

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 HOUSE BILL 2449

By: O'Donnell

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5
6 AS INTRODUCED

7 An Act relating to motor vehicles; requiring certain
8 traffic maneuvering and caution when approaching
9 certain vehicles; amending 47 O.S. 2011, Section 12-
10 227, which relates to restrictions on certain lights
11 on motor vehicles; providing additional exception for
12 flashing lights; providing for codification; and
13 providing an effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 11-315.1 of Title 47, unless
17 there is created a duplication in numbering, reads as follows:

18 A. The driver of a motor vehicle, upon approaching a vehicle
19 being used in the collection of refuse, solid waste or recyclables
20 displaying side marker lamps which flash in conjunction with turn
21 signal lamps or vehicle hazard warning lamps pursuant to the
22 provisions of Section 12-227 of Title 47 of the Oklahoma Statutes,
23 shall:

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

1 driver, proceed with due caution and shall, if possible and with due
2 regard to the road, weather and traffic conditions, change lanes
3 into a lane that is not adjacent to the vehicle being used in the
4 collection of refuse, solid waste or recyclables; or if the driver
5 is not able to change lanes or if to do so would be unsafe, the
6 driver shall proceed with due caution and reduce the speed of the
7 motor vehicle to a safe speed for the existing road, weather and
8 traffic conditions; and

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

13 SECTION 2. AMENDATORY 47 O.S. 2011, Section 12-227, is
14 amended to read as follows:

15 Section 12-227. A. Any lighted lamp or illuminating device
16 upon a motor vehicle, other than headlamps, spot lamps, auxiliary
17 driving lamps, flashing turn signals, vehicular hazard warning
18 lamps, authorized emergency vehicle lamps, snow removal and
19 construction and maintenance vehicle warning lamps, and school bus
20 and church bus warning lamps, which projects a beam of light of an
21 intensity greater than three hundred (300) candlepower shall be so
22 directed that no part of the high intensity portion of the beam will
23 strike the level of the roadway on which the vehicle stands at a
24 distance of more than seventy-five (75) feet from the vehicle.

1 B. Except as provided in Sections 12-218, 12-218.1, 12-228, and
2 12-229 of this title, no person shall drive or move any vehicle or
3 equipment upon any highway with any lamp or device thereon
4 displaying or capable of displaying a red or blue light visible from
5 directly in front of the center thereof.

6 C. Flashing lights are prohibited except on:

7 1. An authorized emergency vehicle, as provided in Section 12-
8 218 of this title;

9 2. A school bus or a church bus, as provided in Section 12-228
10 of this title;

11 3. Any snow-removal ~~and,~~ construction, and maintenance
12 equipment, as provided in Section 12-229 of this title;

13 4. A wrecker or tow vehicle while at the scene of an emergency
14 or loading or unloading a vehicle in close proximity to traffic as
15 needed for safety precautions or as a means of indicating the
16 presence of a vehicular traffic hazard requiring unusual care in
17 approaching, overtaking or passing, as provided in Section 12-218.1
18 of this title;

19 5. Any vehicle as a means of indicating a right or left turn,
20 as provided in Sections 12-206.1 and 12-606 of this title;

21 6. Any vehicle as a means of indicating the presence of a
22 vehicular traffic hazard requiring unusual care in approaching,
23 overtaking or passing, as provided in Section 12-220 of this title;

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1 7. Any vehicle displaying side marker lamps which flash in
2 conjunction with turn signal lamps or vehicle hazard warning lamps,
3 as provided in Section 12-220 of this title;

4 8. A farm tractor or an implement of husbandry, as provided in
5 Section 12-215 of this title; ~~or~~

6 9. Any vehicle used while performing official duties as a rural
7 or contract route mail carrier of the United States Postal Service,
8 as provided in Section 12-218.2 of this title; or

9 10. Any vehicle being used in the collection of refuse, solid
10 waste or recyclables displaying side marker lamps which flash in
11 conjunction with turn signal lamps or vehicle hazard warning lamps
12 indicating the presence of a vehicular traffic hazard requiring
13 unusual care in approaching, overtaking or passing, as provided in
14 Section 12-220 of this title.

15 D. Blue lights are prohibited except as allowed in Sections 12-
16 218, 12-218.1, and 12-229 of this title.

17 E. Any person violating the provisions of subsection B, C or D
18 of this section shall, upon conviction, be guilty of a misdemeanor
19 punishable by imprisonment in the county jail not exceeding six (6)
20 months, or by a fine not exceeding Two Thousand Dollars (\$2,000.00),
21 or by both such fine and imprisonment.

22 SECTION 3. This act shall become effective November 1, 2016.

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24 55-2-7801 JM 12/16/15