

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2022

COUNCIL BILL NO. 23-0015
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

6 A BILL

7 **For an ordinance amending certain provisions of Chapter 54, concerning**
8 **pedestrian movement.**

10 **WHEREAS**, Denver taxpayers bear the burden of enforcing laws against jaywalking; and

11 **WHEREAS**, laws prohibiting jaywalking disproportionately impact members of our most
12 marginalized communities; and

13 **WHEREAS**, the enforcement of state and city laws prohibiting jaywalking should receive the
14 lowest law enforcement priority.

15 **BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

16 **Section 1.** That Article V of Chapter 54, D.R.M.C. shall be amended by deleting the
17 language stricken and inserting the language underlined, to read as follows:

19 **Sec. 54-101. - Traffic-control signal legend.**

20 Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored
21 lighted arrows, successively one (1) at a time or in combination, only the colors green, yellow and
22 red shall be used, except for special pedestrian-control signals carrying a word legend, and lights,
23 arrows and combinations thereof shall indicate and apply to drivers of vehicles and pedestrians as
24 follows:

25 (1) *Green indication:*

26 a. Vehicular traffic facing a circular green signal may proceed straight through or
27 turn right or left unless a sign at such place prohibits either such turn; but vehicular traffic, including
28 vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully
29 within the intersection or an adjacent crosswalk at the time such signal is exhibited.

30 b. Vehicular traffic facing a green arrow signal, shown alone or in combination
31 with another indication, may cautiously enter the intersection only to make the movement indicated
32 by such arrow or such other movement as is permitted by other indications shown at the same
33 time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent
34 crosswalk and to other traffic lawfully using the intersection.

1 c. Unless otherwise directed by a pedestrian-control signal, pedestrians facing
2 any green signal, except when the sole green signal is a turn arrow, may proceed across the
3 roadway within any marked or unmarked crosswalk.

4 (2) *Steady yellow indication:*

5 a. Vehicular traffic facing a steady circular yellow or yellow arrow signal is
6 thereby warned that the related green movement is being terminated or that a red indication will be
7 exhibited immediately thereafter when vehicular traffic shall not enter the intersection.

8 b. Pedestrians facing a steady circular yellow or yellow arrow signal, unless
9 otherwise directed by a pedestrian-control signal, are thereby advised that there is insufficient time
10 to cross the roadway before a red indication is shown, ~~and no pedestrian shall then start to cross~~
11 ~~the roadway.~~

12 (3) *Steady red indication:*

13 a. Vehicular traffic facing a steady circular red signal alone shall stop at a clearly
14 marked stop line but, if none, before entering the crosswalk on the near side of the intersection or,
15 if none, then before entering the intersection and shall remain standing until an indication to
16 proceed is shown; except that

17 1. Such vehicular traffic, after coming to a stop and yielding the right-of-
18 way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the
19 intersection, may make a right turn unless an official sign is erected at each and every intersection
20 where such right turn is prohibited.

21 2. Such vehicular traffic, when proceeding on a one-way street, and after
22 coming to a stop, may make a left turn onto a one-way street upon which traffic is moving to the left
23 of the driver. Such turn shall be made only after yielding the right-of-way to pedestrians and other
24 traffic proceeding as directed. No such turn shall be made if a sign is erected giving notice of any
25 such prohibition at each and every intersection where such left turn is prohibited.

26 b. Pedestrians facing a steady circular red signal alone ~~shall~~ are thereby advised
27 not to enter the roadway, unless otherwise directed by a pedestrian-control signal.

28 c. Vehicular traffic facing a steady red arrow signal may not enter the intersection
29 to make the movement indicated by such arrow and, unless entering the intersection to make such
30 other movement as is permitted by other indications shown at the same time, shall stop at a clearly
31 marked stop line but, if none, before entering the crosswalk on the near side of the intersection or,
32 if none, then before entering the intersection and shall remain standing until an indication to make
33 the movement indicated by such arrow is shown.

34 d. Pedestrians facing a steady red arrow signal ~~shall~~ are thereby advised not to

1 enter the roadway, unless otherwise directed by a pedestrian-control signal.

2

3 **Section 2.** That Article VI, Division 5, of Chapter 54, D.R.M.C. shall be amended by deleting the
4 language stricken and inserting the language underlined, to read as follows:

5 **Sec. 54-237. - Restrictions on use of freeway.**

6 No ~~pedestrian~~, electric scooter, bicycle or other nonmotorized traffic and no motor-driven
7 vehicles of less than ten (10) horsepower, nor any funeral procession, shall use or cross any
8 freeway, except upon direction of a police officer. No driver shall stop a vehicle upon any freeway
9 for the purpose of loading or unloading passengers or freight.

10

11 **Section 3.** That Article VIII of Chapter 54, D.R.M.C. shall be amended by deleting the language
12 stricken and inserting the language underlined, to read as follows:

13 **Sec. 54-535. - ~~Subject to traffic control devices.~~ Reserved.**

14 ~~Pedestrians are subject to obey traffic control signals heretofore declared in section 54-101,~~
15 ~~but at all other places pedestrians shall be granted those rights and be subject to those restrictions~~
16 ~~stated in this article.~~

17

18 **Sec. 54-536. - Control signals.**

19 (a) Whenever special pedestrian-control signals exhibiting the words "Walk" or "Don't
20 Walk" are in place, such signals shall indicate as follows:

21 (1a) *"Walk" (steady):* While the "Walk" indication is steadily illuminated, pedestrians facing
22 such signal may proceed across the roadway in the direction of the signal indication, and all
23 conflicting vehicular traffic shall be facing a steady red signal.

24 (2b) *"Walk" (flashing):* Whenever the "Walk" indication is flashing, pedestrians facing such
25 signal are cautioned that there is possible hazard from turning vehicles, but such pedestrians may
26 proceed across the roadway in the direction of the signal indication and shall be given the right-of-
27 way by the drivers of all vehicles.

28 (3c) *"Don't Walk" (steady):* While the "Don't Walk" indication is steadily illuminated, ~~no~~
29 ~~pedestrian shall~~ pedestrians facing such signal are cautioned not to enter the roadway in the
30 direction of the signal indication.

31 (4d) *"Don't Walk" (flashing):* Whenever the "Don't Walk" indication is flashing, ~~no~~
32 ~~pedestrian shall~~ pedestrians facing such signal are cautioned not to start to cross the roadway in
33 the direction of the indication, but any pedestrian who has partly completed his crossing during the
34 "Walk" indication ~~shall~~ is advised to proceed to a sidewalk or to a safety island, and all drivers of

1 vehicles shall yield to any such pedestrian.

2 (b) ~~Whenever a signal system provides for the stopping of all vehicular traffic and the~~
3 ~~exclusive movement of pedestrians and "Walk" and "Don't Walk" signal indications control such~~
4 ~~pedestrian movement, pedestrians may cross in any direction between corners of the intersection~~
5 ~~offering the shortest route within the boundaries of the intersection while the "Walk" indication is~~
6 ~~exhibited, if signals and other official devices direct pedestrian movement in such manner.~~

7
8 **Sec. 54-540. - Right-of-way when crossing at other than crosswalks.**

9 (a) Every pedestrian crossing the roadway at any point other than within a marked or
10 unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

11 (b) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead
12 pedestrian crossing has been provided, but not using such facility, shall yield the right-of-way to all
13 vehicles upon the roadway.

14 (c) ~~The foregoing rules stated in this section have no application under the conditions~~
15 ~~stated in section 54-542 when pedestrians are prohibited from crossing at certain designated~~
16 ~~places.~~

17
18 **Secs. 54-541. – 54-542. – Crossing at right angles. - Reserved.**

19 (a) ~~It shall be unlawful for any pedestrian to enter or to cross a roadway except as~~
20 ~~provided in section 54-542.~~

21 (b) ~~It shall be unlawful for any pedestrian to cross a roadway in any manner other than~~
22 ~~by a direct route at right angles to the roadway edge or by the shortest route from the nearest to~~
23 ~~the opposite roadway edge, except in a marked crosswalk or where crossing at any other angle to~~
24 ~~the roadway edge is authorized by the city traffic engineer.~~

25
26 **Sec. 54-542. – Prohibited crossing of roadways.**

27 (a) ~~It shall be unlawful for any pedestrian to cross a roadway at any place except in a~~
28 ~~crosswalk, between adjacent intersections at which traffic control signals are in operation; except~~
29 ~~that pedestrians may cross on area designated as a bike lane or pedestrian and transit mall at any~~
30 ~~point between intersections but shall yield the right of way to vehicles lawfully within the area~~
31 ~~designated as a bike lane or pedestrian and transit mall.~~

32 (b) ~~It shall be unlawful for any pedestrian to cross a roadway that is a through street or~~
33 ~~through highway at any place other than a crosswalk.~~

34 (c) ~~Except on a local street, it shall be unlawful for any pedestrian to enter a roadway~~

1 and to cross all or any portion of the same in any manner other than from the nearest roadway
2 edge; except that pedestrians alighting from stopped vehicles shall proceed by a direct route to the
3 nearest roadway edge before crossing the roadway as provided herein.

4 (d) ~~Except on a local street, it shall be unlawful for any pedestrian to cross a roadway~~
5 ~~directly to a vehicle stopped, parked or standing on the opposite side of the roadway.~~

6
7 **Sec. 54-543. - Walking along roadways.**

8 (a) ~~Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along~~
9 ~~and upon an adjacent roadway.~~

10 (ba) Where sidewalks are not provided, any pedestrian walking along and upon a highway
11 or street shall, whenever practicable, walk only on the left side of the street or highway or its
12 shoulder facing traffic which may approach from the opposite direction.

13 (eb) No person shall stand or walk in or upon a roadway for the purpose of soliciting a ride
14 from the driver of any vehicle.

15

16 **Sec. 54-547. - Rights and duties of persons with mobility handicaps who operate**
17 **wheelchairs; persons without a mobility handicap prohibited from operating wheel chairs**
18 **on public property.**

19 (a) A person with a mobility handicap who is required to use a wheelchair shall have the
20 same rights and duties, while operating such wheelchair, as a pedestrian as provided in this article;
21 ~~except that such handicapped person operating a wheelchair shall be exempt from restrictions in~~
22 ~~sections 54-542 and 54-543(a) unless curb ramps are provided.~~

23 (b) It shall be unlawful for any person, other than a person with a mobility handicap who
24 is required to use a wheelchair, to operate a motorized wheelchair on any public sidewalk, street,
25 alley or other public way.

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1 COMMITTEE APPROVAL DATE: January 10, 2023

2 MAYOR-COUNCIL DATE: January 17, 2023

3 PASSED BY THE COUNCIL _____ January 30, 2023

4  _____ - PRESIDENT

5 APPROVED: _____ *Laura C. Aldrete* - MAYOR Jan 31, 2023

6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9

10 NOTICE PUBLISHED IN THE DAILY JOURNAL _____; _____

11 PREPARED BY: Jonathan Griffin, Assistant City Attorney DATE: January 19, 2023

12 Pursuant to section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the
13 City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
14 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
15 3.2.6 of the Charter.
16

17 Kerry Tipper, Denver City Attorney

18
19 BY: *Anahil Bagga* _____, Assistant City Attorney DATE: Jan 19, 2023