

SHORT TITLE: Roads; authorizing counties exceeding 300,000 population to use certain fund to improve section line roads within municipality; effective date; emergency.

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

SENATE BILL NO. 300

By: Leftwich

AS INTRODUCED

An Act relating to the County Road Improvement Act;  
amending 69 O.S. 1991, Section 687, as last amended  
by Section 2, Chapter 303, O.S.L. 1993 (69 O.S.  
Supp. 1994, Section 687), which relates to use of  
County Road Improvement Fund; authorizing counties  
exceeding certain population to utilize funds on  
section line roads within municipal limits;  
updating statutory references; providing an  
effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 69 O.S. 1991, Section 687, as last  
amended by Section 2, Chapter 303, O.S.L. 1993 (69 O.S. Supp. 1994,  
Section 687), is amended to read as follows:

Section 687. A. The Department of Transportation shall  
establish a program to aid counties in making improvements on the  
county road system in each county.

B. Funds appropriated to or otherwise accruing to the County  
Road Improvement Revolving Fund shall be apportioned on the basis of  
a formula developed by the Department of Transportation. Such  
formula shall be similar to that currently used for the distribution  
of County Bridge Program funds, but also taking into consideration

the effect of terrain and traffic volume as related to county road improvement and maintenance costs.

The Department of Transportation may approve the utilization of up to ninety percent (90%) of a county's estimated four-year apportionment from the fund for a project, provided, however, no funds may be released or deposited pursuant to subsection C of this section and no additional project may be approved or expenditures made for said county until the county has accumulated a surplus of six (6) months apportioned funds and repaid all funds advanced from the State Highway Construction and Maintenance Fund. The Department of Transportation may update the formula factors from time to time as necessary to account for changing conditions. Said funds so apportioned may be used for the following purposes:

1. Construction projects for the improvement of county roads. Counties with a population in excess of three hundred thousand (300,000), according to the latest Federal Decennial Census, may utilize these funds on projects for the improvement of section line roads within municipal corporate limits.

2. Matching federal funds for road or bridge construction projects provided the applicable federal program funds are available at the time of project approval.

3. Matching federal funds for the annual Federal Highway Administration allocation to the Center for Local Government Technology at Oklahoma State University for the Federal Highway Administration Rural Technical Assistance Program, up to twenty-five percent (25%) of the amount of funding the state is required to provide, not to exceed Fifty Thousand Dollars (\$50,000.00).

4. Project engineering costs.

5. The cost of right-of-way acquired for projects to be constructed under the provisions of Section 685 et seq. of this title and the relocation of utilities from the right-of-way so acquired.

6. Any cost or expense for administration, program management, engineering, including the development of appropriate local road standards, or construction supervision necessarily incurred by the Department of Transportation in fulfilling its duties and responsibilities pursuant to the County Road Improvement Act, Section 685 et seq. of this title.

7. Projects authorized under the provisions of the County Bridge Improvement Act, Section 657 et seq. of this title, including such projects which may be less than twenty (20) feet in length.

8. Any cost or expense related to a comprehensive plan for signing the county road system, including Nine-One-One (911) emergency telephone service route markers, traffic-control and other informational signs and the maintenance of such signs as according to policies to be developed jointly by the Department of Transportation and the Association of County Commissioners of Oklahoma.

9. The expense and related costs of employing an engineer to assist a county or counties in carrying out the day-to-day operations of road maintenance and construction, including the employment of a circuit engineer pursuant to the provisions of Section 687.1 of this title.

C. Thirty percent (30%) of the funds appropriated to or otherwise accruing to the County Road Improvement Revolving Fund may be apportioned to a restricted road maintenance fund of each county pursuant to subsection B of this section. Such funds shall not be released to a county until an official resolution requesting the release of such funds is approved by a majority of the board of county commissioners of the county and filed with the Department of Transportation. Upon receipt of such resolution, the Tax Commission shall apportion the funds to the county to be placed in a restricted road maintenance fund of the county. The apportionment of such funds to a county shall not prevent the county from using those

funds for any purpose as provided for in the County Road Improvement Act. Provided, such funds, if apportioned, shall not be used in estimating a county's four-year apportionment from the funds advanced from the State Highway Construction and Maintenance Fund pursuant to subsection B of this section.

D. Each county in this state shall prioritize projects located in such county to be funded from the County Road Improvement Revolving Fund. Each county shall consider the following factors in establishing priorities:

1. Project need based on traffic conditions and hazardous conditions.
2. Availability of federal matching funds.
3. Availability of other county funds.
4. County accrued surplus in this fund.

SECTION 2. This act shall become effective July 1, 1995.

SECTION 3. 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.

45-1-0446

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