

SHORT TITLE: Motor vehicles; clarifying statutory reference relating to special speed limitations. Effective date.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 890

By: Stipe

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 11-806, as amended by Section 1, Chapter 127, O.S.L. 1996 (47 O.S. Supp. 1997, Section 11-806), which relates to special speed limitations; clarifying statutory reference; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 11-806, as amended by Section 1, Chapter 127, O.S.L. 1996 (47 O.S. Supp. 1997, Section 11-806), is amended to read as follows:

Section 11-806. A. No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which is greater than the maximum speed which can be maintained with safety to the bridge or structure, when the structure is signposted as provided in this section.

B. The ~~Oklahoma~~ Department of Transportation and local authorities may conduct an investigation of any bridge or other elevated structure constituting a part of a highway, and if they shall thereupon find that the structure cannot, with safety to itself, withstand vehicles driving at speeds otherwise permissible under ~~this act~~ Section 1-101 et seq. of this title, they shall determine and declare the maximum speed of vehicles which the structure can safely withstand, and may cause and permit suitable

signs stating the maximum speed to be erected and maintained at a distance of one hundred (100) feet before each end of the structure.

C. Where any state or federal highway shall be under construction or repair or a detour shall have been designated by reason of construction or repairs in progress and the ~~Oklahoma~~ Department of Transportation shall have determined a maximum safe, careful and prudent speed on the highway or detour during the period of the construction or repairs and shall have plainly posted at each terminus thereof and at not less than each half mile along the route thereof the determined maximum speed, no person shall drive any vehicle upon the portion of the highway or upon the detour at a speed in excess of the speed so determined and posted. Violation of the posted speed limit in the maintenance or construction zone shall result in the doubling of the appropriate fine. For purposes of this section, "maintenance or construction zone" means any location where maintenance or construction work is actually in progress and workers present.

D. Upon the trial of any person charged with a violation of this section, proof of the determination of the maximum speed by the Department of Transportation and the existence of the signs shall constitute conclusive evidence of the maximum speed which can be maintained with safety as provided in subsections B and C of this section.

SECTION 2. This act shall become effective November 1, 1998.

46-2-2087

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