafter.

11 "b. Pedestrians facing a steady circular yellow or
12 yellow arrow signal, unless otherwise directed by a
13 pedestrian-control signal ~~as provided in~~ pursuant to Section
14 32-5A-33, are thereby advised that there is insufficient time
15 to cross the roadway before a red indication is shown and no
16 pedestrian shall then start to cross the roadway.

17 "(3) Steady red indication:

18 "a. Vehicular traffic facing a steady circular red
19 signal alone shall stop at a clearly marked stop line, but if
20 none, before entering the crosswalk on the near side of the
21 intersection, or if none, then before entering the
22 intersection and shall remain standing until an indication to
23 proceed is shown except as provided in subdivision (3)b.

24 "b. Except when a sign is in place prohibiting a
25 turn, vehicular traffic facing any steady red signal may
26 cautiously enter the intersection to turn right, or to turn
27 left from a one-way street into a one-way street, after

1 stopping as required by subdivision (3)a. Such vehicular
2 traffic shall yield the right of way to pedestrians lawfully
3 within an adjacent crosswalk and to other traffic lawfully
4 using the intersection.

5 "c. Unless otherwise directed by a
6 pedestrian-control signal ~~as provided in~~ pursuant to Section
7 32-5A-33, pedestrians facing a steady circular red signal
8 alone shall not enter the roadway.

9 "(4) In the event an official traffic-control signal
10 is erected and maintained at a place other than an
11 intersection, ~~the provisions of~~ this section shall be
12 applicable except as to those provisions which by their nature
13 can have no application. Any stop required shall be made at a
14 sign or marking on the pavement indicating where the stop
15 shall be made, but in the absence of any such signal or
16 marking the stop shall be made at the signal.

17 "(5) Notwithstanding any provision of law to the
18 contrary, if the driver or rider of a motorcycle, moped, or
19 bicycle approaches an intersection that is controlled by a
20 traffic-control device, the driver or rider may proceed
21 through the intersection on a steady red light only if the
22 driver or rider comes to a full and complete stop at the
23 intersection for 60 seconds and exercises due care as provided
24 by law, otherwise treats the traffic-control device as a stop
25 sign, and determines it is safe to proceed."

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.