

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 905

By: Fisher

AS INTRODUCED

An Act relating to railroads; prohibiting railroads from blocking railroad crossings under certain conditions; providing exception; requiring certain report be filed; providing administrative penalties; providing criminal penalty; providing for codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 23 of Title 66, unless there is created a duplication in numbering, reads as follows:

A. Railroads operating over tracks within this state shall not block vehicle traffic at any railroad crossing, for a period of time in excess of ten (10) minutes, except if the train is moving in a continuous forward or backward direction, or in the event of an emergency including, but not limited to, an accident, derailment, critical mechanical failure or track or bridge washout.

B. Every railroad corporation operating trains over tracks within this state shall provide an annual report to the Corporation Commission on or before the first day of February of each year. The report shall include the location and duration of every blockage of vehicle traffic in excess of ten (10) minutes at any railroad crossing in this state which was caused by a train which was not in continuous motion.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24 of Title 66, unless there is created a duplication in numbering, reads as follows:

A. The Corporation Commission is authorized to assess an administrative penalty of One Thousand Dollars (\$1,000.00) plus One Hundred Dollars (\$100.00) per minute for every minute in excess of ten (10) minutes that vehicle traffic is blocked for any violation of subsection A of Section 1 of this act.

B. The Corporation Commission is authorized to assess an administrative penalty of not more than Five Thousand Dollars (\$5,000.00) for failing to file the report required by subsection B of Section 1 of this act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 25 of Title 66, unless there is created a duplication in numbering, reads as follows:

Any railroad, person, firm, or corporation convicted of violating the provisions of subsection A of Section 1 of this act when such violation hinders or obstructs an emergency vehicle shall be guilty of a misdemeanor punishable by a fine of not more than Ten Thousand Dollars (\$10,000.00) plus One Thousand Dollars (\$1,000.00) per minute for every minute in excess of ten (10) minutes that vehicle traffic was blocked at a railroad crossing.

SECTION 4. 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.

48-2-1865

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