

ENROLLED HOUSE
BILL NO. 2276

By: Duncan, Hickman, Roan and
Tibbs of the House

and

Anderson of the Senate

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 11-309, as last amended by Section 1, Chapter 125, O.S.L. 2009 and Section 3, Chapter 108, O.S.L. 2003 (47 O.S. Supp. 2009, Sections 11-309 and 11-901b), which relate to rules of the road; modifying requirements for driving vehicles on certain roadways; modifying circumstances for which a citation may be issued; providing statutory reference for penalty provision; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2001, Section 11-309, as last amended by Section 1, Chapter 125, O.S.L. 2009 (47 O.S. Supp. 2009, Section 11-309), is amended to read as follows:

Section 11-309. Whenever any roadway has been divided into two or more clearly marked lanes for traffic, the following requirements in addition to all others consistent herewith shall apply.

1. A vehicle shall be driven as nearly as practicable entirely within a single lane.

2. A vehicle shall not be moved from the lane until the driver has first ascertained that the movement can be made with safety and then given a signal, not less than the last one hundred (100) feet traveled by the vehicle, of his intention to change lanes.

3. Upon a roadway which is divided into three lanes, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and the center lane is clear of traffic within a safe distance, or in preparation for a left turn or where the center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is signposted to give notice of the allocation.

4. A two-way left-turn lane is a lane near the center of the highway set aside for use by vehicles making left turns in both directions from or into the roadway. Two-way left-turn lanes shall be designated by distinctive roadway markings consisting of parallel double yellow lines, interior line dashed and exterior line solid, on each side of the lane. A vehicle shall not be driven in a designated two-way left-turn lane except when preparing for or making a left turn from or into a roadway. Vehicles turning left from the roadway shall not be driven in the two-way left-turn lane for more than two hundred (200) feet while preparing for and making the turn. A vehicle turning left onto the roadway may utilize the two-way left-turn lane as a staging area by stopping and waiting for traffic proceeding in the same direction to clear before merging into the adjacent lanes of travel. A left turn shall not be made from any other lane where a two-way left-turn lane has been designated. Provided, however, this section shall not prohibit driving across a two-way left-turn lane when moving from a service drive onto such marked roadway.

5. Upon a roadway which is divided into four or more lanes, a vehicle ~~proceeding at less than the maximum posted speed, except when reduced speed is necessary for safe operation,~~ shall not impede the normal flow of traffic by driving in the left lane-

~~6. Upon a roadway which is divided into four or more lanes, a vehicle shall be driven in the right hand lane except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway. Provided,; provided, however, this paragraph shall not prohibit driving in a lane other than the right-hand lane when traffic conditions or flow, or both, or road configuration, such as the potential of merging traffic, require the use of lanes other than the right-hand lane to maintain safe traffic conditions.~~

~~7-~~ 6. Official signs may be erected directing slow-moving traffic to use a designated lane or designating those lanes to be

used by traffic moving in a particular direction regardless of the center of the roadway and drivers of vehicles shall obey the directions of every such sign.

Any person convicted of violating any provision of this section shall be punished as provided for in Section 17-101 of this title.

SECTION 2. AMENDATORY Section 3, Chapter 108, O.S.L. 2003 (47 O.S. Supp. 2009, Section 11-901b), is amended to read as follows:

Section 11-901b. The operator of every vehicle, while driving, shall devote their full time and attention to such driving.

No law enforcement officer shall issue a citation under this section unless the law enforcement officer observes that the operator of the vehicle is involved in an accident or observes the operator of the vehicle driving in such a manner that poses an articulable danger to other persons on the roadway that is not otherwise specified in statute.

SECTION 3. This act shall become effective November 1, 2010.

Passed the House of Representatives the 4th day of March, 2010.

Presiding Officer of the House of
Representatives

Passed the Senate the 6th day of April, 2010.

Presiding Officer of the Senate