

November 1974

COMPARISON OF UVC RULES OF THE ROAD
AND PROPOSED OREGON VEHICLE CODE

UVC

PROPOSED OREGON CODE

COMMENT

Article 1. Obedience to
and Effect of Traffic Laws

Article 1. General Provisions

s 11-101. Provisions of chapter refer to vehicles upon the highways; exceptions.

s 4. Provisions of chapter refer to vehicles upon the highways and ocean shore; exceptions.

Differs from UVC in that there is no exception for serious traffic offenses or accident reporting violations. S 86, applying serious traffic offenses to property open to the public covers this area.

s 11-102. Required obedience to traffic laws.

Each proposed offense contains a penalty classification within the section stating the offense elements. The UVC classification of all rules of the road violations as misdemeanors is contra the "traffic infraction" feature of the revision.

s 11-103. Obedience to authorized persons directing traffic.

s 7. Failing to obey a police officer.

Differs from UVC in application to police officers only and not to firemen.

s 11-104. Persons riding animals or driving animal-drawn vehicles.

s 111. Application of chapter to persons riding, driving or leading animal. (Article 11, Miscellaneous Rules)

Differs in use of language "subject to the provisions of this chapter," instead of UVC "granted all of the rights" and "subject to all of the duties."

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s 11-105. Persons working
on highways; exceptions.

s 10. Persons working on
highways; exceptions.

Substantially the same.

s 11-106. Authorized
emergency vehicles.

s 11. Application of speed
regulation and traffic signals
to emergency vehicles.

s 12. Application of speed
regulations and traffic signals
to ambulances.

UVC requires emergency vehicles,
except police cars, to use both
audible and visual signals when
exercising privileges. S 11
applies to emergency vehicles
exclusive of ambulances, requires
both signals when proceeding
through red stop light or stop
sign, requires visual signal
only for parking, standing,
turning and speeding privi-
leges, and prohibits use of
audible signal when parked or
standing. Police vehicle in
certain circumstances may ex-
ercise privileges not using
either signal. Ambulance privi-
leges more restricted, exer-
cisable when certified emergency
medical technician is driver.

Article 2. Traffic
Signs, Signals and
Markings

Article 2. Traffic Signs,
Signals and Markings

s 11-201. Obedience to
and required traffic-
control devices.

s 13. Obedience to and
required traffic control
devices.

Same

<u>UVC</u>	<u>PROPOSED OREGON CODE</u>	<u>COMMENT</u>
s 11-202. Traffic-control signal legend.	s 14. Traffic control signals	Differs from UVC in authorizing driver facing steady yellow signal light to drive through intersection if he cannot stop safely.
	s 15. Vehicle turns at intersections with red traffic control light	S 15 allows turning after a stop at a red light without requiring a sign so authorizing.
s 11-203. Pedestrian-control signals.	s 16. Pedestrian control signals.	Differs in word legend allowing "Wait" as well as UVC legend "Walk" and "Don't Walk."
s 11-204. Flashing signals.	s 17. Flashing signals	Same
s 11-204.1. Lane-direction-control signals.	s 18. Lane direction control signals.	Same
s 11-205. Display of unauthorized signs, signals or markings.	s 19. Unlawful display of signs, signals or markings.	Similar except: (1) Prohibits only persons and not public authorities from placing on the highways signs that carry commercial advertisement; (2) Allows placing signs bearing names of organizations if authorized by public authority.
s 11-206. Interference with official traffic-control devices or railroad signs or signals.	s 20. Unlawful interference with official traffic control device or railroad sign or signal.	Differs in requirement of criminal negligence by the actor.

<u>UVC</u>	<u>PROPOSED OREGON CODE</u>	<u>COMMENT</u>
<u>Article 3. Driving on Right Side of Roadway - Overtaking and Passing - Use of Roadway</u>	<u>Article 3. Driving on Right Side of Roadway; Overtaking and Passing; Use of Roadway</u>	
s 11-301 (a). Drive on right side of roadway - exceptions.	s 21. Driving on right side of roadway.	Same except the additional exception to the general rule for the left-turning vehicle.
s 11-301 (b).	s 22. Slow driver duty to drive on right.	Same
s 11-301 (c).	s 23. Duty to drive on right on two-way four lane roadway.	Same
s 11-302. Passing vehicles proceeding in opposite directions.	s 26. Passing vehicles proceeding in opposite directions.	Substantially the same but includes proviso that half the roadway be given to oncoming vehicle "unless otherwise directed by traffic control device."
s 11-303. Overtaking a vehicle on the left.	s 27 (1), (2). Overtaking a vehicle on the left.	Same
s 11-304. When passing on the right is permitted.	s 28. Overtaking on right.	In addition to passing a left-turning vehicle on a one-way two lane roadway, passing on the right is permitted.
s 11-305. Limitations on overtaking on the left.	s 27 (3). Overtaking a vehicle on the left.	The specified measurement of 200 feet setting out the distance between a passing and an oncoming vehicle is deleted and replaced by "as soon as practicable."

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s 11-306. Further limitations on driving on left of center of roadway.	s 29. Further limitations on driving on left of center of roadway.	Specific distance measurements of 100 feet are not used as in the UVC.
s 11-307. No-passing zones.	s 30. No passing zone.	The authorization to state and local authorities to designate no passing zones is in s 164.
s 11-308. One-way roadways and rotary traffic islands.	s 31. One-way roadways and rotary traffic islands.	The authorization to state and local authorities to designate highways for one-way traffic is in s 165.
s 11-309. Driving on roadways laned for traffic.	s 32. Driving on roadways laned for traffic.	Same. The authorization for traffic control devices directing lane use are in s 165.
s 11-310. Following too closely.	s 33. Following too closely.	Substantially the same but extends application to include motor busses, and to freeways within cities.
s 11-311. Driving on divided highways.	s 34. Driving on divided highways.	Substantially the same except only authorized crossovers rather than any opening in the barrier may be used.
s 11-312. Restricted access.	s 13. Obedience to and required traffic control devices. (Article 2, Traffic Signs, Signals and Markings)	S 13 covers duty to obey restricted access traffic control signs.

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s 11-313. Restrictions on use of controlled-access roadway.	s 162. Regulating use of freeway. (Article 15, Powers of State and Local Authorities)	Freeway use by parades, bicyclists, motorcyclists and other nonmotorized traffic is regulated, rather than any class or kind of traffic.
<u>Article 4. Right of Way</u>	<u>Article 4. Right of Way</u>	
s 11-401. Vehicle approaching or entering intersection.	s 35. Right of way at uncontrolled highway intersection.	Differs in that right of way is forfeited by excessive speed.
s 11-402. Vehicle turning left.	s 36. Driver turning left.	Same
s 11-403. Stop signs and yield signs.	s 37. Stop signs and yield signs.	1. Omits the UVC proviso that a collision involving a driver who proceeds past yield sign without stopping is prima facie evidence of failure to yield; and 2. Retains rule of subsection (4), ORS 483.204, that stop and yield signs be illuminated or so placed that headlights will illuminate them.
s 11-404. Vehicle entering highway from private road or driveway.	s 39. Vehicle entering roadway from private road, alley or place.	Differs from UVC in the inclusion of conditional clause "except when the movement of traffic is otherwise directed by an official traffic control device."

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s 11-405. Operation of vehicles (and streetcars) on approach of authorized emergency vehicles.	s 40. Operation of vehicles on approach of emergency vehicle or ambulance.	Differs in requiring drivers to yield when either visual or audible signals or both are used in conformity with rules of ss 11 and 12.
s 11-406. Highway construction and maintenance.		No comparable section.
<u>Article 5. Pedestrians' Rights and Duties</u>	<u>Article 5. Pedestrians' Rights and Duties</u>	
s 11-501. Pedestrian obedience to traffic-control devices and traffic regulations.	s 41. Pedestrian obedience to traffic control devices and traffic regulations.	Same
s 11-502 (a). Pedestrians' right of way in crosswalks.	s 42. Pedestrian's right of way in crosswalk.	Differs in requiring driver to stop before entering crosswalk when pedestrian is crossing, and in definition of roadway center as place of danger.
s 11-502 (b).	s 44. Pedestrian leaving curb.	Same but changes the verb from "walk or run" to "move."
s 11-502 (c)	s 42. Pedestrian's right of way in crosswalk. s 43. Pedestrian tunnel or overhead crossing.	Differs in that not only is the pedestrian shorn of his right of way where there is a tunnel or bridge but he is given affirmative duty to use the tunnel or bridge.

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<u>UVC</u>	<u>PROPOSED OREGON CODE</u>	<u>COMMENT</u>
s 11-502 (d)	s 45. Drivers not to overtake stopped vehicle.	Same
s 11-503 (a). Crossing at other than crosswalks.	s 46. Crossing at other than crosswalks.	Same
s 11-503 (b)	s 43. Pedestrian tunnel or overhead crossing.	Differs in that the pedestrian is not only shorn of his right of way but must use the tunnel or bridge.
s 11-503 (c)		No comparable proposed rule.
s 11-503 (d)		No comparable proposed rule.
s 11-504. Drivers to exercise due care.	s 47. Exercise of due care.	Differs in no specifics on due care on seeing a child, confused or intoxicated person.
s 11-505. Pedestrians to use right half of crosswalks.		No comparable provision.
s 11-506. Pedestrians on highways.	s 48. Pedestrian's use of sidewalk, shoulder and roadway edge.	Differs in requiring pedestrian to proceed on left shoulder of two-way highway, except when it is a divided highway and there is no sidewalk available.
	s 49. Pedestrian must yield right of way.	
s 11-507. Pedestrians soliciting rides or business.	s 50. Pedestrians soliciting rides or business.	Same

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<u>UVC</u>	<u>PROPOSED OREGON CODE</u>	<u>COMMENT</u>
s 11-508. Driving through safety zone prohibited.	s 51. Driving through safety zone prohibited.	Same
s 11-509. Pedestrians' right of way on sidewalks.	s 52. Pedestrian's right of way on sidewalks.	Same
s 11-510. Pedestrians yield to authorized emergency vehicles.	s 53. Pedestrians yield to emergency vehicle or ambulance.	Differs from UVC in allowance of right of way to emergency vehicle using either audible or visual signals as provided in ss 11 and 12.
s 11-511. Blind pedestrian right of way.	s 54. "Blind person," "guide dog," "white cane," defined. s 55. Use of white cane restricted. s 56. Duty of driver to yield to blind pedestrian. s 57. Blind pedestrian in roadway with traffic control signals. s 58. Rights of blind pedestrian without white cane or guide dog.	Differs from UVC in the substantially more detailed statement of duty to yield right of way to blind pedestrian. Driver required to stop and remain stopped until blind pedestrian has vacated the roadway.
s 11-512. Pedestrians under influence of alcohol or drugs.		No comparable provision.

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<u>UVC</u>	<u>PROPOSED OREGON CODE</u>	<u>COMMENT</u>
s 11-513. Bridge and railroad signals.	s 59. Unlawful use of bridge by pedestrian. s 60. Pedestrian crossing closed bridge or railroad grade crossing barrier prohibited.	SS 59 and 60 are the same as UVC s 11-513.
<u>Article 6. Turning and Starting and Signals on Stopping and Turning</u>	<u>Article 6. Turning and Moving; Signals on Stopping and Turning</u>	
s 11-601. Required position and method of turning.	s 61. Required position and method of turning.	Same
s 11-602. Limitations on turning around.	s 62. U-turns prohibited.	U-turns on curves or grades prohibited unconditionally rather than in the UVC terms of 500 feet visibility in both directions. Additional provisions not in UVC: U-turns prohibited between intersections in cities and in cities where visibility less than 500 feet and outside cities where visibility is less than 1,000 feet.
s 11-603. Starting parked vehicle.	s 63. Moving a stopped, standing or parked vehicle.	Same
s 11-604. Turning movements and required signals.	s 64. Turning and stopping movements and signals required.	Same except omission of UVC prohibition against flashing signals on one side only on disabled car or a parked car except as required by the section.

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s 11-605. Signals by hand and arm or signal lamps.

s 65. Signals by hand and arm or by signal lamps.

Differs from UVC in requiring signal by signal lamp only at night.

s 11-606. Method of giving hand-and-arm signals.

s 66. Method of giving required signals.

Includes method of giving signals by activating signal lamps as well as by hand and arm.

Article 7. Special Stops Required

Article 7. Special Stops Required

s 11-701. Obedience to signal indicating approach of train.

s 67. Stopping at railroad crossings upon signal of approaching train.

Substantially the same except the proposed section omits specific distance measurements other than stopping distance from railroad. Minimum is 10 feet.

s 11-702. All vehicles must stop at certain railroad grade crossings.

No comparable section. Highway-railroad grade crossings are under jurisdiction of the Public Utility Commissioner.

s 11-703. Certain vehicles must stop at all railroad grade crossings.

s 68. Certain vehicles must stop at all railroad grade crossings.

s 69. Railroad grade crossings exempt from special stopping rule.

Differs in specifying types of vehicles included rather than authorizing state official to specify by regulation. Minimum distance from nearest rail is 10 feet, not 15 as in UVC. S 69 states types of exempted crossings which does not include those protected by alternately flashing light signal and includes certain others.

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s 11-704. Moving heavy equipment at railroad grade crossings.

s 11-705. Emerging from alley, driveway or building.

s 11-706. Overtaking and passing school bus.

s 11-706 (b)

s 11-706 (c)

Article 8. Speed Restrictions

s 11-801. Basic rule.

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s 70. Moving heavy equipment at railroad grade crossings.

s 72. Stopping before driving onto sidewalk from alley, driveway or building.

s 71. Overtaking and passing school bus.

Article 8. Speed Restrictions

s 73. Basic speed rule.

COMMENT

Same except minimum stopping distance from nearest rail is 10 feet, not the UVC 15 feet.

Differs in requiring stopping point when there is no sidewalk. Driver required to stop at a point nearest the "roadway" to be entered as opposed to the UVC term, "street."

Differs in requiring driver to remain stopped until school bus flashing red lights are no longer actuated, rather than when signaled by bus driver or when the bus resumes motion.

Requirements regarding school bus driver's duties to activate flashing red lights are in ORS ch 485.

Requirements for school bus markings are contained in ORS ch 485.

Differs from UVC in not specifying as many circumstances and conditions although they are implied fully as much as if set out.

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<u>UVC</u>	<u>PROPOSED OREGON CODE</u>	<u>COMMENT</u>
s 11-801.1. Maximum limits.	s 74. Maximum speeds.	Differs in providing maximum speed of 15 mph in alleys, 20 mph when passing school grounds or crosswalks and 25 mph in residence districts and public parks.
	s 75. Speeding; affirmative defense.	There is no affirmative defense to a charge of violating maximum speed limit of UVC.
s 11-802. Establishment of State speed zones.	s 76. Special speed limits set by the Transportation Commission.	Differs in not including authority to set differing maximum speeds for different times of day, different types of vehicles and varying weather conditions.
s 11-803. When local authorities may and shall alter maximum limits.	s 77. State Speed Control Board; appointment, vacancy, compensation and expenses of certain members.	Establishing maximum speeds for highways not under the Transportation Commission is done by the State Speed Control Board and not by the local authority.
	s 78. Powers and duties of State Speed Control Board.	
s 11-804. Minimum speed regulation.	s 81. Impeding traffic.	S 81 is similar to s 11-804 (a). There is no provision comparable to s 11-804 (b) authorizing declaring minimum speed limits.

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s 11-805. Special speed
limitation on motor-driven
cycles.

A comparable rule would be
redundant as the special speed
limit applies only when the
cycle is not equipped with
head lamp. ORS 483.402 requires
a lighted lamp at all times.

s 11-806. Special speed
limitations.

s 82. Maximum speeds for
motor trucks and passenger
transport vehicles.

No maximum speeds comparable to
those in s 11-806. Provisions
of s 11-806 (d) are incorporated
in ss 76, 77 and 78. S 82
sets maximum speeds for trucks,
school and worker transport and
church busses.

s 11-807. Charging
violations and rule in
civil actions.

s 80. Designation of speed
in complaint; use of radar;
arrest without warrant in radar
cases.

Differs in not stating rule
comparable to s 11-807 (b) re
plaintiff's burden of proving
negligence by defendant.

s 11-808. Racing on
highways.

s 83. Speed races prohibited
on public ways.

Same

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Article 9. Serious
Traffic Offenses

Article 9. Serious Traffic
Offenses

s 11-901. Reckless
driving.

s 89. Dangerous driving in
the second degree.

s 90. Dangerous driving in
the first degree.

Proposed vehicle code differs from UVC in that there is no offense designated as "reckless driving." However, the same kind of conduct is prohibited. First degree offense consists of driving "recklessly," punishable as Class A misdemeanor. Second degree offense consists of driving with "criminal negligence," punishable as Class B misdemeanor. Culpability terms defined in same manner as in Oregon Criminal Code.

s 11-902. Driving while
under influence of
alcohol or drugs.

s 87. Driving while under the
influence of liquor or drugs.

Same as UVC in that it punishes driving while under the influence or with a fixed blood alcohol content. UVC provides .10 percent or more, proposed code uses figure of .08 percent or more. Punishable for first offense as Class A traffic infraction. Second offense within five years to be punished as Class A misdemeanor.

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<u>UVC</u>	<u>PROPOSED OREGON CODE</u>	<u>COMMENT</u>
s 11-902.1 Chemical tests.	Not applicable	Existing Oregon statute in substantial conformity with UVC not affected by proposed code.
s 11-902.2. Post conviction examination and remedies	Not applicable	Existing law not affected by proposed code.
s 11-903. Homicide by vehicle.	Not applicable	Existing Criminal Code provisions on manslaughter and criminally negligent homicide not affected. See ORS 163.005-163.415.
s 11-904. Fleeing or attempting to elude a police officer.	s 91. Fleeing or attempting to elude a police officer.	Proposed code substantially the same as UVC, except for penalty which would be a Class A misdemeanor. (Maximum of one year and \$1,000 fine.)
		NOTE: The UVC covers duties of a driver involved in an accident involving damage or injury under Chapter 10, Accidents and Accident Reports. The UVC includes the offense of driving while suspended or revoked under Chapter 6, Drivers' Licenses. The proposed code includes these additional offenses under Serious Traffic Offenses.

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<u>UVC</u>	<u>PROPOSED OREGON CODE</u>	<u>COMMENT</u>
<u>Article 10. Stopping, Standing or Parking</u>	<u>Article 10. Stopping, Standing or Parking</u>	
s 11-1001. Stopping, standing or parking outside of business or residence districts.	s 95. Stopping, standing or parking outside business or residence districts.	S 95 is substantially the same as s 11-1001 (a).
	s 98. Disabled vehicle exception.	S 98 is the same as s 11-1001 (b).
s 11-1002. Officers authorized to remove vehicles.	s 100. Police officers authorized to move vehicles.	S 100 differs in granting broader authority to police officers to move vehicles by including those parked not only in violation of s 95 but also in violation of ss 96 and 97, without requiring that the vehicle's illegal position obstructs traffic. The provisions of s 11-1002 (c) on removal of vehicle stolen, unprovided for by owner or belonging to a person who has been arrested are not dealt with in the proposed revision. See ORS 483.380, 483.382, 483.383, 483.384, 483.386, 483.388, 483.390, 483.392, 483.394, 483.395 and 483.396.
s 11-1003. Stopping, standing or parking prohibited in specified places.	s 96. Stopping, standing or parking prohibited in specific places.	Differs in specifying distance of 10 feet from fire hydrant rather than UVC 15 feet, and 15 feet from fire station driveway entrance rather than 20.

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<u>UVC</u>	<u>PROPOSED OREGON CODE</u>	<u>COMMENT</u>
s 11-1004. Additional parking regulations.	s 97. Parking distance from curb or edge.	Provisions of paragraphs (c) and (d) of s 11-1004 re authorization to state and local authorities on regulating parking are covered in Article 15, Powers of State and Local Authorities.
<u>Article 11. Miscellaneous Rules</u>	<u>Article 11. Miscellaneous Rules</u>	
s 11-1101. Unattended motor vehicle.	s 102. Unattended motor vehicle.	Same
s 11-1102. Limitations on backing.	s 103. Limitations on backing.	No comparable prohibition re backing on shoulder or roadway of controlled access highway as in UVC s 11-1102 (b).
s 11-1103. Driving upon sidewalk.		No comparable provision.
s 11-1104. Obstruction to driver's view or driving mechanism.	s 104. Passengers in front seat; interfering with driver; in mobile home or travel trailer.	Differs in not prohibiting more than three persons in front seat. Proposed section prohibits drivers from operating a vehicle towing mobile home with passenger, whereas UVC s 11-1106 prohibits a person from occupying trailer on highway.
s 11-1106. Riding in house trailers.		

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s 11-1105. Opening and closing vehicle doors.	s 105. Opening and closing vehicle doors.	Same
s 11-1107. Driving on mountain highways..		No comparable section.
s 11-1108. Coasting prohibited.	s 106. Coasting prohibited.	No distinction in rule for any motor vehicle, truck or bus re disengaging clutch.
s 11-1109. Following fire apparatus prohibited.	s 107. Following fire apparatus prohibited.	Application extended to include emergency apparatus along with fire fighting equipment. Drivers prohibited from driving or parking in a manner that interferes, rather than within 500 feet.
s 11-1110. Crossing fire hose.	s 108. Crossing fire hose.	Same
s 11-1111. Putting glass, etc., on highway prohibited.	s 109. Removing injurious substance from highway.	Differs in establishing a duty for tow truck operator only to remove injurious substance dropped from a vehicle on highway.

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s 11-1112. Stop when traffic obstructed.	s 110. Stop when traffic obstructed.	Same
s 11-1113. Snowmobile operation limited.		ORS 483.730, 483.735 and 483.740 regulate snowmobile operation on a highway except when the highway is closed or an emergency exists or the highway is posted for snowmobile use.
<u>Article 12. Operation of Bicycles and Play Vehicles</u>	<u>Article 13. Operation of Bicycles and Play Vehicles</u>	
s 11-1201. Effect of regulations.	s 121. Parent or guardian prohibited from permitting child to violate bicycle equipment laws.	Differs in limiting the vicarious responsibility of parent or guardian to bicycle equipment violations, and in no statement of applicability comparable to paragraph (c), s 11-1201.
s 11-1202. Traffic laws apply to persons riding bicycles.	s 130. Application of chapter to bicyclists.	Differs in wording that bicyclist is "subject to" the chapter provisions applicable to drivers rather than "granted all the rights" and "subject to all of the duties."
s 11-1203. Riding on bicycles.	s 123. Unlawful bicycle operation.	Substantially the same although proposed section requires bicycle operator to have both one hand on handlebars and constant full control.
s 11-1206. Carrying articles.		

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<u>UVC</u>	<u>PROPOSED OREGON CODE</u>	<u>COMMENT</u>
s 11-1204. Clinging to vehicles.	s 124. Clinging by persons on bicycles and toy vehicles.	Same
s 11-1205. Riding on roadways and bicycle paths.	s 125. Riding on roadways, bicycle paths and lanes.	Differs in requiring single file on a roadway at all times and allowing bicyclists on a one-way roadway in a city to ride on the left or right side of roadway.
s 11-1206. See above.		
s 11-1207. Lamps and other equipment on bicycles.	s 122. Lamps and other equipment on bicycles.	Differs in not allowing whistle or siren and not requiring audible signal device.
<u>Article 13. Special Rules for Motorcycles</u>	<u>Article 12. Special Rules for Motorcycles</u>	
s 11-1301. Traffic laws apply to persons operating motorcycles.		No comparable provision.
s 11-1302. Riding on motorcycles.	s 114. Unlawful motorcycle operation.	No prohibition to passenger to ride in a position that interferes with operator's control. Includes footrest requirement of s 11-1305.

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s 11-1303. Operating motorcycles on roadways laned for traffic.	s 115. Motorcyclist's right to full traffic lane. s 116. Unlawful passing or moving in lane with vehicle.	Same
s 11-1304. Clinging to other vehicles.	s 117. Clinging to other vehicles.	Same
s 11-1305. Footrests and handlebars.	s 114. Unlawful motorcycle operation.	Requirement of footrests is incorporated in s 114 and there is no rule on handlebar height.
s 11-1306. Equipment for motorcycle riders.	s 118. Protective headgear and eye device required. s 119. Division to establish standards for protective headgear and eye-protective devices.	Same except the exception includes three wheeled vehicles designed to travel at less than 15 mph.