

1 ENGROSSED HOUSE  
2 BILL NO. 3167

By: Hickman and Wright of the  
House

3 and

4 Stanislawski of the Senate  
5  
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7 An Act relating to motor vehicles; amending 47 O.S.  
8 2011, Section 11-801, as amended by Section 1,  
9 Chapter 294, O.S.L. 2015 (47 O.S. Supp. 2015, Section  
10 11-801), which relates to maximum and minimum speed  
11 limits; eliminating certain designated maximum speed  
12 limits; requiring the Department of Transportation to  
13 determine maximum speed limits based on certain  
14 investigations; providing standard; and providing an  
15 effective date.

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

17 SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-801, as  
18 amended by Section 1, Chapter 294, O.S.L. 2015 (47 O.S. Supp. 2015,  
19 Section 11-801), is amended to read as follows:

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

1 B. Except when a special hazard exists that requires lower  
2 speed for compliance with subsection A of this section, the limits  
3 specified by law or established as hereinafter authorized shall be  
4 maximum lawful speeds, and no person shall drive a vehicle on a  
5 highway at a speed in excess of the following maximum limits:

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

7 a. ~~the turnpike system, and~~

8 b. ~~rural segments of the interstate highway system, as  
9 may be designated by the Transportation Commission.~~

10 ~~Provided, however, the Commission shall determine  
11 prior to the designation of such segments that the  
12 public safety will not be jeopardized;~~

13 2. ~~Seventy (70) miles per hour in locations which are:~~

14 a. ~~four-lane divided highways including, but not limited  
15 to, the interstate highway system, and~~

16 b. ~~super two-lane highways. As used in this section, a  
17 super two-lane highway shall mean any two-lane highway  
18 with designated passing lanes, and consisting of paved  
19 shoulders not less than eight (8) feet in width;~~

20 3. ~~Sixty-five (65) miles per hour in other locations~~ On a  
21 highway or part of a highway, unless otherwise established in law, a  
22 speed established by the Department of Transportation on the basis  
23 of engineering and traffic investigations used to determine the  
24

1 speed that is reasonable and safe under the conditions found to  
2 exist on the highway or part of the highway;

3 ~~4.~~ 2. 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.~~ 3. 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.~~ 4. 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.~~ 5. 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.~~ 6. For any vehicle or combination of vehicles with solid  
15 rubber 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. The Oklahoma Department of Transportation and  
12 the Oklahoma Turnpike Authority may post, by changeable message sign  
13 or other appropriate sign, a temporary reduced speed limit for  
14 maintenance operations or when special hazards with respect to  
15 pedestrians, other traffic, an accident, by reason of weather or  
16 when other hazardous highway conditions exist.

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

- 21 a. the board of county commissioners may determine, by  
22 resolution, a maximum speed limit which shall apply to  
23 all county roads which are not otherwise posted for  
24 speed,

1           b.    the board of county commissioners shall provide public  
2                    notice of the speed limit on all nonposted roads by  
3                    publication in a newspaper of general circulation in  
4                    the county.  The notice shall be published once weekly  
5                    for a period of four (4) continuous weeks, and

6           c.    the board of county commissioners shall forward the  
7                    resolution to the Director of the Department and to  
8                    the Commissioner of Public Safety.

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

15                                    ENTERING \_\_\_\_\_ COUNTY  
16                                    COUNTY ROAD SPEED LIMIT  
17                                    \_\_\_\_\_ MPH  
18                                    UNLESS POSTED OTHERWISE

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

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

24           1.    One to ten miles per hour over the limit..... \$10.00

- 1        2. Eleven to fifteen miles per hour over the
- 2            limit..... \$20.00
- 3        3. Sixteen to twenty miles per hour over the
- 4            limit..... \$35.00
- 5        4. Twenty-one to twenty-five miles per hour over
- 6            the limit..... \$75.00
- 7        5. Twenty-six to thirty miles per hour over the
- 8            limit..... \$135.00
- 9        6. Thirty-one to thirty-five miles per hour over
- 10           the limit..... \$155.00
- 11       7. Thirty-six miles per hour or more over the
- 12           limit..... \$205.00

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

19        SECTION 2. This act shall become effective November 1, 2016.

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1 Passed the House of Representatives the 8th day of March, 2016.

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3 \_\_\_\_\_  
4 Presiding Officer of the House  
of Representatives

5 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2016.

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8 \_\_\_\_\_  
9 Presiding Officer of the Senate