

1 ENGROSSED SENATE  
2 BILL NO. 322

By: Stanislawski of the Senate

3 and

4 Sanders of the House

5  
6 An Act relating to motor vehicles; amending 47 O.S.  
7 2011, Sections 11-801 and 11-806, which relate to  
8 speed limitations; authorizing temporary reduced  
9 speed limit by certain signs; providing an effective  
10 date; and declaring an emergency.

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

12 SECTION 1. AMENDATORY 47 O.S. 2011, Section 11-801, is  
13 amended to read as follows:

14 Section 11-801. A. Any person driving a vehicle on a highway  
15 shall drive the same at a careful and prudent speed not greater than  
16 nor less than is reasonable and proper, having due regard to the  
17 traffic, surface and width of the highway and any other conditions  
18 then existing. No person shall drive any vehicle upon a highway at  
19 a speed greater than will permit the driver to bring it to a stop  
20 within the assured clear distance ahead.

21 B. Except when a special hazard exists that requires lower  
22 speed for compliance with subsection A of this section, the limits  
23 specified by law or established as hereinafter authorized shall be  
24 maximum lawful speeds, and no person shall drive a vehicle on a  
highway at a speed in excess of the following maximum limits:

- 1       1. Seventy-five (75) miles per hour in locations comprising:
  - 2           a. the turnpike system, and
  - 3           b. rural segments of the interstate highway system, as
  - 4                may be designated by the Transportation Commission.
  - 5                Provided, however, the Commission shall determine
  - 6                prior to the designation of such segments that the
  - 7                public safety will not be jeopardized;
- 8       2. Seventy (70) miles per hour in locations which are:
  - 9           a. four-lane divided highways including, but not limited
  - 10               to, the interstate highway system, and
  - 11           b. super two-lane highways. As used in this section, a
  - 12               super two-lane highway shall mean any two-lane highway
  - 13               with designated passing lanes, and consisting of paved
  - 14               shoulders not less than eight (8) feet in width;
- 15       3. Sixty-five (65) miles per hour in other locations;
- 16       4. For a school bus, fifty-five (55) miles per hour on paved
- 17       two-lane highways except on multilane divided highways, turnpikes,
- 18       and interstate highways where the maximum shall be sixty-five (65)
- 19       miles per hour;
- 20       5. On any highway outside of a municipality in a properly
- 21       marked school zone, twenty-five (25) miles per hour, provided the
- 22       zone is marked with appropriate warning signs placed in accordance
- 23       with the latest edition of the Manual on Uniform Traffic Control
- 24       Devices. The Department of Transportation may determine on the

1 basis of an engineering and traffic investigation that a speed limit  
2 higher than twenty-five (25) miles per hour may be reasonable and  
3 safe under conditions as they exist upon a highway, and post an  
4 alternative school zone speed limit. The Department shall mark such  
5 school zones, or entrances and exits onto highways by buses or  
6 students, so that the maximum speed provided by this section shall  
7 be established therein. Exits and entrances to controlled-access  
8 highways which are within such school zones shall be marked in the  
9 same manner as other highways. The county commissioners shall mark  
10 such school zones along the county roads so that the maximum speed  
11 provided by this section shall be established therein. The signs  
12 may be either permanent or temporary. The Department shall give  
13 priority over all other signing projects to the foregoing duty to  
14 mark school zones. The Department shall also provide other safety  
15 devices for school zones which are needed in the opinion of the  
16 Department;

17 6. Twenty-five (25) miles per hour or a posted alternative  
18 school zone speed limit through state schools located on the state-  
19 owned land adjoining or outside the limits of a corporate city or  
20 town where a state educational institution is established;

21 7. Thirty-five (35) miles per hour on a highway in any state  
22 park or wildlife refuge. Provided, however, that the provisions of  
23 this paragraph shall not include the State Capitol park area, and no  
24 person shall drive any vehicle at a rate of speed in excess of

1 fifty-five (55) miles per hour on any state or federal designated  
2 highway within such areas; and

3 8. For any vehicle or combination of vehicles with solid rubber  
4 or metal tires, ten (10) miles per hour.

5 The maximum speed limits set forth in this section may be  
6 altered as authorized in Sections 11-802 and 11-803 of this title.

7 C. The Commission is hereby authorized to prescribe maximum and  
8 minimum speeds for all vehicles and any combinations of vehicles  
9 using controlled-access highways. Such regulations shall become  
10 effective after signs have been posted on these highways giving  
11 notice thereof. Such regulations may apply to an entirely  
12 controlled-access highway or to selected sections thereof as may be  
13 designated by the Commission. It shall be a violation of this  
14 section to drive any vehicle at a faster rate of speed than such  
15 prescribed maximum or at a slower rate of speed than such prescribed  
16 minimum. However, all vehicles shall at all times conform to the  
17 limits set forth in subsection A of this section.

18 Copies of such regulations certified as in effect on any  
19 particular date by the Secretary of the Commission shall be accepted  
20 as evidence in any court in this state. Whenever changes have been  
21 made in speed zones, copies of such regulations shall be filed with  
22 the Commissioner of Public Safety.

23 D. The Oklahoma Turnpike Authority is hereby authorized to  
24 prescribe maximum and minimum speeds for trucks, buses and

1 automobiles using turnpikes. The regulation pertaining to  
2 automobiles shall apply to all vehicles not commonly classified as  
3 either trucks or buses. Such regulations shall become effective  
4 only after approval by the Commissioner of Public Safety, and after  
5 signs have been posted on the turnpike giving notice thereof. Such  
6 regulations may apply to an entire turnpike project or to selected  
7 sections thereof as may be designated by the Oklahoma Turnpike  
8 Authority. It shall be a violation of this section to drive a  
9 vehicle at a faster rate of speed than such prescribed maximum speed  
10 or at a slower rate of speed than such prescribed minimum speed.  
11 However, all vehicles shall at all times conform to the requirements  
12 of subsection A of this section.

13 Copies of such regulations, certified as in effect on any  
14 particular date by the Secretary of the Oklahoma Turnpike Authority,  
15 shall be accepted in evidence in any court in this state.

16 E. The driver of every vehicle shall, consistent with the  
17 requirements of subsection A of this section, drive at an  
18 appropriate reduced speed when approaching and crossing an  
19 intersection or railway grade crossing, when approaching and going  
20 around a curve, when approaching a hillcrest, when driving upon any  
21 narrow or winding roadway, and when special hazard exists with  
22 respect to pedestrians or other traffic, or by reason of weather or  
23 highway conditions. The Oklahoma Department of Transportation and  
24 the Oklahoma Turnpike Authority may post, by changeable message sign

1 or other appropriate sign, a temporary reduced speed limit for  
2 maintenance operations or when special hazards with respect to  
3 pedestrians, other traffic, an accident, by reason of weather or  
4 when other hazardous highway conditions exist.

5 F. 1. No person shall drive a vehicle on a county road at a  
6 speed in excess of fifty-five (55) miles per hour unless posted  
7 otherwise by the board of county commissioners, as provided in  
8 subparagraphs a through c of this paragraph, as follows:

9 a. the board of county commissioners may determine, by  
10 resolution, a maximum speed limit which shall apply to  
11 all county roads which are not otherwise posted for  
12 speed,

13 b. the board of county commissioners shall provide public  
14 notice of the speed limit on all nonposted roads by  
15 publication in a newspaper of general circulation in  
16 the county. The notice shall be published once weekly  
17 for a period of four (4) continuous weeks, and

18 c. the board of county commissioners shall forward the  
19 resolution to the Director of the Department and to  
20 the Commissioner of Public Safety.

21 2. The Department shall post speed limit information, as  
22 determined pursuant to the provisions of subparagraphs a through c  
23 of paragraph 1 of this subsection, on the county line marker where  
24 any state highway enters a county and at all off-ramps where

1 interstate highways or turnpikes enter a county. The signs shall  
2 read as follows:

3 ENTERING \_\_\_\_\_ COUNTY  
4 COUNTY ROAD SPEED LIMIT  
5 \_\_\_\_\_ MPH  
6 UNLESS POSTED OTHERWISE

7 The appropriate board of county commissioners shall reimburse  
8 the Department the full cost of the signage required herein.

9 G. Any person convicted of a speeding violation pursuant to  
10 subsection B or F of this section shall be punished by a fine as  
11 follows:

- 12 1. One to ten miles per hour over the limit..... \$10.00
- 13 2. Eleven to fifteen miles per hour over the  
14 limit..... \$20.00
- 15 3. Sixteen to twenty miles per hour over the  
16 limit..... \$35.00
- 17 4. Twenty-one to twenty-five miles per hour over  
18 the limit..... \$75.00
- 19 5. Twenty-six to thirty miles per hour over the  
20 limit..... \$135.00
- 21 6. Thirty-one to thirty-five miles per hour over  
22 the limit..... \$155.00
- 23 7. Thirty-six miles per hour or more over the  
24 limit..... \$205.00

1 or by imprisonment for not more than ten (10) days; for a second  
2 conviction within one (1) year after the first conviction, by  
3 imprisonment for not more than twenty (20) days; and upon a third or  
4 subsequent conviction within one (1) year after the first  
5 conviction, by imprisonment for not more than six (6) months, or by  
6 both such fine and imprisonment.

7 SECTION 2. AMENDATORY 47 O.S. 2011, Section 11-806, is  
8 amended to read as follows:

9 Section 11-806. A. No person shall drive a vehicle over any  
10 bridge or other elevated structure constituting a part of a highway  
11 at a speed which is greater than the maximum speed which can be  
12 maintained with safety to the bridge or structure, when the  
13 structure is signposted as provided in this section.

14 B. The Oklahoma Department of Transportation and local  
15 authorities may conduct an investigation of any bridge or other  
16 elevated structure constituting a part of a highway, and if they  
17 shall thereupon find that the structure cannot, with safety to  
18 itself, withstand vehicles driving at speeds otherwise permissible  
19 under ~~this act~~ Section 1-101 et seq. of this title, they shall  
20 determine and declare the maximum speed of vehicles which the  
21 structure can safely withstand, and may cause and permit suitable  
22 signs stating the maximum speed to be erected and maintained at a  
23 distance of one hundred feet before each end of the structure.

24



1 C. Where any state or federal highway or turnpike shall be  
2 under construction, maintenance, or repair or when a detour shall  
3 have been designated by reason of construction, maintenance, or  
4 repairs in progress and a maximum safe, careful, and prudent speed  
5 shall have been determined by the Oklahoma Department of  
6 Transportation on the highway or highway detour or by the Oklahoma  
7 Transportation Authority on the turnpike or turnpike detour during  
8 the period of the construction, maintenance, or repairs and shall  
9 have plainly posted by changeable message or other appropriate sign  
10 at each terminus thereof and at not less than each half mile along  
11 the route thereof the determined maximum speed, no person shall  
12 drive any vehicle upon the portion of the highway or the highway  
13 detour or upon the portion of the turnpike or the turnpike detour at  
14 a speed in excess of the speed so determined and posted. Violation  
15 of the posted speed limit in the repair, maintenance, or  
16 construction zone shall result in the doubling of the appropriate  
17 fine. For purposes of this section, "repair, maintenance, or  
18 construction zone" means any location where repair, maintenance, or  
19 construction work is actually in progress and workers present.

20 D. The Oklahoma Department of Transportation and the Oklahoma  
21 Turnpike Authority may post, by changeable message sign or other  
22 appropriate sign, a temporary reduced speed limit for special  
23 hazards with respect to pedestrians, other traffic, an accident, by  
24 reason of weather or when other hazardous highway conditions exist.

