

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB1329 _____
_____ Of the printed Bill
Page _____ Section _____ Lines _____
_____ Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Chuck Hoskin

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 1329

By: Bass, Anderson and Lamb of
the Senate

7 and

Hoskin and Ownbey of the
House

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11 PROPOSED COMMITTEE SUBSTITUTE

12 An Act relating to motor vehicles; creating the
13 Motorcycle Mobility and Safety Act; amending 47 O.S.
14 2001, Section 11-202, which relates to traffic
15 control signals; modifying internal statutory
16 references; establishing conditions under which
17 motorcyclists may proceed through red traffic
18 signals; specifying conditions for which motorcyclist
19 may not have a defense for certain violations;
20 providing for noncodification; and providing an
21 effective date.

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

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

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

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

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

10 1. Green indication:

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

20 b. vehicular traffic facing a green arrow signal, shown
21 alone or in combination with another indication, may
22 cautiously enter the intersection only to make the
23 movement indicated by such arrow, or such other
24 movement as is permitted by other indications shown at

1 the same time. Such vehicular traffic shall yield the
2 right-of-way to pedestrians lawfully within an
3 adjacent crosswalk and to other traffic lawfully using
4 the intersection~~-,~~ and

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

10 2. Steady yellow indication:

- 11 a. vehicular traffic facing a steady circular yellow or
12 yellow arrow signal is thereby warned that the related
13 green movement is being terminated or that a red
14 indication will be exhibited immediately thereafter~~-,~~
15 and

- 16 b. pedestrians facing a steady circular yellow or yellow
17 arrow signal, unless otherwise directed by a
18 pedestrian control signal as provided in Section 11-
19 203 of this title, are thereby advised that there is
20 insufficient time to cross the roadway before a red
21 indication is shown, and no pedestrian shall then
22 start to cross the roadway~~-,~~ ; and

23 3. Steady red indication:

- 1 a. vehicular traffic facing a steady circular red signal
2 alone shall stop at a clearly marked stop line, but if
3 none, before entering the crosswalk on the near side
4 of the intersection or, if none, then before entering
5 the intersection and shall remain standing until an
6 indication to proceed is shown except as provided in
7 ~~paragraph 3b~~ subparagraphs b and d of this ~~section~~
8 paragraph,
- 9 b. except when a sign is in place prohibiting a turn,
10 vehicular traffic facing any steady red signal may
11 cautiously enter the intersection to turn right or to
12 turn left from a one-way street into a one-way street
13 after stopping as required by ~~paragraph 3a~~
14 subparagraph a of this ~~section~~ paragraph. Such
15 vehicular traffic shall yield the right-of-way to
16 pedestrians lawfully within an adjacent crosswalk and
17 to other traffic lawfully using the intersection,
- 18 c. in order to prohibit right turns or left turns as
19 prescribed in ~~paragraph 3b~~ subparagraph b of this
20 ~~section~~ paragraph, on the red signal after the
21 required stop, a municipality must erect clear,
22 concise signs informing drivers that such turns are
23 prohibited. The Highway Department shall specify the
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1 design of the sign to be used for this purpose, and it
2 shall be used uniformly throughout the state.

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

6 (1) the motorcycle has been brought to a complete
7 stop as required by subparagraph a of this
8 paragraph,

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

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

19 The driver of any vehicle approaching the
20 intersection, which lawfully may enter the
21 intersection, shall have the right-of-way over any
22 motorcycle operator proceeding through a red light
23 and, in no event where an accident results from the
24 driver of the motorcycle proceeding into the

1 intersection on a red light, shall such driver of the
2 vehicle be charged with any violation pursuant to
3 Sections 11-401 and 11-403 of this title relating to
4 failure to yield right-of-way, Section 11-310 of this
5 title relating to following too closely, or Section
6 11-801 of this title relating to driving too fast for
7 conditions, and

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

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

19 SECTION 3. This act shall become effective November 1, 2010.
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21 52-2-10352 GRS 03/23/10
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