

**SENATE BILL NO. 2184**

Introduced by

Transportation Committee

(At the request of the Department of Transportation)

1 A BILL for an Act to amend and reenact sections 39-10-05, 39-10-06, and 39-10-07 of the North  
2 Dakota Century Code, relating to traffic control signals.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 39-10-05 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **39-10-05. Traffic-control signal legend.** Whenever traffic is controlled by  
7 traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively  
8 one at a time or in combination, only the colors green, red, and yellow may be used, except for  
9 special pedestrian signals carrying a word or legend, and said lights must indicate and apply to  
10 drivers of vehicles and pedestrians as follows:

11 1. Green ~~indication~~ indications:

12 a. Vehicular traffic facing a circular green ~~signal~~ indication may proceed straight  
13 through or turn right or left unless a sign at such place prohibits either such  
14 turn. But vehicular traffic, including vehicles turning right or left, shall yield the  
15 right of way to other vehicles and to pedestrians lawfully within the  
16 intersection or an adjacent crosswalk at the time such signal is exhibited.

17 b. Vehicular traffic facing a green arrow ~~signal~~ indication, shown alone or in  
18 combination with another indication, may cautiously enter the intersection only  
19 to make the movement indicated by such arrow or such other movement as is  
20 permitted by other indications shown at the same time. Such vehicular traffic  
21 shall yield the right of way to pedestrians lawfully within an adjacent crosswalk  
22 and to other traffic lawfully using the intersection.

23 c. Unless otherwise directed by a pedestrian-control signal as provided for in  
24 section 39-10-06, pedestrians facing any green ~~signal~~ indication, except when

1                   the sole green ~~signal~~ indication is a turn arrow, may proceed across the  
2                   roadway within any marked or unmarked crosswalk.

3           2. Steady yellow indication:

4           a. Vehicular traffic facing a steady circular yellow ~~signal~~ or yellow arrow  
5           indication is thereby warned that the related green movement is being  
6           terminated or that a red indication will be exhibited immediately thereafter  
7           when vehicular traffic may not enter the intersection.

8           b. Pedestrians facing a steady circular yellow ~~signal~~ or yellow arrow indication,  
9           unless otherwise directed by a pedestrian-control signal as provided for in  
10           section 39-10-06, are thereby advised that there is insufficient time to cross  
11           the roadway before a red indication is shown and no pedestrian may then  
12           start to cross the roadway.

13          3. Steady red indication:

14          a. Vehicular traffic facing a steady circular red ~~signal~~ indication alone shall stop  
15          at a clearly marked stop line, but if none, before entering the crosswalk on the  
16          near side of the intersection, or if none, then before entering the intersection  
17          and shall remain standing until an indication to proceed is shown, except as  
18          provided for in subdivision ~~b~~ c.

19          b. Vehicular traffic facing a steady red arrow indication may not enter the  
20          intersection to make the movement indicated by the arrow and, unless  
21          entering the intersection to make a movement permitted by another indication,  
22          must stop at a clearly marked stop line, but if none, before entering the  
23          crosswalk on the near side of the intersection, or if none, then before entering  
24          the intersection and must remain standing until an indication permitting the  
25          movement indicated by the red arrow is shown except as provided for in  
26          subdivision c.

27          c. Except when a sign is in place prohibiting a turn, vehicular traffic facing a any  
28          steady red ~~signal~~ indication may cautiously enter the intersection to turn right,  
29          or to turn left from a one-way street into a one-way street, after stopping as  
30          required by ~~subdivision~~ subdivisions a and b. Such vehicular traffic shall yield

1 the right of way to pedestrians lawfully within adjacent crosswalk and to other  
2 traffic lawfully using the intersection.

3 e. ~~d.~~ Unless otherwise directed by a pedestrian-control signal as provided for in  
4 section 39-10-06, pedestrians facing a steady circular red signal or red arrow  
5 indication alone may not enter the roadway.

6 4. In the event an official traffic-control signal is erected and maintained at a place  
7 other than an intersection, the provisions of this section are applicable, except as  
8 to those provisions which by their nature can have no application. Any stop  
9 required must be made at a sign or marking on the pavement indicating where the  
10 stop must be made, but in the absence of any such sign or marking the stop must  
11 be made at the signal.

12 **SECTION 2. AMENDMENT.** Section 39-10-06 of the North Dakota Century Code is  
13 amended and reenacted as follows:

14 **39-10-06. Pedestrian control signals.** Whenever special pedestrian control signals  
15 exhibiting the words "Walk" or "Don't Walk" or the symbols of a walking person, symbolizing  
16 "Walk", or an upraised hand, symbolizing "Don't Walk" are in place, such signals must indicate  
17 as follows:

18 1. "Walk": Pedestrians facing such ~~signal~~ indication may proceed across the  
19 roadway in the direction of the ~~signal~~ indication and must be given the right of way  
20 by the drivers of all vehicles.

21 2. "Don't Walk" (steadily illuminated): ~~No~~ A pedestrian may not start to cross the  
22 roadway in the direction of such ~~signal~~, ~~but any pedestrian who has partially~~  
23 ~~completed crossing on the walk signal shall proceed to a sidewalk or safety island~~  
24 ~~while the "Don't Walk" signal is showing~~ indication.

25 3. "Don't Walk" (flashing): A pedestrian may not start to cross the roadway in the  
26 direction of the indication, but any pedestrian who has partially completed a  
27 crossing during the "Walk" signal must proceed in the direction of the indication to  
28 a sidewalk or safety island.

29 **SECTION 3. AMENDMENT.** Section 39-10-07 of the North Dakota Century Code is  
30 amended and reenacted as follows:

31 **39-10-07. Flashing signals.**

- 1           1. Whenever an illuminated flashing red or yellow light is used in a traffic signal or  
2           with a traffic sign, it requires obedience by vehicular traffic as follows:
- 3           a. ~~Flashing red (stop ~~signal~~ indication)~~. When a red lens is illuminated with rapid  
4           intermittent flashes, drivers of vehicles shall stop at a clearly marked stop line,  
5           or, if none, before entering the crosswalk on the near side of the intersection,  
6           or, if none, then at the point nearest the intersecting roadway where the driver  
7           has a view of approaching traffic on the intersecting roadway before entering  
8           it, and the right to proceed is subject to the rules applicable after making a  
9           stop at a stop sign.
- 10          b. ~~Flashing yellow (caution ~~signal~~ indication)~~. When a yellow lens is illuminated  
11          with rapid intermittent flashes, drivers of vehicles may proceed through the  
12          intersection or past such ~~signal~~ indication only with caution.
- 13          c. Flashing red arrow and flashing yellow arrow indications have the same  
14          meaning as the corresponding flashing circular indications, except that they  
15          apply only to drivers of vehicles intending to make the movement indicated by  
16          the arrow.
- 17          2. This section does not apply at railroad grade crossings. Conduct of drivers of  
18          vehicles approaching railroad grade crossings is governed by the requirements set  
19          forth in section 39-10-41.