



BARBARA J. FIALA  
Commissioner

# STATE OF NEW YORK DEPARTMENT OF MOTOR VEHICLES

6 EMPIRE STATE PLAZA, ALBANY, NY 12228

"P" 12 (2012)

"M" 8 (2012)

Albany, New York

August 24 , 2012

TO: All Enforcement Agencies and Magistrates

SUBJECT: Chapter 228 of the Laws of 2012

Effective July 18, 2012, Chapter 228 of the Laws of 2012 amends the Vehicle and Traffic Law regarding circular intersections, roundabouts, signal indications for lane control, and signage at railroad grade crossings as follows:

- A new section 106 adds the definition of a "circulatory roadway".
- Section 120 is amended to add a new subdivision ( c ) to define a "circular intersection".
- A new section 140-d adds the definition of a "roundabout".
- Section 1116 is amended to specify how lanes must be used when controlled by signal indications.
- Section 1127 is amended to replace the term "rotary traffic island" with "circular intersection".
- Section 1685 is amended to add the requirement that vehicles must yield at a railroad grade crossing when a yield sign is present.

A copy of Chapter 228 is attached for your reference. Please share this information with appropriate staff, including all road patrol enforcement officers. Thank you.

Barbara J. Fiala  
Commissioner

Attachment

# STATE OF NEW YORK

6715

## IN SENATE

March 13, 2012

Introduced by Sen. FUSCHILLO -- (at request of the Department of Transportation) -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to roundabouts and certain technical corrections relating to lane-use control signal indications, circular intersections and railroad grade crossings

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

1 Section 1. The vehicle and traffic law is amended by adding a new  
2 section 106 to read as follows:

3 **§ 106. Circulatory roadway. The roadway within a circular inter-**  
4 **section on which traffic travels in a counterclockwise direction around**  
5 **a central island.**

6 § 2. Section 120 of the vehicle and traffic law is amended by adding a  
7 new subdivision (c) to read as follows:

8 **(c) A circular intersection contains an island, generally circular in**  
9 **design, located in the center of the intersection where traffic passes**  
10 **to the right of the island.**

11 § 3. The vehicle and traffic law is amended by adding a new section  
12 140-d to read as follows:

13 **§ 140-d. Roundabout. A circular intersection which is characterized**  
14 **by a circulatory roadway with counterclockwise movement, channelized**  
15 **approaches, low speeds, and yield control of entering traffic. A round-**  
16 **about encompasses the area bounded by the outermost curb line or, if**  
17 **there is no curb, the edge of the pavement, and includes crosswalks on**  
18 **any entering or exiting roadway.**

19 § 4. Section 1116 of the vehicle and traffic law, as amended by chap-  
20 ter 356 of the laws of 1971, is amended to read as follows:

21 § 1116. [~~Lane direction~~] **Lane-use** control **signal** indications. Whenever

22 traffic is controlled by [~~lane-direction~~] lane-use control [~~signals~~]  
23 signal indications located over the individual lanes of a highway, only  
24 the colors green, yellow, white and red shall be used, and said signals  
25 shall indicate and apply as follows:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 (a) Traffic facing a steady downward [~~pointing~~] green arrow signal  
2 [~~may travel in any lane over which such signal is located~~] indication  
3 is permitted to drive in the lane over which the arrow signal indication  
4 is located.  
5 (b) Traffic facing a steady yellow X signal [~~is thereby warned that~~  
6 ~~the related green downward arrow indication is being terminated and that~~  
7 ~~a red X indication will be exhibited immediately thereafter and such~~  
8 ~~traffic shall vacate, in a safe manner, the lane over which such signal~~  
9 ~~is located~~] indication shall prepare to vacate the lane over which the  
10 signal indication is located because a lane control change is being made  
11 to a steady red X signal indication.  
12 (c) Traffic facing a [~~flashing yellow X signal may travel in any lane~~  
13 ~~over which such signal is shown preparatory to making a left turn, using~~  
14 ~~proper caution~~] steady white two-way left-turn arrow signal indication  
15 is permitted to use a lane over which the signal indication is located  
16 for a left turn, but not for through travel, with the understanding that  
17 common use of the lane by oncoming road users for left turns is also  
18 permitted.  
19 (d) Traffic facing a [~~steady red X signal shall not enter or travel in~~  
20 ~~any lane over which such signal is located~~] steady white one way left-  
21 turn arrow signal indication is permitted to use a lane over which the  
22 signal indication is located for a left turn (without opposing turns in  
23 the same lane), but not for through travel.  
24 (e) Traffic facing a steady red X signal shall not use the lane over  
25 which the signal indication is located and this signal indication shall  
26 modify accordingly the meaning of other traffic controls present.  
27 § 5. Section 1127 of the vehicle and traffic law is amended to read as  
28 follows:  
29 § 1127. One-way roadways and [~~rotary traffic islands~~] and circular  
30 intersections. (a) Upon a roadway designated and signposted for one-way  
31 traffic, a vehicle shall be driven only in the direction designated.  
32 (b) A vehicle passing around a [~~rotary traffic island~~] circular inter-  
33 section shall be driven only to the right of [~~such~~] the island unless  
34 otherwise indicated by traffic control devices.  
35 § 6. Section 1685 of the vehicle and traffic law, as amended by chap-  
36 ter 217 of the laws of 1972, is amended to read as follows:

37 § 1685. All vehicles must stop **or yield** at certain railroad grade  
38 crossings where a stop **or yield** sign is erected. The state transporta-  
39 tion commissioner, with respect to state highways, and local authorities  
40 with respect to local streets within their jurisdiction, with the  
41 approval of the state transportation commissioner are hereby authorized  
42 to install a stop **or yield** sign at any highway-railroad crossings within  
43 their respective jurisdictions.

44 The design and place and manner of installation of such signs shall  
45 conform to the manual and specifications for a uniform system of traffic  
46 control devices adopted by the state transportation commissioner.

47 Whenever any such crossing is so designated and a stop **or yield** sign  
48 is installed, it shall be unlawful for the driver of any vehicle to fail  
49 to stop **or yield** within fifty feet but not less than fifteen feet from  
50 such railroad tracks before traversing such crossing. The failure to  
51 erect, or the erection of, or failure to replace or maintain such signs  
52 shall not be a basis for any action of negligence against a municipality  
53 or the state nor a basis of a defense by a railroad in an action based  
54 on negligence against a railroad.

55 § 7. This act shall take effect immediately.