

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 4150 By: Luttrell and Frix of the
3 House
4 and
5 Coleman of the Senate
6

7 An Act relating to transportation; amending 47 O.S.
2021, Section 11-701, which relates to obedience to
8 signal indicating approach of train; modifying
certain requirements for vehicle drivers at railroad
9 crossings; amending 47 O.S. 2021, Section 11-702,
which relates to commercial motor vehicles and buses
10 at railroad crossings; modifying certain requirements
for bus drivers at railroad crossings; and providing
11 an effective date.

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13 AMENDMENT NO. 1. Page 1, strike the title to read

14 "[transportation - obedience to signal indicating
approach of train - requirements for vehicle drivers
15 - requirements for bus drivers at railroad crossings
- effective date]"
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1 Passed the Senate the 25th day of April, 2022.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2022.

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8 _____
9 Presiding Officer of the House
10 of Representatives

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which relates to commercial motor vehicles and buses
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for bus drivers at railroad crossings; and providing
an effective date.

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

15 SECTION 1. AMENDATORY 47 O.S. 2021, Section 11-701, is
16 amended to read as follows:

17 Section 11-701. A. Whenever any person driving a vehicle
18 approaches a railroad grade crossing under any of the circumstances
19 stated in this section, the driver of such vehicle shall stop within
20 fifty (50) feet but not less than fifteen (15) feet from the nearest
21 rail of such railroad, and shall not proceed until he can do so
22 safely. The foregoing requirements shall apply when:
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1 1. A clearly visible electric or mechanical signal device gives
2 warning of the immediate approach of a railroad train or other on-
3 track equipment;

4 2. A crossing gate is lowered or when a human flagman gives or
5 continues to give a signal of the approach or passage of a railroad
6 train or other on-track equipment;

7 3. A railroad train or other on-track equipment approaching
8 within approximately one thousand five hundred (1,500) feet of the
9 highway crossing emits a signal audible from such distance and such
10 railroad train or other on-track equipment, by reason of its speed
11 or nearness to such crossing, is an immediate hazard;

12 4. An approaching railroad train or other on-track equipment is
13 plainly visible and is in hazardous proximity to such crossing; or

14 5. The tracks at the crossing are not clear.

15 B. No person shall drive any vehicle through, around or under
16 any crossing gate or barrier at a railroad crossing while such gate
17 or barrier is closed or is being opened or closed or fail to obey
18 the directions of a law enforcement officer at the crossing.

19 C. The operator of any Class A, B, or C commercial vehicle not
20 required to stop at all railroad crossings, as prescribed in Section
21 11-702 of this title, shall slow down and check that the tracks are
22 clear of an approaching train.

23 SECTION 2. AMENDATORY 47 O.S. 2021, Section 11-702, is
24 amended to read as follows:

1 Section 11-702. A. The driver of a bus as defined in Section
2 1-105 of this title, whether the bus is occupied or unoccupied by
3 passengers, shall not cross a railroad track or tracks at grade
4 unless the driver stops the bus within fifty (50) feet of, and not
5 closer than fifteen (15) feet to, the tracks, listens and looks in
6 each direction along the tracks for an approaching train or other
7 on-track equipment, and ascertains that no train or other on-track
8 equipment is approaching. When it is safe to do so, the driver may
9 drive the bus across the tracks in a gear that permits the bus to
10 complete the crossing without a change of gears. The driver shall
11 not shift gears while crossing the tracks.

12 B. Any commercial motor vehicle as defined in 49 C.F.R.,
13 Section 390.5, shall comply with the railroad crossing provisions as
14 prescribed in 49 C.F.R., Section 392.10.

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

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

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Presiding Officer of the House
of Representatives

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Passed the Senate the ____ day of _____, 2022.

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Presiding Officer of the Senate

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