

**1185 RIGHT OF WAY: GREEN ARROW**

The Wisconsin statutes define “right of way” as the privilege of the immediate use of the roadway.<sup>1</sup>

The statutes further provide that vehicular traffic facing a green arrow signal may enter the intersection only to make the movement indicated by the arrow but shall yield the right of way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.<sup>2</sup>

[“Vehicular traffic,” includes any device in, upon, or by which persons or property may be transported or drawn upon a highway. The term includes (bicycles) (\_\_\_\_).]

If you find that (\_\_\_\_) faced a green arrow signal before entry into the intersection, then it became (\_\_\_\_)’s duty to yield the right of way (to pedestrians lawfully within a crosswalk at the intersection) (to other traffic lawfully using the intersection).

**NOTES**

1. Wis. Stat. §§ 346.18(3).
2. Wis. Stat. § 346.37(1)(d).

**COMMENT**

This instruction and comment were approved in 1978. The instruction was revised in 1992 and 2008. Editorial changes were made in 1992 to address gender references in the instruction. This revision was approved by the Committee in September 2021.

The blank in the third paragraph is for the inclusion of other vehicles about which the jury may be in doubt. Wis. Stat. § 340.01(74) has a specific mention of snowmobiles.

**Rights and duties of bicyclists.** Different right-of-way standards apply depending on whether a bicyclist was using the roadway as any other vehicle or as a pedestrian upon a sidewalk or within a crosswalk. See Chernetski v. American Family Mutual Insurance Co., 183 Wis.2d 68, 515 N.W.2d 283 (1994) and Estate of Zhu v. Hodgson, 2021 WI App 10, 395 Wis.2d 768, 954 N.W.2d 748.