

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1329

By: Bass

4  
5  
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.  
8 2001, Section 11-202, which relates to traffic  
9 control signals; creating the Motorcycle Mobility and  
10 Safety Act; modifying internal statutory references;  
11 establishing conditions under which motorcyclists and  
12 bicyclists may proceed through red traffic signals;  
13 specifying conditions under which motorcyclists and  
14 bicyclists may not have a defense for certain  
15 violations; providing for noncodification; and  
16 providing an effective date.

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

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

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

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

24 Section 11-202. Whenever traffic is controlled by traffic  
control signals exhibiting different colored lights or colored  
lighted arrows successively one at a time, or in combination, only  
the colors green, red and yellow shall be used, except for special

1 pedestrian signals carrying a word legend, and ~~said~~ the lights shall  
2 indicate and apply to drivers of vehicles and pedestrians as  
3 follows:

4 ~~1.~~ A. Green indication:

5 ~~a.~~ 1. Vehicular traffic facing a circular green signal, except  
6 when prohibited under Section 11-1302 of this title, may proceed  
7 straight through or turn right or left unless a sign at such place  
8 prohibits either such turn. But vehicular traffic, including  
9 vehicles turning right or left, shall yield the right-of-way to  
10 other vehicles and to pedestrians lawfully within the intersection  
11 or an adjacent crosswalk at the time such signal is exhibited;

12 ~~b.~~ 2. Vehicular traffic facing a green arrow signal, shown  
13 alone or in combination with another indication, may cautiously  
14 enter the intersection only to make the movement indicated by such  
15 arrow, or such other movement as is permitted by other indications  
16 shown at the same time. Such vehicular traffic shall yield the  
17 right-of-way to pedestrians lawfully within an adjacent crosswalk  
18 and to other traffic lawfully using the intersection; and

19 ~~c.~~ 3. Unless otherwise directed by a pedestrian-control signal,  
20 as provided in Section 11-203 of this title, pedestrians facing any  
21 green signal, except when the sole green signal is a turn arrow, may  
22 proceed across the roadway within any marked or unmarked crosswalk.

23 ~~2.~~ B. Steady yellow indication:  
24

1       ~~a.~~ 1. Vehicular traffic facing a steady circular yellow or  
2 yellow arrow signal is thereby warned that the related green  
3 movement is being terminated or that a red indication will be  
4 exhibited immediately thereafter~~;~~ and

5       ~~b.~~ 2. Pedestrians facing a steady circular yellow or yellow  
6 arrow signal, unless otherwise directed by a pedestrian control  
7 signal as provided in Section 11-203 of this title, are thereby  
8 advised that there is insufficient time to cross the roadway before  
9 a red indication is shown, and no pedestrian shall then start to  
10 cross the roadway.

11       ~~3.~~ C. Steady red indication:

12       ~~a.~~ 1. Vehicular traffic facing a steady circular red signal  
13 alone shall stop at a clearly marked stop line, but if none, before  
14 entering the crosswalk on the near side of the intersection or, if  
15 none, then before entering the intersection and shall remain  
16 standing until an indication to proceed is shown except as provided  
17 in ~~paragraph 3b~~ paragraphs 2 and 4 of this section subsection~~;~~

18       ~~b.~~ 2. Except when a sign is in place prohibiting a turn,  
19 vehicular traffic facing any steady red signal may cautiously enter  
20 the intersection to turn right or to turn left from a one-way street  
21 into a one-way street after stopping as required by ~~paragraph 3a~~  
22 paragraph 1 of this section subsection. Such vehicular traffic  
23 shall yield the right-of-way to pedestrians lawfully within an  
24

1 adjacent crosswalk and to other traffic lawfully using the  
2 intersection-;

3 ~~e.~~ 3. In order to prohibit right turns or left turns as  
4 prescribed in ~~paragraph 3b~~ paragraph 2 of this ~~section~~ subsection on  
5 the red signal after the required stop, a municipality must erect  
6 clear, concise signs informing drivers that such turns are  
7 prohibited. The Highway Department shall specify the design of the  
8 sign to be used for this purpose, and it shall be used uniformly  
9 throughout the state-;

10 ~~d.~~ 4. Notwithstanding any other provision of law, the driver of  
11 a motorcycle or bicycle facing any steady red signal may cautiously  
12 proceed through the intersection only if:

- 13 a. the motorcycle or bicycle has been brought to a  
14 complete stop as required by paragraph 1 of this  
15 subsection,
- 16 b. the traffic control signal is programmed or engineered  
17 to change to a green signal only after detecting the  
18 approach of a motor vehicle and has failed to detect  
19 the arrival of the motorcycle or bicycle because of  
20 its size or weight, and
- 21 c. no motor vehicle or person is approaching on the  
22 roadway to be crossed or entered, or the motor vehicle  
23 or person is at a distance from the intersection that  
24 does not constitute an immediate hazard.

1 It shall not be a defense to a violation of paragraph 1 of this  
2 subsection that the driver of a motorcycle or bicycle proceeded  
3 under the belief that a traffic control signal was programmed or  
4 engineered to change to a green light only after detecting the  
5 approach of a vehicle when such signal was not in fact programmed or  
6 engineered in such a way, or that such a signal was not in fact  
7 inoperative due to the size or weight of the motorcycle or bicycle;  
8 and

9       5. Unless otherwise directed by a pedestrian control signal as  
10 provided in Section 11-203 of this title, pedestrians facing a  
11 steady circular red signal alone 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.

20

21       52-2-2890           MRB           2/3/2010 4:05:25 PM

22

23

24