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HOUSE BILL NO. 7

Offered January 11, 2012

Prefiled November 29, 2011

A BILL to amend and reenact § 46.2-833 of the Code of Virginia, relating to intersections controlled by traffic lights.

Patrons—Edmunds and Surovell

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:**1. That § 46.2-833 of the Code of Virginia is amended and reenacted as follows:**

§ 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.

Notwithstanding any other provision of law, if a rider of a bicycle approaches an intersection controlled by a traffic light, the rider may proceed through the intersection on a steady red light only if the rider (i) comes to a full and complete stop at the intersection for two complete cycles of the traffic light, (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.

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.

INTRODUCED

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