

An Act

ENROLLED HOUSE
BILL NO. 4100

By: Frix and Bashore of the
House

and

Standridge of the Senate

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 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.

SUBJECT: Work zone safety

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".

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

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

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

C. Moving violations that qualify an offender to participate in the Operation Work Zone Awareness program shall include, but not be

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

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

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

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

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

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

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

Passed the House of Representatives the 11th day of May, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the 27th day of April, 2022.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____