

ENGROSSED HOUSE
BILL NO. 1642

BY: HEFNER of the HOUSE

and

EASLEY of the SENATE

(ROADS, BRIDGES AND FERRIES - AMENDING 69 O.S.,
SECTION 636.3 - LEASING OF ROAD MACHINERY OR
EQUIPMENT BY COUNTIES -

EMERGENCY)

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

SECTION 1. AMENDATORY Section 4, Chapter 286, O.S.L. 1982, as amended by Section 4, Chapter 205, O.S.L. 1983 (69 O.S. Supp. 1990, Section 636.3), is amended to read as follows:

Section 636.3 A. Counties shall enter into lease or lease-purchase contracts for road machinery and equipment with the Department of Transportation pursuant to the provisions of Sections 636.1 through 636.7 of this title and may not otherwise lease road machinery or equipment except in the case of an emergency, when specialized road machinery or equipment for projects of short durations is required or for other road machinery or equipment not immediately available from the Department of Transportation, as may be needed for periods not to exceed ~~thirty (30) days~~ six (6) months.

B. A county shall be eligible to enter into a lease or lease-purchase contract with the Department of Transportation for road machinery and equipment if it does not have sufficient funds available during any fiscal year for the purchase of road machinery

and equipment. Nothing in Sections 636.1 through 636.7 of this title shall prohibit a county from purchasing road machinery and equipment if it has adequate funds appropriated during any fiscal year for such purpose.

C. Whenever a county desires to lease or lease-purchase road machinery and equipment, it shall notify the Department of Transportation of its requirements and specifications and shall provide a list of local vendors interested in submitting bids for the lease or lease-purchase agreements.

D. Upon receiving such notification from a county, the Department shall be authorized to purchase requested road machinery or equipment for lease or lease-purchase to that county or may lease or lease-purchase surplus or used road machinery and equipment to a county provided such road machinery or equipment meets the requirements and specifications of the requesting county.

E. If there are no funds available in the County Road Machinery and Equipment Revolving Fund, the Department of Transportation, upon notification that a county desires to lease or lease-purchase road machinery or equipment, shall submit such notification to the State Purchasing Division of the ~~State Board~~ Office of Public Affairs. The Department of Transportation shall also certify to the county that there are no funds available in the County Road Machinery and Equipment Revolving Fund for such purposes and that the county's notification has been forwarded to the State Purchasing Division of the ~~State Board~~ Office of Public Affairs. The county may then request the Purchasing Director of the ~~State Board~~ Office of Public Affairs to solicit bids to lease or lease-purchase the requested road machinery or equipment pursuant to the provisions of the Oklahoma Central Purchasing Act. The Purchasing Director of the ~~State Board~~ Office of Public Affairs may reject any or all bids received for the lease or lease-purchase of said road machinery or equipment.

F. The Department of Transportation shall promulgate such rules and regulations and is authorized to require from the counties such information, forms and reports as are necessary for properly and efficiently administering Sections 636.1 through 636.7 of this title.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 12th day of March , 1991.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1991.

President of the Senate