

AN ACT

Relating to proceeding through a steady red traffic light when the traffic actuated electric traffic-control signal device has failed to register the presence of a vehicle and change the light.

BE IT ENACTED BY THE LEGISLATURE FOR THE STATE OF TEXAS:

SECTION 1. Section 544.007 (d) (2), Transportation Code, is amended to read as follows: Sec. 544.007 (d) (2), turn left, if the intersecting streets are both one-way streets and a left turn is permissible; **or**

SECTION 2. Section 544.007 (d) (3), Transportation Code, is added to read as follows: Sec. 544.007 (d) (3), A bicycle, motorcycle or other motor vehicle and/or pedestrian may (after yielding the right of way to all approaching or present bicycles, motorcycles, other motor vehicles and/or pedestrians) turn left, enter or cross an intersection controlled by a traffic-control signal against a steady red light where the traffic actuated electric traffic-control signal device (as described in Sec. 544.0075, Transportation Code), has malfunctioned or failed to register the presence of the bicycle, motorcycle, or other vehicle, and/or pedestrian and the light has failed to change under the following conditions:

(3) (ia) The bicycle, motorcycle, or other motor vehicle and/ or pedestrian has been brought to a complete stop; and

(ii) (b) The traffic signal continues to show a steady red light and failed to change the light in the normal signal cycle sequence; may

3(c) Enter or cross the intersection by yielding the right of way to all present or approaching bicycles, motorcycles, or other motor vehicles and/or pedestrian traffic and proceed only when safe to do so.

SECTION 3. Section 544.012 (e), Transportation Code, is amended to read as follows: Sec 544.012 (e), Subsection (d) does not prohibit a peace officer from arresting or issuing a citation and notice to appear to a person whom the officer observes to have failed to comply with the instructions of a properly operating traffic-control signal located at the intersection. **See Transportation Code Section 544.007 (d) (3) for exceptions for traffic-control signals located at an intersection that are not operating properly.**