

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 59th Legislature (2024)

4   HOUSE BILL 3861

                              By: Ford

6                               AS INTRODUCED

7           An Act relating to insurance; amending 47 O.S. 2021,  
8           Section 11-1110, which relates to glass and injurious  
9           substances dropped on highways and related locations;  
         clarifying certain responsibilities; directing for  
         remittance of certain payments; creating a special  
         lien; and providing an effective date.

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

13           SECTION 1.       AMENDATORY       47 O.S. 2021, Section 11-1110, is  
14   amended to read as follows:

15           Section 11-1110. A. No person shall throw or deposit upon any  
16   highway any glass bottle, glass, nails, tacks, wire, cans or any  
17   other substances likely to injure any person, animal or vehicle upon  
18   such highway.

19           B. Any person who drops, or permits to be dropped or thrown,  
20   upon any highway any destructive or injurious material shall  
21   immediately remove the same or cause it to be removed.

22           ~~1.~~ C. Any person, wrecker, or towing operator removing a  
23   wrecked or damaged vehicle from a highway, highway right-of-way or  
24   any other location as the result of an accident shall remove any

1 glass or other injurious substance dropped upon the highway or  
2 highway right-of-way or other location from such vehicle. The owner  
3 or insurer of the owner of the vehicle if the ~~owner's insurance~~  
4 ~~policy provides coverage for such expense,~~ owner has the minimum  
5 coverage amounts as required by Section 7-324 of this title, shall  
6 be responsible for the cost of removal of the vehicle and the glass  
7 or other injurious substance and any vehicle storage fees. The cost  
8 of the removal of the vehicle and any storage fees shall be the same  
9 as established by the Corporation Commission for nonconsensual tows.

10 D. Upon receipt of a claim by the insurer from a person,  
11 wrecker, or towing operator for the removal of a wrecked or damaged  
12 vehicle, glass, or other injurious substance from a highway, highway  
13 right-of-way, or any other location, the insurer shall remit payment  
14 for the removal claim payable to the company providing the removal.  
15 The fees for removal and cleanup constitutes a special lien and is  
16 payable before any other claims.

17 ~~2.~~ E. Truck-tractors carrying cargo on the roadways of this  
18 state shall maintain a commercial auto, farm and ranch, inland  
19 marine or cargo liability insurance policy that covers the costs of  
20 cleanup of any substance that is spilled or otherwise deposited on  
21 the roadway or right-of-way in violation of this section.

22 ~~C.~~ F. No person shall throw any substance at a standing vehicle  
23 or any occupant thereof, nor shall any person throw any substance at  
24 a person on or adjacent to a highway.

SECTION 2. This act shall become effective November 1, 2024.

COMMITTEE REPORT BY: COMMITTEE ON INSURANCE, dated 02/13/2024 - DO  
PASS.