

1 ENGROSSED SENATE AMENDMENT  
TO  
2 ENGROSSED HOUSE  
BILL NO. 1770

By: Dobrinski and Fugate of the  
House

4 and

5 Weaver of the Senate

6  
7  
8 [ public safety - exceptions for bicyclists at  
9 traffic-control devices - allowing bicyclists to  
10 make certain signals - effective date ]

11  
12 AUTHOR: Add the following House Coauthor: Kendrix

13 AUTHOR: Add the following Senate Coauthor: Stephens

14 AMENDMENT NO. 1. Page 1, strike the stricken title, enacting clause  
and entire bill and insert

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

1  
2 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

6 A. For the purposes of this section:

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

9 2. "Immediate hazard" means a vehicle approaching a person  
10 operating a bicycle at a proximity and rate of speed sufficient to  
11 indicate to a reasonably careful person that there is a danger of  
12 collision or accident.

13 B. 1. A person operating a bicycle approaching a stop sign  
14 shall:

15 a. slow down,

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

18 c. cautiously enter the intersection and yield the right-  
19 of-way to pedestrians lawfully within an adjacent  
20 crosswalk and to other traffic lawfully using the  
21 intersection.

22 2. If a person operating a bicycle determines there is no  
23 immediate hazard, he or she may cautiously make a right or left  
24

1 turn, or proceed through the intersection without stopping at the  
2 stop sign.

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

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

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

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

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

14 a. right-hand turn at a steady red traffic-control signal  
15 without stopping after slowing to a reasonable speed  
16 and yielding the right-of-way, if required, to  
17 oncoming traffic that constitutes an immediate hazard,  
18 or

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

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

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

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

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

18 1. Green indication:

19 a. vehicular traffic facing a circular green signal,  
20 except when prohibited under Section 11-1302 of this  
21 title, may proceed straight through or turn right or  
22 left unless a sign at such place prohibits either such  
23 turn. But vehicular traffic, including vehicles  
24 turning right or left, shall yield the right-of-way to

1 other vehicles and to pedestrians lawfully within the  
2 intersection or an adjacent crosswalk at the time such  
3 signal is exhibited,

4 b. vehicular traffic facing a green arrow signal, shown  
5 alone or in combination with another indication, may  
6 cautiously enter the intersection only to make the  
7 movement indicated by such arrow, or such other  
8 movement as is permitted by other indications shown at  
9 the same time. Such vehicular traffic shall yield the  
10 right-of-way to pedestrians lawfully within an  
11 adjacent crosswalk and to other traffic lawfully using  
12 the intersection, and

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

18 2. Steady yellow indication:

19 a. vehicular traffic facing a steady circular yellow or  
20 yellow arrow signal is thereby warned that the related  
21 green movement is being terminated or that a red  
22 indication will be exhibited immediately thereafter,  
23 and

24

1           b. pedestrians facing a steady circular yellow or yellow  
2           arrow signal, unless otherwise directed by a  
3           pedestrian-control signal as provided in Section 11-  
4           203 of this title, are thereby advised that there is  
5           insufficient time to cross the roadway before a red  
6           indication is shown, and no pedestrian shall then  
7           start to cross the roadway; and

8       3. Steady red indication:

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

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

1 c. in order to prohibit right turns or left turns as  
2 prescribed in subparagraph b of this paragraph, on the  
3 red signal after the required stop, a municipality  
4 must erect clear, concise signs informing drivers that  
5 such turns are prohibited. The Highway Department  
6 shall specify the design of the sign to be used for  
7 this purpose, and it shall be used uniformly  
8 throughout the state,

9 d. notwithstanding any other provision of law, the driver  
10 of a motorcycle ~~or bicycle~~ facing any steady red  
11 signal may cautiously proceed through the intersection  
12 only if:

13 (1) the motorcycle ~~or bicycle~~ has been brought to a  
14 complete stop as required by subparagraph a of  
15 this paragraph,

16 (2) the ~~traffic control~~ traffic-control signal is  
17 programmed or engineered to change to a green  
18 signal only after detecting the approach of a  
19 motor vehicle and has failed to detect the  
20 arrival of the motorcycle ~~or bicycle~~ because of  
21 its size or weight, and

22 (3) no motor vehicle or person is approaching on the  
23 roadway to be crossed or entered, or the motor  
24 vehicle or person is at a distance from the

1 intersection that does not constitute an  
2 immediate hazard.

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

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

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



1 shall be made, but in the absence of any such sign or marking the  
2 stop shall be made at the signal.

3 SECTION 4. AMENDATORY 47 O.S. 2011, Section 11-606, is  
4 amended to read as follows:

5 Section 11-606. All signals herein required given by hand and  
6 arm shall be given from the left side of the vehicle in the  
7 following manner and such signals shall indicate as follows:

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

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

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

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

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

1 any vehicle shall use a horn when passing a person riding a bicycle,  
2 equine or animal-drawn vehicle under normal conditions if no  
3 imminent danger of a collision exists.

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

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

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

22 E. It shall be unlawful for any person to use a device capable  
23 of producing auditory warning signals similar to that on an  
24 authorized emergency vehicle or to use audible signal equipment from



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2 BILL NO. 1770

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7 [ public safety - exceptions for bicyclists at  
8 traffic-control devices - allowing bicyclists to  
9 make certain signals - effective date ]  
10  
11  
12

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

14 SECTION 7. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 11-202.1 of Title 47, unless  
16 there is created a duplication in numbering, reads as follows:

17 A. For the purposes of this section:

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

20 2. "Immediate hazard" means a vehicle approaching a person  
21 operating a bicycle at a proximity and rate of speed sufficient to  
22 indicate to a reasonably careful person that there is a danger of  
23 collision or accident.  
24

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

3 a. slow down,

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

6 c. cautiously enter the intersection and yield the right-  
7 of-way to pedestrians lawfully within an adjacent  
8 crosswalk and to other traffic lawfully using the  
9 intersection.

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

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

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

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

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

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

- 1 a. right-hand turn at a steady red traffic-control signal  
2 without stopping after slowing to a reasonable speed  
3 and yielding the right-of-way, if required, to  
4 oncoming traffic that constitutes an immediate hazard,  
5 or  
6 b. left-hand turn onto a one-way street at a steady red  
7 traffic-control signal after stopping and yielding to  
8 oncoming traffic that constitutes an immediate hazard.

9 SECTION 8. AMENDATORY 47 O.S. 2011, Section 11-202, as  
10 amended by Section 1, Chapter 62, O.S.L. 2019 (47 O.S. Supp. 2020,  
11 Section 11-202), is amended to read as follows:

12 Section 11-202. Whenever traffic is controlled by traffic\_  
13 control signals exhibiting different colored lights or colored  
14 lighted arrows successively one at a time, or in combination, only  
15 the colors green, red and yellow shall be used, except for special  
16 pedestrian signals carrying a word legend, and the lights shall  
17 indicate and apply to drivers of vehicles and pedestrians as  
18 follows:

19 1. Green indication:

- 20 a. vehicular traffic facing a circular green signal,  
21 except when prohibited under Section 11-1302 of this  
22 title, may proceed straight through or turn right or  
23 left unless a sign at such place prohibits either such  
24 turn. But vehicular traffic, including vehicles

1 turning right or left, shall yield the right-of-way to  
2 other vehicles and to pedestrians lawfully within the  
3 intersection or an adjacent crosswalk at the time such  
4 signal is exhibited,

5 b. vehicular traffic facing a green arrow signal, shown  
6 alone or in combination with another indication, may  
7 cautiously enter the intersection only to make the  
8 movement indicated by such arrow, or such other  
9 movement as is permitted by other indications shown at  
10 the same time. Such vehicular traffic shall yield the  
11 right-of-way to pedestrians lawfully within an  
12 adjacent crosswalk and to other traffic lawfully using  
13 the intersection, and

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

19 2. Steady yellow indication:

20 a. vehicular traffic facing a steady circular yellow or  
21 yellow arrow signal is thereby warned that the related  
22 green movement is being terminated or that a red  
23 indication will be exhibited immediately thereafter,  
24 and

1           b. pedestrians facing a steady circular yellow or yellow  
2           arrow signal, unless otherwise directed by a  
3           pedestrian-control signal as provided in Section 11-  
4           203 of this title, are thereby advised that there is  
5           insufficient time to cross the roadway before a red  
6           indication is shown, and no pedestrian shall then  
7           start to cross the roadway; and

8       3. Steady red indication:

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

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



1 c. in order to prohibit right turns or left turns as  
2 prescribed in subparagraph b of this paragraph, on the  
3 red signal after the required stop, a municipality  
4 must erect clear, concise signs informing drivers that  
5 such turns are prohibited. The Highway Department  
6 shall specify the design of the sign to be used for  
7 this purpose, and it shall be used uniformly  
8 throughout the state,

9 d. notwithstanding any other provision of law, the driver  
10 of a motorcycle ~~or bicycle~~ facing any steady red  
11 signal may cautiously proceed through the intersection  
12 only if:

13 (1) the motorcycle ~~or bicycle~~ has been brought to a  
14 complete stop as required by subparagraph a of  
15 this paragraph,

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

21 (3) no motor vehicle or person is approaching on the  
22 roadway to be crossed or entered, or the motor  
23 vehicle or person is at a distance from the  
24

1 intersection that does not constitute an  
2 immediate hazard.

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

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

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

1 shall be made, but in the absence of any such sign or marking the  
2 stop shall be made at the signal.

3 SECTION 9. AMENDATORY 47 O.S. 2011, Section 11-606, is  
4 amended to read as follows:

5 Section 11-606. All signals herein required given by hand and  
6 arm shall be given from the left side of the vehicle in the  
7 following manner and such signals shall indicate as follows:

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

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

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

15 SECTION 10. AMENDATORY 47 O.S. 2011, Section 11-901, is  
16 amended to read as follows:

17 Section 11-901. A. It shall be deemed reckless driving for any  
18 person to drive a motor vehicle in a careless or wanton manner  
19 without regard for the safety of persons or property or in violation  
20 of the conditions outlined in Section 11-801 of this title.

21 B. It shall be deemed reckless driving for any person driving a  
22 motor vehicle to harass, taunt or maliciously throw an object at or  
23 in the direction of any person riding a bicycle, equine or animal-  
24 drawn vehicle.

1        C. Every person convicted of reckless driving shall be punished  
2 upon a first conviction by imprisonment for a period of not less  
3 than five (5) days nor more than ninety (90) days, or by a fine of  
4 not less than One Hundred Dollars (\$100.00) nor more than Five  
5 Hundred Dollars (\$500.00), or by both such fine and imprisonment; on  
6 a second or subsequent conviction, punishment shall be imprisonment  
7 for not less than ten (10) days nor more than six (6) months, or by  
8 a fine of not less than One Hundred Fifty Dollars (\$150.00) nor more  
9 than One Thousand Dollars (\$1,000.00), or by both such fine and  
10 imprisonment.

11        SECTION 11.        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.

24

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 12. This act shall become effective November 1, 2021.

4 Passed the House of Representatives the 11th day of March, 2021.

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\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

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Passed the Senate the \_\_\_ day of \_\_\_\_\_, 2021.

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Presiding Officer of the Senate

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