

ENROLLED SENATE
BILL NO. 878

By: Herbert of the Senate

and

Adair and Thornbrugh of the
House

An Act relating to railroads; amending 66 O.S. 1991, Section 183, which relates to power and authority of railway police; modifying jurisdiction of arrest power; deleting certain restriction on arrest without warrant by railway police; and declaring an emergency.

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

SECTION 1. AMENDATORY 66 O.S. 1991, Section 183, is amended to read as follows:

Section 183. Railway companies organized under the laws of this state, or doing business within the state, are hereby authorized and empowered at their own expense to appoint and employ ~~policemen~~ law enforcement officers at such stations or other places on the lines of their railroads within this state, as said companies may deem necessary for the protection of their property, and the preservation of order on their premises, and in and about their cars, depots, depot grounds, yards, buildings or other structures; and said ~~policemen~~ law enforcement officers shall have power and authority to arrest, with or without warrant, any person or persons who shall commit any offense against the laws of this state, or the ordinances of any town, city, or other municipality when such offense shall have been committed upon the premises of said companies, or in and about their cars, depots, depot grounds, yards, buildings, or other structures; ~~and shall also have the authority of sheriffs, constables and peace officers in regard to the arrest and apprehension of any such offenders, in or about the premises or appurtenances aforesaid; but in case of the arrest by said policemen of any person without warrant, they shall forthwith take such offender before some justice of the peace or other magistrate having jurisdiction, and make complaint against said offender according to law.~~ Nothing herein contained shall be construed as restricting the lawful rights, powers or privileges of any sheriff, constable, policeman, or peace officer within their respective jurisdiction, and for the official acts of ~~such policeman or policemen~~ railway law enforcement officers, the railroad company making such appointment shall be held responsible to the same extent as for the acts of any of its general agents or employees.

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 Senate the 2nd day of March, 1994.

President of the Senate

Passed the House of Representatives the 11th day of April, 1994.

Speaker of the House of
Representatives