

An Act

ENROLLED HOUSE
BILL NO. 2629

By: Echols of the House

and

Kirt of the Senate

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 11-314, as amended by Section 1, Chapter 114, O.S.L. 2015 (47 O.S. Supp. 2018, Section 11-314), which relates to the approach of stationary authorized vehicles; requiring drivers to proceed with caution upon approach of tow trucks displaying amber flashing lamps; amending 47 O.S. 2011, Section 954, which relates to enforcement; modifying inclusions of prohibited services by an unlicensed operator; providing certain misdemeanor penalty; allowing for certain action by law enforcement; and providing an effective date.

SUBJECT: Motor vehicles

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

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

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

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 driver, the driver shall proceed with due caution and shall, if possible and with due regard to the road, weather, and traffic conditions, change lanes into a lane that is not adjacent to the

stationary authorized emergency vehicle, a Department of Transportation maintenance vehicle, a Turnpike Authority maintenance vehicle, or licensed ~~Class-AA~~ wrecker; or if the driver is not able to change lanes or if to do so would be unsafe, the driver shall proceed with due caution and reduce the speed of the motor vehicle to a safe speed for the existing road, weather, and traffic conditions; and

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

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

SECTION 2. AMENDATORY 47 O.S. 2011, Section 954, is amended to read as follows:

Section 954. A. The Department of Public Safety shall be charged with the duty of enforcing the provisions of Section 951 et seq. of this title for licensed wreckers and towing services operating in this state.

B. Duly appointed peace officers of the political subdivisions of this state shall have authority to detain and arrest any person operating a wrecker or tow truck or offering towing services to the public for a charge without a valid license issued pursuant to the provisions of Section 951 et seq. of this title. Such officers, upon reasonable belief that any wrecker or tow truck is being operated without proper authority or without a valid license issued pursuant to Section 951 et seq. of this title, shall be authorized to require the operator thereof to stop and exhibit such documentation as may be required to establish his or her authority to tow or transport another vehicle or to prove possession of a valid wrecker or tow service license issued in this state. Any person convicted of operating a wrecker or tow truck or offering towing services to the public for a charge in this state without a license shall be guilty of a misdemeanor and punished as provided in Section 958 of this title with a fine of One Thousand Dollars

(\$1,000.00). Law enforcement shall impound the tow truck being used in violation of this section.

SECTION 3. This act shall become effective November 1, 2019.

Passed the House of Representatives the 8th day of May, 2019.

Presiding Officer of the House
of Representatives

Passed the Senate the 24th day of April, 2019.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____