

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL 1329

6 By: Bass

7 COMMITTEE SUBSTITUTE

8 [ motor vehicles - Motorcycle Mobility and Safety Act  
9 - conditions to proceed through red traffic signals -  
10 noncodification - effective date ]

11  
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

19 Section 11-202. Whenever traffic is controlled by traffic  
20 control signals exhibiting different colored lights or colored  
21 lighted arrows successively one at a time, or in combination, only  
22 the colors green, red and yellow shall be used, except for special  
23 pedestrian signals carrying a word legend, and ~~said~~ the lights shall

1 indicate and apply to drivers of vehicles and pedestrians as  
2 follows:

3 1. Green indication:

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

13 b. vehicular traffic facing a green arrow signal, shown  
14 alone or in combination with another indication, may  
15 cautiously enter the intersection only to make the  
16 movement indicated by such arrow, or such other  
17 movement as is permitted by other indications shown at  
18 the same time. Such vehicular traffic shall yield the  
19 right-of-way to pedestrians lawfully within an  
20 adjacent crosswalk and to other traffic lawfully using  
21 the intersection~~-,~~ and

22 c. unless otherwise directed by a pedestrian-control  
23 signal, as provided in Section 11-203 of this title,  
24 pedestrians facing any green signal, except when the

1           sole green signal is a turn arrow, may proceed across  
2           the roadway within any marked or unmarked crosswalk;

3           2. Steady yellow indication:

4           a. vehicular traffic facing a steady circular yellow or  
5           yellow arrow signal is thereby warned that the related  
6           green movement is being terminated or that a red  
7           indication will be exhibited immediately thereafter,  
8           and

9           b. pedestrians facing a steady circular yellow or yellow  
10           arrow signal, unless otherwise directed by a  
11           pedestrian control signal as provided in Section 11-  
12           203 of this title, are thereby advised that there is  
13           insufficient time to cross the roadway before a red  
14           indication is shown, and no pedestrian shall then  
15           start to cross the roadway; and

16           3. Steady red indication:

17           a. vehicular traffic facing a steady circular red signal  
18           alone shall stop at a clearly marked stop line, but if  
19           none, before entering the crosswalk on the near side  
20           of the intersection or, if none, then before entering  
21           the intersection and shall remain standing until an  
22           indication to proceed is shown except as provided in  
23           ~~paragraph 3b~~ subparagraphs b and d of this section.  
24           paragraph,

1 b. except when a sign is in place prohibiting a turn,  
2 vehicular traffic facing any steady red signal may  
3 cautiously enter the intersection to turn right or to  
4 turn left from a one-way street into a one-way street  
5 after stopping as required by ~~paragraph 3a~~  
6 subparagraph a of this ~~section~~ paragraph. Such  
7 vehicular traffic shall yield the right-of-way to  
8 pedestrians lawfully within an adjacent crosswalk and  
9 to other traffic lawfully using the intersection.,

10 c. in order to prohibit right turns or left turns as  
11 prescribed in ~~paragraph 3b~~ subparagraph b of this  
12 ~~section~~ paragraph, on the red signal after the  
13 required stop, a municipality must erect clear,  
14 concise signs informing drivers that such turns are  
15 prohibited. The Highway Department shall specify the  
16 design of the sign to be used for this purpose, and it  
17 shall be used uniformly throughout the state.,

18 d. notwithstanding any other provision of law, the driver  
19 of a motorcycle or bicycle facing any steady red  
20 signal may cautiously proceed through the intersection  
21 only if:

22 (1) the motorcycle or bicycle has been brought to a  
23 complete stop as required by subparagraph a of  
24 this paragraph,

1           (2) the traffic control signal is programmed or  
2           engineered to change to a green signal only after  
3           detecting the approach of a motor vehicle and has  
4           failed to detect the arrival of the motorcycle or  
5           bicycle because of its size or weight, and  
6           (3) no motor vehicle or person is approaching on the  
7           roadway to be crossed or entered, or the motor  
8           vehicle or person is at a distance from the  
9           intersection that does not constitute an  
10           immediate hazard.

11           It shall not be a defense to a violation of  
12           subparagraph a of this paragraph that the driver of a  
13           motorcycle or bicycle proceeded under the belief that  
14           a traffic control signal was programmed or engineered  
15           to change to a green light only after detecting the  
16           approach of a vehicle when such signal was not in fact  
17           programmed or engineered in such a way, or that such a  
18           signal was not in fact inoperative due to the size or  
19           weight of the motorcycle or bicycle. The driver of  
20           any vehicle approaching the intersection, which  
21           lawfully may enter the intersection, shall have the  
22           right-of-way over any motorcycle or bicycle operator  
23           proceeding through a red light and, in no event where  
24           an accident results from the driver of the motorcycle

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