

1 ENGROSSED HOUSE
2 BILL NO. 1770

By: Dobrinski and Fugate of the
House

3 and

4 Weaver of the Senate

5
6
7 [public safety - exceptions for bicyclists at
8 traffic-control devices - allowing bicyclists to
9 make certain signals - effective date]
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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 11-202.1 of Title 47, unless
16 there is created a duplication in numbering, reads as follows:

17 A. For the purposes of this section:

18 1. "Bicycle" means a device as defined in subsection A of
19 Section 1-104 of Title 47 of the Oklahoma Statutes; and

20 2. "Immediate hazard" means a vehicle approaching a person
21 operating a bicycle at a proximity and rate of speed sufficient to
22 indicate to a reasonably careful person that there is a danger of
23 collision or accident.
24

1 B. 1. A person operating a bicycle approaching a stop sign
2 shall:

3 a. slow down,

4 b. if required to avoid an immediate hazard, stop at the
5 stop sign before entering the intersection, and

6 c. cautiously enter the intersection and yield the right-
7 of-way to pedestrians lawfully within an adjacent
8 crosswalk and to other traffic lawfully using the
9 intersection.

10 2. If a person operating a bicycle determines there is no
11 immediate hazard, he or she may cautiously make a right or left
12 turn, or proceed through the intersection without stopping at the
13 stop sign.

14 C. 1. A person operating a bicycle approaching a steady red
15 traffic-control signal shall:

16 a. make a complete stop at the steady red traffic-control
17 signal before entering the intersection, and

18 b. yield the right-of-way to all oncoming traffic that
19 constitutes an immediate hazard during the time that
20 he or she is moving across or within the intersection.

21 2. If a person operating a bicycle determines there is no
22 immediate hazard, he or she may proceed through the steady red
23 traffic-control signal with caution.

24 3. A person operating a bicycle may make a:

- 1 a. right-hand turn at a steady red traffic-control signal
2 without stopping after slowing to a reasonable speed
3 and yielding the right-of-way, if required, to
4 oncoming traffic that constitutes an immediate hazard,
5 or
6 b. left-hand turn onto a one-way street at a steady red
7 traffic-control signal after stopping and yielding to
8 oncoming traffic that constitutes an immediate hazard.

9 SECTION 2. AMENDATORY 47 O.S. 2011, Section 11-202, as
10 amended by Section 1, Chapter 62, O.S.L. 2019 (47 O.S. Supp. 2020,
11 Section 11-202), is amended to read as follows:

12 Section 11-202. Whenever traffic is controlled by traffic_
13 control signals exhibiting different colored lights or colored
14 lighted arrows successively one at a time, or in combination, only
15 the colors green, red and yellow shall be used, except for special
16 pedestrian signals carrying a word legend, and the lights shall
17 indicate and apply to drivers of vehicles and pedestrians as
18 follows:

19 1. Green indication:

- 20 a. vehicular traffic facing a circular green signal,
21 except when prohibited under Section 11-1302 of this
22 title, may proceed straight through or turn right or
23 left unless a sign at such place prohibits either such
24 turn. But vehicular traffic, including vehicles

1 turning right or left, shall yield the right-of-way to
2 other vehicles and to pedestrians lawfully within the
3 intersection or an adjacent crosswalk at the time such
4 signal is exhibited,

5 b. vehicular traffic facing a green arrow signal, shown
6 alone or in combination with another indication, may
7 cautiously enter the intersection only to make the
8 movement indicated by such arrow, or such other
9 movement as is permitted by other indications shown at
10 the same time. Such vehicular traffic shall yield the
11 right-of-way to pedestrians lawfully within an
12 adjacent crosswalk and to other traffic lawfully using
13 the intersection, and

14 c. unless otherwise directed by a pedestrian-control
15 signal, as provided in Section 11-203 of this title,
16 pedestrians facing any green signal, except when the
17 sole green signal is a turn arrow, may proceed across
18 the roadway within any marked or unmarked crosswalk;

19 2. Steady yellow indication:

20 a. vehicular traffic facing a steady circular yellow or
21 yellow arrow signal is thereby warned that the related
22 green movement is being terminated or that a red
23 indication will be exhibited immediately thereafter,
24 and

1 b. pedestrians facing a steady circular yellow or yellow
2 arrow signal, unless otherwise directed by a
3 pedestrian-control signal as provided in Section 11-
4 203 of this title, are thereby advised that there is
5 insufficient time to cross the roadway before a red
6 indication is shown, and no pedestrian shall then
7 start to cross the roadway; and

8 3. Steady red indication:

9 a. vehicular traffic facing a steady circular red signal
10 alone shall stop at a clearly marked stop line, but if
11 none, before entering the crosswalk on the near side
12 of the intersection or, if none, then before entering
13 the intersection and shall remain standing until an
14 indication to proceed is shown except as provided in
15 subparagraphs b and d of this paragraph,

16 b. except when a sign is in place prohibiting a turn,
17 vehicular traffic facing any steady red signal may
18 cautiously enter the intersection to turn right or to
19 turn left from a one-way street into a one-way street
20 after stopping as required by subparagraph a of this
21 paragraph. Such vehicular traffic shall yield the
22 right-of-way to pedestrians lawfully within an
23 adjacent crosswalk and to other traffic lawfully using
24 the intersection,

1 c. in order to prohibit right turns or left turns as
2 prescribed in subparagraph b of this paragraph, on the
3 red signal after the required stop, a municipality
4 must erect clear, concise signs informing drivers that
5 such turns are prohibited. The Highway Department
6 shall specify the design of the sign to be used for
7 this purpose, and it shall be used uniformly
8 throughout the state,

9 d. notwithstanding any other provision of law, the driver
10 of a motorcycle ~~or bicycle~~ facing any steady red
11 signal may cautiously proceed through the intersection
12 only if:

13 (1) the motorcycle ~~or bicycle~~ has been brought to a
14 complete stop as required by subparagraph a of
15 this paragraph,

16 (2) the traffic-control signal is programmed or
17 engineered to change to a green signal only after
18 detecting the approach of a motor vehicle and has
19 failed to detect the arrival of the motorcycle ~~or~~
20 ~~bicycle~~ because of its size or weight, and

21 (3) no motor vehicle or person is approaching on the
22 roadway to be crossed or entered, or the motor
23 vehicle or person is at a distance from the
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1 intersection that does not constitute an
2 immediate hazard.

3 The driver of any vehicle approaching the
4 intersection, which lawfully may enter the
5 intersection, shall have the right-of-way over any
6 motorcycle ~~or bicycle~~ operator proceeding through a
7 red light and, in no event where an accident results
8 from the driver of the motorcycle ~~or bicycle~~
9 proceeding into the intersection on a red light, shall
10 such driver of the vehicle be charged with any
11 violation pursuant to Sections 11-401 and 11-403 of
12 this title relating to failure to yield right-of-way,
13 Section 11-310 of this title relating to following too
14 closely, or Section 11-801 of this title relating to
15 driving too fast for conditions, and

- 16 e. unless otherwise directed by a pedestrian-control
17 signal as provided in Section 11-203 of this title,
18 pedestrians facing a steady circular red signal alone
19 shall not enter the roadway.

20 In the event an official traffic-control signal is erected and
21 maintained at a place other than an intersection, the provisions of
22 this section shall be applicable except as to those provisions which
23 by their nature can have no application. Any stop required shall be
24 made at a sign or marking on the pavement indicating where the stop

1 shall be made, but in the absence of any such sign or marking the
2 stop shall be made at the signal.

3 SECTION 3. AMENDATORY 47 O.S. 2011, Section 11-606, is
4 amended to read as follows:

5 Section 11-606. All signals herein required given by hand and
6 arm shall be given from the left side of the vehicle in the
7 following manner and such signals shall indicate as follows:

8 1. Left turn. Hand and arm extended horizontally~~;~~;

9 2. Right turn. Hand and arm extended upward. A person
10 operating a bicycle may extend his or her right hand and arm
11 horizontally to his or her right; and

12 3. Stop or decrease speed. Hand and arm extended downward. A
13 person operating a bicycle may extend his or her right hand and arm
14 downward to his or her right side.

15 SECTION 4. AMENDATORY 47 O.S. 2011, Section 11-901, is
16 amended to read as follows:

17 Section 11-901. A. It shall be deemed reckless driving for any
18 person to drive a motor vehicle in a careless or wanton manner
19 without regard for the safety of persons or property or in violation
20 of the conditions outlined in Section 11-801 of this title.

21 B. It shall be deemed reckless driving for any person driving a
22 motor vehicle to harass, taunt or maliciously throw an object at or
23 in the direction of any person riding a bicycle, equine or animal-
24 drawn vehicle.

1 C. Every person convicted of reckless driving shall be punished
2 upon a first conviction by imprisonment for a period of not less
3 than five (5) days nor more than ninety (90) days, or by a fine of
4 not less than One Hundred Dollars (\$100.00) nor more than Five
5 Hundred Dollars (\$500.00), or by both such fine and imprisonment; on
6 a second or subsequent conviction, punishment shall be imprisonment
7 for not less than ten (10) days nor more than six (6) months, or by
8 a fine of not less than One Hundred Fifty Dollars (\$150.00) nor more
9 than One Thousand Dollars (\$1,000.00), or by both such fine and
10 imprisonment.

11 SECTION 5. AMENDATORY 47 O.S. 2011, Section 12-401, is
12 amended to read as follows:

13 Section 12-401. A. Every motor vehicle when operated upon a
14 highway shall be equipped with a horn in good working order and
15 capable of emitting sound audible under normal conditions from a
16 distance of not less than two hundred (200) feet, but no horn or
17 other warning device shall emit an unreasonably loud or harsh sound.
18 The driver of a motor vehicle shall, when reasonably necessary to
19 ~~insure~~ ensure safe operation, give audible warning with a horn but
20 shall not otherwise use such horn when upon a highway. No driver of
21 any vehicle shall use a horn when passing a person riding a bicycle,
22 equine or animal-drawn vehicle under normal conditions if no
23 imminent danger of a collision exists.
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1 B. No vehicle shall be equipped with nor shall any person use
2 upon a vehicle any siren, except as otherwise permitted in
3 subsection D of this section.

4 C. Any vehicle may be equipped with a theft alarm signal device
5 which is so arranged that it cannot be used by the driver as an
6 ordinary warning signal. A theft alarm signal device shall not use
7 a siren, as described in subsection D of this section.

8 D. Every authorized emergency vehicle shall, in addition to any
9 other equipment and distinctive markings required by this title, be
10 equipped with a siren, or similar device, capable of emitting sound
11 audible under normal conditions from a distance of not less than
12 five hundred (500) feet and of a type approved by the Department of
13 Public Safety, but such siren shall not be used except when such
14 vehicle is operated in response to an emergency call or in the
15 immediate pursuit of an actual or suspected violator of the law, in
16 which said latter events the driver of such vehicle shall sound said
17 siren when reasonably necessary to warn pedestrians and other
18 drivers of the approach thereof.

19 E. It shall be unlawful for any person to use a device capable
20 of producing auditory warning signals similar to that on an
21 authorized emergency vehicle or to use audible signal equipment from
22 a motor vehicle for the purpose of causing any other motor vehicle
23 operator to yield right-of-way and stop, or which actually causes
24 any other motor vehicle operator to yield the right-of-way and stop,

1 whether intended or not. The provisions of this subsection shall
2 not apply to the operators of authorized emergency vehicles.

3 SECTION 6. This act shall become effective November 1, 2021.

4 Passed the House of Representatives the 11th day of March, 2021.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ___ day of _____, 2021.

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Presiding Officer of the Senate

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