

SENATE BILL No. 108

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-21-3-7.

Synopsis: Traffic control ordinances. Provides that a statutory provision prohibiting a turn at a steady red signal applies retroactively to January 1, 2023. Provides that an ordinance prohibiting such a turn is void and requires the removal of any signs installed under the authority of a voided ordinance.

Effective: January 1, 2023 (retroactive).

Freeman

January 8, 2024, read first time and referred to Committee on Homeland Security and Transportation.



Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

SENATE BILL No. 108



A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-21-3-7, AS AMENDED BY P.L.211-2023,
2 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2023 (RETROACTIVE)]: Sec. 7. (a) Whenever traffic
4 is controlled by traffic control signals exhibiting different colored lights
5 or colored lighted arrows successively, one (1) at a time or in
6 combination, only the colors green, red, or yellow may be used, except
7 for special pedestrian signals under IC 9-21-18.
8 (b) The lights indicate and apply to drivers of vehicles and
9 pedestrians as follows:
10 (1) Green indication means the following:
11 (A) Vehicular traffic facing a circular green signal may
12 proceed straight through or turn right or left, unless a sign at
13 the place prohibits either turn.
14 (B) Vehicular traffic, including vehicles turning right or left,
15 shall yield the right-of-way to other vehicles and to pedestrians
16 lawfully within the intersection or an adjacent sidewalk at the
17 time the signal is exhibited.



- 1 (C) Vehicular traffic facing a green arrow signal, shown alone
 2 or in combination with another indication, may cautiously
 3 enter the intersection only to make the movement indicated by
 4 the green arrow or other movement permitted by other
 5 indications shown at the same time.
- 6 (D) Vehicular traffic shall yield the right-of-way to pedestrians
 7 lawfully within an adjacent crosswalk and to other traffic
 8 lawfully using the intersection.
- 9 (E) Unless otherwise directed by a pedestrian control signal,
 10 pedestrians facing a green signal, except when the sole green
 11 signal is a turn arrow, may proceed across the roadway within
 12 a marked or unmarked crosswalk.
- 13 (2) Steady yellow indication means the following:
- 14 (A) Vehicular traffic facing a steady circular yellow or yellow
 15 arrow signal is warned that the related green movement is
 16 being terminated and that a red indication will be exhibited
 17 immediately thereafter.
- 18 (B) A pedestrian facing a steady circular yellow or yellow
 19 arrow signal, unless otherwise directed by a pedestrian control
 20 signal, is advised that there is insufficient time to cross the
 21 roadway before a red indication is shown, and a pedestrian
 22 may not start to cross the roadway at that time.
- 23 (3) Steady red indication means the following:
- 24 (A) Except as provided in clauses (B) and (D), vehicular
 25 traffic facing a steady circular red or red arrow signal shall
 26 stop at a clearly marked stop line. However, if there is no
 27 clearly marked stop line, vehicular traffic shall stop before
 28 entering the crosswalk on the near side of the intersection. If
 29 there is no crosswalk, vehicular traffic shall stop before
 30 entering the intersection and shall remain standing until an
 31 indication to proceed is shown.
- 32 (B) Except when a sign is in place prohibiting a turn described
 33 in this clause, vehicular traffic facing a steady red signal, after
 34 coming to a complete stop, may cautiously enter the
 35 intersection to do the following:
- 36 (i) Make a right turn.
- 37 (ii) Make a left turn if turning from the left lane or a
 38 designated left-turn lane of a one-way street into another
 39 one-way street with the flow of traffic.
- 40 Vehicular traffic making a turn described in this clause shall
 41 yield the right-of-way to pedestrians lawfully within an
 42 adjacent crosswalk and to other traffic using the intersection.



- 1 (C) Unless otherwise directed by a pedestrian control signal
 2 pedestrians facing a steady circular red or red arrow signal
 3 may not enter the roadway.
- 4 (D) This clause does not apply to the operation of an autocycle
 5 or a bicycle directed by a bicycle traffic control signal under
 6 section 8.5 of this chapter. If the operator of a motorcycle,
 7 motor driven cycle, or bicycle approaches an intersection that
 8 is controlled by a traffic control signal, the operator may
 9 proceed through the intersection on a steady red signal only if
 10 the operator:
- 11 (i) comes to a complete stop at the intersection for at least
 12 one hundred twenty (120) seconds; and
- 13 (ii) exercises due caution as provided by law, otherwise
 14 treats the traffic control signal as a stop sign, and determines
 15 that it is safe to proceed.
- 16 (4) No indication or conflicting indications means the following:
- 17 (A) Except as provided in clause (C), vehicular traffic facing
 18 an intersection having a signal that displays no indication or
 19 conflicting indications, where no other control is present, shall
 20 stop before entering the intersection.
- 21 (B) After stopping, vehicular traffic may proceed with caution
 22 through the intersection and shall yield the right-of-way to
 23 traffic within the intersection or approaching so closely as to
 24 constitute an immediate hazard.
- 25 (C) Vehicular traffic entering an intersection or crosswalk
 26 facing a pedestrian hybrid beacon may proceed without
 27 stopping if no indication is displayed on the pedestrian hybrid
 28 beacon.
- 29 (5) This subdivision applies to traffic control signals located at a
 30 place other than an intersection. A stop required under this
 31 subdivision must be made at the signal, except when the signal is
 32 supplemented by a sign or pavement marking indicating where
 33 the stop must be made.
- 34 (c) **This subsection applies to an ordinance adopted after**
 35 **December 31, 2022.** A consolidated city may not adopt an ordinance
 36 requiring the installation of a sign prohibiting a turn described in
 37 subsection (b)(3)(B).
- 38 (d) **An ordinance adopted after December 31, 2022, and before**
 39 **July 1, 2023, is void. The consolidated city shall remove any signs**
 40 **installed under the authority of a voided ordinance.**
- 41 **SECTION 2. An emergency is declared for this act.**

