

State of Arizona
House of Representatives
Forty-fifth Legislature
First Regular Session
2001

CHAPTER 190

HOUSE BILL 2277

AN ACT

AMENDING SECTIONS 28-645, 28-647, 28-672, 28-1592 AND 28-3307, ARIZONA
REVISED STATUTES; RELATING TO CIVIL TRAFFIC VIOLATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-645, Arizona Revised Statutes, is amended to
3 read:

4 28-645. Traffic control signal legend

5 A. If traffic is controlled by traffic control signals exhibiting
6 different colored lights or colored lighted arrows successively one at a time
7 or in combination, only the colors green, red and yellow shall be used,
8 except for special pedestrian signals carrying a word legend. The lights
9 shall indicate and apply to drivers of vehicles and pedestrians as follows:

10 1. Green indication:

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

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

23 (c) Unless otherwise directed by a pedestrian control signal as
24 provided in section 28-646, pedestrians facing any green signal, except if
25 the sole green signal is a turn arrow, may proceed across the roadway within
26 any marked or unmarked crosswalk.

27 2. Steady yellow indication:

28 (a) Vehicular traffic facing a steady yellow signal is warned by the
29 signal that the related green movement is being terminated or that a red
30 indication will be exhibited immediately thereafter when vehicular traffic
31 shall not enter the intersection.

32 (b) Unless otherwise directed by a pedestrian control signal as
33 provided in section 28-646, pedestrians facing a steady yellow signal are
34 advised by the signal that there is insufficient time to cross the roadway
35 before a red indication is shown and a pedestrian shall not then start to
36 cross the roadway.

37 3. Red indication:

38 (a) Except as provided in subdivisions (b) and (c) of this paragraph,
39 vehicular traffic facing a steady red signal alone shall stop before entering
40 the intersection and shall remain standing until an indication to proceed is
41 shown. ON RECEIPT OF A RECORD OF JUDGMENT FOR A VIOLATION OF THIS
42 SUBDIVISION, THE DEPARTMENT SHALL ORDER THE PERSON TO ATTEND AND SUCCESSFULLY
43 COMPLETE TRAFFIC SURVIVAL SCHOOL TRAINING AND EDUCATIONAL SESSIONS WITHIN
44 SIXTY DAYS AFTER THE DEPARTMENT ISSUES THE ORDER. NOTWITHSTANDING SECTION

1 28-3315, IF THE PERSON FAILS TO ATTEND OR SUCCESSFULLY COMPLETE TRAFFIC
2 SURVIVAL SCHOOL TRAINING AND EDUCATIONAL SESSIONS, THE DEPARTMENT SHALL
3 SUSPEND THE PERSON'S DRIVING PRIVILEGE PURSUANT TO SECTION 28-3306 UNTIL THE
4 PERSON ATTENDS AND SUCCESSFULLY COMPLETES TRAFFIC SURVIVAL SCHOOL TRAINING
5 AND EDUCATIONAL SESSIONS. A PERSON WHOSE DRIVING PRIVILEGE IS SUSPENDED
6 PURSUANT TO THIS SUBDIVISION MAY REQUEST A HEARING. IF THE PERSON REQUESTS
7 A HEARING, THE DEPARTMENT SHALL CONDUCT THE HEARING AS PRESCRIBED IN SECTION
8 28-3306.

9 (b) The driver of a vehicle that is stopped in obedience to a red
10 signal and as close as practicable at the entrance to the crosswalk on the
11 near side of the intersection, or if there is no crosswalk, then at the
12 entrance to the intersection, may make a right turn but shall yield the
13 right-of-way to pedestrians and other traffic proceeding as directed by the
14 signal. A right turn may be prohibited against a red signal at any
15 intersection if a sign prohibiting the turn is erected at the intersection.

16 (c) The driver of a vehicle on a one-way street that intersects
17 another one-way street on which traffic moves to the left shall stop in
18 obedience to a red signal but may then make a left turn into the one-way
19 street. The driver shall yield the right-of-way to pedestrians and other
20 traffic proceeding as directed by the signal at the intersection, except that
21 such left turn may be prohibited if a sign prohibiting the turn is erected
22 at the intersection.

23 (d) Unless otherwise directed by a pedestrian control signal as
24 provided in section 28-646, a pedestrian facing a steady red signal alone
25 shall not enter the roadway.

26 B. If an official traffic control signal is erected and maintained at
27 a place other than an intersection, this section applies except as to those
28 provisions of this section that by their nature can have no application. Any
29 stop required shall be made at a sign or marking on the pavement indicating
30 where the stop shall be made, but in the absence of a sign or marking the
31 stop shall be made at the signal.

32 C. The driver of a vehicle approaching an intersection that has an
33 official traffic control signal that is inoperative shall bring the vehicle
34 to a complete stop before entering the intersection and may proceed with
35 caution only when it is safe to do so. If two or more vehicles approach an
36 intersection from different streets or highways at approximately the same
37 time and the official traffic control signal for the intersection is
38 inoperative, the driver of each vehicle shall bring the vehicle to a complete
39 stop before entering the intersection and the driver of the vehicle on the
40 left shall yield the right-of-way to the driver of the vehicle on the right.

41 Sec. 2. Section 28-647, Arizona Revised Statutes, is amended to read:
42 28-647. Flashing signals

43 If an illuminated flashing red or yellow signal is used in a traffic
44 sign or signal it requires obedience by vehicular traffic as follows:

1 D. ~~Notwithstanding section 28-1598~~, A person who violates subsection
2 C of this section is subject to a civil penalty of up to one thousand
3 dollars, the person shall attend and successfully complete traffic survival
4 school training and educational sessions that are designed to improve the
5 safety and habits of drivers and that are approved by the department and the
6 court shall report the judgment to the department and may direct the
7 department to suspend the person's driving privilege for one hundred eighty
8 days. In addition, the court may order the person to perform community
9 service.

10 E. If a person's driving privilege is suspended pursuant to any other
11 statute because of an incident involving a violation of subsection A or C of
12 this section, the suspension period prescribed in subsection B or D of this
13 section shall run concurrently with the other suspension period.

14 F. If a person is ~~ordered to~~ FAILS TO SUCCESSFULLY COMPLETE TRAFFIC
15 SURVIVAL SCHOOL TRAINING AND EDUCATIONAL SESSIONS OR perform community
16 service pursuant to subsection B or D of this section and ~~fails to comply~~
17 ~~with the order~~, the court shall notify the department and the department
18 shall promptly suspend the driver license or permit of the driver or the
19 privilege of a nonresident to drive a motor vehicle in this state until the
20 order is satisfied.

21 Sec. 4. Section 28-1592, Arizona Revised Statutes, is amended to read:
22 28-1592. Commencement of action

23 A. A civil traffic violation case is commenced by issuance OR FILING
24 of a uniform traffic complaint as provided in this article.

25 B. A civil traffic violation case shall be commenced either:

26 1. Within ~~thirty~~ SIXTY days of the alleged violation.

27 2. Within one hundred eighty days of the alleged violation if the
28 alleged violation is under investigation in conjunction with a traffic
29 accident.

30 Sec. 5. Section 28-3307, Arizona Revised Statutes, is amended to read:
31 28-3307. Order to complete traffic survival school training and

32 educational sessions; training fee

33 A. If a licensee is required to attend and successfully complete
34 approved traffic survival school training and educational sessions designed
35 to improve the safety and habits of drivers pursuant to section 28-645,
36 28-647, 28-672, 28-695, or 28-3306 or 28-3321, the department shall indicate
37 on the computer record that the licensee is required to complete traffic
38 survival school training and educational sessions.

39 B. On successful completion of the traffic survival school training
40 and educational sessions, the department shall record satisfaction of the
41 requirement on the licensee's computer record.

42 C. Governmental agencies, corporations or other individuals that
43 conduct traffic survival school training and educational sessions approved

1 by the department may collect a fee that is reasonable and commensurate for
2 the training.

3 Sec. 6. Traffic and engineering study; red light violations;
4 reports

5 A. The governor's highway safety team shall conduct a traffic and
6 engineering study in conjunction with the federal government, other states
7 and local authorities in this state and other states to determine methods to
8 reduce red light violations in this state. These methods shall include
9 enforcement and traffic and engineering design and systems for intersections
10 on streets and highways in this state.

11 B. The traffic and engineering study shall include a sufficient number
12 of jurisdictions to determine the following:

13 1. Best practices in this state and other states to reduce red light
14 violations.

15 2. Feasibility and potential costs of planning and implementing a
16 uniform signal and marking system for intersections.

17 3. Other information relating to red light violations as the
18 governor's highway safety team deems necessary.

19 C. On or before November 30, 2001, the governor's highway safety team
20 shall submit a preliminary written report on its findings to the governor,
21 the president of the senate, the speaker of the house of representatives, the
22 chairperson of the senate transportation committee and the chairperson of the
23 house of representatives transportation committee. On or before November 30,
24 2002, the governor's highway safety team shall submit a final report on its
25 findings and recommendations to the governor, the president of the senate,
26 the speaker of the house of representatives, the chairperson of the senate
27 transportation committee and the chairperson of the house of representatives
28 transportation committee. The governor's highway safety team shall provide
29 a copy of these reports to the secretary of state and the director of the
30 Arizona state library, archives and public records.

31 Sec. 7. Delayed repeal

32 Section 6 of this act, relating to a traffic and engineering study, is
33 repealed from and after December 31, 2002.

APPROVED BY THE GOVERNOR APRIL 21, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 23, 2001.

Passed the House March 12, 2001,

Passed the Senate April 10, 2001,

by the following vote: 50 Ayes,

by the following vote: 26 Ayes,

3 Nays, 7 Not Voting

3 Nays, 1 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

Norman L. Moore
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

H.B. 2277

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 17, 2001,

by the following vote: 40 Ayes,

14 Nays, 6 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

17 day of April, 2001,

at 11:06 o'clock A M.

[Signature]
Secretary to the Governor

Approved this 21 day of

April, 2001,

at 12:35 o'clock P M.

[Signature]
Governor of Arizona

H.B. 2277

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 23 day of April, 2001,

at 4:45 o'clock P M.

[Signature]
Secretary of State