

# 2013 -- H 5061 SUBSTITUTE A

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LC00049/SUB A  
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## STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO MOTOR AND OTHER VEHICLES -- PASSING, USING OF LANES, AND  
RULES OF THE ROAD

Introduced By: Representatives Corvese, Malik, Palangio, Ucci, and Azzinaro

Date Introduced: January 10, 2013

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. -- (a)** 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, unless bodily injury, serious bodily injury or death occurs to any person other than the  
8 offending operator under this section.

9           (b) When bodily injury of any person other than the offending operator of any motor  
10 vehicle is caused by violation of this section, the offending operator shall be fined two hundred  
11 dollars (\$200). When serious bodily injury of any person other than the offending operator of any  
12 motor vehicle is caused by violation of this section, the offending operator shall be fined five  
13 hundred dollars (\$500) and his/her driver's license shall be suspended for a period of three (3)  
14 months. When the death of any person other than the offending operator of any motor vehicle is  
15 caused by violation of this section, the offending operator shall be fined one thousand dollars  
16 (\$1,000) and his/her driver's license shall be suspended for a period of one year.

17           (c) As used in this section, "serious bodily injury" means physical injury that creates a  
18 substantial risk of death or causes serious physical disfigurement or protracted loss or impairment

1 [of the function of any bodily member or organ.](#)

2 SECTION 2. Sections 31-17-1, 31-17-2, 31-17-4, 31-17-7 and 31-17-8 of the General  
3 Laws in Chapter 31-17 entitled "Right-of-Way" are hereby amended to read as follows:

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

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

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

12 (d) Violations of this section are subject to the fines enumerated in section 31-41.1-4,  
13 [unless bodily injury, serious bodily injury or death occurs to any person other than the offending](#)  
14 [operator under this section.](#)

15 [\(e\) When bodily injury of any person other than the offending operator of any motor](#)  
16 [vehicle is caused by violation of this section, the offending operator shall be fined two hundred](#)  
17 [dollars \(\\$200\). When serious bodily injury of any person other than the offending operator of any](#)  
18 [motor vehicle is caused by violation of this section, the offending operator shall be fined five](#)  
19 [hundred dollars \(\\$500\) and his/her driver's license shall be suspended for a period of three \(3\)](#)  
20 [months. When the death of any person other than the offending operator of any motor vehicle is](#)  
21 [caused by violation of this section, the offending operator shall be fined one thousand dollars](#)  
22 [\(\\$1,000\) and his/her driver's license shall be suspended for a period of one year.](#)

23 [\(f\) As used in this section, "serious bodily injury" means physical injury that creates a](#)  
24 [substantial risk of death or causes serious physical disfigurement or protracted loss or impairment](#)  
25 [of the function of any bodily member or organ.](#)

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

1 injury, serious bodily injury or death occurs to any person other than the offending operator under  
2 this section.

3 (b) When bodily injury of any person other than the offending operator of any motor  
4 vehicle is caused by violation of this section, the offending operator shall be fined two hundred  
5 dollars (\$200). When serious bodily injury of any person other than the offending operator of any  
6 motor vehicle is caused by violation of this section, the offending operator shall be fined five  
7 hundred dollars (\$500) and his/her driver's license shall be suspended for a period of three (3)  
8 months. When the death of any person other than the offending operator of any motor vehicle is  
9 caused by violation of this section, the offending operator shall be fined one thousand dollars  
10 (\$1,000) and his/her driver's license shall be suspended for a period of one year.

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

14 **31-17-4. Vehicle entering stop or yield intersection. --** (a) Preferential right-of-way at  
15 an intersection may be indicated by stop signs or yield signs.

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

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

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

1 unless bodily injury, serious bodily injury or death occurs to any person other than the offending  
2 operator under this section.

3 (e) When bodily injury of any person other than the offending operator of any motor  
4 vehicle is caused by violation of this section, the offending operator shall be fined two hundred  
5 dollars (\$200). When serious bodily injury of any person other than the offending operator of any  
6 motor vehicle is caused by violation of this section, the offending operator shall be fined five  
7 hundred dollars (\$500) and his/her driver's license shall be suspended for a period of three (3)  
8 months. When the death of any person other than the offending operator of any motor vehicle is  
9 caused by violation of this section, the offending operator shall be fined one thousand dollars  
10 (\$1,000) and his/her driver's license shall be suspended for a period of one year.

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

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

31 **31-17-8. Right-of-way at rotary.** -- (a) In the absence of any traffic control device or  
32 sign, the driver of a vehicle about to enter a rotary, regardless of the direction from which the  
33 vehicle is approaching, shall yield the right-of-way to all vehicles already in the rotary. The state  
34 traffic commission shall determine the location of yield signs at rotaries. Violations of this section

1 are subject to fines enumerated in section 31-41.1-4, unless bodily injury, serious bodily injury or  
2 death occurs to any person other than the offending operator under this section.

3 (b) When bodily injury of any person other than the offending operator of any motor  
4 vehicle is caused by violation of this section, the offending operator shall be fined two hundred  
5 dollars (\$200). When serious bodily injury of any person other than the offending operator of any  
6 motor vehicle is caused by violation of this section, the offending operator shall be fined five  
7 hundred dollars (\$500) and his/her driver's license shall be suspended for a period of three (3)  
8 months. When the death of any person other than the offending operator of any motor vehicle is  
9 caused by violation of this section, the offending operator shall be fined one thousand dollars  
10 (\$1,000) and his/her driver's license shall be suspended for a period of one year.

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

14 SECTION 3. 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 -- PASSING, USING OF LANES, AND  
RULES OF THE ROAD

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- 1           This act would create additional penalties for motor vehicle violations at intersections and
- 2 rights-of-way that cause serious bodily injury or death.
- 3           This act would take effect upon passage.

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