

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 HOUSE BILL 2739

By: Condit

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5
6 AS INTRODUCED

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; removing additional limitations for school
12 buses; and providing an effective date.

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

14 SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-801, as
15 amended by Section 1, Chapter 294, O.S.L. 2015 (47 O.S. Supp. 2015,
16 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, and

6 b. rural segments of the interstate highway system, as
7 may be designated by the Transportation Commission.

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

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

12 a. four-lane divided highways including, but not limited
13 to, the interstate highway system, and

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

18 3. Sixty-five (65) miles per hour in other locations;

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

23 5. On any highway outside of a municipality in a properly
24 marked school zone, twenty-five (25) miles per hour, provided the

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

20 ~~6.~~ 5. Twenty-five (25) miles per hour or a posted alternative
21 school zone speed limit through state schools located on the state-
22 owned land adjoining or outside the limits of a corporate city or
23 town where a state educational institution is established;
24

1 ~~7.~~ 6. Thirty-five (35) miles per hour on a highway in any state
2 park or wildlife refuge. Provided, however, that the provisions of
3 this paragraph shall not include the State Capitol park area, and no
4 person shall drive any vehicle at a rate of speed in excess of
5 fifty-five (55) miles per hour on any state or federal designated
6 highway within such areas; and

7 ~~8.~~ 7. For any vehicle or combination of vehicles with solid
8 rubber or metal tires, ten (10) miles per hour.

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

11 C. The Commission is hereby authorized to prescribe maximum and
12 minimum speeds for all vehicles and any combinations of vehicles
13 using controlled-access highways. Such regulations shall become
14 effective after signs have been posted on these highways giving
15 notice thereof. Such regulations may apply to an entirely
16 controlled-access highway or to selected sections thereof as may be
17 designated by the Commission. It shall be a violation of this
18 section to drive any vehicle at a faster rate of speed than such
19 prescribed maximum or at a slower rate of speed than such prescribed
20 minimum. However, all vehicles shall at all times conform to the
21 limits set forth in subsection A of this section.

22 Copies of such regulations certified as in effect on any
23 particular date by the Secretary of the Commission shall be accepted
24 as evidence in any court in this state. Whenever changes have been

1 made in speed zones, copies of such regulations shall be filed with
2 the Commissioner of Public Safety.

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

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

20 E. The driver of every vehicle shall, consistent with the
21 requirements of subsection A of this section, drive at an
22 appropriate reduced speed when approaching and crossing an
23 intersection or railway grade crossing, when approaching and going
24 around a curve, when approaching a hillcrest, when driving upon any

1 narrow or winding roadway, and when special hazard exists with
2 respect to pedestrians or other traffic, or by reason of weather or
3 highway conditions. The Oklahoma Department of Transportation and
4 the Oklahoma Turnpike Authority may post, by changeable message sign
5 or other appropriate sign, a temporary reduced speed limit for
6 maintenance operations or when special hazards with respect to
7 pedestrians, other traffic, an accident, by reason of weather or
8 when other hazardous highway conditions exist.

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

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

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

7 ENTERING _____ COUNTY

8 COUNTY ROAD SPEED LIMIT

9 _____ MPH

10 UNLESS POSTED OTHERWISE

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

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

- 16 1. One to ten miles per hour over the limit..... \$10.00
17 2. Eleven to fifteen miles per hour over the
18 limit..... \$20.00
19 3. Sixteen to twenty miles per hour over the
20 limit..... \$35.00
21 4. Twenty-one to twenty-five miles per hour over
22 the limit..... \$75.00
23 5. Twenty-six to thirty miles per hour over the
24 limit..... \$135.00

1 6. Thirty-one to thirty-five miles per hour over
2 the limit..... \$155.00

3 7. Thirty-six miles per hour or more over the
4 limit..... \$205.00

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

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

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13 55-2-7970 JM 12/16/15
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