

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 HOUSE BILL 1069

By: Pae and **Davis** of the House

5 and

6 **Dossett** of the Senate

7
8
9 AS INTRODUCED

10 An Act relating to motor vehicles; creating the
11 Victims of Impaired Driving Memorial Sign Act of
12 2019; defining terms; creating the Victims of
13 Impaired Driving Memorial Sign Program; allowing
14 certain individuals to cause signage to be placed;
15 disallowing certain individuals to qualify for
16 signage; directing sign dimensions; directing sign
17 verbiage and color; directing certain costs to be
18 paid by applicant; allowing for sign replacement;
19 providing for certain time period; allowing applicant
20 to take possession of sign; granting certain
21 discretion to agency; providing for codification; and
22 providing an effective date.

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

24 SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 4050 of Title 69, unless there
is created a duplication in numbering, reads as follows:

 This act shall be known and may be cited as the "Victims of
Impaired Driving Memorial Sign Act of 2019".

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 4051 of Title 69, unless there
3 is created a duplication in numbering, reads as follows:

4 As used in the Victims of Impaired Driving Memorial Sign Act of
5 2019:

6 1. "Applicant" means any person requesting a sign on behalf of
7 a victim as defined in this subsection;

8 2. "Impaired driver" means any driver who causes an accident
9 involving a motor vehicle while intoxicated; and

10 3. "Victim" means any person killed in an accident involving an
11 impaired driver. The term does not encompass a person that was
12 considered an impaired driver.

13 SECTION 3. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 4052 of Title 69, unless there
15 is created a duplication in numbering, reads as follows:

16 A. There is hereby created a Victims of Impaired Driving
17 Memorial Sign Program. The Program shall give family or friends of
18 victims of impaired driving accidents the opportunity to purchase a
19 sign to be placed near the site of an accident caused by impaired
20 driving on any state highway, bridge or turnpike.

21 B. Memorial signs shall not be issued for impaired drivers.

22 C. The sign panel shall measure forty-eight (48) inches by
23 forty-two (42) inches.

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1 D. The memorial sign shall bear the words "Please Don't Drink
2 and Drive. In Memory of" along with the legal name of the victim
3 and the date of the accident. The sign shall have coral-colored
4 background as defined by the latest version of the United States
5 Department of Transportation's "Manual on Uniform Traffic Control
6 Devices for Streets and Highways". The applicant shall provide the
7 investigating law enforcement agency's report or other government
8 document showing that the accident occurred as the result of
9 impaired driving.

10 E. The cost associated with signage related to the Victims of
11 Impaired Driving Memorial Sign Program shall be paid by the
12 applicant requesting the sign. The sign shall be installed only
13 after the application has been approved by the Oklahoma Department
14 of Transportation and the cost has been collected. The Oklahoma
15 Department of Transportation shall promulgate rules establishing a
16 procedure to collect the cost of the sign. The cost of the sign
17 shall be no greater than the cost to manufacture and install said
18 sign.

19 F. If the sign is damaged or stolen, the Oklahoma Department of
20 Transportation shall replace the sign without charge to the
21 applicant. Should damage or theft occur more than once, the
22 Oklahoma Department of Transportation shall not replace the sign
23 again without payment for a new sign by the original applicant.

1 G. An installed sign shall remain in place for a period of two
2 (2) years. At the end of that period, the sign shall be offered
3 back to the applicant. The applicant shall have thirty (30) days
4 from the time originally contacted in order to claim the expired
5 sign. After thirty (30) days, if the sign is not claimed by the
6 applicant, the sign shall be recycled.

7 H. Any other rules or administration of the Victims of Impaired
8 Driving Memorial Sign Program beyond the provisions outlined in the
9 Victims of Impaired Driving Memorial Sign Act of 2019 shall be
10 promulgated by rule at the discretion of the Oklahoma Department of
11 Transportation.

12 SECTION 4. This act shall become effective November 1, 2019.

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14 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 02/13/2019 -
15 DO PASS, As Coauthored.
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