

TITLE 49
MOTOR VEHICLES

CHAPTER 8
SIGNS, SIGNALS AND MARKINGS

49-801. OBEDIENCE TO AND REQUIRED TRAFFIC-CONTROL DEVICES. (1) The driver of any vehicle shall obey the instructions of any traffic-control device placed or held in accordance with the provisions of this title, unless otherwise directed by a peace officer, subject to the exceptions granted the driver of an authorized emergency vehicle by this title.

(2) No provisions of this title for which traffic-control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation a device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that traffic-control devices are required, the section shall be effective even though no devices are erected and in place.

(3) Whenever traffic-control devices are placed or held in position approximately conforming to the requirements of this title, the devices shall be presumed to have been placed or held by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

(4) Any traffic-control device placed or held pursuant to the provisions of this title and purporting to conform to the lawful requirement pertaining to those devices shall be presumed to comply with the requirements of this title, unless the contrary shall be established by competent evidence.

[49-801, added 1988, ch. 265, sec. 215, p. 681.]

49-802. TRAFFIC-CONTROL SIGNAL LEGEND. Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively one (1) at a time or in combination, only the colors green, red and yellow shall be used, except for pedestrian-control signals and the lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication:

(a) A driver facing a circular green signal shall proceed straight through or turn right or left unless a sign prohibits a right or left turn. Any driver, including one turning, shall yield the right-of-way to other traffic and to pedestrians lawfully within the intersection, as defined in section [49-110](#), Idaho Code, or an adjacent crosswalk.

(b) A driver facing a green arrow signal, shown alone or in combination with another indication, shall enter the intersection only to make the movement indicated by the green arrow, or other movement that is permitted by other indications shown at the same time. A driver facing a left turn green arrow shall yield the right-of-way to other traffic and to pedestrians lawfully within the intersection or an adjacent crosswalk.

(c) A pedestrian facing a circular green signal, unless prohibited by a sign or otherwise directed by a pedestrian-control signal, as provided in section [49-803](#), Idaho Code, may proceed across the highway within any marked or unmarked crosswalk, but shall yield the right-of-way to vehicles lawfully within the intersection at the time that signal is first shown.

(d) A pedestrian facing a green arrow turn signal, unless otherwise directed by a pedestrian-control signal, as provided in section [49-803](#), Idaho Code, shall not enter the highway.

(2) Steady yellow indication:

(a) A driver facing a steady circular yellow or yellow arrow signal is being warned that the related green movement is ending, or that a red indication will be shown immediately after it.

(b) A pedestrian facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian-control signal, as provided in section [49-803](#), Idaho Code, is being warned that there is insufficient time to cross the highway.

(3) Steady red indication:

(a) A driver facing a steady circular red signal alone shall stop before entering the intersection, as defined in section [49-110](#), Idaho Code, and shall remain stopped until an indication to proceed is shown except as provided in paragraph (b) of this subsection. While stopped at the intersection, the driver shall remain stopped behind the marked limit line, as defined in section [49-113](#), Idaho Code, or if there is no marked limit line, shall not block the crosswalk.

(b) Except when a sign is in place prohibiting a turn, a driver after stopping, facing a steady circular red signal, may turn right, or turn left from a highway onto a one-way highway after stopping. Vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(c) A driver facing a steady red arrow indication shall not enter the intersection to make the movement indicated by the arrow and, unless entering the intersection to make a movement permitted by another signal, shall stop at a clearly marked limit line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection and shall remain stopped until an indication permitting movement is shown.

(d) Unless otherwise directed by a pedestrian-control signal, a pedestrian facing a steady circular red or red arrow signal shall not enter the traffic lanes of a highway.

(e) Notwithstanding any provision of law to the contrary, the driver of a motorcycle approaching an intersection that is controlled by a triggered traffic-control signal using a vehicle detection device that is inoperative due to the size of the motorcycle, shall come to a full and complete stop at the intersection. If the signal fails to operate after one cycle of the traffic signal, the driver may proceed after exercising due caution and care. It is not a defense to a violation of section [49-801](#), Idaho Code, that the driver of a motorcycle proceeded under the belief that a traffic-control signal used a vehicle detection device or was inoperative due to the size of the motorcycle when such signal did not use a vehicle detection device or that any such device was not in fact inoperative due to the size of the motorcycle.

(4) When an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or crosswalk or limit line indicating where the stop shall be made, but in the absence of a sign or marking, the stop shall be made at the signal.

[49-802, added 1988, ch. 265, sec. 216, p. 682; am. 1998, ch. 393, sec. 1, p. 1233; am. 2006, ch. 381, sec. 1, p. 1199.]

49-803. PEDESTRIAN-CONTROL SIGNALS. Whenever a pedestrian-control signal showing the words "Walk" or "Wait" or "Don't Walk" is in place, the signal shall indicate the following:

(1) Flashing or Steady "Walk". A pedestrian facing the signal may proceed across the highway in the direction of the signal, but shall yield the right-of-way to vehicles lawfully within the intersection at the time the signal is first shown.

(2) Flashing or Steady "Don't Walk" or "Wait". No pedestrian shall start to cross the highway in the direction of the signal, but any pedestrian who has partially completed crossing shall proceed to a sidewalk or safety island while the "Don't Walk" or "Wait" signal is showing.

[49-803, added 1988, ch. 265, sec. 217, p. 683.]

49-804. FLASHING SIGNALS. (1) Whenever an illuminated flashing red or yellow light is used in a traffic signal or with a traffic sign, it shall require obedience by drivers as follows:

(a) Flashing red (stop signal).-- When a red lens is illuminated with rapid intermittent flashes, a driver shall stop at a clearly marked limit line, but if none before entering the crosswalk on the near side of the intersection, or if none then at the point nearest the intersecting highway where the driver has a view of approaching traffic on the intersecting highway before entering it, and the driver may proceed subject to the rules applicable after making a stop at a stop sign.

(b) Flashing yellow (caution signal).-- When a yellow lens is illuminated with rapid intermittent flashes, a driver may proceed through the intersection or past the signal only with caution.

(2) This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the requirements set forth in section [49-648](#), Idaho Code.

[49-804, added 1988, ch. 265, sec. 218, p. 684.]

49-805. DISPLAY OF UNAUTHORIZED SIGNS, SIGNALS OR MARKINGS. (1) No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be, or is an imitation of, or resembles a traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any traffic-control device or any railroad sign or signal.

(2) No person shall place or maintain, nor shall any public authority permit upon any highway any traffic-control device bearing on it any commercial advertising, except for business signs included as a part of official roadside area information panels approved by the department.

(3) This section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for traffic control signs.

(4) Every prohibited sign, signal or marking is declared to be a public nuisance and the authority having jurisdiction over the highway is empowered to remove the public nuisance or cause it to be removed without notice.

[49-805, added 1988, ch. 265, sec. 219, p. 684.]

49-806. LANE USE CONTROL SIGNALS. When lane use control signals are placed over individual lanes, the signals shall indicate and apply to drivers of vehicles as follows:

(1) Green indication. A driver may travel in any lane over which a green signal is shown.

(2) Steady yellow indication. A driver is being warned that a lane control change is in process.

(3) Steady red indication. A driver shall not enter or travel in any lane over which a red signal is shown.

(4) Flashing yellow indication. A driver may use the lane only for the purpose of making a left turn to or from the highway.

[49-806, added 1988, ch. 265, sec. 220, p. 685.]

49-807. STOP SIGNS AND YIELD SIGNS. (1) Preferential right-of-way may be indicated by stop signs or yield signs as authorized in section [49-212](#), Idaho Code.

(2) Except when directed to proceed by a peace officer or traffic-control signal, every driver of a vehicle approaching a stop sign shall stop:

(a) at a clearly marked stop line, or

(b) before entering the crosswalk on the near side of the intersection, or

(c) at the point nearest the intersecting highway where the driver has a view of approaching traffic on the intersecting highway before entering it.

After having stopped, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time when such driver is moving across or within the intersection or junction of highways.

(3) The driver of a vehicle approaching a yield sign shall, in obedience to such sign, slow down to a speed reasonable for existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, or before entering the crosswalk on the near side of the intersection, or at the point nearest the intersecting highway where the driver has a view of approaching traffic on the intersecting highway before entering it. After slowing or stopping, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time the driver is moving across or within the intersection or junction of highways. Provided, however, that if a driver is involved in a collision with a vehicle in the intersection or junction of highways, after driving past a yield sign without stopping, the collision shall be deemed prima facie evidence of his failure to yield right-of-way.

[49-807, added 1988, ch. 265, sec. 221, p. 685.]

49-808. TURNING MOVEMENTS AND REQUIRED SIGNALS. (1) No person shall turn a vehicle onto a highway or move a vehicle right or left upon a highway or merge onto or exit from a highway unless and until the movement can be made with reasonable safety nor without giving an appropriate signal.

(2) A signal of intention to turn or move right or left when required shall be given continuously to warn other traffic. On controlled-access

highways and before turning from a parked position, the signal shall be given continuously for not less than five (5) seconds and, in all other instances, for not less than the last one hundred (100) feet traveled by the vehicle before turning.

(3) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal to the driver of any vehicle immediately to the rear when there is opportunity to give such a signal.

(4) The signals required on vehicles by section [49-809](#), Idaho Code, shall not be flashed on one (1) side only on a disabled vehicle, flashed as a courtesy or "do pass" signal to operators of other vehicles approaching from the rear, nor be flashed on one (1) side only of a parked vehicle except as may be necessary for compliance with this section.

[49-808, added 1988, ch. 265, sec. 222, p. 686; am. 2005, ch. 98, sec. 1, p. 318.]

49-809. SIGNALS BY HAND AND ARM OR SIGNAL LAMPS. (1) Any stop or turn signal when required shall be given either by means of hand and arm, or by signal lamps, except as otherwise provided in subsection (2) of this section.

(2) Any motor vehicle in use on a highway shall be equipped with, and the required signal shall be given by, signal lamps when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load of the vehicle exceeds twenty-four (24) inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen (14) feet. The latter measurements shall apply not only to any single vehicle, but also to any combination of vehicles.

[49-809, added 1988, ch. 265, sec. 223, p. 686.]

49-810. METHOD OF GIVING HAND AND ARM SIGNALS. All signals required to be given by hand and arm shall be given from the left side of the vehicle in the following manner, and the signals shall indicate the following:

- (1) Left turn. - Hand and arm extended horizontally.
- (2) Right turn. - Hand and arm extended upward. A person operating a bicycle may give a right turn signal by extending the right hand and arm horizontally and to the right side of the bicycle.
- (3) Stop or decrease speed. Hand and arm extended downward.

[49-810, added 1988, ch. 265, sec. 224, p. 686.]

49-811. USE OF OPTICAL STROBE LIGHT DEVICES. (1) As used in this section "optical strobe light device" shall mean a strobe light device which emits an optical signal at a specific frequency to a traffic control signal enabling police or emergency vehicles to obtain the right-of-way at intersections or enabling transportation department, city, county or highway district maintenance vehicles to perform maintenance tests on traffic control signals.

(2) A person shall be guilty of a misdemeanor if the person uses an optical strobe light device on the highways of this state unless the person is operating or riding in an authorized emergency vehicle, as defined in section [49-123](#), Idaho Code, or is operating or riding in a transportation department, city, county or highway district maintenance vehicle and the person is on official emergency duty while operating or riding in the vehicle.

(3) A person found guilty of violating subsection (2) of this section shall be sentenced by imprisonment of not greater than six (6) months, by a fine not in excess of one thousand dollars (\$1,000), or by both such fine and imprisonment.

[49-811, added 2004, ch. 170, sec. 1, p. 549; am. 2014, ch. 38, sec. 17, p. 86.]