

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 HOUSE BILL 2752

By: Miller of the House

5 and

6 **Alvord** of the Senate

7  
8 AS INTRODUCED

9 An Act relating to transportation; amending 47 O.S.  
10 2021, Sections 1-159, which relates to safety zone;  
11 modifying definition; 47 O.S. 2021, Section 11-203,  
12 which relates to pedestrian-control signals;  
13 modifying actions for pedestrians when presented  
14 certain instructions; amending 47 O.S. 2021, Section  
15 11-308, which relates to one-way roadways and rotary  
16 traffic island; modifying name of responsible entity;  
17 requiring certain traffic move in certain manner;  
18 amending 47 O.S. 2021, Section 11-309, which relates  
19 to additional rules for driving on roadways laned for  
20 traffic; modifying requirements for vehicles driven  
21 on multi-laned roadways; amending 47 O.S. 2021,  
22 Section 11-803, which relates to when local  
23 authorities may and shall alter maximum limits;  
24 modifying description of certain streets and  
highways; and providing an effective date.

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

20 SECTION 1. AMENDATORY 47 O.S. 2021, Section 1-159, is  
21 amended to read as follows:

22 Section 1-159. The area or space officially set apart within a  
23 roadway for the exclusive use of pedestrians and which is protected  
24 or is so marked or indicated by adequate signs as to be plainly

1 visible at all times while set apart as a ~~safety zone~~ pedestrian  
2 refuge.

3 SECTION 2. AMENDATORY 47 O.S. 2021, Section 11-203, is  
4 amended to read as follows:

5 Section 11-203. Whenever special pedestrian-control signals  
6 exhibiting the words "Walk" ~~or "Wait"~~ or "Don't Walk", or WALKING  
7 PERSON or UPRAISED HAND symbols are in place, such signals shall  
8 indicate as follows:

9 1. Steady Walk or steady WALKING PERSON. Pedestrians facing  
10 such signal may ~~proceed across~~ start to cross the roadway in the  
11 direction of the signal after yielding right-of-way to vehicles  
12 lawfully within the intersection at the time the signal indications  
13 begins, and shall be given the right of way in the direction of the  
14 signal by the drivers of all vehicles.

15 2. ~~Wait or~~ Flashing Don't Walk or flashing UPRAISED HAND. No  
16 pedestrian shall start to cross the roadway in the direction of such  
17 signal, but any pedestrian who has partially completed his or her  
18 crossing on the walk signal shall proceed to a sidewalk or ~~safety~~  
19 ~~island~~ pedestrian refuge while the ~~wait~~ steady Don't Walk or  
20 UPRAISED HAND signal is showing.

21 3. Steady Don't Walk or steady UPRAISED HAND. No pedestrian  
22 shall enter the roadway in the direction of the signal indication.

23 SECTION 3. AMENDATORY 47 O.S. 2021, Section 11-308, is  
24 amended to read as follows:

1 Section 11-308. (a) The State ~~Highway~~ Transportation Commission  
2 or local authorities, within their respective jurisdictions, may  
3 designate any street or highway or any separate roadway under their  
4 respective jurisdictions for one-way traffic and shall erect  
5 appropriate signs giving notice thereof.

6 (b) Upon a roadway designated and signposted for one-way traffic  
7 a vehicle shall be driven only in the direction designated.

8 (c) A vehicle passing around ~~a rotary traffic~~ the central island  
9 of a circular intersection shall be driven ~~only to the right of~~  
10 counterclockwise around such islands.

11 SECTION 4. AMENDATORY 47 O.S. 2021, Section 11-309, is  
12 amended to read as follows:

13 Section 11-309. Whenever any roadway has been divided into two  
14 or more clearly marked lanes for traffic, the following requirements  
15 in addition to all others consistent herewith shall apply.

16 1. A vehicle shall be driven as nearly as practicable entirely  
17 within a single lane.

18 2. A vehicle shall not be moved from the lane until the driver  
19 has first ascertained that the movement can be made with safety and  
20 then given a signal, not less than the last one hundred (100) feet  
21 traveled by the vehicle, of his or her intention to change lanes.

22 3. ~~Upon a roadway which is divided into three lanes, a vehicle~~  
23 ~~shall not be driven in the center lane except when overtaking and~~  
24 ~~passing another vehicle where the roadway is clearly visible and the~~

1 ~~center lane is clear of traffic within a safe distance, or in~~  
2 ~~preparation for a left turn or where the center lane is at the time~~  
3 ~~allocated exclusively to traffic moving in the direction the vehicle~~  
4 ~~is proceeding and is signposted to give notice of the allocation.~~

5 4. A two-way left-turn lane is a lane near the center of the  
6 highway set aside for use by vehicles making left turns in both  
7 directions from or into the roadway. Two-way left-turn lanes shall  
8 be designated by distinctive roadway markings consisting of parallel  
9 double yellow lines, interior line dashed and exterior line solid,  
10 on each side of the lane. A vehicle shall not be driven in a  
11 designated two-way left-turn lane except when preparing for or  
12 making a left turn from or into a roadway. Vehicles turning left  
13 from the roadway shall not be driven in the two-way left-turn lane  
14 for more than two hundred (200) feet while preparing for and making  
15 the turn. A vehicle turning left onto the roadway may utilize the  
16 two-way left-turn lane as a staging area by stopping and waiting for  
17 traffic proceeding in the same direction to clear before merging  
18 into the adjacent lanes of travel. A left turn shall not be made  
19 from any other lane where a two-way left-turn lane has been  
20 designated. Provided, however, this section shall not prohibit  
21 driving across a two-way left-turn lane when moving from a service  
22 drive onto such marked roadway.

23 ~~5.~~ 4. A vehicle shall not be driven in the left lane of a  
24 roadway except when overtaking and passing another vehicle;

1 provided, however, this paragraph shall not prohibit driving in the  
2 left lane when traffic conditions, flow or road configuration, such  
3 as the potential of merging traffic, require the use of the left  
4 lane to maintain safe traffic conditions; provided further, this  
5 paragraph shall not prohibit driving in the left lane of a roadway  
6 within the city limits of a municipality or upon a county road as  
7 long as such roadway is not part of the National System of  
8 Interstate and Defense Highways or a turnpike.

9 ~~6.~~ 5. Official signs may be erected directing slow-moving  
10 traffic to use a designated lane or designating those lanes to be  
11 used by traffic moving in a particular direction regardless of the  
12 center of the roadway, and drivers of vehicles shall obey the  
13 directions of every such sign.

14 Any person convicted of violating any provision of this section  
15 shall be punished as provided for in Section 17-101 of this title.

16 SECTION 5. AMENDATORY 47 O.S. 2021, Section 11-803, is  
17 amended to read as follows:

18 Section 11-803. A. Whenever local authorities in their  
19 respective jurisdictions determine on the basis of an engineering  
20 and traffic investigation that the maximum speed permitted under  
21 this article is greater or less than is reasonable and safe under  
22 the conditions found to exist upon a highway or part of a highway,  
23 the local authority may determine and declare a reasonable and safe  
24 maximum limit thereon which:

- 1 1. Decreases the limit at intersections; or
- 2 2. Increases the limit within an urban district, but not to
- 3 more than sixty-five (65) miles per hour; or
- 4 3. Decreases the limit outside an urban district, but not to
- 5 less than thirty (30) miles per hour.

6 B. Local authorities in their respective jurisdictions shall  
7 determine by an engineering and traffic investigation the proper  
8 maximum speed for all arterial streets and shall declare a  
9 reasonable and safe maximum limit thereon which may be greater or  
10 less than the maximum speed permitted under Section 1-101 et seq. of  
11 this title for an urban district.

12 C. Any altered limit established as hereinabove authorized  
13 shall be effective at all times or during hours of darkness or at  
14 other times as may be determined when appropriate signs giving  
15 notice thereof are erected upon such street or highway.

16 D. As to streets and highways within the corporate limits which  
17 ~~have been constructed or reconstructed with state or federal funds~~  
18 are maintained by the Oklahoma Department of Transportation, local  
19 authorities shall have joint authority with the Transportation  
20 Commission to establish or alter speed limits; provided, however,  
21 the speed limit on an interstate highway within such corporate  
22 limits shall not be decreased to less than sixty (60) miles per  
23 hour; and provided further, that no local authority shall impose  
24 speed limits on any such street or highway substantially lower than

1 those justified by the highway design, capacity, and traffic volume  
2 as determined by engineering studies.

3 E. Not more than six such alterations as hereinabove authorized  
4 shall be made per mile along a street or highway except in the case  
5 of reduced limits at intersections, and the difference between  
6 adjacent limits shall not be more than ten (10) miles per hour.

7 SECTION 6. AMENDATORY 69 O.S. 2021, Section 241, is  
8 amended to read as follows:

9 Section 241. The portion of the roadway contiguous with the  
10 traveled way for accommodation of stopped vehicles, for emergency  
11 use, for travel under certain conditions, and for lateral support of  
12 base and surface courses.

13 SECTION 7. AMENDATORY 69 O.S. 2021, Section 242, is  
14 amended to read as follows:

15 Section 242. The system of state roads designated by the State  
16 ~~Highway~~ Transportation Commission, including necessary urban  
17 extension, the responsibility for which is lodged in the Oklahoma  
18 Department of ~~Highways~~ Transportation.

19 SECTION 8. AMENDATORY 69 O.S. 2021, Section 301, is  
20 amended to read as follows:

21 Section 301. (a) There is hereby created a an Oklahoma  
22 Department of ~~Highways~~ Transportation and a State ~~Highway~~  
23 Transportation Commission in and for the State of Oklahoma, pursuant  
24 to the provisions of Section 1, Article ~~16~~ XVI, of the Constitution

1 of the State of Oklahoma, and such department shall be governed by  
2 the ~~State Highway~~ Director of the Oklahoma Department of  
3 Transportation, provided for by Section 305 of this Code, under such  
4 reasonable rules, regulations and policies and road improvement  
5 programs as may be prescribed by the Commission. Such rules and  
6 regulations and amendments thereto as adopted by the Commission  
7 shall be filed and recorded in the office of the Secretary of State.

8 (b) The Department and the Commission created by the preceding  
9 paragraph and the ~~State Highway~~ Director of the Oklahoma Department  
10 of Transportation provided for by Section 305 of this Code shall be  
11 the legal successors of, and unless and except as otherwise provided  
12 by this Code shall also have the powers and duties vested by other  
13 laws in, and shall take immediate charge of all equipment, supplies  
14 and property now in the possession of, the Department, Commission  
15 and Director, respectively, created and provided for by 69 O.S.  
16 1961, Sections 20.1 and 20.6, as amended, and shall be liable for  
17 their respective obligations.

18 SECTION 9. This act shall become effective November 1, 2023.

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20 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 02/14/2023 -  
21 DO PASS, As Coauthored.

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