

(Published in the Tulsa World,
_____, 2026.)

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 37 TULSA REVISED ORDINANCES, BY DEFINING AND PROHIBITING RACING, DECLARING RACING AND OTHER VIOLATIONS ENDANGERING THE PUBLIC TO BE A PUBLIC NUISANCE, AND PROVIDING FOR IMPOUNDMENT OF NUISANCE VEHICLES; PROVIDING FOR SEVERABILITY; REPEALING ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY

WHEREAS, Tulsa’s Revised Charter provides that the City of Tulsa is empowered to “adopt and enforce all ordinances necessary or proper to protect the public peace, health, order, morals, and safety, and to promote the general welfare of the City of Tulsa and its inhabitants” (Art. I § 3.A) and to “abate nuisances of any kind” (Art. I § 3.O);

WHEREAS, Oklahoma statutes provide that the governing body of a municipality may “regulate and prevent racing and fast driving” (11 Okla. Stat. § 22-117.A) and that a “municipal governing body may declare what shall constitute a nuisance, and provide for the prevention, removal and abatement of nuisances” (11 Okla. Stat. § 22-121);

WHEREAS, traffic collisions causing serious injuries and death are a significant threat to public safety in the city of Tulsa; and

WHEREAS, in 2025, there were 46 traffic fatalities in the city of Tulsa, 19 of which (41 percent) were attributable to reckless driving at excessive speeds;

WHEREAS, the City Council finds that excessive speed, racing, reckless driving, and eluding conduct have resulted in a disproportionate share of traffic fatalities and serious bodily injuries within the city, and such conduct poses an acute and recurring threat to public safety;

WHEREAS, the City Council further finds that individuals cited or arrested for such violations present an elevated risk of repeated driving behavior during the period immediately following citation or arrest, and temporary impoundment of vehicles used in such violations reduces the immediate risk of repeated dangerous conduct; and

WHEREAS, the purpose of this ordinance is to promote public safety, reduce hazardous driving behavior, and deter unlawful street racing within the city of Tulsa by authorizing impoundment of vehicles used for such activities;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That Title 37 TRO, "Tulsa Revised Traffic Code", Section 100, "Words and Phrases Defined," be amended to add a definition of "Racing," as follows:

"Racing shall mean the use of one or more vehicles in a speed or acceleration competition or contest in an attempt to outgain or outdistance another vehicle, to prevent another vehicle from passing, to arrive at a given destination ahead of another vehicle or vehicles, or to show an exhibition of speed or acceleration, on any public street, highway, alley, or other area open to the general public for vehicular travel."

Section 2. That Title 37 TRO, "Tulsa Revised Traffic Code", Section 646, "Drag Racing," be retitled and amended to read in its entirety, as follows:

"Section 646. –Racing.

- A. **Prohibition and Penalty.** Racing is hereby declared unlawful and any person violating this section shall be guilty of an offense and, upon conviction thereof, shall be punished by a fine of not less than Twenty-Five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00), excluding costs and assessments, and/or by imprisonment in the City jail for a period of not more than ninety (90) days."

Section 3. That Title 37 TRO, "Tulsa Revised Traffic Code", is hereby amended to add a new Section 667, titled "Vehicles Used to Endanger the Public-A Public Nuisance," be amended to read in its entirety, as follows:

"Section 667. – Vehicles used to endanger the public–A public nuisance.

A. **Public Nuisance.** Any vehicle ~~driven during~~used by a Driver to commit any one of the following violations and in the manner described in Subsections 1-5 below is hereby declared to be a public nuisance per se, and while in the possession of the Driver the vehicle constitutes a continuing danger to the comfort, repose, health or safety of city residents, visitors, businesses and neighborhoods, rendering them insecure in life and in the use of property.

1. Excessive acceleration, as prohibited in Section 624 of this Chapter;
2. Racing, as prohibited in Section 646 of this Chapter;
3. Driving at any speed equal to or greater than forty (40) miles per hour over the speed limit on interstate highways, turnpikes, and other principal arterials comprising the National Highway System in the city of Tulsa, whether posted or unposted;
4. Driving at any speed equal to or greater than twice the speed limit on arterial and neighborhood streets in the city of Tulsa, whether posted or unposted;
5. Causing a collision in which reckless driving, as prohibited in Section 647 of this Chapter, and/or aggravated speeding, as prohibited in Section 617.C of this Chapter, is the primary contributing factor to the collision; or

6. Eluding a police officer, as prohibited in Section 648 of this Chapter.

B. Abatement. Due to the existence of this public nuisance per se, it is necessary for the City to provide for the impoundment of a vehicle used by the Driver to commit any one of the violations listed and described in Section 667.A of this Chapter and to store and hold the vehicle from further improper use for the mandatory holding period provided for by Section 305.C of this Title. The purpose of such impoundment and mandatory holding period is to abate the public nuisance.”

Section 4. That Title 37 TRO, "Tulsa Revised Traffic Code", Section 305, "Authority to Impound Vehicles," be amended to read in its entirety, as follows:

“Section 305. – Authority to impound vehicles.

- A. Members of the Police Department are hereby authorized to remove or cause to be removed a vehicle from a street or highway to the nearest garage designated or maintained by the Police Department or otherwise maintained by the City of Tulsa under the circumstances hereinafter enumerated:
1. When a vehicle has been declared a nuisance and ordered impounded by the court under the provisions of Section 505 of this title;
 2. When a vehicle is left unattended upon any bridge, viaduct or causeway or in any tube or tunnel where such vehicle constitutes an obstruction to traffic;
 3. When a vehicle upon a street or highway is so disabled or defective as to constitute an obstruction or hazard to traffic and/or the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal;
 4. When a vehicle has been abandoned or is left unattended upon a street by reason of arrest of the driver or otherwise, or is so parked upon a street, highway or other public way as to constitute a definite hazard or obstruction to the normal movement of traffic;
 5. When a vehicle is parked or left standing in excess of twenty-four (24) hours in violation of Section 519 of this title;
 6. When a vehicle is stopped by a police officer for an alleged violation of a City traffic ordinance or state traffic law or other ordinance or law applicable to the operation of a vehicle on a roadway, or a vehicle has been involved in an accident or collision investigated by a police officer, and the police officer has probable cause that the vehicle is not insured as required by the Compulsory Insurance Law of the state of Oklahoma. If, however, the owner or operator of the vehicle produces what appears to be a valid security verification form and the police officer is unable to confirm compliance through the online verification system or noncompliance by a subsequent investigation, the police officer shall be prohibited from impounding the vehicle and causing such vehicle to be towed and stored;
 7. When a vehicle is evidence in a crime or needs to be held for investigative purposes;

8. When a report has been made that such vehicle has been stolen, and the owner cannot be notified or is unable to come to the scene and take possession of the recovered vehicle within a reasonable amount of time;
 9. When a vehicle is confiscated pursuant to law, including but not limited to an order or warrant from any court of competent jurisdiction;
 10. When the owner or operator specifically requests and/or authorizes the impoundment;
 11. When the owner or operator has been involved in an accident or any crime and has been taken into custody or transported for medical purposes and is not physically, mentally or legally capable of giving consent to leave the vehicle;
 12. When peace officers at the scene have probable cause that there is evidence of a crime in or on the vehicle, but circumstances at the scene do not reasonably allow the peace officer to conduct a probable cause search safely at the scene;
 13. When the vehicle was involved in a collision resulting in a fatality or great bodily injury; or
 14. When authorized pursuant to state, federal, municipal or tribal law.
- B. If the vehicle impounded pursuant to Subsection A of this Section has not been reclaimed within twenty-four (24) hours of the time of its impoundment, the Police Department of the City of Tulsa shall notify the vehicle's registered owner at the address provided by the State of Oklahoma, of the place of impoundment of the vehicle.
- C. Members of the Police Department are hereby authorized to remove or cause to be removed a vehicle from a street or highway to the garage designated or maintained by the Police Department or otherwise maintained by the City of Tulsa, for a mandatory holding period of ten (10) days, when the Driver of the vehicle is cited or arrested for any violation declared a public nuisance in Section 667 of this Title.
1. At the time of impoundment pursuant to this Subsection C, the police officer shall provide the Driver, if present, with written notice of the impoundment, including:
 - a. The reason for impoundment;
 - b. The location where the vehicle will be stored; and
 - c. Instructions for requesting a post-storage hearing.
 2. If the Driver is not present, the Police Department shall notify the vehicle's registered owner at the address provided by the State of Oklahoma.
 3. The owner or authorized agent may request a post-storage hearing within five (5) business days of receipt of notice.
 4. The hearing shall be held before an administrative hearing officer ~~or hearing examiner~~ designated by the Mayor within five (5) business days after the request for hearing is received.
 5. The administrative hearing officer shall determine:
 - a. Whether probable cause existed for the citation or arrest; and

a.b. Whether early release of the vehicle is warranted under Subsection C.7 of this Section.

6. If the administrative hearing hearing-officer- determines the impoundment was not supported by probable cause or was otherwise unlawful, the vehicle shall be released without charge for towing or storage, or, if paid, charges for towing or storage shall be refunded.

7. Notwithstanding a finding of probable cause, the administrative hearing officer shall release the vehicle prior to expiration of the holding period if the hearing officer determines that:

a. The registered owner was not the Driver at the time of the violation and did not knowingly permit the unlawful use;

b. Continued impoundment is not reasonably necessary to abate the nuisance; or

b.c. Extreme hardship exists and reasonable conditions may be imposed to protect public safety. Reasonable conditions may include, but are not limited to, releasing the vehicle to a licensed driver other than the offending Driver.”

Section 5. That Title 37, Tulsa Revised Ordinances, "Tulsa Revised Traffic Code", Chapter 3, "Parties and Procedures Upon Arrest," be and the same is now retitled and amended to read as follows:

“CHAPTER 3. - PARTIES AND PROCEDURES”.

Section 6. That Title 37, Tulsa Revised Ordinances, "Tulsa Revised Traffic Code", Chapter 3, "Traffic Administration", Section 203, titled "Forms, Warrants, Bonds and Penalties", Subsection 203.E, within the schedule of fines and penalties prescribing preset fines for violations of Section 646, be and the same are now amended to read as follows:

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Section 7. SEVERABILITY CLAUSE. If any section, subsection, paragraph, subparagraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 8. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.

Section 9. EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health and safety, and by reason whereof this Ordinance shall become effective immediately from and after its adoption and approval.

Adopted by the Council, on this ____ day of _____, 2026.

Chair of the Council

ADOPTED as an emergency measure, on this ____ day of _____, 2026.

Chair of the Council

OFFICE OF THE MAYOR

Mayor

(Seal)

ATTEST:

City Clerk

Approved:

City Attorney