

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1664

By: Easley

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5
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2001, Section 11-801, as last amended by Section 4,
9 Chapter 319, O.S.L. 2008 (47 O.S. Supp. 2009, Section
10 11-801), which relates to speed limits; modifying
11 speed limit for certain trucks; and providing an
12 effective date.

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

14 SECTION 1. AMENDATORY 47 O.S. 2001, Section 11-801, as
15 last amended by Section 4, Chapter 319, O.S.L. 2008 (47 O.S. Supp.
16 2009, Section 11-801), is amended to read as follows:

17 Section 11-801. A. Any person driving a vehicle on a highway
18 shall drive the same at a careful and prudent speed not greater than
19 nor less than is reasonable and proper, having due regard to the
20 traffic, surface and width of the highway and any other conditions
21 then existing. No person shall drive any vehicle upon a highway at
22 a speed greater than will permit the driver to bring it to a stop
23 within the assured clear distance ahead.

24 B. Except when a special hazard exists that requires lower
speed for compliance with subsection A of this section, the limits

1 specified by law or established as hereinafter authorized shall be
2 maximum lawful speeds, and no person shall drive a vehicle on a
3 highway at a speed in excess of the following maximum limits:

4 1. Seventy-five (75) miles per hour in locations comprising:

5 a. the turnpike system, except for semitrailers,
6 trailers, and truck tractors, as defined by Section 1-
7 162, 1-180 and 1-183 of this title, traveling upon the
8 turnpike system upon which such vehicles shall have a
9 maximum speed of sixty-five (65) miles per hour, and

10 b. rural segments of the interstate highway system, as
11 may be designated by the Transportation Commission,
12 except for semitrailers, trailers, and truck tractors,
13 as defined by Section 1-162, 1-180 and 1-183 of this
14 title, traveling upon the rural segments of the
15 interstate highway system upon which such vehicles
16 shall have a maximum speed of sixty-five (65) miles
17 per hour. Provided, however, the Commission shall
18 determine prior to the designation of such segments
19 that the public safety will not be jeopardized;

20 c. The Department of Transportation shall post signs with
21 the speed limit for the designated areas in
22 subparagraphs a and b of this paragraph.

23 2. Seventy (70) miles per hour in locations which are:
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1 a. four-lane divided highways including, but not limited
2 to, the interstate highway system, except for
3 semitrailers, trailers, and truck tractors, as defined
4 by Section 1-162, 1-180 and 1-183 of this title,
5 traveling upon four-lane divided highways upon which
6 such vehicles shall have a maximum speed of sixty (60)
7 miles per hour, and

8 b. super two-lane highways, except for semitrailers,
9 trailers, and truck tractors, as defined by Section 1-
10 162, 1-180 and 1-183 of this title, traveling upon
11 super two-lane highways upon which such vehicles shall
12 have a maximum speed of sixty (60) miles per hour. As
13 used in this section, a super two-lane highway shall
14 mean any two-lane highway with designated passing
15 lanes, and consisting of paved shoulders not less than
16 eight (8) feet in width;

17 c. The Department of Transportation shall post signs with
18 the speed limit for the designated areas in
19 subparagraphs a and b of this paragraph.

20 3. Sixty-five (65) miles per hour in other locations, except
21 for semitrailers, trailers, and truck tractors, as defined by
22 Section 1-162, 1-180 and 1-183 of this title, traveling in other
23 locations upon which such vehicles shall have a maximum speed of
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1 fifty-five (55) miles per hour. The Department of Transportation
2 shall post signs with the speed limit for the designated area;

3 4. For a school bus, fifty-five (55) miles per hour on paved
4 two-lane highways except on multilane divided highways, turnpikes,
5 and interstate highways where the maximum shall be sixty-five (65)
6 miles per hour;

7 5. On any highway outside of a municipality in a properly
8 marked school zone, twenty-five (25) miles per hour, provided the
9 zone is marked with appropriate warning signs placed in accordance
10 with the latest edition of the Manual on Uniform Traffic Control
11 Devices. The Department of Transportation may determine on the
12 basis of an engineering and traffic investigation that a speed limit
13 higher than twenty-five (25) miles per hour may be reasonable and
14 safe under conditions as they exist upon a highway, and post an
15 alternative school zone speed limit. The Department shall mark such
16 school zones, or entrances and exits onto highways by buses or
17 students, so that the maximum speed provided by this section shall
18 be established therein. Exits and entrances to controlled-access
19 highways which are within such school zones shall be marked in the
20 same manner as other highways. The county commissioners shall mark
21 such school zones along the county roads so that the maximum speed
22 provided by this section shall be established therein. The signs
23 may be either permanent or temporary. The Department shall give
24 priority over all other signing projects to the foregoing duty to

1 mark school zones. The Department shall also provide other safety
2 devices for school zones which are needed in the opinion of the
3 Department;

4 6. Twenty-five (25) miles per hour or a posted alternative
5 school zone speed limit through state schools located on the state-
6 owned land adjoining or outside the limits of a corporate city or
7 town where a state educational institution is established;

8 7. Thirty-five (35) miles per hour on a highway in any state
9 park or wildlife refuge. Provided, however, that the provisions of
10 this paragraph shall not include the State Capitol park area, and no
11 person shall drive any vehicle at a rate of speed in excess of
12 fifty-five (55) miles per hour on any state or federal designated
13 highway within such areas; and

14 8. For any vehicle or combination of vehicles with solid rubber
15 or metal tires, ten (10) miles per hour.

16 The maximum speed limits set forth in this section may be
17 altered as authorized in Sections 11-802 and 11-803 of this title.

18 C. The Commission is hereby authorized to prescribe maximum and
19 minimum speeds for all vehicles and any combinations of vehicles
20 using controlled-access highways. Such regulations shall become
21 effective after signs have been posted on these highways giving
22 notice thereof. Such regulations may apply to an entirely
23 controlled-access highway or to selected sections thereof as may be
24 designated by the Commission. It shall be a violation of this

1 section to drive any vehicle at a faster rate of speed than such
2 prescribed maximum or at a slower rate of speed than such prescribed
3 minimum. However, all vehicles shall at all times conform to the
4 limits set forth in subsection A of this section.

5 Copies of such regulations certified as in effect on any
6 particular date by the Secretary of the Commission shall be accepted
7 as evidence in any court in this state. Whenever changes have been
8 made in speed zones, copies of such regulations shall be filed with
9 the Commissioner of Public Safety.

10 D. The Oklahoma Turnpike Authority is hereby authorized to
11 prescribe maximum and minimum speeds for trucks, buses and
12 automobiles using turnpikes. The regulation pertaining to
13 automobiles shall apply to all vehicles not commonly classified as
14 either trucks or buses. Such regulations shall become effective
15 only after approval by the Commissioner of Public Safety, and after
16 signs have been posted on the turnpike giving notice thereof. Such
17 regulations may apply to an entire turnpike project or to selected
18 sections thereof as may be designated by the Oklahoma Turnpike
19 Authority. It shall be a violation of this section to drive a
20 vehicle at a faster rate of speed than such prescribed maximum speed
21 or at a slower rate of speed than such prescribed minimum speed.
22 However, all vehicles shall at all times conform to the requirements
23 of subsection A of this section.

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1 Copies of such regulations, certified as in effect on any
2 particular date by the Secretary of the Oklahoma Turnpike Authority,
3 shall be accepted in evidence in any court in this state.

4 E. The driver of every vehicle shall, consistent with the
5 requirements of subsection A of this section, drive at an
6 appropriate reduced speed when approaching and crossing an
7 intersection or railway grade crossing, when approaching and going
8 around a curve, when approaching a hillcrest, when driving upon any
9 narrow or winding roadway, and when special hazard exists with
10 respect to pedestrians or other traffic, or by reason of weather or
11 highway conditions.

12 F. 1. No person shall drive a vehicle on a county road at a
13 speed in excess of fifty-five (55) miles per hour unless posted
14 otherwise by the board of county commissioners, as provided in
15 subparagraphs a through c of this paragraph, as follows:

- 16 a. the board of county commissioners may determine, by
17 resolution, a maximum speed limit which shall apply to
18 all county roads which are not otherwise posted for
19 speed,
- 20 b. the board of county commissioners shall provide public
21 notice of the speed limit on all nonposted roads by
22 publication in a newspaper of general circulation in
23 the county. The notice shall be published once weekly
24 for a period of four (4) continuous weeks, and

1 c. the board of county commissioners shall forward the
2 resolution to the Director of the Department and to
3 the Commissioner of Public Safety.

4 2. The Department shall post speed limit information, as
5 determined pursuant to the provisions of subparagraphs a through c
6 of paragraph 1 of this subsection, on the county line marker where
7 any state highway enters a county and at all off-ramps where
8 interstate highways or turnpikes enter a county. The signs shall
9 read as follows:

10 ENTERING _____ COUNTY
11 COUNTY ROAD SPEED LIMIT
12 _____ MPH
13 UNLESS POSTED OTHERWISE

14 The appropriate board of county commissioners shall reimburse
15 the Department the full cost of the signage required herein.

16 G. Any person convicted of a speeding violation pursuant to
17 subsection B or F of this section shall be punished by a fine as
18 follows:

- 19 1. One to ten miles per hour over the limit..... \$10.00
20 2. Eleven to fifteen miles per hour over the
21 limit..... \$20.00
22 3. Sixteen to twenty miles per hour over the
23 limit..... \$35.00
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- 1 4. Twenty-one to twenty-five miles per hour over
- 2 the limit..... \$75.00
- 3 5. Twenty-six to thirty miles per hour over the
- 4 limit..... \$135.00
- 5 6. Thirty-one to thirty-five miles per hour over
- 6 the limit..... \$155.00
- 7 7. Thirty-six miles per hour or more over the
- 8 limit..... \$205.00

9 or by imprisonment for not more than ten (10) days; for a second
10 conviction within one (1) year after the first conviction, by
11 imprisonment for not more than twenty (20) days; and upon a third or
12 subsequent conviction within one (1) year after the first
13 conviction, by imprisonment for not more than six (6) months, or by
14 both such fine and imprisonment.

15 SECTION 2. This act shall become effective November 1, 2010.

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