

Driver Removal Law

OS Title 47, Chpt11,

Article 10,

Section 11-1001

A. 1. Upon any highway outside of a business or residence district no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the paved or main-traveled part of the highway when it is practicable to stop, park or so leave such vehicle off such part of said highway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicles shall be available from a distance of four hundred (400) feet in each direction upon such highway.

2. As used in this section and Section 11-1002 of this title, "highway" means any public road, street, or turnpike used for vehicular travel.

B. 1. The owner or operator of a vehicle or its cargo which obstructs the regular flow of traffic shall make **every reasonable effort to remove the obstructing vehicle or cargo from the roadway so the regular flow of traffic is not blocked.** This subsection shall not apply to collisions resulting in the injury or death of any person.

2. This subsection shall not apply to vehicles transporting "hazardous materials" as defined in paragraph 5 of Section 230.3 of this title.

3. Nothing in this subsection shall be construed to relieve any person from complying with Section 10-103 of this title.

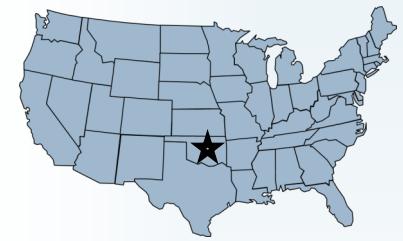
4. a. Until January 1, 2006, any person violating this subsection may be issued a written warning of the violation.

b. Any person violating this subsection shall, upon conviction, be guilty of a misdemeanor and shall be punished as provided for in Section 17-101 of this title.

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MOVE OVER LAWS/OKLAHOMA



Move Over Laws require drivers approaching a scene where emergency responders are present to either change lanes when possible and/or reduce vehicle speed



**Training to Detect, Respond and Clear
Traffic Incidents**

**“Move Over”
OS Title 47, Chpt11,
Section 314**

A. The driver of a motor vehicle, upon approaching a stationary **authorized emergency vehicle**, a Department of Transportation maintenance vehicle, a Turnpike Authority maintenance vehicle, or a licensed Class AA wrecker that is displaying a flashing combination red or blue light or any combination of red or blue lights, **shall**:

1. If traveling on a highway that consists of two or more lanes that carry traffic in the same direction of travel as that of the driver, the driver shall proceed with due caution and shall, if possible and with due regard to the road, weather, and traffic conditions, **change lanes into a lane that is not adjacent to the stationary authorized emergency vehicle**, a Department of Transportation maintenance vehicle, a Turnpike Authority maintenance vehicle, or licensed Class AA wrecker; or if the driver is not able to change lanes or if to do so

would be unsafe, the driver shall proceed with **due caution and reduce the speed** of the motor vehicle to a safe speed for the existing road, weather, and traffic conditions; and

2. If traveling on a highway other than a highway described in paragraph 1 of this subsection, the driver shall proceed with due caution and reduce the speed of the motor vehicle to a safe speed for the existing road, weather, and traffic conditions.

B. This section does not relieve the operator of a stationary authorized emergency vehicle, a Department of Transportation maintenance vehicle, a Turnpike Authority maintenance vehicle, or licensed Class AA wrecker from the consequences of reckless disregard for the safety of all persons and property upon the highway.

“Hold Harmless”

OS Title 47, Chpt11, Section 11-1002

A. Whenever any police officer finds a vehicle standing upon a highway in violation of any of the provisions of subsection A of Section 11-1001 of this title, such **officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same**, to a position off the paved or main-traveled part of such highway.

B. 1. **Law enforcement officers, using reasonable care, may remove from the roadway** to the nearest safe place any

disabled or damaged vehicle or cargo as described in subsection B of Section 11-1001 of this title.

2. Absent a showing of gross negligence, the law enforcement officer, the employing agency, or any person acting under the direction of the law enforcement **officer is not liable for damage** to a vehicle or damage or loss to any portion of the contents or cargo of the vehicle when carrying out the provisions of this subsection.

C. Whenever any police officer finds a vehicle unattended upon any bridge or causeway or in any underpass where such vehicle constitutes an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle to the nearest garage or other place of safety.

D. When any vehicle is left standing or abandoned upon a highway in violation of this section and at such a place or in such manner as to interfere or prevent the maintenance of said highway, the Oklahoma Department of Transportation, Oklahoma Transportation Authority or their authorized agents may remove such vehicle or request the driver or other persons in charge thereof to move the same to some place of safety off the highway with charge to the owner of the vehicle.