

By: Hancock

S.B. No. 2039

A BILL TO BE ENTITLED

AN ACT

relating to the applicability of certain pedestrian laws to certain sidewalk users.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 541.001, Transportation Code, is amended by adding Subdivision (6) to read as follows:

(6) "Sidewalk user" means an individual lawfully operating one of the following on a sidewalk:

(A) a bicycle;

(B) a motor-assisted scooter, as defined by Section 551.351;

(C) an electric personal assistive mobility device, as defined by Section 551.201;

(D) a skateboard;

(E) roller skates; or

(F) a similar device.

SECTION 2. Sections 544.007(b), (c), and (d), Transportation Code, are amended to read as follows:

(b) An operator of a vehicle facing a circular green signal may proceed straight or turn right or left unless a sign prohibits the turn. The operator shall, while the signal is exhibited:

(1) yield the right-of-way to other vehicles lawfully in the intersection when the signal is exhibited; and

(2) stop and yield the right-of-way to pedestrians or

1 sidewalk users lawfully in the intersection or an adjacent
2 crosswalk.

3 (c) An operator of a vehicle facing a green arrow signal,
4 displayed alone or with another signal, may cautiously enter the
5 intersection to move in the direction permitted by the arrow or
6 other indication shown simultaneously. The operator shall stop and
7 yield the right-of-way to a pedestrian or sidewalk user lawfully in
8 an adjacent crosswalk and shall yield the right-of-way to other
9 traffic lawfully using the intersection.

10 (d) An operator of a vehicle facing only a steady red signal
11 shall stop at a clearly marked stop line. In the absence of a stop
12 line, the operator shall stop before entering the crosswalk on the
13 near side of the intersection. A vehicle that is not turning shall
14 remain standing until an indication to proceed is shown. After
15 stopping, standing until the intersection may be entered safely,
16 and yielding right-of-way to pedestrians and sidewalk users
17 lawfully in an adjacent crosswalk and other traffic lawfully using
18 the intersection, the operator may:

19 (1) turn right; or

20 (2) turn left, if the intersecting streets are both
21 one-way streets and a left turn is permissible.

22 SECTION 3. Section 545.256, Transportation Code, is amended
23 to read as follows:

24 Sec. 545.256. EMERGING FROM AN ALLEY, DRIVEWAY, OR
25 BUILDING. An operator emerging from an alley, driveway, or
26 building in a business or residence district shall:

27 (1) stop the vehicle before moving on a sidewalk or the

sidewalk area extending across an alley or driveway;

(2) yield the right-of-way to a pedestrian or sidewalk user to avoid collision; and

(3) on entering the roadway, yield the right-of-way to an approaching vehicle.

SECTION 4. The heading to Chapter 552, Transportation Code, is amended to read as follows:

CHAPTER 552. PEDESTRIANS AND OTHER SIDEWALK USERS

SECTION 5. Sections 552.001 and 552.002, Transportation Code, are amended to read as follows:

Sec. 552.001. TRAFFIC CONTROL SIGNALS. (a) A traffic control signal displaying green, red, and yellow lights or lighted arrows applies to a pedestrian and a sidewalk user as provided by this section unless the pedestrian or sidewalk user is otherwise directed by a special pedestrian control signal.

(b) A pedestrian or sidewalk user facing a green signal may proceed across a roadway within a marked or unmarked crosswalk unless the sole green signal is a turn arrow.

(c) A pedestrian or sidewalk user facing a steady red signal alone or a steady yellow signal may not enter a roadway.

Sec. 552.002. PEDESTRIAN OR SIDEWALK USER RIGHT-OF-WAY IF CONTROL SIGNAL PRESENT. (a) A pedestrian control signal displaying "Walk," "Don't Walk," or "Wait" applies to a pedestrian and a sidewalk user as provided by this section.

(b) A pedestrian or sidewalk user facing a "Walk" signal may proceed across a roadway in the direction of the signal, and the operator of a vehicle shall stop and yield the right-of-way to the

pedestrian or sidewalk user.

(c) A pedestrian or sidewalk user may not start to cross a roadway in the direction of a "Don't Walk" signal or a "Wait" signal. A pedestrian or sidewalk user who has partially crossed while the "Walk" signal is displayed shall proceed to a sidewalk or safety island while the "Don't Walk" signal or "Wait" signal is displayed.

SECTION 6. Chapter 552, Transportation Code, is amended by adding Sections 552.0035 and 552.0036 to read as follows:

Sec. 552.0035. SIDEWALK USER RIGHT-OF-WAY AT CROSSWALK. (a) The operator of a vehicle shall stop and yield the right-of-way to a sidewalk user crossing a roadway in a crosswalk if:

(1) no traffic control signal is in place or in operation; and

(2) the sidewalk user is:

(A) on the half of the roadway in which the vehicle is traveling; or

(B) approaching so closely from the opposite half of the roadway as to be in danger.

(b) Notwithstanding Subsection (a), a sidewalk user may not suddenly leave a curb or other place of safety and proceed into a crosswalk in the path of a vehicle so close that it is impossible for the vehicle operator to stop and yield.

(c) Notwithstanding Subsection (a), a sidewalk user may not approach or enter a crosswalk at a speed greater than is reasonable and prudent under the existing conditions and having regard for

1 actual and potential existing hazards. For the purposes of this
2 subsection, a speed greater than eight miles per hour is prima facie
3 evidence that the speed is not reasonable and prudent.

4 (d) The operator of a vehicle approaching from the rear of a
5 vehicle that is stopped at a crosswalk to permit a sidewalk user to
6 cross a roadway may not pass the stopped vehicle.

7 Sec. 552.0036. SIDEWALK USER RIGHT-OF-WAY AT STOP SIGN. A
8 sidewalk user approaching an intersection with a stop sign shall:

9 (1) stop before entering the crosswalk; and
10 (2) after stopping, yield the right-of-way to a
11 vehicle that:

12 (A) has entered the intersection; or
13 (B) is approaching the intersection so closely as
14 to be an immediate hazard to the sidewalk user entering or moving
15 across the crosswalk.

16 SECTION 7. The changes in law made by this Act apply only to
17 an offense committed on or after the effective date of this Act. An
18 offense committed before the effective date of this Act is governed
19 by the law in effect on the date the offense was committed, and the
20 former law is continued in effect for that purpose. For purposes of
21 this section, an offense was committed before the effective date of
22 this Act if any element of the offense occurred before that date.

23 SECTION 8. This Act takes effect September 1, 2025.