

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

SENATE BILL 512

By: Paxton

AS INTRODUCED

An Act relating to the Oklahoma Turnpike Authority; amending 47 O.S. 2011, Section 11-1401.2, as last amended by Section 1, Chapter 79, O.S.L. 2016 (47 O.S. Supp. 2020, Section 11-1401.2), which relates to Oklahoma Electronic Toll Collection Act; adding and amending definitions; requiring certain vehicle registration; modifying certain liability; providing for certain penalty; adding method of certain notification; conforming language; consolidating certain processes; amending 47 O.S. 2011, Section 11-1401, which relates to misdemeanor turnpike offenses; adding provision related to unlawful vehicle operation; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-1401.2, as last amended by Section 1, Chapter 79, O.S.L. 2016 (47 O.S. Supp. 2020, Section 11-1401.2), is amended to read as follows:

Section 11-1401.2. A. For purposes of this section:

1. "Authority" means the Oklahoma Turnpike Authority;
2. "Commission" means the Oklahoma Tax Commission;
3. "Department" means the Department of Public Safety;

1        4. "Electronic toll collection system" means a system of  
2 collecting tolls or charges which is capable of charging an account  
3 holder the appropriate toll or charge by transmission of information  
4 from an electronic device on a motor vehicle to the toll lane, which  
5 information is used to charge the account the appropriate toll or  
6 charge;

7        ~~4.~~ 5. "Owner" means any person, corporation, partnership, firm,  
8 agency, association, or organization who, at the time of the  
9 violation and with respect to the vehicle identified in the notice  
10 of toll evasion violation:

- 11            a. is the beneficial or equitable owner of the vehicle,
- 12            b. has title to the vehicle,
- 13            c. is the registrant or coregistrant of the vehicle which  
14                is registered with the Oklahoma Tax Commission or  
15                similar registering agency of any other state,  
16                territory, district, province, nation or other  
17                jurisdiction,
- 18            d. ~~subject to the liability limitations set forth in~~  
19                ~~paragraph 12 of subsection B of this section,~~ uses the  
20                vehicle in its vehicle renting ~~and/or leasing~~  
21                businesses, or
- 22            e. is a person entitled to the use and possession of a  
23                vehicle subject to a security interest in another  
24                person;

1       ~~5.~~ 6. "Photo-monitoring system" means a vehicle sensor  
2 installed to work in conjunction with a toll collection facility  
3 which automatically produces one or more photographs, one or more  
4 microphotographs, a videotape or other recorded images of each  
5 vehicle at the time it is used or operated on the turnpikes under  
6 the Authority's jurisdiction;

7       ~~6.~~ 7. "Toll collection regulations" means those rules and  
8 regulations of the Oklahoma Turnpike Authority or statutes providing  
9 for and requiring the payment of tolls and/or charges prescribed by  
10 the Authority for the use of turnpikes under its jurisdiction or  
11 those rules and regulations of the Authority or statutes making it  
12 unlawful to refuse to pay or to evade or to attempt to evade the  
13 payment of all or part of any toll and/or charge for the use of  
14 turnpikes under the jurisdiction of the Authority;

15       ~~7.~~ 8. "Toll evasion violation" means a failure to comply with  
16 the Authority's toll collection regulations, including the failure  
17 to pay an invoice submitted by the Authority via its video toll  
18 collection system;

19       ~~8.~~ 9. "Vehicle" means every device in, upon or by which a  
20 person or property is or may be transported or drawn upon a highway,  
21 except devices used exclusively upon stationary rails or tracks; and

22       ~~9.~~ 10. "Video toll collection system" means a photo-monitoring  
23 system used to charge and collect tolls from owners of vehicles  
24 imaged using the turnpike system. The owner of a vehicle imaged by  
25

1 the photo-monitoring system may or may not be an Authority account  
2 holder; and

3 11. "Video toll collection system account" means the  
4 administrative assignment of all vehicles registered to an owner to  
5 an account for efficient billing of the appropriate toll or charge  
6 to an owner.

7 B. 1. Notwithstanding any other provision of law, there shall  
8 be imposed monetary liability on the owner of a vehicle for failure  
9 of an operator thereof to comply with the toll collection  
10 regulations of the Oklahoma Turnpike Authority in accordance with  
11 the provisions of this section.

12 2. An owner's vehicle shall be registered with the Commission  
13 or similar registering agency of this state or any other state,  
14 territory, district, province, nation or other jurisdiction that  
15 permits access to owner registration information upon request by or  
16 agreement with the Authority for the purpose of carrying out the  
17 Authority's governmental functions. If a registering agency does  
18 not permit access to the Authority, an owner may comply with the  
19 toll collection regulations by direct registration with the  
20 Authority.

21 3. a. The owner of a vehicle shall be liable for a civil  
22 penalty imposed pursuant to this section if the  
23 vehicle was used or operated with the permission of  
24 the owner, express or implied, in violation of the

1 toll collection regulations, and such violation is  
2 ~~evidence~~ evidenced by information obtained from a  
3 photo-monitoring system.

4 ~~However, no~~

5 b. No owner of a vehicle shall be liable for a penalty  
6 imposed pursuant to this section where the operator of  
7 the vehicle has been convicted of failing to pay a  
8 cash toll, in violation of toll collection  
9 regulations, for the same incident.

10 c. An owner or operator of a vehicle is subject to a  
11 penalty by the Department or other law enforcement for  
12 an owner's failure to pay an invoice for tolls and/or  
13 charges submitted by the Authority through its video  
14 toll collection system by the date the penalty is due.

15 ~~3.~~ 4. A certificate, sworn to or affirmed by an agent of the  
16 Authority, or facsimile thereof, based upon inspection of  
17 photographs, microphotographs, videotape or other recorded images  
18 produced by a photo-monitoring system shall be prima facie evidence  
19 of the facts contained therein and shall be admissible in any  
20 proceeding charging a violation of toll collection regulations. The  
21 photographs, microphotographs, videotape or other recorded images  
22 evidencing such a violation shall be available for inspection and  
23 admission into evidence in any proceeding to adjudicate the  
24 liability for the violation. Each photo-monitoring system shall be

1 checked bimonthly for accuracy, and shall be maintained, adjusted or  
2 replaced, if necessary to ensure the systems are operating properly.

3 ~~4.~~ 5. An owner found liable for a violation of toll collection  
4 regulations pursuant to this section shall be liable for a monetary  
5 penalty of Twenty-five Dollars (\$25.00) for each violation.

6 Liability for this monetary penalty does not abrogate an owner's  
7 obligation to pay toll charges associated with the violation, and  
8 the Authority may pursue collection of such unpaid toll charges  
9 pursuant to this section.

10 ~~5.~~ 6. An imposition of liability pursuant to this section shall  
11 be based upon a preponderance of evidence as submitted. An  
12 imposition of liability pursuant to this section shall not be deemed  
13 a conviction as an operator and shall not be made part of the motor  
14 vehicle operating record of the person upon whom such liability is  
15 imposed nor shall it be used for insurance purposes in the provision  
16 of motor vehicle insurance coverage.

17 ~~6.~~

18 7. a. A notice of toll evasion violation shall be sent by  
19 regular first-class mail to each person alleged to be  
20 liable as an owner for a violation of toll collection  
21 regulations. The notice shall be mailed no later than  
22 forty-five (45) days after the alleged violation. A  
23 manual or automatic record of mailing prepared in the  
24

1 ordinary course of business shall be prima facie  
2 evidence of the receipt of the notice.

3 b. A notice of toll evasion violation shall contain the  
4 name and address of the person alleged to be liable as  
5 an owner for a violation of toll collection  
6 regulations pursuant to this section, the registration  
7 or the license tag number of the vehicle involved in  
8 the violation, the location where the photo-monitoring  
9 system recorded the vehicle's image, the date and time  
10 of the image, the identification number of the photo-  
11 monitoring system which recorded the image or other  
12 document locator number and the nature of the  
13 violation.

14 c. Notice of toll evasion violation shall be prepared and  
15 mailed by the Authority or its agents and shall  
16 contain information advising the person of the  
17 applicable monetary penalty and method of payment  
18 thereof and the manner and the time in which the  
19 person may contest the liability alleged in the  
20 notice. The notice of toll evasion violation shall  
21 contain, or be accompanied with, an affidavit of  
22 nonliability and information of what constitutes  
23 nonliability, information as to the effect of  
24 executing the affidavit and instructions for returning

1 the affidavit to the Authority and shall also contain  
2 a warning to advise the persons charged that failure  
3 to contest in the manner and time provided shall be  
4 deemed an admission of liability and that the penalty  
5 shall be imposed and may be collected as authorized by  
6 law. In addition to the notice required by  
7 subparagraph a of this paragraph, the Authority may  
8 elect to send a subsequent notice of toll evasion  
9 violation by certified mail or other comparable form  
10 of private or public delivery service. Such notice  
11 shall contain a statement to the registered owner  
12 that, unless the registered owner pays the toll  
13 evasion penalty or contests the notice within twenty-  
14 one (21) days after receipt of the certified mail  
15 notice of toll evasion violation or completes and  
16 files the affidavit of nonliability, the renewal of  
17 the vehicle registration shall be contingent upon  
18 compliance with the notice of toll evasion violation.

19 d. If the toll evasion penalty is received by the  
20 Authority and there is no contest as to that toll  
21 evasion violation, the proceedings under this section  
22 shall terminate.

23 e. If the registered owner fails to pay the toll evasion  
24 penalty as required in this section, or fails to



1 contest the notice of toll evasion violation issued  
2 pursuant to subparagraph c of this paragraph as  
3 provided in subparagraph a of paragraph ~~7~~ 8 of this  
4 subsection, the registered owner shall be deemed  
5 liable for the violation by operation of law. The  
6 toll evasion penalty and any administrative fees or  
7 charges shall be considered a debt due and owing the  
8 Authority by the registered owner and the Authority  
9 may proceed to collect such penalty, fees or charges  
10 under paragraph ~~9~~ 10 of this subsection.

11 ~~7.~~

12 8. a. Within twenty-one (21) days after receipt of a notice  
13 of toll evasion violation a person may contest a  
14 notice of toll evasion violation. In that case, the  
15 Authority shall do the following:

16 (1) the Authority shall investigate the circumstances  
17 of the notice with respect to the contestant's  
18 written explanation of reasons for contesting the  
19 toll evasion violation. If, based upon the  
20 results of the investigation, the Authority is  
21 satisfied that the violation did not occur or  
22 that the registered owner was not responsible for  
23 the violation, the Authority shall maintain an  
24 adequate record of the findings of the

1 investigation. Within thirty (30) days of  
2 receipt of a notice of contest the Authority  
3 shall complete such investigation and mail the  
4 results of the investigation to the person who  
5 contested the notice of toll evasion violation,  
6 and

7 (2) if the person contesting a notice of toll evasion  
8 violation is not satisfied with the results of  
9 the investigation provided for in division (1) of  
10 this subparagraph, the person may, within fifteen  
11 (15) days of the mailing of the results of the  
12 investigation, deposit the amount of the toll  
13 evasion penalty and request an administrative  
14 review. An administrative review shall be held  
15 within ninety (90) calendar days following the  
16 receipt of a request for an administrative  
17 review, excluding any continuance time. The  
18 person requesting the review may request and  
19 shall be allowed one continuance, not to exceed  
20 twenty-one (21) calendar days.

21 b. The administrative review procedure shall consist of  
22 the following:

23 (1) the person requesting an administrative review  
24 shall indicate to the Authority his or her  
25

1 election for a review by mail or personal  
2 conference and may provide materials in support  
3 of the contest of the results of the  
4 investigation,

5 (2) upon ten (10) days' written notice mailed to the  
6 contestant, the administrative review shall be  
7 conducted before an examiner designated to  
8 conduct review by the Authority's governing body  
9 or Director of the Oklahoma Turnpike Authority.  
10 In addition to any other requirements of  
11 employment, an examiner shall demonstrate those  
12 qualifications, training, and objectivity  
13 prescribed by the Authority's governing body or  
14 Director as are necessary and which are  
15 consistent with the duties and responsibilities  
16 set forth in this section and Section 11-1401.1  
17 et seq. of this title,

18 (3) the officer or person authorized to issue a  
19 notice of toll evasion violation shall be  
20 required to participate in an administrative  
21 review. The Authority shall not be required to  
22 produce any evidence other than the notice of  
23 toll evasion violation or copy thereof, a  
24 photograph of the rear of the vehicle,

1 information received from the Commission  
2 identifying the registered owner of the vehicle,  
3 and a notarized statement from the person  
4 reporting the violations. The documentation in  
5 proper form shall be considered prima facie  
6 evidence of the violation, and

7 (4) the review shall be conducted in accordance with  
8 paragraph 56 of this subsection and in accordance  
9 with the written procedure established by the  
10 Authority which shall ensure fair and impartial  
11 review of contested toll evasion violations. The  
12 examiner's final decision shall be in writing and  
13 shall be delivered personally or by registered  
14 mail to the contestant within ten (10) days of  
15 the review. A manual or automatic record of  
16 mailing prepared in the ordinary course of  
17 business shall be prima facie evidence of the  
18 receipt of such decision.

19 ~~8.~~

20 9. a. Within twenty (20) days after receipt of the final  
21 decision described in division (4) of subparagraph b  
22 of paragraph ~~7~~ 8 of this subsection, the contestant  
23 may seek review by filing an appeal to the district  
24 court having jurisdiction in the county in which the  
25

1 contestant lives, where the same shall be heard on the  
2 record. A copy of the notice of appeal shall be  
3 served in person or by first-class mail upon the  
4 Authority by the contestants. For purposes of  
5 computing the twenty-day period, the Code of Civil  
6 Procedure, Section 2006 of Title 12 of the Oklahoma  
7 Statutes, shall be applicable.

8 b. The conduct of the hearing on appeal under this  
9 section is a subordinate judicial duty which may be  
10 performed by referees, masters or other subordinate  
11 judicial officials at the direction of the district  
12 court.

13 c. If no notice of appeal of the Authority's decision is  
14 filed within the period set forth in subparagraph a of  
15 this paragraph, the examiner's decision shall be  
16 deemed final.

17 ~~9.~~ 10. Except as otherwise provided in paragraphs ~~10 and 11~~ and  
18 12 of this subsection, the Authority shall proceed under one or more  
19 of the following options to collect an unpaid toll evasion penalty:

20 a. the Authority may file an itemization of unpaid toll  
21 evasion penalties and administrative and service fees  
22 with the Commission for collection at the time of  
23 registration of the vehicle pursuant to paragraph ~~18~~  
24 19 of this subsection, or

1           b.     the Authority may contract with a collection agency to  
2                 collect unpaid toll evasion penalties, fees, and  
3                 charges.

4       ~~10.~~ 11.   The Authority shall not file a civil judgment with the  
5       district court relating to a toll evasion violation which has been  
6       filed with the Commission unless the Authority has determined that  
7       the registration of the vehicle has not been renewed for sixty (60)  
8       days beyond the renewal date and the notice has not been mailed by  
9       the Commission pursuant to paragraph ~~18~~19 of this subsection.

10       ~~11.~~ 12.   If an owner receives a notice of toll evasion violation  
11       pursuant to this paragraph for any time period during which the  
12       vehicle was reported to the police department as having been stolen,  
13       it shall be a valid defense to an allegation of liability for a  
14       violation of toll collection regulations that the vehicle had been  
15       reported to the police as stolen prior to the time the violation  
16       occurred and had not been recovered by such time. If an owner  
17       receives a notice of toll evasion violation pursuant to this  
18       paragraph for any time period during which the vehicle was stolen,  
19       but not yet reported to the police as having been stolen, it shall  
20       be a valid defense to an allegation of liability for a violation of  
21       toll collection regulations pursuant to this paragraph that the  
22       vehicle was reported as stolen within two (2) hours after the  
23       discovery of the theft by the owner. For purposes of asserting the  
24       defense provided by this subsection it shall be sufficient that a

1 certified copy of the police report of the stolen vehicle be sent by  
2 first-class mail to the Authority and the district court having  
3 jurisdiction.

4 ~~12.~~ 13. Subject to the administrative review procedures  
5 contained in paragraph 8 of this subsection, an owner of a vehicle  
6 to which a notice of toll evasion violation was issued pursuant to  
7 paragraph ~~6~~7 of this subsection shall not be liable for the  
8 violation of the toll collection regulations provided that the owner  
9 sends to the Authority the affidavit of nonliability described in  
10 paragraph ~~6~~7 of this subsection, within twenty-one (21) days after  
11 receiving the original notice of toll evasion violation. Failure to  
12 send such information within the time period shall render the owner  
13 liable for the penalty prescribed by this section. ~~If the owner~~  
14 ~~complies with the provisions of this subsection, the operator of the~~  
15 ~~vehicle on the date of the violation shall be subject to liability~~  
16 ~~for the violation of toll collection regulations, provided that the~~  
17 ~~Authority mails a notice of toll evasion violation to the operator~~  
18 ~~within ten (10) days after receipt of such information.~~

19 ~~13.~~ 14. In connection with the preparation and mailing of a  
20 notice of toll evasion violation, the Authority shall ensure  
21 adequate and timely notice to all video toll collection system and  
22 electronic toll collection system account holders to inform them  
23 when their accounts are delinquent. An owner who is an account  
24 holder under the video toll collection system or electronic toll

1 collection system shall not be found liable for a violation of this  
2 section unless the Authority has first sent a notice of delinquency  
3 to the account holder and the account holder was in fact delinquent  
4 at the time of the violation.

5 ~~14.~~ 15. Nothing in this section shall be construed to limit the  
6 liability of an operator of a vehicle for any violation of toll  
7 collection laws or regulations.

8 ~~15.~~ 16. Notwithstanding any other provision of law, all  
9 photographs, microphotographs, videotape or other recorded images  
10 prepared pursuant to this section shall be for the exclusive use of  
11 the Authority in the discharge of its duties under this section and  
12 shall not be open to the public nor be used in any court in any  
13 action or proceeding pending therein unless the action or proceeding  
14 relates to:

- 15 a. the imposition of or indemnification for liability  
16 pursuant to this section, or
- 17 b. an investigation or prosecution for a criminal  
18 violation of the laws of the State of Oklahoma. Such  
19 records shall be available to a law enforcement  
20 officer or law enforcement agency for law enforcement  
21 purposes related to an investigation or prosecution of  
22 a criminal violation of the laws of the State of  
23 Oklahoma pursuant to a duly issued search warrant,  
24



1 subpoena, or order of the court requiring such  
2 disclosure to a law enforcement officer or agency.

3 ~~16.~~ 17. The Authority shall not sell, distribute or make  
4 available in any way, the names and addresses of video toll  
5 collection system and electronic toll collection system account  
6 holders or Authority patrons, without the consent of the account  
7 holders or patrons, to any entity that will use the information for  
8 any commercial purpose.

9 ~~17.~~

10 18. a. Except as provided in subparagraph c of this  
11 paragraph, the Commission shall refuse to renew the  
12 registration of any vehicle if the registered owner or  
13 lessee has been mailed by certified mail a notice of  
14 toll evasion violation as provided in subparagraph c  
15 of paragraph ~~6~~ 7 of this subsection, the Authority has  
16 transmitted to the Commission an itemization of unpaid  
17 toll evasion penalties, including administrative fees,  
18 pursuant to paragraph ~~9~~ 10 of this subsection, and the  
19 toll evasion penalty and administrative fee have not  
20 been paid pursuant to paragraph ~~8~~ 9 of this  
21 subsection, unless the full amount of all outstanding  
22 toll evasion penalties and administrative fees, as  
23 shown by records of the Commission are paid to the  
24 Commission at the time of application for renewal.

1           b.    The Authority shall issue a notice of disposition of  
2                toll evasion violation to a lessor, if the lessor  
3                provides the Authority with the name, address, and  
4                driver's license number of the lessee at the time of  
5                the occurrence of the toll evasion violation.

6           c.    The Commission shall renew the registration of any  
7                vehicle if the applicant provides the Commission with  
8                the notice of disposition of toll evasion violation  
9                issued pursuant to subparagraph b of this paragraph  
10               for clearing all outstanding toll evasion penalties,  
11               fees and assessments, as shown by the records of the  
12               Commission, and the applicant has met all other  
13               requirements for registration.

14       ~~18.~~ 19.   The Commission shall include on each vehicle  
15       registration renewal notice issued for use at the time of renewal,  
16       or on an accompanying document, an itemization of unpaid toll  
17       evasion penalties, fees and assessments, showing the amount thereof  
18       and the date of toll evasion relating thereto, which the registered  
19       owner or lessee is required to pay pursuant to paragraph ~~17~~18 of  
20       this subsection.

21       ~~19.~~

22       20.   a.    Except as provided in subparagraph b of this  
23                paragraph, the Commission shall remit all toll evasion  
24                penalties, fees and assessments collected, after

1 deducting the administrative fee authorized by  
2 paragraph ~~20~~21 of this subsection, for each notice of  
3 toll evasion violation for which toll evasion  
4 penalties, fees and assessments have been collected  
5 pursuant to paragraph ~~17~~18 of this subsection, to the  
6 Authority. Within forty-five (45) days from the time  
7 penalties, fees and assessments are paid to the  
8 Commission, the Commission shall inform the Authority  
9 which of its notices of toll evasion violation have  
10 been collected.

- 11 b. For each notice of toll evasion violation for which  
12 toll evasion penalties, fees and assessments have been  
13 collected by the Commission pursuant to paragraph ~~16~~17  
14 of this subsection, the Authority is due an amount  
15 equal to the sum of the unpaid toll, administrative  
16 fees, other costs incurred by the Authority that are  
17 related to toll evasion, process service fees, and  
18 fees and collection costs related to civil debt  
19 collection. After deducting the Commission's  
20 administrative fee authorized by paragraph ~~20~~21 of  
21 this subsection, the Commission shall promptly pay to  
22 the Authority the amounts due the Authority for unpaid  
23 tolls, administrative fees, other costs incurred by  
24 the Authority that are related to toll evasion,

1 process service fees, and fees and collection costs  
2 related to civil debt collection.

3 ~~20.~~ 21. The Commission shall assess a fee for the recording of  
4 the notice of toll evasion violation, which is given to the  
5 Commission pursuant to paragraph ~~9~~10 of this subsection, in an  
6 amount, as determined by the Commission, that is sufficient to  
7 provide a total amount equal to at least its actual costs of  
8 administering paragraphs ~~17~~ 18, ~~18~~ 19 and ~~21~~ 20 of this subsection.

9 ~~21.~~ 22. Whenever a vehicle is transferred or not renewed for  
10 two renewal periods and the former registered owner or lessee of the  
11 vehicle owes a toll evasion penalty and administrative fees for a  
12 notice of toll evasion violation filed with the Commission pursuant  
13 to paragraph ~~9~~ 10 of this subsection, the Commission shall notify  
14 the Authority of that fact and is not required thereafter to attempt  
15 collection of the toll evasion penalty and administrative fees.

16 This legislation shall not be construed to affect in any way the  
17 power which the Oklahoma Turnpike Authority possesses to establish  
18 tolls and other charges in connection with their turnpike  
19 facilities, including the authority to establish a one-way toll  
20 collection system for any of its facilities or a toll discount  
21 structure for certain classes of patrons using any of its  
22 facilities.

23 SECTION 2. AMENDATORY 47 O.S. 2011, Section 11-1401, is  
24 amended to read as follows:

1       Section 11-1401. A. It shall be unlawful for any person to  
2 enter that part of a turnpike enclosed by fence except in a vehicle  
3 at authorized entrances.

4       B. It shall be unlawful for the driver of any vehicle to fail  
5 to pay the toll as prescribed by the Oklahoma Turnpike Authority.

6       C. It shall be unlawful for any person to operate a vehicle on  
7 a turnpike if the registered owner of the vehicle is liable for any  
8 outstanding toll evasion violations issued pursuant to paragraph 7  
9 subsection B of Section 11-1401.2 of this title.

10       D. It shall be unlawful for any person to cross a turnpike  
11 except at grade separations provided for cross traffic or through  
12 drainage structures under the turnpike.

13       ~~D.~~ E. It shall be unlawful for any person to travel a turnpike  
14 on foot except to leave or service a disabled vehicle, or for any  
15 person to hitchhike on a turnpike.

16       ~~E.~~ F. It shall be unlawful for any person to tear down, damage  
17 or remove any turnpike fence.

18       ~~F.~~ G. It shall be unlawful to drive, operate or ride any  
19 bicycle or other man-powered vehicle or means of transportation on a  
20 turnpike. The Oklahoma Turnpike Authority may prohibit any light,  
21 mechanically powered vehicle from entering the turnpike, or any  
22 other vehicle it determines would be injurious to the turnpike  
23 surfacing or would be a traffic hazard.

1       ~~G.~~ H. When any section of highway has been closed to traffic by  
2 the Oklahoma Turnpike Authority and traffic-control devices or  
3 barricades have been erected, it shall be unlawful for any person to  
4 drive any vehicle through, under, over, or around the traffic-  
5 control devices or barricades, or otherwise to enter the closed  
6 area.

7       ~~H.~~ I. Subsections A through G of this section shall not apply  
8 to:

9       1. Officers, employees, agents or contractors of the Oklahoma  
10 Turnpike Authority in performance of their duties;

11       2. Commissioned officers of the Department of Public Safety;

12       3. Emergency vehicle operators at the request of the Department  
13 of Public Safety; or

14       4. Agents, employees or contractors of public utilities while  
15 actually engaged in work in furtherance of construction, maintenance  
16 or repair of such public utilities located on, above or below a  
17 turnpike.

18       ~~I.~~ J. It shall be unlawful for any vehicle, except:

19       1. Authorized emergency vehicles;

20       2. Vehicles owned by the Oklahoma Turnpike Authority, its  
21 agents or contractors;

22       3. Vehicles owned by public utilities, their agents, employees  
23 or contractors, while actually engaged in construction, maintenance  
24 or repair of such public utilities; and  
25

1        4. Wrecker vehicles while performing services at the request of  
2 the Department of Public Safety,  
3 to cross the center dividing strip of a turnpike, or to travel on  
4 any lane of a turnpike in a direction contrary to the direction of  
5 traffic on such lane.

6        ~~J.~~ K. All vehicles traveling on a turnpike shall comply at all  
7 times with signs placed on the turnpike regulating traffic thereon.

8        ~~K.~~ L. No vehicle shall move from one lane to another unless the  
9 way is clear to do so and upon proper signaling.

10        ~~L.~~ M. Any person who violates any provision of this section  
11 shall, upon conviction, be guilty of a misdemeanor and shall be  
12 punished as provided in Section 17-101 of this title.

13        SECTION 3. This act shall become effective November 1, 2021.

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15        58-1-650            APW            1/20/2021 10:19:52 AM  
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