

HOUSE _____ **AMENDMENT NO.** _____

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 82,
2 Page 58, Section 304.170, by inserting after all of said section the following:

3 "304.281. 1. Whenever traffic is controlled by traffic control signals exhibiting different
4 colored lights, or colored lighted arrows, successively one at a time or in combination, only the
5 colors green, red and yellow shall be used, except for special pedestrian signals carrying a word
6 legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

7 (1) Green indication

8 (a) Vehicular traffic facing a circular green signal may proceed straight through or turn
9 right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including
10 vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians
11 lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited;

12 (b) Vehicular traffic facing a green arrow signal, shown alone or in combination with
13 another indication, may cautiously enter the intersection only to make the movement indicated by
14 such arrow, or such other movement as is permitted by other indications shown at the same time.
15 Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent
16 crosswalk and to other traffic lawfully using the intersection;

17 (c) Unless otherwise directed by a pedestrian control signal, as provided in section
18 304.291, pedestrians facing any green signal, except when the sole green signal is a turn arrow,

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1 may proceed across the roadway within any marked or unmarked crosswalk.

2 (2) Steady yellow indication

3 (a) Vehicular traffic facing a steady yellow signal is thereby warned that the related green
4 movement is being terminated or that a red indication will be exhibited immediately thereafter
5 when vehicular traffic shall not enter the intersection;

6 (b) Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian
7 control signal as provided in section 304.291, are thereby advised that there is insufficient time to
8 cross the roadway before a red indication is shown and no pedestrian shall then start to cross the
9 roadway.

10 (3) Steady red indication

11 (a) Vehicular traffic facing a steady red signal alone shall stop before entering the
12 crosswalk on the near side of the intersection at a clearly marked stop line but, if none, then before
13 entering the intersection and shall remain standing until an indication to proceed is shown except
14 as provided in paragraph (b);

15 (b) The driver of a vehicle which is stopped as close as practicable at the entrance to the
16 crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection in
17 obedience to a red signal, may cautiously enter the intersection to make a right turn but shall yield
18 the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the
19 intersection, except that the state highways and transportation commission with reference to an
20 intersection involving a state highway, and local authorities with reference to an intersection
21 involving other highways under their jurisdiction, may prohibit any such right turn against a red
22 signal at any intersection where safety conditions so require, said prohibition shall be effective
23 when a sign is erected at such intersection giving notice thereof;

24 (c) Unless otherwise directed by a pedestrian control signal as provided in section
25 304.291, pedestrians facing a steady red signal alone shall not enter the roadway.

26 (4) In the event an official traffic control signal is erected and maintained at a place other
27 than an intersection, the provision of this section shall be applicable except as to those provisions
28 which by their nature can have no application. Any stop required shall be made at a sign or

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1 marking on the pavement indicating where the stop shall be made, but in the absence of any such
2 sign or marking the stop shall be made at the signal.

3 2. Notwithstanding the provisions of section 304.361, violation of this section is a class C
4 misdemeanor.

5 3. A person operating a motorcycle who violates this section or section 304.301 by
6 entering or crossing an intersection controlled by a traffic control signal against a red light shall
7 have an affirmative defense to that charge if the person establishes all of the following conditions:

8 (1) The motorcycle has been brought to a complete stop;

9 (2) The traffic control signal continues to show a red light for an unreasonable time;

10 (3) The traffic control is apparently malfunctioning or, if programmed or engineered to
11 change to a green light only after detecting the approach of a motor vehicle, the signal has
12 apparently failed to detect the arrival of the motorcycle; and

13 (4) No motor vehicle or person is approaching on the street or highway to be crossed or
14 entered or is so far away from the intersection that it does not constitute an immediate hazard.

15
16 The affirmative defense of this section applies only to a violation for entering or crossing an
17 intersection controlled by a traffic control signal against a red light and does not provide a defense
18 to any other civil or criminal action."; and

19
20 Further amend said bill by amending the title, enacting clause, and intersectional references
21 accordingly.

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