

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 89

By: Howard of the Senate

and

Ortega of the House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to motor vehicles; amending 47 O.S.
12 2011, Section 11-314, as amended by Section 1,
13 Chapter 114, O.S.L. 2015 (47 O.S. Supp. 2018, Section
14 11-314), which relates to approaching a stationary
15 vehicle on a roadway; expanding scope of stationary
16 vehicles on roadways that require exercise of due
17 caution upon approach; and providing an effective
18 date.

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

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

23 Section 11-314. A. The driver of a motor vehicle, upon
24 approaching a stationary authorized emergency vehicle, a Department
of Transportation maintenance vehicle, a Turnpike Authority
maintenance vehicle, a stationary vehicle that is displaying

1 flashing lights or a licensed Class AA wrecker that is displaying a
2 flashing combination red or blue light or any combination of red or
3 blue lights, shall:

4 1. If traveling on a highway that consists of two or more lanes
5 that carry traffic in the same direction of travel as that of the
6 driver, the driver shall proceed with due caution and shall, if
7 possible and with due regard to the road, weather, and traffic
8 conditions, change lanes into a lane that is not adjacent to the
9 stationary authorized emergency vehicle, a Department of
10 Transportation maintenance vehicle, a Turnpike Authority maintenance
11 vehicle, or licensed Class AA wrecker; or if the driver is not able
12 to change lanes or if to do so would be unsafe, the driver shall
13 proceed with due caution and reduce the speed of the motor vehicle
14 to a safe speed for the existing road, weather, and traffic
15 conditions; and

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

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

3 SECTION 2. This act shall become effective November 1, 2019.
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5 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 04/04/2019 -
6 DO PASS, As Amended.
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