

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
SENATE BILL NO. 393

By: Dickerson of the Senate

and

Tyler of the House

COMMITTEE SUBSTITUTE

An Act relating to roads, bridges and ferries;

amending 69 O.S. 1991, Section 304, which relates  
to the State Highway System; modifying language;  
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 304, is  
amended to read as follows:

Section 304. ~~(a)~~ A. The construction and maintenance of the  
State Highway System, and all work incidental thereto, shall be  
under the general supervision and control of the Transportation  
Commission.

~~(b)~~ B. The Commission shall have power to make all final  
decisions affecting the work provided for herein, and all reasonable  
rules and regulations it may deem necessary, not inconsistent with  
this code, for the proper management and conduct of such work, and  
for carrying out the provisions of this article, in such manner as

shall be to the best interest and advantage of the people of this state.

~~(e)~~ C. The Commission shall have power and authority to contract for and purchase, lease or otherwise acquire any tools, machinery, supplies, material or labor needed or to be needed for such work, having the deliveries of such articles made as actually needed, and to pay for engineering, preparation of plans and specifications, costs of advertising, engineering supervision and inspection and all expenses and contingencies in connection with the construction and maintenance of the State Highway System. When quality and prices are equal, preference shall be given materials produced within the State of Oklahoma and highway construction companies domiciled, having and maintaining offices in and being citizen taxpayers of the State of Oklahoma.

~~(d)~~ D. The Commission shall have authority to make all contracts and do all things necessary to cooperate with the United States Government in matters relating to the cooperative construction, improvement and maintenance of the State Highway System, or any road or street of any political or governmental subdivision or any municipal or public corporation of this state, for which federal funds or aid are secured. Such contracts or acts shall be carried out in the manner required by the provisions of the Acts of Congress and rules and regulations made by an agency of the United States in pursuance of such acts.

~~(e)~~ E. Any political or governmental subdivision or any public or municipal corporation of this state shall have the authority to enter into contracts through or with the Commission to enable them to participate in all the benefits to be secured from federal aid funds, or funds made available from the federal government to be used on roads and streets. The Commission may negotiate and enter into contracts with the federal government, or any of its constituted agencies, and take all steps and proceedings necessary

in order to secure such benefits for such political or governmental subdivisions or public or municipal corporations.

~~(f)~~ F. The Commission, on behalf of the state, and any political or governmental subdivision or public or municipal corporation of this state shall have the authority to enter into agreements with each other respecting the planning, designating, financing, establishing, constructing, improving, maintaining, using, altering, relocating, regulating or vacating of highways, roads, streets or connecting links.

~~(g)~~ G. The Commission shall have authority to act in an advisory capacity, upon request, to any political or governmental subdivision or public or municipal corporation of this state in matters pertaining to the planning, locating, constructing and maintaining of roads, highways and streets and other related matters. The Commission, in such instances, may provide services and may cooperate with such subdivisions and corporations on such terms as may be mutually agreed upon.

~~(h)~~ H. The Commission may purchase out of the State Highway Construction and Maintenance Fund such commercial vehicles and passenger automobiles as may be necessary for the use of the Department of Transportation and its employees in the construction and maintenance of the State Highway System and all work incidental thereto, and in carrying out the duties now or hereafter imposed upon the Department by the laws of this state.

~~(i)~~ I. The Commission may enter into written agreements with private citizens to allow such citizens to mow state highway rights-of-way and keep the clippings from such mowing as the sole compensation therefor.

SECTION 2. This act shall become effective July 1, 1997.

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.

46-1-7267

JAF