

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 924

By: Riley

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 12-201, as amended by Section 21, Chapter 411, O.S.L. 2003 (47 O.S. Supp. 2004, Section 12-201) and 47 O.S. 2001, Section 12-227, as amended by Section 44, Chapter 411, O.S.L. 2003 (47 O.S. Supp. 2004, Section 12-227), which relate to lamps and lighting equipment; clarifying statutory references; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2001, Section 12-201, as amended by Section 21, Chapter 411, O.S.L. 2003 (47 O.S. Supp. 2004, Section 12-201), is amended to read as follows:

Section 12-201. A. The United States Department of Transportation specifications and standards for headlamps, auxiliary driving lamps, tail lamps, signal lamps, reflectors, and other lighting equipment and signal devices, pursuant to 49 C.F.R., Section 571.108, are hereby adopted by the State of Oklahoma.

B. Except as otherwise provided in this chapter and subject to exceptions for parked vehicles, every vehicle upon a highway within this state shall properly display all lamps and illuminating devices as required by law:

1. At any time from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise, also referred to in this chapter as nighttime; and

2. At any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the

highway are not clearly discernible at a distance of one thousand (1,000) feet or less.

C. All lamps required by this chapter shall display a steady light except as otherwise prescribed by this chapter. Any required individual lamp may be combined or incorporated with any other required individual lamp if the combined or incorporated lamps meet all of the individual lighting requirements of this chapter for each individual lamp contained therein.

D. No lamp, other than a headlamp, displayed on any vehicle shall project a glaring light; provided, every headlamp shall comply with Section ~~39~~ 12-222 of this ~~act~~ title.

SECTION 2. AMENDATORY 47 O.S. 2001, Section 12-227, as amended by Section 44, Chapter 411, O.S.L. 2003 (47 O.S. Supp. 2004, Section 12-227), is amended to read as follows:

Section 12-227. A. Any lighted lamp or illuminating device upon a motor vehicle, other than headlamps, spot lamps, auxiliary driving lamps, flashing turn signals, vehicular hazard warning lamps, authorized emergency vehicle lamps, snow removal and construction and maintenance vehicle warning lamps, and school bus and church bus warning lamps, which projects a beam of light of an intensity greater than three hundred (300) candlepower shall be so directed that no part of the high intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five (75) feet from the vehicle.

B. Except as provided in Sections 12-216, 12-218, 12-228 and 12-229 of this title, no person shall drive or move any vehicle or equipment upon any highway with any lamp or device thereon displaying or capable of displaying a red or blue light visible from directly in front of the center thereof.

C. Flashing lights are prohibited except on:

1. An authorized emergency vehicle, as provided in Section 12-218 of this title;

2. A school bus or a church bus, as provided in Section 12-228 of this title;

3. Any snow-removal and construction, and maintenance equipment, as provided in Section 12-229 of this title;

4. A wrecker or tow vehicle while at the scene of an emergency, as provided in Section ~~36~~ 12-218.1 of this ~~act~~ title;

5. Any vehicle as a means of indicating a right or left turn, as provided in Sections ~~28~~ 12-206.1 and ~~73~~ 12-606 of this ~~act~~ title;

6. Any vehicle as means of indicating the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing, as provided in Section 12-220 of this title;

7. Any vehicle displaying side marker lamps which flash in conjunction with turn signal lamps or vehicle hazard warning lamps, as provided in Section 12-220 of this title;

8. A farm tractor or an implement of husbandry, as provided in Section 12-215 of this title; or

9. Any vehicle used while performing official duties as a rural or contract route mail carrier of the United States Postal Service, as provided in Section ~~37~~ 12-218.2 of this ~~act~~ title.

D. Blue lights are prohibited except as allowed in Sections 12-216, 12-218 and 12-229 of this title.

E. Any person violating the provisions of subsection B, C or D of this section shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six (6) months, or by a fine not exceeding Two Thousand Dollars (\$2,000.00), or by both such fine and imprisonment.

SECTION 3. This act shall become effective November 1, 2005.

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