

HOUSE BILL NO. 581
INTRODUCED BY R. HAMILTON

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING BICYCLE OPERATING REQUIREMENTS BY ALLOWING THE OPERATOR OF A BICYCLE TO TURN OR PROCEED THROUGH CERTAIN INTERSECTIONS WITHOUT STOPPING; PROVIDING THAT HAND AND ARM SIGNALS ARE NOT REQUIRED TO BE GIVEN BY A PERSON OPERATING A BICYCLE IF THE HAND IS NEEDED FOR OPERATION OF THE BICYCLE; AND AMENDING SECTIONS 61-8-207, 61-8-337, 61-8-338, AND 61-8-344, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-8-207, MCA, is amended to read:

"61-8-207. Traffic control signal legend. Except for lane use control signals and special pedestrian control signals carrying a legend, whenever traffic is controlled by traffic control signals exhibiting different colored lights or colored lighted arrows successively one at a time or in combination, only the colors green, red, and yellow may be used. The lights indicate and apply to drivers of vehicles and pedestrians as follows:

(1) (a) Vehicular traffic facing a circular green signal may proceed straight through or turn left or right unless a traffic control device at the place prohibits either turn. However, vehicular traffic, including vehicles turning right or left, must yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time the signal is exhibited.

(b) Vehicular traffic facing a green arrow signal shown alone or in combination with another indication may cautiously enter the intersection only to make either the movement indicated by the arrow or another movement that is permitted by another indication shown at the same time. Vehicular traffic making the movements permitted by this subsection (1)(b) must yield the right-of-way to pedestrians who are lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(c) Unless otherwise directed by a pedestrian control signal as provided in 61-8-208, a pedestrian facing a green signal, except when the only green signal is a turn arrow, may proceed in the direction of the green signal across the roadway within any marked or unmarked crosswalk. A driver of a vehicle shall yield the right-of-way to the pedestrian.

(2) (a) Vehicular traffic facing a steady circular yellow or yellow arrow signal is warned that the traffic movement permitted by the related green signal is being terminated or that a red signal will be exhibited

immediately thereafter. Vehicular traffic may not enter the intersection when the red signal is exhibited after the yellow signal.

(b) Unless otherwise directed by a pedestrian control signal as provided in 61-8-208, a pedestrian facing a steady circular yellow or yellow arrow signal is advised that there is insufficient time to cross the roadway before a red indication is shown.

(3) (a) ~~Vehicular~~ Except as provided in subsection (4), vehicular traffic facing a steady circular red signal must stop at a marked stop line. If there is not a marked stop line, vehicular traffic must stop before entering the crosswalk on the near side of the intersection. If there is not a marked crosswalk, vehicular traffic must stop before entering the intersection and, except as provided in subsection (3)(c), must remain standing until an indication to proceed is shown.

(b) ~~Vehicular~~ Except as provided in subsection (4), vehicular traffic facing a steady red arrow signal may not enter the intersection to make the movement indicated by the arrow and must stop at a marked stop line unless the traffic is entering the intersection to make a movement indicated by another signal. If there is not a marked stop line, vehicular traffic must stop before entering the crosswalk on the near side of the intersection. If there is not a marked crosswalk, vehicular traffic must stop before entering the intersection and must remain standing until an indication is shown that permits movement.

(c) (i) Except when a traffic control device is in place that prohibits a turn, vehicular traffic facing a steady circular red signal may cautiously enter the intersection to turn right or to turn left from a one-way street onto another one-way street after stopping as required under subsection (3)(a). After stopping, the operator of a vehicle shall yield the right-of-way to any vehicle in the intersection or approaching the intersection close enough to constitute an immediate hazard during the time that the operator is moving within the intersection.

(ii) An operator of a vehicle entering an intersection as provided in subsection (3)(c)(i) shall yield the right-of-way to pedestrians within the intersection or within an adjacent crosswalk.

(d) Unless otherwise directed by a pedestrian control signal as provided in 61-8-208, a pedestrian facing a steady circular red or red arrow signal alone may not enter the roadway.

(4) A person operating a bicycle facing a steady circular red signal or a steady red arrow signal may, after slowing to a reasonable speed and yielding the right-of-way if required, cautiously make a turn or proceed through the intersection without stopping.

~~(4)~~ (5) (a) If an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section are applicable except as to those provisions that by their very nature can have no application.

(b) A required stop must be made at a sign or marking on the pavement indicating where the stop must be made, but in the absence of any sign or marking, the stop must be made at the signal."

Section 2. Section 61-8-337, MCA, is amended to read:

"61-8-337. Signals by hand and arm or signal device. (1) ~~Any~~ A stop or turn signal when required ~~herein shall~~ must be given either by means of the hand and arm or by a signal lamp or lamps, except as otherwise provided in 61-8-338(2)(b) and subsection (2) of this section.

(2) ~~Any~~ A motor vehicle in use on a highway ~~shall~~ must be equipped with and a required signal ~~shall~~ must be given by a signal lamp or lamps when the distance from the center of the top of the steering post to the left outside limit of the body, cab, or load of ~~such~~ the motor vehicle exceeds 24 inches or when the distance from the center of the top of the steering post to the rear limit of the body or load ~~thereof~~ of the motor vehicle exceeds 14 feet. The latter measurement ~~shall apply to any~~ applies to a single vehicle, ~~also~~ and to any combination of vehicles."

Section 3. Section 61-8-338, MCA, is amended to read:

"61-8-338. Method of giving hand-and-arm signals. (1) Except as provided in subsection (2), all signals required in this part that are given by hand and arm must be given from the left side of the vehicle by the operator of the vehicle in the following manner:

- (a) For a left turn, the operator's hand and arm must be extended horizontally.
- (b) For a right turn, the operator's hand and forearm must be extended upward.
- (c) For a stop or a decrease in speed, the operator's hand and arm must be extended downward.

(2) (a) The person operating a bicycle may signal a right turn by extending the right hand and arm horizontally.

(b) Hand and arm signals need not be given by a person operating a bicycle if the hand is needed in the control or operation of the bicycle."

Section 4. Section 61-8-344, MCA, is amended to read:

"61-8-344. Vehicles to stop at stop signs -- exception for bicycles. (1) The department of transportation and local authorities in their respective jurisdictions may designate through highways and erect stop signs at specified entrances to these highways or may designate an intersection as a stop intersection and erect stop signs at one or more entrances to that intersection.

(2) The stop sign and its placement must conform to the sign manual adopted by the department of transportation.

(3) ~~(a) An~~ Except as provided in subsection (3)(b), an operator of a vehicle approaching a stop sign shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, the operator shall stop at a clearly marked stop line. If there is not a clearly marked stop line, the operator shall stop at the point nearest the intersecting roadway where the operator has a view of approaching traffic on the intersecting roadway before entering the intersection except when directed to proceed by a police officer, highway patrol officer, or traffic control signal.

(b) A person operating a bicycle approaching a stop sign shall slow down and, if required for safety, stop before entering the intersection. After slowing to a reasonable speed or stopping, the person shall yield the right-of-way to any vehicle in the intersection or approaching on another highway close enough to constitute an immediate hazard. After slowing to a reasonable speed and yielding the right-of-way, a person operating a bicycle may proceed through the intersection without stopping."

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