

1 **SENATE FLOOR VERSION**

2 February 27, 2019

3 **AS AMENDED**

4 SENATE BILL NO. 89

By: Howard of the Senate

and

Ortega of the House

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8 **[motor vehicles - stationary vehicle on a roadway -
9 effective date]**

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

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

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

21 1. If traveling on a highway that consists of two or more lanes
22 that carry traffic in the same direction of travel as that of the
23 driver, the driver shall proceed with due caution and shall, if
24 possible and with due regard to the road, weather, and traffic

1 conditions, change lanes into a lane that is not adjacent to the
2 stationary authorized emergency vehicle, a Department of
3 Transportation maintenance vehicle, a Turnpike Authority maintenance
4 vehicle, or licensed Class AA wrecker; or if the driver is not able
5 to change lanes or if to do so would be unsafe, the driver shall
6 proceed with due caution and reduce the speed of the motor vehicle
7 to a safe speed for the existing road, weather, and traffic
8 conditions; and

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

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

19 C. A driver of a motor vehicle, upon approaching a stationary
20 vehicle that is displaying flashing lights, shall proceed with due
21 caution and shall, if possible and with due regard to the road,
22 weather, and traffic conditions, change lanes into a lane that is
23 not adjacent to the stationary vehicle; or if the driver is not able
24 to change lanes or if to do so would be unsafe, the driver shall

1 proceed with due caution and reduce the speed of the motor vehicle
2 to a safe speed for the existing road, weather, and traffic
3 conditions.

4 SECTION 2. This act shall become effective November 1, 2019.

5 COMMITTEE REPORT BY: COMMITTEE ON RULES
6 February 27, 2019 - DO PASS AS AMENDED
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