

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB4100 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Avery Frix

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 4100

By: Frix and Bashore

PROPOSED COMMITTEE SUBSTITUTE

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

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

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

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

1 SECTION 2. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 11-1304 of Title 47, unless
3 there is created a duplication in numbering, reads as follows:

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

19 B. Motorists receiving a citation for committing moving
20 violations within a work zone may receive information regarding an
21 invitation to participate in the Operation Work Zone Awareness
22 program. A motorist who participates in and completes the online
23 program shall receive a certificate designed and issued by the
24 Department. Any person producing the certificate as proof in court

1 that the program was successfully completed shall be entitled to
2 dismissal of the charge. If proof of successful completion of the
3 program is presented to the court no later than the business day
4 preceding the first scheduled court appearance date, the dismissal
5 shall be without payment of court costs. The court may access
6 information from the Department's system to confirm completion of
7 the program. Offenders may participate and complete the program a
8 maximum of one time. After completing the program, a motorist who
9 receives another citation in a work zone will be disqualified from
10 utilizing the program benefits a second time. If a motorist so
11 chooses, he or she may not participate in the program and instead
12 pay the fine imposed on the issued citation. Holders of commercial
13 driver licenses cited while driving a commercial motor vehicle are
14 not eligible to participate in the program.

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

1 D. The fee paid by a motorist for his or her participation in
2 the Operation Work Zone Awareness program shall be Forty Dollars
3 (\$40.00). The Department is authorized to determine the manner in
4 which fees may be paid. Fifty percent (50%) of the fees collected
5 shall be deposited in the Department of Public Safety Patrol Vehicle
6 Revolving Fund established in Section 2-143 of Title 47 of the
7 Oklahoma Statutes, and fifty percent (50%) of the fees shall be
8 distributed to the vendor that develops and maintains the webpage
9 until such time as the vendor is paid in full for the work performed
10 on the webpage. After the vendor is paid in full, one hundred
11 percent (100%) of the fees collected shall be deposited in the
12 Department of Public Safety Patrol Vehicle Revolving Fund.

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

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