

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3861

By: Ford

AS INTRODUCED

An Act relating to insurance; amending 47 O.S. 2021, Section 11-1110, which relates to glass and injurious 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.

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

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

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

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

~~1.~~ C. Any person, wrecker, or towing operator removing a wrecked or damaged vehicle from a highway, highway right-of-way or

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

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

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

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

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

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