

2008 -- H 8011

LC02386

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2008

A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- RIGHT-OF-WAY

Introduced By: Representatives Petrarca, Palumbo, and Silva

Date Introduced: March 05, 2008

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 31-15-12.1 of the General Laws in Chapter 31-15 entitled "Passing,  
2 Use of Lanes, and Rules of the Road" is hereby amended to read as follows:

3 **31-15-12.1. Entering intersections.** -- The driver of a motor vehicle shall not enter an  
4 intersection whether or not any traffic signal is green unless there is sufficient space in the  
5 roadway he or she is about to enter beyond the intersection to receive his or her vehicle without  
6 blocking the intersection. Violations of this section are subject to fines enumerated in section 31-  
7 41.1-4.

8 (1) When bodily injury of any person other than the operator of any motor vehicle is  
9 caused by violation of this section, the person so operating the vehicle shall be fined two hundred  
10 dollars (\$200). When serious bodily injury of any person other than the operator of any motor  
11 vehicle is caused by violation of this section, the person so operating the vehicle shall be fined  
12 five hundred dollars (\$500) and their driving license shall be suspended for a period of three (3)  
13 months. When the death of any person other than the operator of any motor vehicle is caused by  
14 violation of this section, the person so operating the vehicle shall be fined one thousand dollars  
15 (\$1,000) and their driving license shall be suspended for a period of one year.

16 (2) As used in this section, "serious bodily injury" means physical injury that creates a  
17 substantial risk of death or causes serious physical disfigurement or protracted loss or impairment  
18 of the function of any bodily member or organ.

19 SECTION 2. Sections 31-17-1, 31-17-2, 31-17-4, 31-17-7 and 31-17-8 of the General

1 Laws in Chapter 31-17 entitled "Right-of-Way" are hereby amended to read as follows:

2 **31-17-1. Right-of-way in absence of signs or signals.** -- (a) The driver of a vehicle  
3 approaching an intersection shall yield the right-of-way to a vehicle which has entered the  
4 intersection from a different highway.

5 (b) When two vehicles enter an intersection from different highways at approximately  
6 the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on  
7 the right.

8 (c) The right-of-way rules declared in subsections (a) and (b) of this section are modified  
9 at through highways and otherwise as stated in this chapter.

10 (d) Violations of this section are subject to the fines enumerated in section 31-41.1-4.

11 (e) When bodily injury of any person other than the operator of any motor vehicle is  
12 caused by violation of this section, the person so operating the vehicle shall be fined two hundred  
13 dollars (\$200). When serious bodily injury of any person other than the operator of any motor  
14 vehicle is caused by violation of this section, the person so operating the vehicle shall be fined  
15 five hundred dollars (\$500) and their driving license shall be suspended for a period of three (3)  
16 months. When the death of any person other than the operator of any motor vehicle is caused by  
17 violation of this section, the person so operating the vehicle shall be fined one thousand dollars  
18 (\$1,000) and their driving license shall be suspended for a period of one year.

19 (f) As used in this section, "serious bodily injury" means physical injury that creates a  
20 substantial risk of death or causes serious physical disfigurement or protracted loss or impairment  
21 of the function of any bodily member or organ.

22 **31-17-2. Vehicle turning left or right.** -- The driver of a vehicle within an intersection  
23 intended to turn to the left or right shall yield the right-of-way to any vehicle approaching from  
24 the opposite direction which is within the intersection or so close to it as to constitute an  
25 immediate hazard, or shall yield to a pedestrian intending to cross within a crosswalk which the  
26 driver of the vehicle must travel to make the left or right turn. The driver, having so yielded and  
27 having given a signal when and as required by chapter 16 of this title, may make the left or right  
28 turn, and the drivers of all other vehicles approaching the intersection from the opposite direction  
29 shall yield the right of way to the vehicle making the left or right turn. Violations of this section  
30 are subject to the fines enumerated in section 31-41.1-4.

31 (1) When bodily injury of any person other than the operator of any motor vehicle is  
32 caused by violation of this section, the person so operating the vehicle shall be fined two hundred  
33 dollars (\$200). When serious bodily injury of any person other than the operator of any motor  
34 vehicle is caused by violation of this section, the person so operating the vehicle shall be fined

1 five hundred dollars (\$500) and their driving license shall be suspended for a period of three (3)  
2 months. When the death of any person other than the operator of any motor vehicle is caused by  
3 violation of this section, the person so operating the vehicle shall be fined one thousand dollars  
4 (\$1,000) and their driving license shall be suspended for a period of one year.

5 (2) As used in this section, "serious bodily injury" means physical injury that creates a  
6 substantial risk of death or causes serious physical disfigurement or protracted loss or impairment  
7 of the function of any bodily member or organ.

8 **31-17-4. Vehicle entering stop or yield inters ection.** – (a) Preferential right-of-way at  
9 an intersection may be indicated by stop signs or yield signs.

10 (b) Except when directed to proceed by a police officer or traffic-control signal, every  
11 driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop at a clearly  
12 marked stop line, but if none, before entering the crosswalk on the near side of the intersection,  
13 or, if none, then at the point nearest the intersecting roadway where the driver has a view of  
14 approaching traffic on the intersecting roadway before entering the intersection. After having  
15 stopped, the driver shall yield the right-of-way to any pedestrian intending to cross the lane of  
16 traffic in a crosswalk or any vehicle which has entered the intersection from another highway or  
17 which is approaching so closely on the highway as to constitute an immediate hazard during the  
18 time when the driver is moving across or within the intersection.

19 (c) The driver of a vehicle approaching a yield sign shall, in obedience to the sign, slow  
20 down to a speed reasonable for the existing conditions and, if required for safety to stop, shall  
21 stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of  
22 the intersection, or, if none, then at the point nearest the intersecting roadway where the driver  
23 has a view of approaching traffic on the intersecting roadway. After slowing or stopping, the  
24 driver shall yield the right-of-way to any pedestrian intending to cross the lane of traffic in a  
25 crosswalk or any vehicle in the intersection or approaching on another highway so closely as to  
26 constitute an immediate hazard during the time the driver is moving across or within the  
27 intersection.

28 (d) Violations of this section are subject to the fines enumerated in section 31-41.1-4.

29 (e) When bodily injury of any person other than the operator of any motor vehicle is  
30 caused by violation of this section, the person so operating the vehicle shall be fined two hundred  
31 dollars (\$200). When serious bodily injury of any person other than the operator of any motor  
32 vehicle is caused by violation of this section, the person so operating the vehicle shall be fined  
33 five hundred dollars (\$500) and their driving license shall be suspended for a period of three (3)  
34 months. When the death of any person other than the operator of any motor vehicle is caused by

1 violation of this section, the person so operating the vehicle shall be fined one thousand dollars  
2 (\$1,000) and their driving license shall be suspended for a period of one year.

3 (f) As used in this section, "serious bodily injury" means physical injury that creates a  
4 substantial risk of death or causes serious physical disfigurement or protracted loss or impairment  
5 of the function of any bodily member or organ.

6 **31-17-7. Right-of-way of fire companies.** -- The officers and men and women of the fire  
7 department, of any fire engine or hose company, or of any protective department or company  
8 duly chartered and organized under the laws of this state for the protection of property from fire  
9 in any city or town, with their registered fire apparatus, shall have the right of way while going to  
10 a fire or upon any alarm of fire, while responding to an emergency call; when on duty at any fire,  
11 in, upon, or through any street, highway, lane, avenue, or alley in the city or town; and when  
12 exiting or entering a fire station, garage or other department facility. Every person in or upon or  
13 owning any vehicle, or upon the street, highway, lane, avenue, or alley, who shall willfully or  
14 maliciously refuse the right of way to, or shall in any way willfully or maliciously obstruct or  
15 retard any registered fire apparatus of the fire department, fire company, protective department, or  
16 company, or any of the officers or men and women, while going to a fire or upon any alarm of  
17 fire, while responding to an emergency call, or while on duty at any fire, in, upon, or through the  
18 street, highway, lane, avenue, or alley, or when exiting or entering a fire station, garage or other  
19 department facility shall be fined not exceeding ~~twenty dollars (\$20.00)~~ two hundred dollars  
20 (\$200). However, the rights pursuant to this section of the protective department or company shall  
21 be subject, at all times, to the rights pursuant to this section of the fire department, fire engine  
22 company, and hose company.

23 **31-17-8. Right-of-way at rotary.** -- In the absence of any traffic control device or sign,  
24 the driver of a vehicle about to enter a rotary, regardless of the direction from which the vehicle is  
25 approaching, shall yield the right-of-way to all vehicles already in the rotary. The state traffic  
26 commission shall determine the location of yield signs at rotaries. Violations of this section are  
27 subject to fines enumerated in section 31-41.1-4.

28 (1) When bodily injury of any person other than the operator of any motor vehicle is  
29 caused by violation of this section, the person so operating the vehicle shall be fined two hundred  
30 dollars (\$200). When serious bodily injury of any person other than the operator of any motor  
31 vehicle is caused by violation of this section, the person so operating the vehicle shall be fined  
32 five hundred dollars (\$500) and their driving license shall be suspended for a period of three (3)  
33 months. When the death of any person other than the operator of any motor vehicle is caused by  
34 violation of this section, the person so operating the vehicle shall be fined one thousand dollars

1 (\$1,000) and their driving license shall be suspended for a period of one year.

2 (2) As used in this section, "serious bodily injury" means physical injury that creates a  
3 substantial risk of death or causes serious physical disfigurement or protracted loss or impairment  
4 of the function of any bodily member or organ.

5 SECTION 3. Chapter 31-21 of the General Laws entitled "Stopping, Standing, and  
6 Parking Restrictions" is hereby amended by adding thereto the following section:

7 **31-21-18. Designated parking for motorcycles at public buildings.** – Where such  
8 parking areas exist at any state, city, or town building, specifically designated parking spaces  
9 shall be created and assigned for motorcycle use only, including designating existing automobile  
10 parking spaces as motorcycle parking spaces, if needed. For security purposes, the motorcycle  
11 parking spaces shall be located in an area within sight of the building.

12 SECTION 4. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO MOTOR AND OTHER VEHICLES -- RIGHT-OF-WAY

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- 1           This act would create additional penalties for certain motor vehicle violations. This act
- 2           would also require state and municipal buildings to provide parking for motorcycles.
- 3           This act would take effect upon passage.

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