

# SENATE BILL NO. 1367

View [Bill Status](#)

View [Bill Text](#)

View [Statement of Purpose / Fiscal Impact](#)

---

Text to be added within a bill has been marked with Bold and Underline. Text to be removed has been marked with Strikethrough and Italic. How these codes are actually displayed will vary based on the browser software you are using.

**This sentence is marked with bold and underline to show added text.**

~~*This sentence is marked with strikethrough and italic, indicating text to be removed.*~~

## Bill Status

---

Sl367.....by TRANSPORTATION  
MOTORCYCLES - TRAFFIC SIGNALS - Amends existing law relating to motor  
vehicle traffic-control signals legend to provide a condition under which  
the driver of a motorcycle may proceed through a steady red traffic-control  
signal after coming to a full and complete stop at the intersection; and to  
specify when such action is not a defense to a violation of the law.

02/10 Senate intro - 1st rdg - to printing

02/13 Rpt prt - to Transp

03/01 Rpt out - rec d/p - to 2nd rdg

03/02 2nd rdg - to 3rd rdg

03/06 3rd rdg - PASSED - 28-2-5

AYES -- Andreason, Broadsword, Burtenshaw, Cameron, Coiner, Compton,  
Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill,  
Jorgenson, Kelly, Langhorst, Little, Lodge, Marley, McGee, McKenzie,  
Pearce, Richardson, Schroeder, Sweet, Werk, Williams

NAYS -- Keough, Stegner

Absent and excused -- Brandt, Bunderson, Burkett, Malepeai, Stennett

Floor Sponsor - Jorgenson

Title apvd - to House

03/07 House intro - 1st rdg - to Transp

03/27 Rpt out - rec d/p - to 2nd rdg

03/28 2nd rdg - to 3rd rdg

03/29 3rd rdg - PASSED - 66-1-3

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer,  
Bedke, Bell, Bilbao, Black, Block, Boe, Brackett, Bradford, Cannon,  
Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth,  
Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Jaquet, Kemp,  
Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague,  
Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence,  
Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler,  
Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30),  
Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood

NAYS -- Bolz

Absent and excused -- Field(23), Henderson, Mr. Speaker

Floor Sponsor - Hart

Title apvd - to Senate  
03/30 To enrol  
03/31 Rpt enrol - Pres signed  
04/03 Sp signed - To Governor

04/07 Governor signed  
Session Law Chapter 381  
Effective: 07/01/06

## Bill Text

|||| LEGISLATURE OF THE STATE OF IDAHO ||||  
Fifty-eighth Legislature Second Regular Session - 2006

IN THE SENATE

SENATE BILL NO. 1367

BY TRANSPORTATION COMMITTEE

1 AN ACT  
2 RELATING TO TRAFFIC-CONTROL SIGNAL LEGEND; AMENDING SECTION 49-802, IDAHO  
3 CODE, TO PROVIDE A CONDITION UNDER WHICH THE DRIVER OF A MOTORCYCLE MAY  
4 PROCEED THROUGH A STEADY RED TRAFFIC-CONTROL SIGNAL AFTER COMING TO A FULL  
5 AND COMPLETE STOP AT THE INTERSECTION, TO SPECIFY WHEN SUCH ACTION IS NOT  
6 A DEFENSE TO A VIOLATION OF THE LAW AND TO MAKE TECHNICAL CORRECTIONS.

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 49-802, Idaho Code, be, and the same is hereby  
9 amended to read as follows:

10 49-802. TRAFFIC-CONTROL SIGNAL LEGEND. Whenever traffic is controlled by  
11 traffic-control signals exhibiting different colored lights, or colored  
12 lighted arrows, successively one (1) at a time or in combination, only the  
13 colors green, red and yellow shall be used, except for pedestrian-control sig-  
14 nals and the lights shall indicate and apply to drivers of vehicles and pedes-  
15 trians as follows:

16 (1) Green indication:  
17 (a) A driver facing a circular green signal shall proceed straight  
18 through or turn right or left unless a sign prohibits a right or left  
19 turn. Any driver, including one turning, shall yield the right-of-way to  
20 other traffic and to pedestrians lawfully within the intersection, as  
21 defined in section 49-110, Idaho Code, or an adjacent crosswalk.  
22 (b) A driver facing a green arrow signal, shown alone or in combination  
23 with another indication, shall enter the intersection only to make the  
24 movement indicated by the green arrow, or other movement that is permitted  
25 by other indications shown at the same time. A driver facing a left turn  
26 green arrow shall yield the right-of-way to other traffic and to pedes-  
27 trians lawfully within the intersection or an adjacent crosswalk.  
28 (c) A pedestrian facing a circular green signal, unless prohibited by a

29 sign or otherwise ~~direction~~ directed by a pedestrian-control signal, as  
30 provided in section 49-803, Idaho Code, may proceed across the highway  
31 within any marked or unmarked crosswalk, but shall yield the right-of-way  
32 to vehicles lawfully within the intersection at the time that signal is  
33 first shown.

34 (d) A pedestrian facing a green arrow turn signal, unless otherwise  
35 directed by a pedestrian-control signal, as provided in section 49-803,  
36 Idaho Code, shall not enter the highway.

37 (2) Steady yellow indication:

38 (a) A driver facing a steady circular yellow or yellow arrow signal is  
39 being warned that the related green movement is ending, or that a red  
40 indication will be shown immediately after it.

41 (b) A pedestrian facing a steady circular yellow or yellow arrow signal,  
42 unless otherwise directed by a pedestrian-control signal, as provided in  
43 section 49-803, Idaho Code, is being warned that there is insufficient

2

1 time to cross the highway.

2 (3) Steady red indication:

3 (a) A driver facing a steady circular red signal alone shall stop before  
4 entering the intersection, as defined in section 49-110, Idaho Code, and  
5 shall remain stopped until an indication to proceed is shown except as  
6 provided in paragraph (b) of this subsection. While stopped at the inter-  
7 section, the driver shall remain stopped behind the marked limit line, as  
8 defined in section 49-113, Idaho Code, or if there is no marked limit  
9 line, shall not block the crosswalk.

10 (b) Except when a sign is in place prohibiting a turn, a driver after  
11 stopping, facing a steady circular red signal, may turn right, or turn  
12 left from a highway onto a one-way highway after stopping. Vehicular traf-  
13 fic shall yield the right-of-way to pedestrians lawfully within an adja-  
14 cent crosswalk and to other traffic lawfully using the intersection.

15 (c) A driver facing a steady red arrow indication shall not enter the  
16 intersection to make the movement indicated by the arrow and, unless  
17 entering the intersection to make a movement permitted by another signal,  
18 shall stop at a clearly marked limit line, but if none, before entering  
19 the crosswalk on the near side of the intersection, or if none, then  
20 before entering the intersection and shall remain stopped until an indica-  
21 tion permitting movement is shown.

22 (d) Unless otherwise directed by a pedestrian-control signal, a pedes-  
23 trian facing a steady circular red or red arrow signal shall not enter the  
24 traffic lanes of a highway.

25 (e) Notwithstanding any provision of law to the contrary, the driver of a  
26 motorcycle approaching an intersection that is controlled by a triggered  
27 traffic-control signal using a vehicle detection device that is inopera-  
28 tive due to the size of the motorcycle, shall come to a full and complete  
29 stop at the intersection. If the signal fails to operate after one cycle  
30 of the traffic signal, the driver may proceed after exercising due caution  
31 and care. It is not a defense to a violation of section 49-801, Idaho  
32 Code, that the driver of a motorcycle proceeded under the belief that a  
33 traffic-control signal used a vehicle detection device or was inoperative  
34 due to the size of the motorcycle when such signal did not use a vehicle  
35 detection device or that any such device was not in fact inoperative due  
36 to the size of the motorcycle.

37 (4) When an official traffic-control signal is erected and maintained at  
38 a place other than an intersection, the provisions of this section shall be  
39 applicable except as to those provisions which by their nature can have no

40 application. Any stop required shall be made at a sign or crosswalk or limit  
41 line indicating where the stop shall be made, but in the absence of a sign or  
42 marking, the stop shall be made at the signal.

## Statement of Purpose / Fiscal Impact

### STATEMENT OF PURPOSE

RS 15825

Relating to traffic-control signal legend; amending Section 49-802, Idaho Code, to provide a condition under which the driver of a motorcycle may proceed through a steady red traffic-control signal after coming to a full and complete stop at the intersection, to specify when such action is not a defense to a violation of the law and to make technical corrections.

### FISCAL NOTE

None

#### Contact

Name: Senator Mike Jorgenson  
Phone: (208) 332-1346

Senator R. Skip Brandt  
(208) 332-1326

Representative Phil Hart  
(208) 332-1000

STATEMENT OF PURPOSE/FISCAL NOTE

S 1367

REVISED

REVISED

REVISED

REVISED

REVISED