

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 4150

By: Luttrell and **Frix**

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8 COMMITTEE SUBSTITUTE

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

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

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

21 Section 11-701. A. Whenever any person driving a vehicle
22 approaches a railroad grade crossing under any of the circumstances
23 stated in this section, the driver of such vehicle shall stop within
24 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 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.

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17 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 03/03/2022 -
18 DO PASS, As Amended and Coauthored.

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