

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 1329

By: Bass, Anderson and Lamb
of the Senate

3
4 and

5 Hoskin and Ownbey of the
6 House

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8
9 (motor vehicles - Motorcycle Mobility and Safety Act
10 - conditions to proceed through red traffic signals
11 - noncodification -
12 effective date)

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15 AUTHORS: Add the following House Coauthors: Luttrell and Walker

16 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
17 entire bill and insert

18 "An Act relating to motor vehicles; creating the
19 Motorcycle Mobility and Safety Act; amending 47 O.S.
20 2001, Section 11-202, which relates to traffic
21 control signals; modifying internal statutory
22 references; establishing conditions under which
23 motorcyclists may proceed through red traffic
24 signals; specifying conditions for which
motorcyclist may not have a defense for certain
violations; providing for noncodification; and
providing an effective date.

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

1 SECTION 1. NEW LAW A new section of law not to be
2 codified in the Oklahoma Statutes reads as follows:

3 This act shall be known and may be cited as the "Motorcycle
4 Mobility and Safety Act".

5 SECTION 2. AMENDATORY 47 O.S. 2001, Section 11-202, is
6 amended to read as follows:

7 Section 11-202. Whenever traffic is controlled by traffic
8 control signals exhibiting different colored lights or colored
9 lighted arrows successively one at a time, or in combination, only
10 the colors green, red and yellow shall be used, except for special
11 pedestrian signals carrying a word legend, and ~~said~~ the lights shall
12 indicate and apply to drivers of vehicles and pedestrians as
13 follows:

14 1. Green indication:

15 a. vehicular traffic facing a circular green signal,
16 except when prohibited under Section 11-1302 of this
17 title, may proceed straight through or turn right or
18 left unless a sign at such place prohibits either such
19 turn. But vehicular traffic, including vehicles
20 turning right or left, shall yield the right-of-way to
21 other vehicles and to pedestrians lawfully within the
22 intersection or an adjacent crosswalk at the time such
23 signal is exhibited-1

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1 b. vehicular traffic facing a green arrow signal, shown
2 alone or in combination with another indication, may
3 cautiously enter the intersection only to make the
4 movement indicated by such arrow, or such other
5 movement as is permitted by other indications shown at
6 the same time. Such vehicular traffic shall yield the
7 right-of-way to pedestrians lawfully within an
8 adjacent crosswalk and to other traffic lawfully using
9 the intersection~~;~~, and

10 c. unless otherwise directed by a pedestrian-control
11 signal, as provided in Section 11-203 of this title,
12 pedestrians facing any green signal, except when the
13 sole green signal is a turn arrow, may proceed across
14 the roadway within any marked or unmarked crosswalk~~;~~;

15 2. Steady yellow indication:

16 a. vehicular traffic facing a steady circular yellow or
17 yellow arrow signal is thereby warned that the related
18 green movement is being terminated or that a red
19 indication will be exhibited immediately thereafter~~;~~;

20 and

21 b. pedestrians facing a steady circular yellow or yellow
22 arrow signal, unless otherwise directed by a
23 pedestrian control signal as provided in Section 11-
24 203 of this title, are thereby advised that there is

1 insufficient time to cross the roadway before a red
2 indication is shown, and no pedestrian shall then
3 start to cross the roadway-; and

4 3. Steady red indication:

5 a. vehicular traffic facing a steady circular red signal
6 alone shall stop at a clearly marked stop line, but if
7 none, before entering the crosswalk on the near side
8 of the intersection or, if none, then before entering
9 the intersection and shall remain standing until an
10 indication to proceed is shown except as provided in
11 ~~paragraph 3b~~ subparagraphs b and d of this ~~section~~
12 paragraph,

13 b. except when a sign is in place prohibiting a turn,
14 vehicular traffic facing any steady red signal may
15 cautiously enter the intersection to turn right or to
16 turn left from a one-way street into a one-way street
17 after stopping as required by ~~paragraph 3a~~
18 subparagraph a of this ~~section~~ paragraph. Such
19 vehicular traffic shall yield the right-of-way to
20 pedestrians lawfully within an adjacent crosswalk and
21 to other traffic lawfully using the intersection-,

22 c. in order to prohibit right turns or left turns as
23 prescribed in ~~paragraph 3b~~ subparagraph b of this
24 ~~section~~ paragraph, on the red signal after the

1 required stop, a municipality must erect clear,
2 concise signs informing drivers that such turns are
3 prohibited. The Highway Department shall specify the
4 design of the sign to be used for this purpose, and it
5 shall be used uniformly throughout the state.

6 d. notwithstanding any other provision of law, the driver
7 of a motorcycle facing any steady red signal may
8 cautiously proceed through the intersection only if:

9 (1) the motorcycle has been brought to a complete
10 stop as required by subparagraph a of this
11 paragraph,

12 (2) the traffic control signal is programmed or
13 engineered to change to a green signal only after
14 detecting the approach of a motor vehicle and has
15 failed to detect the arrival of the motorcycle
16 because of its size or weight, and

17 (3) no motor vehicle or person is approaching on the
18 roadway to be crossed or entered, or the motor
19 vehicle or person is at a distance from the
20 intersection that does not constitute an
21 immediate hazard.

22 The driver of any vehicle approaching the
23 intersection, which lawfully may enter the
24 intersection, shall have the right-of-way over any

1 motorcycle operator proceeding through a red light
2 and, in no event where an accident results from the
3 driver of the motorcycle proceeding into the
4 intersection on a red light, shall such driver of the
5 vehicle be charged with any violation pursuant to
6 Sections 11-401 and 11-403 of this title relating to
7 failure to yield right-of-way, Section 11-310 of this
8 title relating to following too closely, or Section
9 11-801 of this title relating to driving too fast for
10 conditions, and

11 e. unless otherwise directed by a pedestrian control
12 signal as provided in Section 11-203 of this title,
13 pedestrians facing a steady circular red signal alone
14 shall not enter the roadway.

15 In the event an official traffic control signal is erected and
16 maintained at a place other than an intersection, the provisions of
17 this section shall be applicable except as to those provisions which
18 by their nature can have no application. Any stop required shall be
19 made at a sign or marking on the pavement indicating where the stop
20 shall be made, but in the absence of any such sign or marking the
21 stop shall be made at the signal.

22 SECTION 3. This act shall become effective November 1, 2010."
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1 Passed the House of Representatives the 14th day of April, 2010.

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4 Presiding Officer of the House of
Representatives
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6 Passed the Senate the ____ day of _____, 2010.

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9 Presiding Officer of the Senate
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