

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1552

By: Standridge

AS INTRODUCED

An Act relating to turnpikes; amending 47 O.S. 2011, Section 11-801, as last amended by Section 1, Chapter 55, O.S.L. 2019 (47 O.S. Supp. 2019, Section 11-801), which relates to speed limits; modifying maximum speed limits for certain sections of turnpikes; providing for exceptions to certain maximum speed limits; updating statutory reference; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-801, as last amended by Section 1, Chapter 55, O.S.L. 2019 (47 O.S. Supp. 2019, Section 11-801), is amended to read as follows:

Section 11-801. A. Any person driving a vehicle on a highway shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the highway and any other conditions 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. On a highway or part of a highway, unless otherwise
7 established in law, a speed established by the Department of
8 Transportation on the basis of engineering and traffic
9 investigations used to determine the speed that is reasonable and
10 safe under the conditions found to exist on the highway or part of
11 the highway;

12 2. For a school bus, fifty-five (55) miles per hour on paved
13 two-lane roads except on the state highway system, the interstate
14 highway system and the turnpike system where the maximum shall be
15 sixty-five (65) miles per hour;

16 3. On any highway outside of a municipality in a properly
17 marked school zone, twenty-five (25) miles per hour, provided the
18 zone is marked with appropriate warning signs placed in accordance
19 with the latest edition of the Manual on Uniform Traffic Control
20 Devices. The Department of Transportation may determine on the
21 basis of an engineering and traffic investigation that a speed limit
22 higher than twenty-five (25) miles per hour may be reasonable and
23 safe under conditions as they exist upon a highway, and post an
24 alternative school zone speed limit. The Department shall mark such

1 school zones, or entrances and exits onto highways by buses or
2 students, so that the maximum speed provided by this section shall
3 be established therein. Exits and entrances to controlled-access
4 highways which are within such school zones shall be marked in the
5 same manner as other highways. The county commissioners shall mark
6 such school zones along the county roads so that the maximum speed
7 provided by this section shall be established therein. The signs
8 may be either permanent or temporary. The Department shall give
9 priority over all other signing projects to the foregoing duty to
10 mark school zones. The Department shall also provide other safety
11 devices for school zones which are needed in the opinion of the
12 Department;

13 4. Twenty-five (25) miles per hour or a posted alternative
14 school zone speed limit through state schools located on the state-
15 owned land adjoining or outside the limits of a corporate city or
16 town where a state educational institution is established;

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

23 6. For any vehicle or combination of vehicles with solid rubber
24 or metal tires, ten (10) miles per hour.

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

3 C. The Commission is hereby authorized to prescribe maximum and
4 minimum speeds for all vehicles and any combinations of vehicles
5 using controlled-access highways. Such regulations shall become
6 effective after signs have been posted on these highways giving
7 notice thereof. Such regulations may apply to an entirely
8 controlled-access highway or to selected sections thereof as may be
9 designated by the Commission. A speed limit of seventy-five (75)
10 miles per hour may be set in locations comprising rural segments of
11 the interstate highway system by the Commission; provided, however,
12 that speed is determined to be safe and reasonable after a traffic
13 or engineering study has been completed by the Department. It shall
14 be a violation of this section to drive any vehicle at a faster rate
15 of speed than such prescribed maximum or at a slower rate of speed
16 than such prescribed minimum. However, all vehicles shall at all
17 times conform to the limits set forth in subsection A of this
18 section.

19 Copies of such regulations certified as in effect on any
20 particular date by the Secretary of the Commission shall be accepted
21 as evidence in any court in this state. Whenever changes have been
22 made in speed zones, copies of such regulations shall be filed with
23 the Commissioner of Public Safety.

1 D. The Oklahoma Turnpike Authority is hereby authorized to
2 prescribe maximum and minimum speeds for trucks, buses and
3 automobiles using turnpikes; provided, ~~however, a speed limit of~~
4 ~~eighty (80) miles per hour may be set in locations comprising the~~
5 ~~turnpike system, as may be approved by the Authority that:~~

6 1. The Oklahoma Turnpike Authority shall authorize a maximum
7 limit of eighty-five (85) miles per hour during daylight hours for
8 automobiles on the turnpike system in counties with a population of
9 one hundred fifty thousand (150,000) people or less according to the
10 latest decennial census; and

11 2. The Oklahoma Turnpike Authority may declare a special hazard
12 exists on any portion of a turnpike where the maximum has been
13 designated to eighty-five (85) miles per hour and designate a lower
14 speed limit for that portion of the turnpike. If such a special
15 hazard is declared, the Turnpike Authority shall have five (5) years
16 to address, fix or repair the special hazard and return the speed
17 limit to eighty-five (85) miles per hour.

18 The regulation pertaining to automobiles shall apply to all
19 vehicles not commonly classified as either trucks or buses. Such
20 regulations shall become effective only after approval by the
21 Commissioner of Public Safety, and after signs have been posted on
22 the turnpike giving notice thereof. Such regulations may apply to
23 an entire turnpike project or to selected sections thereof as may be
24 designated by the Oklahoma Turnpike Authority. It shall be a

1 violation of this section to drive a vehicle at a faster rate of
2 speed than such prescribed maximum speed or at a slower rate of
3 speed than such prescribed minimum speed. However, all vehicles
4 shall at all times conform to the requirements of subsection A of
5 this section.

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

9 E. The driver of every vehicle shall, consistent with the
10 requirements of subsection A of this section, drive at an
11 appropriate reduced speed when approaching and crossing an
12 intersection or railway grade crossing, when approaching and going
13 around a curve, when approaching a hillcrest, when driving upon any
14 narrow or winding roadway, and when special hazard exists with
15 respect to pedestrians or other traffic, or by reason of weather or
16 highway conditions. The Oklahoma Department of Transportation and
17 the Oklahoma Turnpike Authority may post, by changeable message sign
18 or other appropriate sign, a temporary reduced speed limit for
19 maintenance operations or when special hazards with respect to
20 pedestrians, other traffic, an accident, by reason of weather or
21 when other hazardous highway conditions exist.

22 F. 1. No person shall drive a vehicle on a county road at a
23 speed in excess of fifty-five (55) miles per hour unless posted
24

1 otherwise by the board of county commissioners, as provided in
2 subparagraphs a through c of this paragraph, as follows:

- 3 a. the board of county commissioners may determine, by
4 resolution, a maximum speed limit which shall apply to
5 all county roads which are not otherwise posted for
6 speed,
7 b. the board of county commissioners shall provide public
8 notice of the speed limit on all nonposted roads by
9 publication in a newspaper of general circulation in
10 the county. The notice shall be published once weekly
11 for a period of four (4) continuous weeks, and
12 c. the board of county commissioners shall forward the
13 resolution to the Director of the Department and to
14 the Commissioner of Public Safety.

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

21 ENTERING _____ COUNTY
22 COUNTY ROAD SPEED LIMIT
23 _____ MPH
24 UNLESS POSTED OTHERWISE
25

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

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

- 6 1. a. For an offense occurring on or after ~~the effective~~
7 ~~date of this act~~ August 2, 2018, and prior to November
8 1, 2022, one to ten miles per hour over the speed
9 limit as provided for in Section 11-801e of this
10 title, and
11 b. For an offense occurring on or after
12 November 1, 2022, one to ten miles per
13 hour over the limit.....\$10.00
- 14 2. Eleven to fifteen miles per hour over the
15 limit.....\$20.00
- 16 3. Sixteen to twenty miles per hour over the
17 limit.....\$35.00
- 18 4. Twenty-one to twenty-five miles per hour over
19 the limit.....\$75.00
- 20 5. Twenty-six to thirty miles per hour over the
21 limit.....\$135.00
- 22 6. Thirty-one to thirty-five miles per hour over
23 the limit.....\$155.00

1 7. Thirty-six miles per hour or more over the

2 limit.....\$205.00

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

9 SECTION 2. This act shall become effective July 1, 2020.

10 SECTION 3. It being immediately necessary for the preservation
11 of the public peace, health or safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

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