

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

HOUSE BILL NO. 1291

By: Widener

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S.

1991, Section 11-801, which relates to speed restrictions; modifying maximum speed limit for certain vehicles on rural interstate highways; updating references; amending 47 O.S. 1991, Section 11-309, which relates to driving on roadways laned for traffic; requiring certain vehicles to drive in right-hand lane; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 1991, Section 11-801, is amended to read as follows:

Section 11-801. (a) Any person driving a vehicle on a highway shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the highway and any other conditions then existing, and no person shall drive any vehicle upon a highway at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead.

(b) Except when a special hazard exists that requires lower speed for compliance with paragraph (a) of this section, the limits specified in this act or established as hereinafter authorized shall

be maximum lawful speeds, and no person shall drive a vehicle on a highway at a speed in excess of such maximum limits:

1. Sixty-five (65) miles per hour in other locations during daytime-; i

2. Fifty-five (55) miles per hour in such other locations during nighttime-; i

3. Seventy (70) miles per hour in such other locations which are four-lane divided highways.

Daytime means from a half hour before sunrise to a half hour after sunset. Nighttime means at any other hour-; i

4. a. No person shall drive a truck, truck tractor with semitrailer or poletrailer attached or any other combination of vehicles at a speed greater than a maximum of sixty (60) miles per hour in the day and fifty-five (55) miles per hour during the nighttime.

b. No person shall drive a truck, truck tractor with semitrailer or poletrailer attached or any other combination of vehicles at a speed greater than a maximum of sixty (60) miles per hour on rural interstate highways, as defined by federal law;

5. No person shall drive a pickup truck at a greater speed than is prescribed in this subsection ~~(b) of Section 11-801~~; except when such pickup truck is hauling livestock, then and in that event the maximum speed of such pickup truck shall not exceed sixty (60) miles per hour day or fifty-five (55) miles per hour at night. A pickup truck, as used in this act, shall apply to all vehicles having a rated load capacity of three-quarter ton or less-; i

6. No person shall drive a school bus at a speed greater than a maximum of fifty (50) miles per hour except on turnpikes and interstate highways where the maximum shall be sixty-five (65) miles per hour-; i

7. On any highway outside of a municipality, the speed limit in a properly marked school zone shall be a maximum of twenty-five (25) miles per hour, provided the zone is marked with movable school zone signs, the signs placed at least one hundred (100) yards on each side of the area of the school proper. These signs shall not be placed upon or left standing on any part of the roadway except during the school day and the period immediately after the closing of school when children are, or are expected to be, crossing the highway in said school area; provided that such signs shall be removed from the roadway at all times when school is actually assembled and in no event shall such signs be placed upon the roadway more than one hour prior to the assembly of school in the morning nor left standing on the roadway for more than one hour after the dismissal of school in the evening. The ~~Oklahoma State~~ Department of ~~Highways~~ Transportation shall mark such school zones, or entrances and exits onto highways by buses or students, so that the maximum speed provided by this section shall be established therein. Exits and entrances to controlled-access highways which are within such school zones shall be marked in the same manner as other highways. The county commissioners shall mark such school zones along the county roads so that the maximum speed provided by this section shall be established therein. Said signs may be either permanent or temporary. The ~~Highway~~ Department of Transportation shall give priority over all other signing projects to the foregoing duty to mark school zones. The Department shall also provide other safety devices for school zones which are needed in the opinion of the Department-;i

8. No person shall drive any vehicle at a greater maximum speed than twenty-five (25) miles per hour through state schools located on the state-owned land adjoining or outside the limits of a corporate city or town where a state educational institution is established-;i

9. No person shall drive any vehicle on a highway in any state park or wildlife refuge at a rate of speed in excess of thirty-five (35) miles per hour. Provided, however, that the provisions of this paragraph shall not apply to any state or federal designated highway within such areas; and

10. No person shall drive any vehicle or combination of vehicles with solid rubber or metal tires at a speed greater than the maximum of ten (10) miles per hour.

The maximum speed limits set forth in this act may be altered as authorized in Sections 11-802 and 11-803 of this title.

(c) The ~~Oklahoma State Highway~~ Transportation Commission is hereby authorized to prescribe maximum and minimum speeds for all vehicles and any combinations of vehicles using controlled-access highways. Such regulations shall become effective after signs have been posted on these highways giving notice thereof. Such regulations may apply to an entirely controlled-access highway or to selected sections thereof as may be designated by the ~~Oklahoma State Highway~~ Transportation Commission. It shall be a violation of this section to drive any vehicle at a faster rate of speed than such prescribed maximum or at a slower rate of speed than such prescribed minimum. However, all vehicles shall at all times conform to paragraph (a) of this section.

Copies of such regulations certified as in effect on any particular date by the Secretary of the ~~Oklahoma State Highway~~ Transportation Commission shall be accepted as evidence in any court in this state. Whenever changes have been made in speed zones copies of such regulations shall be filed with the State Commissioner of Public Safety.

(d) The driver of every vehicle shall, consistent with the requirements of paragraph (a) of this section, drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going

around a curve, when approaching a hill crest, when driving upon any narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic, or by reason of weather or highway conditions.

SECTION 2. AMENDATORY 47 O.S. 1991, Section 11-309, is amended to read as follows:

Section 11-309. Whenever any roadway has been divided into two or more clearly marked lanes for traffic, the following rules in addition to all others consistent herewith shall apply.

1. A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from the lane until the driver has first ascertained that the movement can be made with safety and then given a signal, not less than the last one hundred (100) feet traveled by the vehicle, of his intention to change lanes.

2. Upon a roadway which is divided into three lanes, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is signposted to give notice of such allocation.

3. Upon a roadway which is divided into four or more lanes, a vehicle proceeding at less than the maximum posted speed, except when reduced speed is necessary for safe operation, shall not impede the normal flow of traffic by driving in the left lane. Such vehicle shall be driven in the right-hand lane except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway. A truck, truck tractor with semitrailer or poletailer attached or any combination of vehicles shall be driven in the right-hand lane at all times, including

interstate highways, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.

4. Official signs may be erected directing slow-moving traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway and drivers of vehicles shall obey the directions of every such sign.

SECTION 3. This act shall become effective September 1, 1993.

44-1-5284

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