ENGROSSED HOUSE
BILL NO. 2449

By: O'Donnell, Sherrer and Hoskin of the House

and

Barrington of the Senate

An Act relating to motor vehicles; requiring certain traffic maneuvering and caution when approaching certain vehicles; amending 47 O.S. 2011, Section 12-227, which relates to restrictions on certain lights on motor vehicles; providing additional exception for flashing lights; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 11-315.1 of Title 47, unless there is created a duplication in numbering, reads as follows:

A. The driver of a motor vehicle, upon approaching a vehicle being used in the collection of refuse, solid waste or recyclables displaying side marker lamps which flash in conjunction with turn signal lamps or vehicle hazard warning lamps pursuant to the provisions of Section 12-227 of Title 47 of the Oklahoma Statutes, shall:

1. If traveling on a highway that consists of two or more lanes that carry traffic in the same direction of travel as that of the

driver, proceed with due caution and shall, if possible and with due regard to the road, weather and traffic conditions, change lanes into a lane that is not adjacent to the vehicle being used in the collection of refuse, solid waste or recyclables; or if the driver is not able to change lanes or if to do so would be unsafe, the driver shall proceed with due caution and reduce the speed of the motor vehicle to a safe speed for the existing road, weather and traffic conditions; and

2. If traveling on a highway other than a highway described in paragraph 1 of this subsection, proceed with due caution and reduce the speed of the motor vehicle to a safe speed for the existing road, weather and traffic conditions.

SECTION 2. AMENDATORY 47 O.S. 2011, Section 12-227, is amended to read as follows:

Section 12-227. A. Any lighted lamp or illuminating device upon a motor vehicle, other than headlamps, spot lamps, auxiliary driving lamps, flashing turn signals, vehicular hazard warning lamps, authorized emergency vehicle lamps, snow removal and construction and maintenance vehicle warning lamps, and school bus and church bus warning lamps, which projects a beam of light of an intensity greater than three hundred (300) candlepower shall be so directed that no part of the high intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five (75) feet from the vehicle.

B. Except as provided in Sections 12-218, 12-218.1, 12-228, and 12-229 of this title, no person shall drive or move any vehicle or equipment upon any highway with any lamp or device thereon displaying or capable of displaying a red or blue light visible from directly in front of the center thereof.

C. Flashing lights are prohibited except on:

1. An authorized emergency vehicle, as provided in Section 12-218 of this title;

2. A school bus or a church bus, as provided in Section 12-228 of this title;

3. Any snow-removal ~~and~~, construction~~,~~ and maintenance equipment, as provided in Section 12-229 of this title;

4. A wrecker or tow vehicle while at the scene of an emergency or loading or unloading a vehicle in close proximity to traffic as needed for safety precautions or as a means of indicating the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing, as provided in Section 12-218.1 of this title;

5. Any vehicle as a means of indicating a right or left turn, as provided in Sections 12-206.1 and 12-606 of this title;

6. Any vehicle as a means of indicating the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing, as provided in Section 12-220 of this title;

7. Any vehicle displaying side marker lamps which flash in conjunction with turn signal lamps or vehicle hazard warning lamps, as provided in Section 12-220 of this title;

8. A farm tractor or an implement of husbandry, as provided in Section 12-215 of this title; ~~or~~

9. Any vehicle used while performing official duties as a rural or contract route mail carrier of the United States Postal Service, as provided in Section 12-218.2 of this title; or

10. Any vehicle being used in the collection of refuse, solid waste or recyclables displaying side marker lamps which flash in conjunction with turn signal lamps or vehicle hazard warning lamps indicating the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing, as provided in Section 12-220 of this title.

D. Blue lights are prohibited except as allowed in Sections 12-218, 12-218.1, and 12-229 of this title.

E. Any person violating the provisions of subsection B, C or D of this section shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six (6) months, or by a fine not exceeding Two Thousand Dollars ($2,000.00), or by both such fine and imprisonment.

SECTION 3. This act shall become effective November 1, 2016.

Passed the House of Representatives the 1st day of March, 2016.

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Presiding Officer of the House
of Representatives

Passed the Senate the ___ day of _____, 2016.

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Presiding Officer of the Senate