

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 4100 By: Frix and Bashore of the
3 House
4 and
5 Standridge of the Senate
6
7

8 [work zone safety - creating the Operation Work Zone
9 Awareness Act - establishment of Operation Work
10 Zone Awareness - effective date]
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13 AMENDMENT NO. 1. Page 1, strike the stricken title, enacting clause
14 and entire bill and insert

15 "An Act relating to work zone safety; creating the
16 Operation Work Zone Awareness Act; authorizing the
17 establishment of Operation Work Zone Awareness;
18 stating purpose; authorizing development of certain
19 webpage; stating details of webpage content;
20 authorizing certain contract; requiring the
21 maintenance of certain records; allowing offenders to
22 participate in program; requiring issuance and design
23 of certain certificate; allowing dismissal of charge;
24 allowing dismissal of certain fees; allowing court to
access certain records; setting certain limit on
participation; allowing for nonparticipation;
providing for certain ineligibility; providing
certain list of qualifying offenses; making certain
exceptions; establishing fee for participation;
authorizing fee amount; stating the apportionment of
collected fees; providing for noncodification;
providing for codification; and providing an
effective date.

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

3 SECTION 1. NEW LAW A new section of law not to be
4 codified in the Oklahoma Statutes reads as follows:

5 This act shall be known and may be cited as the "Operation Work
6 Zone Awareness Act".

7 SECTION 2. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 11-1304 of Title 47, unless
9 there is created a duplication in numbering, reads as follows:

10 A. The Department of Public Safety is authorized to establish
11 Operation Work Zone Awareness. Operation Work Zone Awareness is a
12 program designed to educate the motoring public on the dangers of
13 committing moving violations while traveling in highway construction
14 work zones. The Department is authorized to develop and house on
15 its website an online work zone awareness presentation that may
16 include, but not be limited to, facts and figures representing the
17 dangers of motorists committing work zone moving violations,
18 testimonials from highway construction workers and their families,
19 information on the importance of awareness and slowing down in work
20 zones, and a question-and-answer section to ensure participants
21 understand and retain the information presented. The Department is
22 authorized to contract for the production, development, and
23 maintenance of the webpage through a vendor. The Department shall
24 maintain in its database a record of those completing the program.

1 B. Motorists receiving a citation for committing moving
2 violations within a work zone may receive information regarding an
3 invitation to participate in the Operation Work Zone Awareness
4 program. A motorist who participates in and completes the online
5 program shall receive a certificate designed and issued by the
6 Department. Any person producing the certificate as proof in court
7 that the program was successfully completed shall be entitled to
8 dismissal of the fine. If proof of successful completion of the
9 program is presented to the court in person or electronically, no
10 later than the business day preceding the first scheduled court
11 appearance date, the dismissal shall be without payment of court
12 costs. The court may access information from the Department's
13 system to confirm completion of the program. Offenders may
14 participate in and complete the program a maximum of one time.
15 After completing the program, a motorist who receives another
16 citation in a work zone will be disqualified from utilizing the
17 program benefits a second time. If a motorist so chooses, he or she
18 may not participate in the program and instead pay the fine imposed
19 on the issued citation. Holders of commercial driver licenses cited
20 while driving a commercial motor vehicle are not eligible to
21 participate in the program.

22 C. Moving violations that qualify an offender to participate in
23 the Operation Work Zone Awareness program shall include, but not be
24 limited to, speeding, distracted driving, failure to move over,

1 failure to obey flagger, and failure to obey traffic control
2 devices. Motorists committing impaired driving offenses, as defined
3 in Title 47 of the Oklahoma Statutes, in work zones including
4 driving under the influence, driving while intoxicated, driving
5 under the influence under twenty-one (21) years of age, or a
6 commercial driver license holder refusing a chemical test while
7 driving any vehicle, shall be disqualified from the program.

8 D. The fee paid by a motorist for his or her participation in
9 the Operation Work Zone Awareness program shall be Seventy-five
10 Dollars (\$75.00) and shall be apportioned as follows:

11 1. Thirty-five Dollars (\$35.00) to be deposited in the
12 Department of Public Safety Revolving Fund, created in Section 2-
13 144.1 of Title 47 of the Oklahoma Statutes, to be used for
14 maintenance of the Operation Work Zone Awareness program;

15 2. Fifteen Dollars (\$15.00) which shall be deposited in the
16 Department of Public Safety Patrol Vehicle Revolving Fund created in
17 Section 2-143 of Title 47 of the Oklahoma Statutes; and

18 3. Twenty-five Dollars (\$25.00) to be deposited in the Oklahoma
19 Court Information System Revolving Fund, created in Section 1315 of
20 Title 20 of the Oklahoma Statutes, to be used to offset expenses
21 related to this program.

22 The Department is authorized to determine the manner in which fees
23 may be paid.

24 SECTION 3. This act shall become effective November 1, 2022."

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2 Passed the Senate the 27th day of April, 2022.
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4 _____
5 Presiding Officer of the Senate

6 Passed the House of Representatives the ____ day of _____,
7 2022.
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9 _____
10 Presiding Officer of the House
11 of Representatives
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1 ENGROSSED HOUSE
2 BILL NO. 4100

By: Frix and Bashore of the
House

3 and

4 Standridge of the Senate

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8 [work zone safety - creating the Operation Work Zone
9 Awareness Act - establishment of Operation Work
10 Zone Awareness - effective date]
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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 4. NEW LAW A new section of law not to be
15 codified in the Oklahoma Statutes reads as follows:

16 This act shall be known and may be cited as the "Operation Work
17 Zone Awareness Act".

18 SECTION 5. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 11-1304 of Title 47, unless
20 there is created a duplication in numbering, reads as follows:

21 A. The Department of Public Safety is authorized to establish
22 Operation Work Zone Awareness. Operation Work Zone Awareness is a
23 program designed to educate the motoring public on the dangers of
24 committing moving violations while traveling in highway construction

1 work zones. The Department is authorized to develop and house on
2 its website an online work zone awareness presentation that may
3 include, but shall not be limited to, facts and figures representing
4 the dangers of motorists committing work zone moving violations,
5 testimonials from highway construction workers and their families,
6 information on the importance of awareness and slowing down in work
7 zones, and a question-and-answer section to ensure participants
8 understand and retain the information presented. The Department is
9 authorized to contract for the production, development, and
10 maintenance of the webpage through a vendor. The Department shall
11 maintain in its database a record of those completing the program.

12 B. Motorists receiving a citation for committing moving
13 violations within a work zone may receive information regarding an
14 invitation to participate in the Operation Work Zone Awareness
15 program. A motorist who participates in and completes the online
16 program shall receive a certificate designed and issued by the
17 Department. Any person producing the certificate as proof in court
18 that the program was successfully completed shall be entitled to
19 dismissal of the charge. If proof of successful completion of the
20 program is presented to the court no later than the business day
21 preceding the first scheduled court appearance date, the dismissal
22 shall be without payment of court costs. The court may access
23 information from the Department's system to confirm completion of
24 the program. Offenders may participate and complete the program a

1 maximum of one time. After completing the program, a motorist who
2 receives another citation in a work zone will be disqualified from
3 utilizing the program benefits a second time. If a motorist so
4 chooses, he or she may not participate in the program and instead
5 pay the fine imposed on the issued citation. Holders of commercial
6 driver licenses cited while driving a commercial motor vehicle are
7 not eligible to participate in the program.

8 C. Moving violations that qualify an offender to participate in
9 the Operation Work Zone Awareness program shall include, but shall
10 not be limited to, speeding, distracted driving, failure to move
11 over, failure to obey flagger, and failure to obey traffic control
12 devices. Motorists committing impaired driving offenses, as defined
13 in Title 47 of the Oklahoma Statutes, in work zones, including
14 driving under the influence, driving while intoxicated, driving
15 under the influence under twenty-one (21) years of age, or a
16 commercial driver license holder refusing a chemical test while
17 driving any vehicle, shall be disqualified from the program.

18 D. The fee paid by a motorist for his or her participation in
19 the Operation Work Zone Awareness program shall be Forty Dollars
20 (\$40.00). The Department is authorized to determine the manner in
21 which fees may be paid. Fifty percent (50%) of the fees collected
22 shall be deposited in the Department of Public Safety Patrol Vehicle
23 Revolving Fund established in Section 2-143 of Title 47 of the
24 Oklahoma Statutes, and fifty percent (50%) of the fees shall be

distributed to the vendor that develops and maintains the webpage until such time as the vendor is paid in full for the work performed on the webpage. After the vendor is paid in full, one hundred percent (100%) of the fees collected shall be deposited in the Department of Public Safety Patrol Vehicle Revolving Fund.

SECTION 6. This act shall become effective November 1, 2022.

Passed the House of Representatives the 22nd day of March, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the ____ day of _____, 2022.

Presiding Officer of the Senate