

SHORT TITLE: Roads, bridges and ferries; prohibiting the removal of state highways from the state highway system without certain approval; emergency.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 313

By: Rabon

AS INTRODUCED

An Act relating to roads, bridges and ferries;

amending 69 O.S. 1991, Sections 306 and 503, which relate to the state highway system; modifying powers and duties of the Director of the Department of Transportation; requiring the Transportation Commission to give certain notice; prohibiting the removal of state highways from the State Highway System without certain approval; and declaring an emergency.

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

SECTION 1. AMENDATORY 69 O.S. 1991, Section 306, is amended to read as follows:

Section 306. Immediately upon the election and qualification of the Director, he shall become vested with the duties and powers of the management and control of the Department, under such orders, rules and regulations as may be prescribed by the Commission; and in addition thereto he shall have the following specific powers and duties:

(a) To supervise the state highway system under rules and regulations prescribed by the Commission;

(b) To appoint and employ, supervise and discharge such professional, clerical, skilled and semiskilled help, labor and

other employees as may be deemed necessary for the proper discharge of the duties of the Department and to fix and determine the salaries or wages to be paid subject to all such rules and regulations as may be promulgated by the Commission, and subject to the policies, rules and regulations of the Office of Personnel Management and the State Merit System of Personnel Administration;

(c) To investigate and determine upon the various methods of road and bridge construction and maintenance in the different sections of the state;

(d) To aid at all times in promoting highway improvements and maintenance throughout the state;

(e) To make recommendations to the Commission in the letting of all contracts for construction or improvements of state highways or any contract for road or bridge construction or improvement where the work is being done in whole or in part with state or federal monies; and to act for the Commission in the purchase of all materials, equipment and supplies as provided for in this Code;

(f) To place on the state highway system any road he deems necessary and to the best interest of the state, when approved by a majority of the entire Commission, and to eliminate from the state highway system any road when approved by ~~a majority of the entire Commission~~ the Legislature;

(g) To approve and pay claims for the services of professional, clerical, skilled and semiskilled help, laborers and other employees, for the Commission, when the salary or wages of such help and employees shall have been previously approved by the Commission; and to approve and pay progressive estimates on work done or contracts performed, where such work or contracts have theretofore been approved by the Commission; and to approve and pay claims for the purchase of equipment, materials and supplies theretofore authorized by the Commission;

(h) To make emergency purchases of equipment, materials, and supplies, and emergency contracts for construction and repairs, under rules and regulations prescribed by the Commission;

(i) To grant permission to state agencies, municipalities and water companies or districts to lay any water pipeline within the rights-of-way of state highways, when approved by the Commission; and

(j) To act for the Department in all matters except as otherwise provided in this Code.

SECTION 2. AMENDATORY 69 O.S. 1991, Section 503, is amended to read as follows:

Section 503. A. Any highway designated as a state highway shall not be removed by the Transportation Commission from the State Highway System until notice in writing of intention to do so has been given to the State Senators and State Representatives of the respective districts which may be affected, thereby fixing a time for a public hearing thereon, which hearing shall be held not less than ten (10) days after the notice specified herein.

B. The Commission shall notify all newly elected State Senators and Representatives representing the districts referred to in this section of any pending action to remove a portion of a state highway from the State Highway System within thirty (30) days after a newly elected Senator or Representative has taken the oath of office.

C. The Commission shall not have the authority to return to a county any portion of a state highway which has been removed from the State Highway System, unless the Commission obtains written approval from the board of county commissioners of the respective county where that portion of the highway is located.

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.

46-1-0601

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