

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 1907

By: Johnson

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.  
8 2011, Section 11-801, which relates to speed  
9 restrictions on highways; providing speed limitation  
for certain highways; and providing an effective  
date.

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

13 SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-801, is  
14 amended to read as follows:

15 Section 11-801. A. Any person driving a vehicle on a highway  
16 shall drive the same at a careful and prudent speed not greater than  
17 nor less than is reasonable and proper, having due regard to the  
18 traffic, surface and width of the highway and any other conditions  
19 then existing. No person shall drive any vehicle upon a highway at  
20 a speed greater than will permit the driver to bring it to a stop  
21 within the assured clear distance ahead.

22 B. Except when a special hazard exists that requires lower  
23 speed for compliance with subsection A of this section, the limits  
24 specified by law or established as hereinafter authorized shall be

1 maximum lawful speeds, and no person shall drive a vehicle on a  
2 highway at a speed in excess of the following maximum limits:

3 1. Seventy-five (75) miles per hour in locations comprising:

4 a. the turnpike system, and

5 b. rural segments of the interstate highway system, as  
6 may be designated by the Transportation Commission.

7 Provided, however, the Commission shall determine  
8 prior to the designation of such segments that the  
9 public safety will not be jeopardized;

10 2. Seventy (70) miles per hour in locations which are:

11 a. four-lane divided highways including, but not limited  
12 to, the interstate highway system, and

13 b. improved two-lane highways or super two-lane highways.

14 As used in this section, a super two-lane highway  
15 shall mean any two-lane highway with designated  
16 passing lanes, and consisting of paved shoulders not  
17 less than eight (8) feet in width;

18 3. Sixty-five (65) miles per hour in other locations;

19 4. For a school bus, fifty-five (55) miles per hour on paved  
20 two-lane highways except on multilane divided highways, turnpikes,  
21 and interstate highways where the maximum shall be sixty-five (65)  
22 miles per hour;

23 5. On any highway outside of a municipality in a properly  
24 marked school zone, twenty-five (25) miles per hour, provided the

1 zone is marked with appropriate warning signs placed in accordance  
2 with the latest edition of the Manual on Uniform Traffic Control  
3 Devices. The Department of Transportation may determine on the  
4 basis of an engineering and traffic investigation that a speed limit  
5 higher than twenty-five (25) miles per hour may be reasonable and  
6 safe under conditions as they exist upon a highway, and post an  
7 alternative school zone speed limit. The Department shall mark such  
8 school zones, or entrances and exits onto highways by buses or  
9 students, so that the maximum speed provided by this section shall  
10 be established therein. Exits and entrances to controlled-access  
11 highways which are within such school zones shall be marked in the  
12 same manner as other highways. The county commissioners shall mark  
13 such school zones along the county roads so that the maximum speed  
14 provided by this section shall be established therein. The signs  
15 may be either permanent or temporary. The Department shall give  
16 priority over all other signing projects to the foregoing duty to  
17 mark school zones. The Department shall also provide other safety  
18 devices for school zones which are needed in the opinion of the  
19 Department;

20 6. Twenty-five (25) miles per hour or a posted alternative  
21 school zone speed limit through state schools located on the state-  
22 owned land adjoining or outside the limits of a corporate city or  
23 town where a state educational institution is established;

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1       7. Thirty-five (35) miles per hour on a highway in any state  
2 park or wildlife refuge. Provided, however, that the provisions of  
3 this paragraph shall not include the State Capitol park area, and no  
4 person shall drive any vehicle at a rate of speed in excess of  
5 fifty-five (55) miles per hour on any state or federal designated  
6 highway within such areas; and

7       8. For any vehicle or combination of vehicles with solid rubber  
8 or metal tires, ten (10) miles per hour.

9       The maximum speed limits set forth in this section may be  
10 altered as authorized in Sections 11-802 and 11-803 of this title.

11       C. The Commission is hereby authorized to prescribe maximum and  
12 minimum speeds for all vehicles and any combinations of vehicles  
13 using controlled-access highways. Such regulations shall become  
14 effective after signs have been posted on these highways giving  
15 notice thereof. Such regulations may apply to an entirely  
16 controlled-access highway or to selected sections thereof as may be  
17 designated by the Commission. It shall be a violation of this  
18 section to drive any vehicle at a faster rate of speed than such  
19 prescribed maximum or at a slower rate of speed than such prescribed  
20 minimum. However, all vehicles shall at all times conform to the  
21 limits set forth in subsection A of this section.

22       Copies of such regulations certified as in effect on any  
23 particular date by the Secretary of the Commission shall be accepted  
24 as evidence in any court in this state. Whenever changes have been

1 made in speed zones, copies of such regulations shall be filed with  
2 the Commissioner of Public Safety.

3 D. The Oklahoma Turnpike Authority is hereby authorized to  
4 prescribe maximum and minimum speeds for trucks, buses and  
5 automobiles using turnpikes. The regulation pertaining to  
6 automobiles shall apply to all vehicles not commonly classified as  
7 either trucks or buses. Such regulations shall become effective  
8 only after approval by the Commissioner of Public Safety, and after  
9 signs have been posted on the turnpike giving notice thereof. Such  
10 regulations may apply to an entire turnpike project or to selected  
11 sections thereof as may be designated by the Oklahoma Turnpike  
12 Authority. It shall be a violation of this section to drive a  
13 vehicle at a faster rate of speed than such prescribed maximum speed  
14 or at a slower rate of speed than such prescribed minimum speed.  
15 However, all vehicles shall at all times conform to the requirements  
16 of subsection A of this section.

17 Copies of such regulations, certified as in effect on any  
18 particular date by the Secretary of the Oklahoma Turnpike Authority,  
19 shall be accepted in evidence in any court in this state.

20 E. The driver of every vehicle shall, consistent with the  
21 requirements of subsection A of this section, drive at an  
22 appropriate reduced speed when approaching and crossing an  
23 intersection or railway grade crossing, when approaching and going  
24 around a curve, when approaching a hillcrest, when driving upon any

1 narrow or winding roadway, and when special hazard exists with  
2 respect to pedestrians or other traffic, or by reason of weather or  
3 highway conditions.

4 F. 1. No person shall drive a vehicle on a county road at a  
5 speed in excess of fifty-five (55) miles per hour unless posted  
6 otherwise by the board of county commissioners, as provided in  
7 subparagraphs a through c of this paragraph, as follows:

8 a. the board of county commissioners may determine, by  
9 resolution, a maximum speed limit which shall apply to  
10 all county roads which are not otherwise posted for  
11 speed,

12 b. the board of county commissioners shall provide public  
13 notice of the speed limit on all nonposted roads by  
14 publication in a newspaper of general circulation in  
15 the county. The notice shall be published once weekly  
16 for a period of four (4) continuous weeks, and

17 c. the board of county commissioners shall forward the  
18 resolution to the Director of the Department and to  
19 the Commissioner of Public Safety.

20 2. The Department shall post speed limit information, as  
21 determined pursuant to the provisions of subparagraphs a through c  
22 of paragraph 1 of this subsection, on the county line marker where  
23 any state highway enters a county and at all off-ramps where  
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1 interstate highways or turnpikes enter a county. The signs shall  
2 read as follows:

3 ENTERING \_\_\_\_\_ COUNTY  
4 COUNTY ROAD SPEED LIMIT  
5 \_\_\_\_\_ MPH  
6 UNLESS POSTED OTHERWISE

7 The appropriate board of county commissioners shall reimburse  
8 the Department the full cost of the signage required herein.

9 G. Any person convicted of a speeding violation pursuant to  
10 subsection B or F of this section shall be punished by a fine as  
11 follows:

- 12 1. One to ten miles per hour over the limit..... \$10.00
- 13 2. Eleven to fifteen miles per hour over the  
14 limit..... \$20.00
- 15 3. Sixteen to twenty miles per hour over the  
16 limit..... \$35.00
- 17 4. Twenty-one to twenty-five miles per hour over  
18 the limit..... \$75.00
- 19 5. Twenty-six to thirty miles per hour over the  
20 limit..... \$135.00
- 21 6. Thirty-one to thirty-five miles per hour over  
22 the limit..... \$155.00
- 23 7. Thirty-six miles per hour or more over the  
24 limit..... \$205.00

1 or by imprisonment for not more than ten (10) days; for a second  
2 conviction within one (1) year after the first conviction, by  
3 imprisonment for not more than twenty (20) days; and upon a third or  
4 subsequent conviction within one (1) year after the first  
5 conviction, by imprisonment for not more than six (6) months, or by  
6 both such fine and imprisonment.

7 SECTION 2. This act shall become effective November 1, 2015.

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9 55-1-6163 GRS 12/18/14

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