

ENROLLED HOUSE
BILL NO. 1717

By: Leist, Hutchison,
Langmacher, Braddock and
Ostrander of the House

and

Shurden of the Senate

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 11-401, as amended by Section 3, Chapter 324, O.S.L. 1996 (47 O.S. Supp. 1996, Section 11-401), which relates to vehicles approaching or entering intersections; clarifying duty of driver to stop and yield at certain intersections; deleting certain maintenance authority of certain intersections; establishing authority of counties and Oklahoma Department of Transportation to maintain certain intersections, bridges and overpasses; providing for maintenance of signs; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 11-401, as amended by Section 3, Chapter 324, O.S.L. 1996 (47 O.S. Supp. 1996, Section 11-401), is amended to read as follows:

Section 11-401. A. The driver of a vehicle on a county road approaching an intersection with a state or federal highway shall, whether a stop sign is present or visible, stop and yield the right-of-way to a vehicle which has entered the intersection or which is so close thereto as to constitute an immediate hazard. The driver of a vehicle on a private drive or any road not maintained by the county or state approaching an intersection with a county road designated as a thoroughfare, as established by resolution of the board of county commissioners, shall stop and yield the right-of-way to a vehicle which has entered the intersection or which is so close to the intersection as to constitute an immediate hazard. ~~Provided, however, the maintenance of county roads by the county, to include signing, shall not extend beyond the point which the county retains sole easement, unless otherwise provided by agreement pursuant to the provisions of the Interlocal Cooperation Act, Section 1001 et seq. of Title 74 of the Oklahoma Statutes.~~

B. When two vehicles enter or approach an intersection from different highways at approximately the same time, except as provided in subsection A of this section, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

C. The right-of-way rules declared in subsections A and B of this section are modified at through highways and otherwise as hereinafter stated in this chapter.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 902 of Title 69, unless there is created a duplication in numbering, reads as follows:

A. At the intersection of a county road and a state highway, the county shall maintain the county road to the point where it intersects with the travel lanes of the highway or the improved shoulder. The Department of Transportation shall maintain the existing signage at the intersections to include replacement or relocation of stop signs and vegetation control within three (3) feet of the stop sign whether or not the sign is within the county right-of-way. The Department may place and maintain new or additional signs at any such intersection at the discretion of the Department. The county shall maintain any advance warning sign and sight line vegetation control to the intersection. The county may obtain from the Department, at no cost to the county, replacement advance warning signs.

B. The Department of Transportation shall maintain the structure of bridges and overpasses where a county road crosses over or under a state highway. The repair and maintenance of the county road shall be the responsibility of the county.

SECTION 3. This act shall become effective November 1, 1997.

Passed the House of Representatives the 19th day of May, 1997.

Speaker of the House of
Representatives

Passed the Senate the 19th day of May, 1997.

President of the Senate