

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. ROSENTHAL, COOK, BARRON, CASTRO -- Multi-Sponsored by -- M. of A. GABRYSZAK, GLICK, PERRY, 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 vehicle and traffic law, as amended by chapter 269 of the laws of 1984, is amended to read as follows:

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

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

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

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

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

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 OF THIS ARTICLE, pedestrians
12 facing any steady yellow signal are thereby advised that there is insuf-
13 ficient time to cross the roadway before a red indication is shown and
14 no pedestrian shall then start to cross the roadway. REGARDLESS OF WHEN
15 A PEDESTRIAN STARTS TO CROSS THE ROADWAY, ALL PEDESTRIANS SHALL BE GIVEN
16 THE RIGHT-OF-WAY BY ALL OTHER TRAFFIC WHEN FACING ANY STEADY YELLOW
17 LIGHT.

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

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

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

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

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

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

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

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

54 (b) Flashing yellow indications. Vehicular traffic facing a circular
55 yellow signal or yellow arrow with rapid intermittent flashes may
56 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.