

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 HOUSE BILL 1770

By: Dobrinski and Fugate of the  
House

6 and

7 Weaver and Stephens of the  
8 Senate

9 COMMITTEE SUBSTITUTE

10 An Act relating to public safety; defining terms;  
11 providing certain exceptions for bicyclists at  
12 traffic-control devices; prohibiting certain action;  
13 providing for misdemeanor offense; amending 47 O.S.  
14 2011, Section 11-202, as amended by Section 1,  
15 Chapter 62, O.S.L. 2019 (47 O.S. Supp. 2020, Section  
16 11-202), which relates to traffic-control signals;  
17 modifying certain exceptions; amending 47 O.S. 2011,  
18 Section 11-606, which relates to arm and hand  
19 signals; allowing bicyclists to make certain signals;  
20 amending 47 O.S. 2011, Section 12-401, which relates  
21 to horn and warning devices; prohibiting certain uses  
22 of motor vehicle horns; providing for codification;  
23 and providing an effective date.  
24

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

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 11-202.1 of Title 47, unless  
there is created a duplication in numbering, reads as follows:

A. For the purposes of this section:

1        1. "Bicycle" means a device as defined in subsection A of  
2 Section 1-104 of Title 47 of the Oklahoma Statutes; and

3        2. "Immediate hazard" means a vehicle approaching a person  
4 operating a bicycle at a proximity and rate of speed sufficient to  
5 indicate to a reasonably careful person that there is a danger of  
6 collision or accident.

7        B. 1. A person operating a bicycle approaching a stop sign  
8 shall:

9            a. slow down,

10           b. if required to avoid an immediate hazard, stop at the  
11 stop sign before entering the intersection, and

12           c. cautiously enter the intersection and yield the right-  
13 of-way to pedestrians lawfully within an adjacent  
14 crosswalk and to other traffic lawfully using the  
15 intersection.

16        2. If a person operating a bicycle determines there is no  
17 immediate hazard, he or she may cautiously make a right or left  
18 turn, or proceed through the intersection without stopping at the  
19 stop sign.

20        C. 1. A person operating a bicycle approaching a steady red  
21 traffic-control signal shall:

22            a. make a complete stop at the steady red traffic-control  
23 signal before entering the intersection, and

24

1           b.   yield the right-of-way to all oncoming traffic that  
2               constitutes an immediate hazard during the time that  
3               he or she is moving across or within the intersection.

4           2.   If a person operating a bicycle determines there is no  
5 immediate hazard, he or she may proceed through the steady red  
6 traffic-control signal with caution.

7           3.   A person operating a bicycle may make a:

8           a.   right-hand turn at a steady red traffic-control signal  
9               without stopping after slowing to a reasonable speed  
10              and yielding the right-of-way, if required, to  
11              oncoming traffic that constitutes an immediate hazard,  
12              or

13          b.   left-hand turn onto a one-way street at a steady red  
14              traffic-control signal after stopping and yielding to  
15              oncoming traffic that constitutes an immediate hazard.

16          SECTION 2.       NEW LAW       A new section of law to be codified  
17 in the Oklahoma Statutes as Section 11-1210 of Title 47, unless  
18 there is created a duplication in numbering, reads as follows:

19           It shall be unlawful for any person to maliciously throw an  
20 object at or in the direction of any person riding a bicycle, equine  
21 or animal drawn vehicle. Any person convicted of the provisions of  
22 this section shall be guilty of a misdemeanor punishable by  
23 imprisonment in the county jail for a term of not more than one (1)  
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1 year, or by a fine not to exceed Five Hundred Dollars (\$500.00), or  
2 by both such fine and imprisonment.

3 SECTION 3. AMENDATORY 47 O.S. 2011, Section 11-202, as  
4 amended by Section 1, Chapter 62, O.S.L. 2019 (47 O.S. Supp. 2020,  
5 Section 11-202), is amended to read as follows:

6 Section 11-202. Whenever traffic is controlled by ~~traffic~~  
7 ~~control~~ traffic-control signals exhibiting different colored lights  
8 or colored lighted arrows successively one at a time, or in  
9 combination, only the colors green, red and yellow shall be used,  
10 except for special pedestrian signals carrying a word legend, and  
11 the lights shall indicate and apply to drivers of vehicles and  
12 pedestrians as follows:

13 1. Green indication:

14 a. vehicular traffic facing a circular green signal,  
15 except when prohibited under Section 11-1302 of this  
16 title, may proceed straight through or turn right or  
17 left unless a sign at such place prohibits either such  
18 turn. But vehicular traffic, including vehicles  
19 turning right or left, shall yield the right-of-way to  
20 other vehicles and to pedestrians lawfully within the  
21 intersection or an adjacent crosswalk at the time such  
22 signal is exhibited,

23 b. vehicular traffic facing a green arrow signal, shown  
24 alone or in combination with another indication, may

1 cautiously enter the intersection only to make the  
2 movement indicated by such arrow, or such other  
3 movement as is permitted by other indications shown at  
4 the same time. Such vehicular traffic shall yield the  
5 right-of-way to pedestrians lawfully within an  
6 adjacent crosswalk and to other traffic lawfully using  
7 the intersection, and

- 8 c. unless otherwise directed by a pedestrian-control  
9 signal, as provided in Section 11-203 of this title,  
10 pedestrians facing any green signal, except when the  
11 sole green signal is a turn arrow, may proceed across  
12 the roadway within any marked or unmarked crosswalk;

13 2. Steady yellow indication:

- 14 a. vehicular traffic facing a steady circular yellow or  
15 yellow arrow signal is thereby warned that the related  
16 green movement is being terminated or that a red  
17 indication will be exhibited immediately thereafter,  
18 and
- 19 b. pedestrians facing a steady circular yellow or yellow  
20 arrow signal, unless otherwise directed by a  
21 pedestrian-control signal as provided in Section 11-  
22 203 of this title, are thereby advised that there is  
23 insufficient time to cross the roadway before a red  
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1           indication is shown, and no pedestrian shall then  
2           start to cross the roadway; and

3       3. Steady red indication:

4           a. vehicular traffic facing a steady circular red signal  
5           alone shall stop at a clearly marked stop line, but if  
6           none, before entering the crosswalk on the near side  
7           of the intersection or, if none, then before entering  
8           the intersection and shall remain standing until an  
9           indication to proceed is shown except as provided in  
10          subparagraphs b and d of this paragraph,

11          b. except when a sign is in place prohibiting a turn,  
12          vehicular traffic facing any steady red signal may  
13          cautiously enter the intersection to turn right or to  
14          turn left from a one-way street into a one-way street  
15          after stopping as required by subparagraph a of this  
16          paragraph. Such vehicular traffic shall yield the  
17          right-of-way to pedestrians lawfully within an  
18          adjacent crosswalk and to other traffic lawfully using  
19          the intersection,

20          c. in order to prohibit right turns or left turns as  
21          prescribed in subparagraph b of this paragraph, on the  
22          red signal after the required stop, a municipality  
23          must erect clear, concise signs informing drivers that  
24          such turns are prohibited. The Highway Department

1 shall specify the design of the sign to be used for  
2 this purpose, and it shall be used uniformly  
3 throughout the state,

4 d. notwithstanding any other provision of law, the driver  
5 of a motorcycle ~~or bicycle~~ facing any steady red  
6 signal may cautiously proceed through the intersection  
7 only if:

8 (1) the motorcycle ~~or bicycle~~ has been brought to a  
9 complete stop as required by subparagraph a of  
10 this paragraph,

11 (2) the ~~traffic control~~ traffic-control signal is  
12 programmed or engineered to change to a green  
13 signal only after detecting the approach of a  
14 motor vehicle and has failed to detect the  
15 arrival of the motorcycle ~~or bicycle~~ because of  
16 its size or weight, and

17 (3) no motor vehicle or person is approaching on the  
18 roadway to be crossed or entered, or the motor  
19 vehicle or person is at a distance from the  
20 intersection that does not constitute an  
21 immediate hazard.

22 The driver of any vehicle approaching the  
23 intersection, which lawfully may enter the  
24 intersection, shall have the right-of-way over any

1 motorcycle ~~or bicycle~~ operator proceeding through a  
2 red light and, in no event where an accident results  
3 from the driver of the motorcycle ~~or bicycle~~  
4 proceeding into the intersection on a red light, shall  
5 such driver of the vehicle be charged with any  
6 violation pursuant to Sections 11-401 and 11-403 of  
7 this title relating to failure to yield right-of-way,  
8 Section 11-310 of this title relating to following too  
9 closely, or Section 11-801 of this title relating to  
10 driving too fast for conditions, and

- 11 e. unless otherwise directed by a pedestrian-control  
12 signal as provided in Section 11-203 of this title,  
13 pedestrians facing a steady circular red signal alone  
14 shall not enter the roadway.

15 In the event an official traffic-control signal is erected and  
16 maintained at a place other than an intersection, the provisions of  
17 this section shall be applicable except as to those provisions which  
18 by their nature can have no application. Any stop required shall be  
19 made at a sign or marking on the pavement indicating where the stop  
20 shall be made, but in the absence of any such sign or marking the  
21 stop shall be made at the signal.

22 SECTION 4. AMENDATORY 47 O.S. 2011, Section 11-606, is  
23 amended to read as follows:  
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1 Section 11-606. All signals herein required given by hand and  
2 arm shall be given from the left side of the vehicle in the  
3 following manner and such signals shall indicate as follows:

4 1. Left turn. Hand and arm extended horizontally~~;~~;

5 2. Right turn. Hand and arm extended upward. A person  
6 operating a bicycle may extend his or her right hand and arm  
7 horizontally to his or her right; and

8 3. Stop or decrease speed. Hand and arm extended downward. A  
9 person operating a bicycle may extend his or her right hand and arm  
10 downward to his or her right side.

11 SECTION 5. AMENDATORY 47 O.S. 2011, Section 12-401, is  
12 amended to read as follows:

13 Section 12-401. A. Every motor vehicle when operated upon a  
14 highway shall be equipped with a horn in good working order and  
15 capable of emitting sound audible under normal conditions from a  
16 distance of not less than two hundred (200) feet, but no horn or  
17 other warning device shall emit an unreasonably loud or harsh sound.  
18 The driver of a motor vehicle shall, when reasonably necessary to  
19 ~~insure~~ ensure safe operation, give audible warning with a horn but  
20 shall not otherwise use such horn when upon a highway. No driver of  
21 any vehicle shall use a horn when passing a person riding a bicycle,  
22 equine or animal-drawn vehicle under normal conditions if no  
23 imminent danger of a collision exists.

1 B. No vehicle shall be equipped with nor shall any person use  
2 upon a vehicle any siren, except as otherwise permitted in  
3 subsection D of this section.

4 C. Any vehicle may be equipped with a theft alarm signal device  
5 which is so arranged that it cannot be used by the driver as an  
6 ordinary warning signal. A theft alarm signal device shall not use  
7 a siren, as described in subsection D of this section.

8 D. Every authorized emergency vehicle shall, in addition to any  
9 other equipment and distinctive markings required by this title, be  
10 equipped with a siren, or similar device, capable of emitting sound  
11 audible under normal conditions from a distance of not less than  
12 five hundred (500) feet and of a type approved by the Department of  
13 Public Safety, but such siren shall not be used except when such  
14 vehicle is operated in response to an emergency call or in the  
15 immediate pursuit of an actual or suspected violator of the law, in  
16 which said latter events the driver of such vehicle shall sound said  
17 siren when reasonably necessary to warn pedestrians and other  
18 drivers of the approach thereof.

19 E. It shall be unlawful for any person to use a device capable  
20 of producing auditory warning signals similar to that on an  
21 authorized emergency vehicle or to use audible signal equipment from  
22 a motor vehicle for the purpose of causing any other motor vehicle  
23 operator to yield right-of-way and stop, or which actually causes  
24 any other motor vehicle operator to yield the right-of-way and stop,

1 whether intended or not. The provisions of this subsection shall  
2 not apply to the operators of authorized emergency vehicles.

3 SECTION 6. This act shall become effective November 1, 2021.

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