

8601

2011-2012 Regular Sessions

I N A S S E M B L Y

September 21, 2011

Introduced by M. of A. ROSENTHAL, COOK, SPANO, BARRON, CASTRO -- Multi-Sponsored by -- M. of A. GABRYSZAK, GLICK, MENG, PERRY, P. RIVERA, ROBINSON, TITONE, WEISENBERG -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to a pedestrian's right of way

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph 2 of subdivision (a) of section 1111 of the vehi-
2 cle and traffic law, as amended by chapter 269 of the laws of 1984, is
3 amended to read as follows:

4 2. Traffic, except pedestrians, facing a steady green arrow signal may
5 cautiously enter the intersection only to make the movement indicated by
6 such arrow, or such other movement as is permitted by other indications
7 shown at the same time, except that a U-Turn may be made by traffic
8 facing a left green arrow signal unless a sign prohibits such U-Turn or
9 such U-Turn is in violation of any other provision of law. Such traffic
10 shall yield the right of way to other traffic lawfully within the inter-
11 section [or an] AND PEDESTRIANS WITHIN A MARKED OR UNMARKED adjacent
12 cross walk AT THE INTERSECTION at the time such signal is exhibited.

13 S 2. Paragraph 3 of subdivision (a) of section 1111 of the vehicle and
14 traffic law, as amended by chapter 356 of the laws of 1971, is amended
15 to read as follows:

16 3. Unless otherwise directed by a pedestrian-control signal as
17 provided in section eleven hundred twelve OF THIS ARTICLE, pedestrians
18 facing any steady green signal, except when the sole green signal is a
19 turn arrow, SHALL HAVE THE RIGHT-OF-WAY AND may proceed across the road-
20 way within any marked or unmarked crosswalk.

21 S 3. Paragraphs 2 and 3 of subdivision (b) of section 1111 of the
22 vehicle and traffic law, as amended by chapter 356 of the laws of 1971,
23 are amended to read as follows:

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD13230-01-1

1 2. Traffic, except pedestrians, facing a steady yellow arrow signal
2 may cautiously enter the intersection only to complete the movement
3 indicated by such arrow or make such other movement as is permitted by
4 other indications shown at the same time; however, said traffic is
5 thereby warned that the related green arrow movement is being terminated
6 or that a red indication will be exhibited immediately thereafter. SUCH
7 TRAFFIC SHALL YIELD THE RIGHT-OF-WAY TO PEDESTRIANS WITHIN A MARKED OR
8 UNMARKED CROSSWALK AT THE INTERSECTION AND TO OTHER TRAFFIC LAWFULLY
9 USING THE INTERSECTION.

10 3. Unless otherwise directed by a pedestrian-control signal as
11 provided in section eleven hundred twelve, pedestrians facing any steady
12 yellow signal are thereby advised that there is insufficient time to
13 cross the roadway before a red indication is shown and no pedestrian
14 shall then start to cross the roadway. REGARDLESS OF WHEN A PEDESTRIAN
15 STARTS TO CROSS THE ROADWAY, ALL PEDESTRIANS SHALL BE GIVEN THE
16 RIGHT-OF-WAY BY ALL OTHER TRAFFIC WHEN FACING ANY STEADY YELLOW LIGHT.

17 S 4. Subparagraph a of paragraph 2 of subdivision (d) of section 1111
18 of the vehicle and traffic law, as separately amended by chapters 230
19 and 420 of the laws of 1980, is amended to read as follows:

20 a. Traffic facing a steady circular red signal may cautiously enter
21 the intersection to make a right turn after stopping as required by
22 paragraph one of this subdivision, except that right turning traffic is
23 not required to stop when a steady right green arrow signal is shown at
24 the same time. Such traffic shall yield the right-of-way to pedestrians
25 within a marked or unmarked crosswalk at the intersection and to ALL
26 other traffic lawfully using the intersection;

27 S 5. Section 1112 of the vehicle and traffic law, as amended by chap-
28 ter 228 of the laws of 1987, is amended to read as follows:

29 S 1112. Pedestrian-control signal indications. Whenever pedestrians
30 are controlled by pedestrian-control signals exhibiting the words "WALK"
31 or "DON'T WALK", or exhibiting symbols of a walking person or upraised
32 hand, such signals shall indicate and apply to pedestrians as follows:

33 (a) Steady WALK or walking person. Pedestrians facing such signal may
34 proceed across the roadway in the direction of the signal and shall be
35 given the right of way by ALL other traffic.

36 (b) Flashing DON'T WALK or upraised hand. No pedestrian shall start to
37 cross the roadway in the direction of such signal, but any pedestrians
38 who have partially completed their crossing on the WALK or walking
39 person signal shall proceed to a sidewalk or safety island while the
40 flashing DON'T WALK or upraised hand signal is showing. REGARDLESS OF
41 WHEN A PEDESTRIAN STARTS TO CROSS THE ROADWAY, ALL PEDESTRIANS SHALL BE
42 GIVEN THE RIGHT-OF-WAY BY ALL OTHER TRAFFIC WHILE A FLASHING DON'T WALK
43 OR UPRAISED HAND SIGNAL IS SHOWING.

44 (c) Steady DON'T WALK or upraised hand. No pedestrians shall start to
45 cross the roadway in the direction of such signal, but any pedestrians
46 who have partially completed their crossing on the WALK OR WALKING
47 PERSON or flashing DON'T WALK OR FLASHING UPRAISED HAND signal shall
48 proceed to a sidewalk or safety island while the steady DON'T WALK OR
49 UPRAISED HAND signal is showing.

50 S 6. Subdivision (b) of section 1113 of the vehicle and traffic law,
51 as amended by chapter 722 of the laws of 2006, is amended to read as
52 follows:

53 (b) Flashing yellow indications. Vehicular traffic facing a circular
54 yellow signal or yellow arrow with rapid intermittent flashes may
55 proceed through the intersection or past such signal only with caution.

1 SUCH TRAFFIC SHALL YIELD THE RIGHT-OF-WAY TO PEDESTRIANS WITHIN A MARKED
2 OR UNMARKED CROSSWALK AT THE INTERSECTION.

3 S 7. Subdivision (a) of section 1151 of the vehicle and traffic law,
4 as amended by chapter 159 of the laws of 2002, is amended to read as
5 follows:

6 (a) When traffic-control signals are not in place or not in operation
7 the driver of a vehicle shall yield the right of way, slowing down or
8 stopping if need be to so yield, to a pedestrian crossing the roadway
9 within a crosswalk OR AT ANY UNMARKED CROSSWALK AT AN INTERSECTION on
10 the roadway upon which the vehicle is traveling, except that any pedes-
11 trian crossing a roadway at a point where a pedestrian tunnel or over-
12 pass has been provided shall yield the right of way to all vehicles.

13 S 8. This act shall take effect on the thirtieth day after it shall
14 have become a law.