

An Act

ENROLLED HOUSE
BILL NO. 4150

By: Luttrell and Frix of the
House

and

Coleman of the Senate

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

SUBJECT: Transportation

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

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

Section 11-701. A. Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:

1. A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train or other on-track equipment;

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

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

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

5. The tracks at the crossing are not clear.

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

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

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

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

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

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

Passed the House of Representatives the 18th day of May, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the 20th day of May, 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: _____