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## HOUSE BILL NO. 657

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Transportation  
on February 6, 2024)

(Patron Prior to Substitute—Delegate Sullivan)

*A BILL to amend and reenact § 46.2-833 of the Code of Virginia, relating to pedestrian control signals; applicability to persons riding bicycles and other devices.***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 steady 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.

Flashing circular red indicates that traffic shall stop before entering an intersection. Such traffic shall yield the right-of-way to pedestrian and vehicular traffic lawfully within the intersection.

Flashing red arrow indicates that traffic shall stop before entering an intersection. After stopping, traffic may cautiously enter the intersection to turn in the direction of the signal. Such traffic shall yield the right-of-way to pedestrian and vehicular traffic lawfully within the intersection.

Flashing circular amber indicates that traffic may proceed through the intersection or past such signal with reasonable care under the circumstances. Such traffic shall yield the right-of-way to pedestrian and vehicular traffic lawfully within the intersection.

Flashing amber arrow indicates that traffic may turn in the direction of such signal with reasonable care under the circumstances. Such traffic shall yield the right-of-way to pedestrian and vehicular traffic lawfully within the intersection.

B. Notwithstanding any other provision of law, if a driver of a motorcycle or moped or a ~~bicycle~~ ~~or a person riding a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or motorized skateboard or scooter~~ approaches an intersection that is controlled by a traffic light, the driver or ~~or a person~~ may proceed through the intersection on a steady red light ~~only if the~~:1. The driver or ~~or a person~~ (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; or

2. For a person riding a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or motorized skateboard or scooter, (i) the pedestrian control signal corresponding to the person's direction of travel and to the parallel crosswalk to the right of the person exhibits words, numbers, or symbols meaning "Walk"; (ii) such person yields the right-of-way to pedestrians lawfully within a crosswalk, to other traffic lawfully within the intersection, and to any vehicle approaching the intersection from the right; and (iii) such person only proceeds straight or turns right through the intersection.

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,

**60** and the observing officer shall furnish the license number or other positive identification of the vehicle  
**61** to the detaining officer.  
**62** Violation of any provision of this section shall constitute a traffic infraction punishable by a fine of  
**63** no more than \$350.