

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1914

By: Fugate

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.  
8 2021, Section 11-202, which relates to traffic-  
9 control signals; modifying internal statutory  
10 references; establishing conditions under which motor  
11 vehicles may proceed through red traffic signals;  
12 specifying conditions for which motor vehicle  
13 operators may not have a defense for certain  
14 violations; and providing an effective date.

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

16 SECTION 1. AMENDATORY 47 O.S. 2021, Section 11-202, is  
17 amended to read as follows:

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

24 1. Green indication:

1 a. vehicular traffic facing a circular green signal,  
2 except when prohibited under Section 11-1302 of this  
3 title, may proceed straight through or turn right or  
4 left unless a sign at such place prohibits either such  
5 turn. But vehicular traffic, including vehicles  
6 turning right or left, shall yield the right-of-way to  
7 other vehicles and to pedestrians lawfully within the  
8 intersection or an adjacent crosswalk at the time such  
9 signal is exhibited,

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

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

24 2. Steady yellow indication:

1 a. vehicular traffic facing a steady circular yellow or  
2 yellow arrow signal is thereby warned that the related  
3 green movement is being terminated or that a red  
4 indication will be exhibited immediately thereafter,  
5 and

6 b. pedestrians facing a steady circular yellow or yellow  
7 arrow signal, unless otherwise directed by a  
8 pedestrian-control signal as provided in Section 11-  
9 203 of this title, are thereby advised that there is  
10 insufficient time to cross the roadway before a red  
11 indication is shown, and no pedestrian shall then  
12 start to cross the roadway; and

13 3. Steady red indication:

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

21 b. except when a sign is in place prohibiting a turn,  
22 vehicular traffic facing any steady red signal may  
23 cautiously enter the intersection to turn right or to  
24 turn left from a one-way street into a one-way street

1 after stopping as required by subparagraph a of this  
2 paragraph. Such vehicular traffic shall yield the  
3 right-of-way to pedestrians lawfully within an  
4 adjacent crosswalk and to other traffic lawfully using  
5 the intersection,

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

14 d. notwithstanding any other provision of law, the driver  
15 of a motorcycle facing any steady red signal may  
16 cautiously proceed through the intersection only if:

17 (1) the motorcycle has been brought to a complete  
18 stop as required by subparagraph a of this  
19 paragraph,

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

1 (3) no motor vehicle or person is approaching on the  
2 roadway to be crossed or entered, or the motor  
3 vehicle or person is at a distance from the  
4 intersection that does not constitute an  
5 immediate hazard.

6 The driver of any vehicle approaching the  
7 intersection, which lawfully may enter the  
8 intersection, shall have the right-of-way over any  
9 motorcycle operator proceeding through a red light  
10 and, in no event where an accident results from the  
11 driver of the motorcycle proceeding into the  
12 intersection on a red light, shall such driver of the  
13 vehicle be charged with any violation pursuant to  
14 Sections 11-401 and 11-403 of this title relating to  
15 failure to yield right-of-way, Section 11-310 of this  
16 title relating to following too closely, or Section  
17 11-801 of this title relating to driving too fast for  
18 conditions, and

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

23 f. between the hours of 10:00 p.m. to 6:00 a.m., the  
24 driver of a motor vehicle facing any steady red signal

1 may cautiously proceed through the intersection only

2 if:

3 (1) the vehicle has been brought to a complete stop  
4 as required by subparagraph a of this paragraph,  
5 and

6 (2) no motor vehicle or person is approaching on the  
7 roadway to be crossed or entered, or the motor  
8 vehicle or person is at a distance from the  
9 intersection that does not constitute an  
10 immediate hazard.

11 The driver of any vehicle approaching the  
12 intersection, which lawfully may enter the  
13 intersection, shall have the right-of-way over any  
14 motor vehicle operator proceeding through a red light  
15 and, in no event where an accident results from the  
16 driver of the motor vehicle proceeding into the  
17 intersection on a red light, shall such driver of the  
18 vehicle be charged with any violation pursuant to  
19 Sections 11-401 and 11-403 of this title relating to  
20 failure to yield right-of-way, Section 11-310 of this  
21 title relating to following too closely, or Section  
22 11-801 of this title relating to driving too fast for  
23 conditions.

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

8 SECTION 2. This act shall become effective November 1, 2023.

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