

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 89

By: Howard

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5
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.
8 2011, Section 11-314, as amended by Section 1,
9 Chapter 114, O.S.L. 2015 (47 O.S. Supp. 2018, Section
10 11-314), which relates to approaching a stationary
11 vehicle on a roadway; directing a driver to proceed
12 with caution, change lanes or decrease speed in
13 certain situations; and providing an effective date.

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

15 SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-314, as
16 amended by Section 1, Chapter 114, O.S.L. 2015 (47 O.S. Supp. 2018,
17 Section 11-314), is amended to read as follows:

18 Section 11-314. A. The driver of a motor vehicle, upon
19 approaching a stationary authorized emergency vehicle, a Department
20 of Transportation maintenance vehicle, a Turnpike Authority
21 maintenance vehicle, or a licensed Class AA wrecker that is
22 displaying a flashing combination red or blue light or any
23 combination of red or blue lights, shall:

24 1. If traveling on a highway that consists of two or more lanes
25 that carry traffic in the same direction of travel as that of the

1 driver, the driver shall proceed with due caution and shall, if
2 possible and with due regard to the road, weather, and traffic
3 conditions, change lanes into a lane that is not adjacent to the
4 stationary authorized emergency vehicle, a Department of
5 Transportation maintenance vehicle, a Turnpike Authority maintenance
6 vehicle, or licensed Class AA wrecker; or if the driver is not able
7 to change lanes or if to do so would be unsafe, the driver shall
8 proceed with due caution and reduce the speed of the motor vehicle
9 to a safe speed for the existing road, weather, and traffic
10 conditions; and

11 2. If traveling on a highway other than a highway described in
12 paragraph 1 of this subsection, the driver shall proceed with due
13 caution and reduce the speed of the motor vehicle to a safe speed
14 for the existing road, weather, and traffic conditions.

15 B. This section does not relieve the operator of a stationary
16 authorized emergency vehicle, a Department of Transportation
17 maintenance vehicle, a Turnpike Authority maintenance vehicle, or
18 licensed Class AA wrecker from the consequences of reckless
19 disregard for the safety of all persons and property upon the
20 highway.

21 C. A driver of a motor vehicle, upon approaching a stationary
22 vehicle that is displaying flashing lights, shall proceed with due
23 caution and shall, if possible and with due regard to the road,
24 weather, and traffic conditions, change lanes into a lane that is

1 not adjacent to the stationary vehicle; or if the driver is not able
2 to change lanes or if to do so would be unsafe, the driver shall
3 proceed with due caution and reduce the speed of the motor vehicle
4 to a safe speed for the existing road, weather, and traffic
5 conditions.

6 SECTION 2. This act shall become effective November 1, 2019.

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