

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE BILL NO. 563

By: Long

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 11-1114, which relates to passenger outside passenger compartment; removing exception for certain vehicles; criminalizing the transportation of any person in the cargo area of a pickup or flatbed truck; providing misdemeanor penalty; providing certain exceptions; providing for codification; and declaring an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 11-1114, is amended to read as follows:

Section 11-1114. A. No operator of a motor vehicle shall allow a passenger to ride outside the passenger compartment of the vehicle on the streets, highways or turnpikes of this state; provided, this section shall not apply to persons so riding on private property or for parades or special events ~~nor shall this section apply to passengers riding on the bed of a pickup truck.~~

B. Any person convicted of violating the provisions of subsection A of this section shall be punished by a fine of Ten Dollars (\$10.00) and shall pay court costs of Fifteen Dollars (\$15.00), provided the Department of Public Safety shall not assess points to the driving record of any licensed or unlicensed person convicted of a violation of this section.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-903.1 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. No person operating a pickup truck or flatbed truck on a street or highway of this state shall transport any person in or on

the cargo area of such vehicle or allow any person to ride in or on the cargo area of such vehicle, unless the cargo area of such vehicle is equipped with a passenger restraint system meeting standards set by Sections 571.207, 571.209 and 571.210 of Title 49 of the Code of Federal Regulations. Any person violating any provision of this section shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for up to six (6) months, by a fine of not more than One Hundred Dollars (\$100.00), or by both such fine and imprisonment.

B. The provisions of this section shall not apply if any person is being transported in the back of a pickup or flatbed truck due to an emergency response situation by a public agency or pursuant to the direction or authority of a public agency. For purposes of this section, "emergency response situation" means instances in which necessary measures are needed in order to prevent injury or death to persons or to prevent, confine, or mitigate damage or destruction to property.

C. The provisions of this section shall not apply to any person transported inside an enclosed camper or camper shell attached to a pickup truck that prevents the person from being discharged from the vehicle or to any person participating in a parade or special event provided the vehicle speed is under ten (10) miles per hour.

D. The provisions of this section shall not affect the requirements of any other provision of state or federal law regarding the transportation of employees in a motor truck.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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