



Revisions To UVC approved 1/11/00:

Section 11-1209 - DELETED

Section 11-1202(a) - DELETED

Section 11-1205 - Add new # 4:

- "4. When riding in the right-turn-only lane."

(For background, click on this file link) [OHIOBIKE99](#)

Section 12-702 -- Add Following language : "Head lamp [and tail lamp] required at night

Every bicycle in use at the times described in 12-201 shall be equipped with a lamp on the front emitting a white light visible from a distance of at least 500 feet to the front, [and a lamp on the rear emitting a red light visible from a distance of at least 1000 feet to the rear.] (Former section 11-1207(a); revised and repositioned, 1975)

(For background, click on this file link) [LABUVC99](#)

Section 1-128 - Hazardous material

Has the same meaning as that found in 403 of the Hazardous Materials Transportation Act (49 App. U.S.C. 1801 et seq.). (Revised and renumbered, 1992.) 49 U.S.C. §5102 (definitions).

Section 12-408 - Footnote 9 to section 12-408 (a) revised as follows: See Federal Hazardous Materials Regulations in Parts 107,170,171, 172, 173, 177, 178, 180, and 397 of Title 49, Code of Federal Regulations.

Section 6-211 (b) Amend as follows:

6-211 - Authority of department to suspend or revoke license

(b) For the purpose of identifying habitually reckless or negligent drivers and habitual or frequent violators of traffic regulations governing the

movement of vehicles, the department shall adopt regulations establishing a uniform system assigning demerit points for convictions of violations of chapter 11 of this code or of ordinances adopted by local authorities regulating the operation of motor vehicles. The regulations shall include a designated level of point accumulation which so identifies drivers. The department may assess points for convictions in other states of offenses which, if committed in this State, would be grounds for such assessment. Notice of each assessment of points may be given, but notice is required when the point accumulation reaches _____ percent of the number at which suspension is authorized. No points shall be assessed for violating a provision of this code or municipal ordinance regulating standing, parking, equipment, size or weight. ~~In case of the conviction of a licensee of two or more traffic violations committed on a single occasion, such licensee shall be assessed points for one offense only and if the offenses involved have different point values, such licensee shall be assessed for the offense having the greater point value.~~ The department is authorized to suspend the license of a driver when such person's driving record identifies driver as an habitually reckless or negligent driver or as an habitual or frequent violator under this subsection. The department may, in accordance with its rules and regulations, order the licensee to attend a group or private driver improvement interview regarding such person's driving ability and record.

(For background, click on this file link) [RevisionstoUVC](#)

The DUI Millennum Protection Act, NCUTLO's model law on impaired driving, was approved in its entirety to be added to the Uniform Vehicle Code. For that reason, the following revisions in the UVC have automatically been approved: [DUIUVCRev](#)

PROPOSED REVISIONS TO THE UVC - 2002 EDITION

NOTE TO NCUTLO MEMBERS: The following **four** changes have been recommended by the NATIONAL COMMITTEE on UNIFORM TRAFFIC CONTROL DEVICES to make the planned changes to the MUTCD consistent with the UVC.

These changes were presented by Ray Pusey at the Annual Meeting; because of the time constraints to get these changes considered before final rule-making, we are asking that you review and vote on these changes by the mail ballot which is coming to you shortly.

These changes will be reviewed and considered, as well as posted to the web page for 30 days, after which all ballots are due to be returned to the National Committee. If you are a member in good standing of the National Committee, you may vote on these suggested changes, either by returning the form which was mailed to you, or by sending an email ballot

to: ncutloceo@rica.net

NO LATER THAN

FRIDAY, MARCH 10, 2000

SUGGESTED CHANGES TO THE UNIFORM VEHICLE CODE

as recommended by the

NATIONAL COMMITTEE on UNIFORM TRAFFIC CONTROL DEVICES

Presented by Raymond S. Pusey, NCUTLO Delegate

January 11, 2000

The National Committee on Uniform Traffic Control Devices (NC) has been working on a rewrite of the 1988 Manual on Uniform Traffic Control Devices (WTCD) which is to be published in 2001. In the course of this rewrite, definitions found in the NWTCD have been reviewed as have pertinent parts of Chapter 1, Definitions, and Chapter 11, Rules of the Road, of the Uniform Vehicle Code (UVC). Since the Federal Highway Administration (FHWA) has the final word on the contents of the MUTCD, it is recommended that a careful review of the differences as found in the December Federal Register notices be made and that a response to the Federal Docket be made by NCUTLO.

An effort has been made by the NC to keep the definitions in harmony, but recent actions by the FHWA as indicated in the Federal Register Notices raise strong concerns that the full impact of such differences may not be apparent to all parties.

The NC is recommending several items which should be of concern to the UVC. They are discussed below and include recommendations for possible revisions to the UVC.

Item 1. Turn on Red Arrow.

The UVC provides that a turn on Red may be made during the display of a circular Red or a Red arrow unless a sign prohibiting the movement is posted.

[UVC C 1 1-202 (c) 2 & (c) 3]

The NC has adopted language which defines the Red arrow as prohibiting turns. There is a need to prohibit turns on red at specific locations for purposes such as protecting pedestrians and controlling turning traffic where there is no merging

area or where an unexpected conflict exists. In urban areas, sign clutter and the lack of or limited space to post any signs are issues. It is felt that having the signal display convey the "No Turn on Red" message allows faster recognition by the driver as well as saving sign space. It also allows the prohibition to be applied as needed. For example, at a school crossing location, prohibiting turns on Red when pedestrians are walking under the control of the pedestrian signal is important, but the rest of the time, the prohibition is totally unnecessary.

Many factors alter the crossing times for school children such as weather delays or early closings and after school activities and sports practices or games. Providing protection, when needed, and allowing turns otherwise, is a safe and effective traffic operating method. It provides an extra level of safety for the pedestrian without unduly delaying the vehicles, wasting time and fuel, and altering driver's moods for no purpose. A simple traffic signal display with a very low cost of installation and maintenance for this purpose is highly desirable.

It is recommended that the language of the UVC C11-202(c)3 be modified as follows:

"Except when a (sign) traffic control device is in place prohibiting such a turn, vehicular traffic facing (any) a steady circular red signal may cautiously, etc.

The change of "sign" to "traffic control device" is recommended to eliminate any arguments concerning electronic displays being a sign or a signal.

The replacement of "any" by "circular" defines the one red display which permits turn on red.

I believe a further statement which specifically states that turns on red arrow are prohibited is unnecessary.

Item 2. Pedestrians at signalized locations.

It was noted that the UVC provides directives to the pedestrian and the motorist at signalized intersections, but that a key operational element is

not addressed. There are two conditions which may exist at the beginning of a vehicular green; no vehicle is lawfully within the intersection and a vehicle is lawfully within the intersection (typically, it entered to turn left on green but was delayed by opposing traffic until the opposing traffic was stopped by a red.)

Where no vehicle is lawfully within the intersection, the UVC is clear as to the respective responsibilities of drivers and pedestrians. [See C11-202 (a)].

Where a vehicle(s) is lawfully within the intersection, before the vehicles or pedestrians just receiving a green begin to move, it is necessary that the vehicle(s) depart the intersection. The open question is, "Does the departing driver yield to pedestrians who are just beginning to cross or must the pedestrians yield to the departing vehicle?" As a practical matter, the pedestrians must yield exactly as the vehicle drivers just receiving the green must yield.

The NC adopted the following language for inclusion in the MUTCD. "Unless otherwise directed by a pedestrian signal head, pedestrians facing any green signal indication, except when the sole green signal indication is a turn arrow, may proceed across a roadway within a marked or unmarked crosswalk, **but pedestrians shall yield the right-of-way to vehicles lawfully within the intersection at the time that signal is first shown.**" [In Bold is language not now in C 11-202 (a) 3].

The NC also adopted the following language for inclusion in the MUTCD. "A steady WALK signal indication means that a pedestrian facing the signal indication may start to cross the roadway in the direction of the signal indication, possibly in conflict with turning vehicles, but shall yield the right-of-way to vehicles lawfully within the intersection at the time that signal is first shown."

The UVC language concerning the meaning of the WALK and the DON'T WALK signal is not duplicated in the MUTCD.

It is recommended that the language of the UVC

C11-202 (c) 3 be modified as follows:

"Unless otherwise directed by a pedestrian signal (head) indication, pedestrians facing any green signal indication, except when the sole green signal indication is a turn arrow, may proceed across a roadway within a marked or unmarked crosswalk, but pedestrians shall yield the right-of-way to vehicles lawfully within the intersection at the timer that green signal indication is first displayed."

[Underlined language is new. See C11-202 (a) 3].

The change from "head" to "indication" recognizes that the visible symbol or word controls, not the signal head by which it is displayed.

It is recommended that the language of the UVC C11-203 be modified as follows:

(a) " Steady WALK or WALKING PERSON - Any pedestrian facing (the) this signal indication may proceed across the roadway in the direction of the signal indication and every driver shall yield the right-of-way to such pedestrian, but such pedestrian shall yield the right-of-way to vehicles lawfully within the intersection at the time that signal indication is first displayed."

[Underlined language is new. See C11-203 (a).]

The NC has recommended the elimination of the Flashing WALK display. Thus, the recommendation to remove it from the UVC is included.

Item 3. Bicyclist in crosswalk.

The UVC allows bicycles in crosswalks and in some jurisdictions, bicyclists are required to share pedestrian facilities. Since a bicycle is a "vehicle", does a bicyclist obey the vehicular traffic signal indications or does the bicyclist obey the pedestrian indications when operating in a

crosswalk or on a pedestrian facility? While the question arose concerning bicyclists, it is equally of issue about other small vehicles such as the several types of motorized wheel chairs and adult tricycles.

A study of the UVC as it applies to the many new types of vehicles which are appearing in the market place is recommended.

It is recommended that the language of the UVC C11-1210 be modified as follows:

"(d) No person shall drive or operate a vehicle upon or along a sidewalk or shared pedestrian facility, or across a roadway, upon or along a crosswalk, unless vehicles of that class are authorized by statute or by a posted traffic control device to be driven or operated upon or along a sidewalk or shared pedestrian facility or across a roadway, upon or along a crosswalk.

The driver or operator of any vehicle so authorized when driving or operating said vehicle upon or along a sidewalk, or shared pedestrian facility, or across a roadway, upon or along a crosswalk, shall first obey all traffic control devices posted to regulate, warn, or guide drivers or operators of that class of vehicle and second shall obey all traffic control devices posted to regulate, warn, or guide pedestrians, except for those provisions which by their very nature can have no application."

This is not currently in the UVC and it is worded broadly to capture any user of any of the named facilities and every vehicle of every type or class which may be designated in the future. The wording is intended to set the order in which conflicts between traffic control devices are to be resolved.

I specifically did not recommend modification of the section on pedestrian signals since I believe that this covers the issue. *pusey2/10/00*