

EHB 2276

1 THE STATE SENATE
2 Wednesday, March 24, 2010

3 ENGROSSED

4 House Bill No. 2276

5 ENGROSSED HOUSE BILL NO. 2276 - By: Duncan, Hickman, Roan and Tibbs
6 of the House and Anderson of the Senate.

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

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

17 SECTION 1. AMENDATORY 47 O.S. 2001, Section 11-309, as
18 last amended by Section 1, Chapter 125, O.S.L. 2009 (47 O.S. Supp.
19 2009, Section 11-309), is amended to read as follows:

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

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

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

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

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

1 driving across a two-way left-turn lane when moving from a service
2 drive onto such marked roadway.

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

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

17 ~~7.~~ 6. Official signs may be erected directing slow-moving
18 traffic to use a designated lane or designating those lanes to be
19 used by traffic moving in a particular direction regardless of the
20 center of the roadway and drivers of vehicles shall obey the
21 directions of every such sign.

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

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

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

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

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

13 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY & HOMELAND SECURITY,
14 dated 3-23-10 - DO PASS, As Coauthored.