

Safe-on-Red proposal:

Imagine a daily occurrence of being stuck at a traffic light that takes an excruciating amount of time -- what feels like hours -- to turn green? That is what it's like for some motorcyclists due to sensors at some intersections that don't recognize the arrival of lightweight vehicles.

To alleviate this aggravation, I would like Iowa to join several other states who have passed 'safe on red' laws that allow motorcyclists to legally drive through red lights, with safe conditions of course.

While it may sound dangerous for a driver to run a red light, if the rules put in place by state law are followed properly it shouldn't be.

Without 'safe-on-red' laws, drivers of motorcycles, mopeds, bicycles and other methods of transportation unable to trip sensors have dangerous options to choose from. They may motion cars to squeeze by to trip the sensors, leave their vehicle in the middle of the road to push the pedestrian crosswalk button to trip the light, or illegally run the light.

Here's a proposal for consideration:

Those operating motorcycles, motortrikes, mopeds, bicycles and like designed vehicles upon a public roadway are allowed to proceed cautiously through an intersection against a steady, non-responsive red light only after coming to a complete stop, waiting a reasonable amount of time but not less than 120 seconds and provided they yield the right-of-way to cross-traffic or pedestrians approaching the intersection.

**States with safe-on-red laws:**

- **Arkansas** – (2005) State law allows a motorcyclist to proceed with caution, after coming to a full and complete stop, through a red light that fails to detect the bike. (Arkansas Code section 27-52-206)
- **Idaho** - (2006) If a signal fails to operate after one cycle of the traffic light that a motorcyclist may proceed, using due caution and care, after coming to a full and complete stop at the intersection. (Statute 49-802)
- **Illinois** - (2012) Permits a driver of a motorcycles or bicycle facing a red light that fails to change within a reasonable period of time of not less than 120 seconds to proceed after yielding the right-of-way to any oncoming traffic. However, this law doesn't apply to municipalities of over 2,000,000 people - such as Chicago. (625 ILCS 5/11-306)

- **Kansas** - (2012) Motorcycles may proceed at a non-responsive red light when safe and after a reasonable amount of time. (KS Statutes, Chapter 8, Article 15, Section 8, C4)
- **Kentucky** - (2015) Motorcyclists must come to a complete stop, wait for at least two minutes or two light cycles and make sure no other vehicles are crossing the intersection before proceeding. (HB 370)
- **Minnesota** - (2002) A person operating a bicycle or motorcycle who runs a red light has an affirmative defense if the driver first came to a complete stop, the traffic light stayed red for an unreasonable amount of time and appeared not to detect the vehicle and no motor vehicles or people were approaching the street. (Statute 169.06)
- **Missouri** - (2009) State law tells both motorcyclists and bicyclists that run red lights that they have an affirmative defense if they brought their vehicle to a complete stop, the light was red for an unreasonable time period, and there were no motor vehicle or person approaching. (Statute 304.285)
- **Nevada** - (2013) Those using motorcycles, bicycles, mopeds, and tri-mobles are allowed to proceed through an intersection with a red light after waiting for two traffic light cycles, and they yield to other vehicle traffic or pedestrians. (Statute 484B.307)
- **North Carolina** - (2007) Motorcyclists are permitted to move cautiously through a steady red light after coming to a complete stop and waiting a minimum of three minutes and if no other vehicle or pedestrians are approaching the intersection. (NCGS 20-158)
- **Oklahoma** - (2010) Motorcycles can proceed cautiously through a steady red light intersection after a making a complete stop and if no other motor vehicle or person is approaching the roadway. (Statute 47-11-202)
- **South Carolina** - (2008) After making a complete stop and waiting for a minimum of 120 seconds, the driver of a motorcycle, moped, or bicycle may treat a steady red light that doesn't change as a stop sign and proceed with caution. (S.C. Code 56-5-970)
- **Tennessee** - (2003) After coming to a complete stop, motorcyclists and bicyclists may proceed through a steady red light when it is safe to do so. (Tennessee Traffic Control Signals 55-8-110)
- **Virginia** - (2011) Drivers of motorcycles, mopeds, and bicycles may move with caution through non-responsive red lights as long as they yield the right-of-way to others approaching the intersection, and have come to a complete stop for two complete light cycles or 120 seconds, whichever is shorter. (Statute 46-2-833)
- **Washington** - (2015) During the last legislative session, a new section was added to Chapter 46.61 RCW in Washington State that allows the operator of a street legal motorcycle to make a left turn, after stopping at an intersection that is controlled by a

triggered traffic control signal, if the device fails to operate after one cycle of the traffic signal. (Amendment to Chapter 46.61 RCW)

- **Wisconsin** - (2006) A motorcycle, moped or bicycle is permitted to run a steady red light after making a complete stop and waiting at least 45 seconds and then yields the right-of-way to any vehicular traffic or pedestrians using the intersection. (Statute 346.37)  
In Oregon, the Senate recently unanimously approved bill SB 533, which would make it legal to "proceed with caution" through a red light that is trying, but failing, to detect a motorcycle. This would only be allowed after someone has waited through a full cycle.

What happens if a motorcyclist runs a red light and hits someone? In this case, it is likely that the intersection wasn't clear and the biker should not have proceeded. The safe-on-red law wouldn't be a valid excuse for the biker since in all states motorcyclists and cyclists are required to proceed with caution and yield to other vehicles or pedestrians using the intersection, says Penny Gusner, consumer analyst for Insure.com.

"When you don't have the right-of-way you're normally found negligent and thus responsible for the accident. This would make the motorcyclist liable for the damage he caused to others and damages to his own bike," says Gusner. " [Liability insurance](#) would cover damage to others, and collision would be needed for the at-fault party's motorcycle."