

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 1850

By: Shelton

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5  
6 AS INTRODUCED

7 An Act relating to transportation; prohibiting the  
8 erection of certain road signs; providing basis for  
9 denial; defining term; limiting scope of review;  
10 providing for codification; and declaring an  
11 emergency.

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

13 SECTION 1. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 322 of Title 69, unless there is  
15 created a duplication in numbering, reads as follows:

16 A. The Oklahoma Department of Transportation shall remove or  
17 refuse to approve any road sign on the state highway system that is,  
18 or the Department has reason to believe will be, the cause of an  
19 unsafe condition for drivers in this state. As used in this  
20 section, the term "unsafe condition" includes but is not limited to  
21 the following:

- 22 1. Frustrates the use of the state's public roads;  
23 2. Creates substantial reluctance on the part of drivers to use  
24 the road;

1 3. Creates a dangerous condition;

2 4. Intimidates or harasses a substantial number of drivers; or

3 5. Conflicts with state or federal law.

4 B. The application of subsection A of this section by the  
5 Department shall be viewpoint-neutral and based solely on the  
6 criteria provided in subsection A of this section.

7 SECTION 2. NEW LAW A new section of law to be codified  
8 in the Oklahoma Statutes as Section 350.1 of Title 19, unless there  
9 is created a duplication in numbering, reads as follows:

10 A. Every county in this state shall remove or refuse to approve  
11 any road sign on the county road system of the county that is, or  
12 the county has reason to believe will be, the cause of an unsafe  
13 condition for drivers in this state. As used in this section, the  
14 term "unsafe condition" includes but is not limited to the  
15 following:

16 1. Frustrates the use of the county's public roads;

17 2. Creates substantial reluctance on the part of drivers to use  
18 the road;

19 3. Creates a dangerous condition;

20 4. Intimidates or harasses a substantial number of drivers; or

21 5. Conflicts with state or federal law.

22 B. The application of subsection A of this section by the  
23 county shall be viewpoint-neutral and based solely on the criteria  
24 provided in subsection A of this section.

1 SECTION 3. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 22-101.4 of Title 11, unless  
3 there is created a duplication in numbering, reads as follows:

4 A. Every city, town, municipality or other political  
5 subdivision in this state shall remove or refuse to approve any road  
6 sign on any applicable city, town, municipality or other political  
7 subdivision road that is, or the city, town, municipality or other  
8 political subdivision has reason to believe will be, the cause of an  
9 unsafe condition for drivers in this state. As used in this  
10 section, the term "unsafe condition" includes but is not limited to  
11 the following:

- 12 1. Frustrates the use of public roads;
- 13 2. Creates substantial reluctance on the part of drivers to use  
14 the road;
- 15 3. Creates a dangerous condition;
- 16 4. Intimidates or harasses a substantial number of drivers; or
- 17 5. Conflicts with state or federal law.

18 B. The application of subsection A of this section by a city,  
19 town, municipality or other political subdivision shall be  
20 viewpoint-neutral and based solely on the criteria provided in  
21 subsection A of this section.

22 SECTION 4. It being immediately necessary for the preservation  
23 of the public peace, health and safety, an emergency is hereby  
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1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

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