

# An Act

ENROLLED HOUSE  
BILL NO. 1770

By: Dobrinski, Fugate and  
Kendrix of the House

and

Weaver and Stephens of the  
Senate

An Act relating to public safety; defining terms; providing certain exceptions for bicyclists at traffic-control devices; prohibiting certain action; providing for misdemeanor offense; amending 47 O.S. 2011, Section 11-202, as amended by Section 1, Chapter 62, O.S.L. 2019 (47 O.S. Supp. 2020, Section 11-202), which relates to traffic-control signals; modifying certain exceptions; amending 47 O.S. 2011, Section 11-606, which relates to arm and hand signals; allowing bicyclists to make certain signals; 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.

SUBJECT: Public safety

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

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

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

- a. slow down,
- b. if required to avoid an immediate hazard, stop at the stop sign before entering the intersection, and
- c. cautiously enter the intersection and yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

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

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

- a. make a complete stop at the steady red traffic-control signal before entering the intersection, and
- b. yield the right-of-way to all oncoming traffic that constitutes an immediate hazard during the time that he or she is moving across or within the intersection.

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

3. A person operating a bicycle may make a:

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

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

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

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

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

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

1. Green indication:

- a. vehicular traffic facing a circular green signal, except when prohibited under Section 11-1302 of this title, may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited,
- b. vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at

the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection, and

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

2. Steady yellow indication:

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

3. Steady red indication:

- a. vehicular traffic facing a steady circular red signal alone shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until an indication to proceed is shown except as provided in subparagraphs b and d of this paragraph,
- b. except when a sign is in place prohibiting a turn, vehicular traffic facing any steady red signal may cautiously enter the intersection to turn right or to turn left from a one-way street into a one-way street after stopping as required by subparagraph a of this paragraph. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an

adjacent crosswalk and to other traffic lawfully using the intersection,

- c. in order to prohibit right turns or left turns as prescribed in subparagraph b of this paragraph, on the red signal after the required stop, a municipality must erect clear, concise signs informing drivers that such turns are prohibited. The Highway Department shall specify the design of the sign to be used for this purpose, and it shall be used uniformly throughout the state,
- d. notwithstanding any other provision of law, the driver of a motorcycle ~~or bicycle~~ facing any steady red signal may cautiously proceed through the intersection only if:
  - (1) the motorcycle ~~or bicycle~~ has been brought to a complete stop as required by subparagraph a of this paragraph,
  - (2) the ~~traffic control~~ traffic-control signal is programmed or engineered to change to a green signal only after detecting the approach of a motor vehicle and has failed to detect the arrival of the motorcycle ~~or bicycle~~ because of its size or weight, and
  - (3) no motor vehicle or person is approaching on the roadway to be crossed or entered, or the motor vehicle or person is at a distance from the intersection that does not constitute an immediate hazard.

The driver of any vehicle approaching the intersection, which lawfully may enter the intersection, shall have the right-of-way over any motorcycle ~~or bicycle~~ operator proceeding through a red light and, in no event where an accident results from the driver of the motorcycle ~~or bicycle~~ proceeding into the intersection on a red light, shall such driver of the vehicle be charged with any violation pursuant to Sections 11-401 and 11-403 of this title relating to failure to yield right-of-way, Section 11-310 of this title relating to following too

closely, or Section 11-801 of this title relating to driving too fast for conditions, and

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

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

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

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

1. Left turn. Hand and arm extended horizontally-;

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

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

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

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

equine or animal-drawn vehicle under normal conditions if no imminent danger of a collision exists.

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

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

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

E. It shall be unlawful for any person to use a device capable of producing auditory warning signals similar to that on an authorized emergency vehicle or to use audible signal equipment from a motor vehicle for the purpose of causing any other motor vehicle operator to yield right-of-way and stop, or which actually causes any other motor vehicle operator to yield the right-of-way and stop, whether intended or not. The provisions of this subsection shall not apply to the operators of authorized emergency vehicles.

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

Passed the House of Representatives the 4th day of May, 2021.

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Presiding Officer of the House  
of Representatives

Passed the Senate the 20th day of April, 2021.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_