

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 89 By: Howard of the Senate
3 and
4 Ortega of the House
5
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7 [motor vehicles - stationary vehicle on a roadway -
8 effective date]
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10 AMENDMENT NO. 1. Replace the stricken title, enacting clause and
11 entire bill and insert
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13 "An Act relating to motor vehicles; amending 47 O.S.
14 2011, Section 11-314, as amended by Section 1,
15 Chapter 114, O.S.L. 2015 (47 O.S. Supp. 2018,
16 Section 11-314), which relates to approaching a
17 stationary vehicle on a roadway; expanding scope of
18 stationary vehicles on roadways that require
19 exercise of due caution upon approach; and providing
20 an effective date.

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

22 SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-314, as
23 amended by Section 1, Chapter 114, O.S.L. 2015 (47 O.S. Supp. 2018,
24 Section 11-314), is amended to read as follows:

Section 11-314. A. The driver of a motor vehicle, upon
approaching a stationary authorized emergency vehicle, a Department

1 of Transportation maintenance vehicle, a Turnpike Authority
2 maintenance vehicle, a stationary vehicle that is displaying
3 flashing lights or a licensed Class AA wrecker that is displaying a
4 flashing combination red or blue light or any combination of red or
5 blue lights, shall:

6 1. If traveling on a highway that consists of two or more lanes
7 that carry traffic in the same direction of travel as that of the
8 driver, the driver shall proceed with due caution and shall, if
9 possible and with due regard to the road, weather, and traffic
10 conditions, change lanes into a lane that is not adjacent to the
11 stationary authorized emergency vehicle, a Department of
12 Transportation maintenance vehicle, a Turnpike Authority maintenance
13 vehicle, or licensed Class AA wrecker; or if the driver is not able
14 to change lanes or if to do so would be unsafe, the driver shall
15 proceed with due caution and reduce the speed of the motor vehicle
16 to a safe speed for the existing road, weather, and traffic
17 conditions; and

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

22 B. This section does not relieve the operator of a stationary
23 authorized emergency vehicle, a Department of Transportation
24 maintenance vehicle, a Turnpike Authority maintenance vehicle, or

1 licensed Class AA wrecker from the consequences of reckless
2 disregard for the safety of all persons and property upon the
3 highway.

4 SECTION 2. This act shall become effective November 1, 2019."

5 Passed the House of Representatives the 16th day of April, 2019.

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8 Presiding Officer of the House of
Representatives

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10 Passed the Senate the ____ day of _____, 2019.

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13 Presiding Officer of the Senate

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1 ENGROSSED SENATE
2 BILL NO. 89

By: Howard of the Senate

3 and

4 Ortega of the House

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6 [motor vehicles - stationary vehicle on a roadway -
7 effective date]
8

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

10 SECTION 3. AMENDATORY 47 O.S. 2011, Section 11-314, as
11 amended by Section 1, Chapter 114, O.S.L. 2015 (47 O.S. Supp. 2018,
12 Section 11-314), is amended to read as follows:

13 Section 11-314. A. The driver of a motor vehicle, upon
14 approaching a stationary authorized emergency vehicle, a Department
15 of Transportation maintenance vehicle, a Turnpike Authority
16 maintenance vehicle, or a licensed Class AA wrecker that is
17 displaying a flashing combination red or blue light or any
18 combination of red or blue lights, shall:

19 1. If traveling on a highway that consists of two or more lanes
20 that carry traffic in the same direction of travel as that of the
21 driver, the driver shall proceed with due caution and shall, if
22 possible and with due regard to the road, weather, and traffic
23 conditions, change lanes into a lane that is not adjacent to the
24 stationary authorized emergency vehicle, a Department of

1 Transportation maintenance vehicle, a Turnpike Authority maintenance
2 vehicle, or licensed Class AA wrecker; or if the driver is not able
3 to change lanes or if to do so would be unsafe, the driver shall
4 proceed with due caution and reduce the speed of the motor vehicle
5 to a safe speed for the existing road, weather, and traffic
6 conditions; and

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

11 B. This section does not relieve the operator of a stationary
12 authorized emergency vehicle, a Department of Transportation
13 maintenance vehicle, a Turnpike Authority maintenance vehicle, or
14 licensed Class AA wrecker from the consequences of reckless
15 disregard for the safety of all persons and property upon the
16 highway.

17 C. A driver of a motor vehicle, upon approaching a stationary
18 vehicle that is displaying flashing lights, shall proceed with due
19 caution and shall, if possible and with due regard to the road,
20 weather, and traffic conditions, change lanes into a lane that is
21 not adjacent to the stationary vehicle; or if the driver is not able
22 to change lanes or if to do so would be unsafe, the driver shall
23 proceed with due caution and reduce the speed of the motor vehicle
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1 to a safe speed for the existing road, weather, and traffic
2 conditions.

3 SECTION 4. This act shall become effective November 1, 2019.
4 Passed the Senate the 7th day of March, 2019.

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6 Presiding Officer of the Senate

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8 Passed the House of Representatives the ____ day of _____,
9 2019.

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11 Presiding Officer of the House
12 of Representatives

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