

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE BILL NO. 229

By: Shurden

AS INTRODUCED

An Act relating to motor vehicles; requiring any city, town or municipality which receives eighty-five percent of its revenue from court costs and fines for traffic violations remit all revenues to the State Treasurer for deposit in the General Revenue Fund; requiring State Auditor and Inspector to enforce certain laws; amending 47 O.S. 1991, Section 11-803, as amended by Section 2, Chapter 324, O.S.L. 1996 (47 O.S. Supp. 1998, Section 11-803), which relates to speed limits; authorizing the Transportation Commission to declare void certain actions setting speed limits if it produces revenue for the local authority; making municipalities who have had actions declared void have future speed limits approved by the Transportation Commission; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-803.1 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. Any city, town or municipality in this state which receives more than eighty-five percent (85%) of its total annual revenue from court costs and fines for traffic violations occurring on state or federal highways or on any portion of the National System of Interstate and Defense Highways within the boundaries of the city, town or municipality shall remit all revenues in excess of such eighty-five percent (85%) to the State Treasurer to be deposited in the General Revenue Fund.

B. The State Auditor and Inspector shall enforce subsection A of this section.

SECTION 2. AMENDATORY 47 O.S. 1991, Section 11-803, as amended by Section 2, Chapter 324, O.S.L. 1996 (47 O.S. Supp. 1998, Section 11-803), is amended to read as follows:

Section 11-803. A. Whenever local authorities in their respective jurisdictions determine on the basis of an engineering and traffic investigation that the maximum speed permitted under this article is greater or less than is reasonable and safe under the conditions found to exist upon a highway or part of a highway, the local authority may determine and declare a reasonable and safe maximum limit thereon which:

1. Decreases the limit at intersections; or
2. Increases the limit within an urban district, but not to more than sixty-five (65) miles per hour; or
3. Decreases the limit outside an urban district, but not to less than thirty (30) miles per hour.

B. Local authorities in their respective jurisdictions shall determine by an engineering and traffic investigation the proper maximum speed for all arterial streets and shall declare a reasonable and safe maximum limit thereon which may be greater or less than the maximum speed permitted under Section 1-101 et seq. of this title for an urban district.

C. Any altered limit established as hereinabove authorized shall be effective at all times or during hours of darkness or at other times as may be determined when appropriate signs giving notice thereof are erected upon such street or highway.

D. As to streets and highways within the corporate limits which have been constructed or reconstructed with state or federal funds, local authorities shall have joint authority with the Transportation Commission to establish or alter speed limits; provided, however, the speed limit on an interstate highway within such corporate limits shall not be decreased to less than sixty (60) miles per hour; and provided further, that no local authority shall impose

speed limits on any such street or highway substantially lower than those justified by the highway design, capacity, and traffic volume as determined by engineering studies. The Transportation Commission shall declare void any action setting a speed limit if it finds that such action is not primarily designed to expedite traffic flow, and is primarily designed to produce revenue for the local authority which took the action to set such a speed limit. If an action is declared void, the local authority shall have any future proposed action setting a speed limit approved by the Transportation Commission before such action shall take effect.

E. Not more than six such alterations as hereinabove authorized shall be made per mile along a street or highway except in the case of reduced limits at intersections, and the difference between adjacent limits shall not be more than ten (10) miles per hour.

SECTION 3. This act shall become effective November 1, 1999.

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