

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 951

By: Rice

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5
6 AS INTRODUCED

7 An Act relating to bicycles; amending 47 O.S. 2001,
8 Section 11-1111, as amended by Section 1, Chapter
368, O.S.L. 2003 (47 O.S. Supp. 2010, Section 11-
9 1111), which relates to throwing or dropping objects;
adding bicycle to application of law; amending 47
10 O.S. 2001, Section 11-1205, as last amended by
Section 2, Chapter 173, O.S.L. 2006, and Section 3,
11 Chapter 173, O.S.L. 2006 (47 O.S. Supp. 2010,
Sections 11-1205 and 11-1208), which relate to
12 operation of bicycles and play vehicles; modifying
certain exceptions to right-hand lane operation;
13 providing method of operation for certain types of
roadways; stating certain expectations for bicycle
14 operation; modifying requirements for overtaking a
vehicle traveling in opposite directions and for one-
15 way roadways; prohibiting certain conduct with a
motor vehicle; providing penalty; providing an
16 effective date; and declaring an emergency.

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

20 SECTION 1. AMENDATORY 47 O.S. 2001, Section 11-1111, as
21 amended by Section 1, Chapter 368, O.S.L. 2003 (47 O.S. Supp. 2010,
22 Section 11-1111), is amended to read as follows:

23 Section 11-1111. A. No person shall willfully throw or drop
24 any substance at a moving vehicle, bicycle, or any occupant thereof.

1 B. No person shall willfully throw or drop any object from a
2 bridge or overpass with intent to damage any property or injure any
3 person.

4 C. Any violation of subsection A or B of this section shall be
5 deemed a felony and, upon conviction, shall be punishable by
6 imprisonment in the Department of Corrections for a term of not more
7 than ten (10) years, or by a fine not exceeding Ten Thousand Dollars
8 (\$10,000.00), or by both such fine and imprisonment.

9 SECTION 2. AMENDATORY 47 O.S. 2001, Section 11-1205, as
10 last amended by Section 2, Chapter 173, O.S.L. 2006 (47 O.S. Supp.
11 2010, Section 11-1205), is amended to read as follows:

12 Section 11-1205. A. Every person operating a bicycle or
13 motorized scooter upon a roadway at less than the normal speed of
14 traffic at the time and place and under the conditions then existing
15 shall ride as close as is safe to the right-hand curb or edge of the
16 roadway, except under any of the following situations:

- 17 1. When overtaking and passing another vehicle proceeding in
18 the same direction;
- 19 2. When preparing for a left turn at an intersection or into a
20 private road or driveway;
- 21 3. When reasonably necessary to avoid conditions and while
22 exercising due care, including but not limited to:
 - 23 a. fixed or moving objects,
 - 24 b. parked or moving vehicles,

- 1 c. pedestrians or animals,
- 2 d. surface hazards, or
- 3 e. any time it is unsafe to continue along the right-hand
- 4 curb or edge of the roadway; and
- 5 4. When riding in the right-turn-only lane.

6 However, the rider should not be required to ride without a
7 minimum three (3) foot safety margin from a motor vehicle on either
8 the left-hand or right-hand side while on the roadway as the law may
9 require.

10 B. Any person riding a bicycle or motorized scooter upon a one-
11 way street or highway with two or more marked lanes of travel may
12 ride as close as is safe to the left-hand curb or edge of the street
13 or highway.

14 C. No person operating a bicycle or motorized scooter shall
15 pass other vehicles between lanes of traffic traveling in the same
16 direction.

17 D. Persons riding bicycles or motorized scooters upon a roadway
18 shall not ride more than two abreast except on paths or parts of
19 roadways set aside for the exclusive use of bicycles or motorized
20 scooters. Persons riding two abreast shall not impede the normal
21 and reasonable flow of traffic and, on a laned roadway, shall ride
22 within a single lane.

1 SECTION 3. AMENDATORY Section 3, Chapter 173, O.S.L.
2 2006 (47 O.S. Supp. 2010, Section 11-1208), is amended to read as
3 follows:

4 Section 11-1208. A. When overtaking and passing a bicycle
5 proceeding in the same direction, a person driving a motor vehicle
6 shall exercise due care by leaving a safe distance between the motor
7 vehicle and the bicycle of not less than three (3) feet of the right
8 side of the motor vehicle, including all mirrors or other
9 projections, and the left side of the bicyclist until the motor
10 vehicle is safely past the overtaken bicycle.

11 B. A person driving a motor vehicle upon a one-way roadway with
12 two or more marked traffic lanes, when overtaking a bicyclist
13 proceeding in the same direction and riding on the left-hand side of
14 the road, shall allow a safe distance of not less than three (3)
15 feet between the left side of the motor vehicle, including all
16 mirrors or other projections, and the right side of the bicyclist
17 until the motor vehicle is safely past the overtaken bicycle.

18 C. If a person violates the provisions of subsection A or B of
19 this section, and the violation is witnessed by law enforcement, a
20 citation shall be issued and the person shall be subject to a fine
21 of not less than Five Hundred Dollars (\$500.00).

22 D. If a person violates the provisions of subsection A or B of
23 this section and the violation results in a collision causing
24 serious physical injury to another person, the person shall be

1 subject to a fine of not ~~more~~ less than ~~Five Hundred Dollars~~
2 ~~(\$500.00)~~ One Thousand Dollars (\$1,000.00).

3 C. If a person violates the provisions of subsection A or B of
4 this section and the violation results in the death of another
5 person, the person shall be subject to a fine of not ~~more~~ less than
6 ~~One Thousand Dollars (\$1,000.00)~~ Five Thousand Dollars (\$5,000.00),
7 in addition to any other penalties prescribed by law.

8 SECTION 4. This act shall become effective July 1, 2011.

9 SECTION 5. It being immediately necessary for the preservation
10 of the public peace, health and safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

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