

SHORT TITLE: Railroads; providing for admissibility for results of  
certain investigation; emergency;

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 64

By: Roberts

AS INTRODUCED

An Act relating to the Corporation Commission;

amending 17 O.S. 1991, Section 86, which relates to hazardous railroad crossings; removing limitation on admissibility of results of certain investigation; and declaring an emergency.

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

SECTION 1. AMENDATORY 17 O.S. 1991, Section 86, is amended to read as follows:

Section 86. The ~~Oklahoma~~ Corporation Commission shall have the authority, after having made proper investigations, to designate those grade crossings which are extra hazardous. At all such crossings so designated, the Commission shall have the authority to order the installation of appropriate protective devices. All such installations to be performed by the railroad. The Commission shall have the authority to determine the number, type, and location of such signs, signals, gates or other protective devices, which, however, shall conform as near as may be with generally-recognized national standards, and said Commission shall have authority to prescribe the division of the cost of the installation of such signs, signals, gates or other protective devices between the public utility and the state or its political subdivisions; provided, however, that the cost to the utility shall be not less than ten

percent (10%) or more than ~~twenty-five percent (25%)~~ fifty percent (50%) of the total costs. The railroads shall be responsible for all subsequent maintenance and cost thereof. Provided, however, that the results of investigation or investigations, findings, determinations, or orders of the Corporation Commission shall not be admissible in any civil action.

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.

46-1-0167

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