

ENROLLED HOUSE
BILL NO. 1694

By: Tyler of the House

and

Leftwich (Debbe) of the
Senate

An Act relating to roads, bridges, and ferries;
amending 69 O.S. 2001, Section 1704, which relates to
turnpikes; modifying contracting procedure for
turnpike concessions; and declaring an emergency.

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

SECTION 1. AMENDATORY 69 O.S. 2001, Section 1704, is
amended to read as follows:

Section 1704. As used in this article, the following words and
terms shall have the following meanings, unless the context shall
indicate another or different meaning or intent:

1. "Authority" means the Oklahoma Transportation Authority,
created by Section 1703 of this title, or, if such Authority shall
be abolished, the board, body, or commission succeeding to the
principal functions thereof or to whom the powers given by this
article to the Authority shall be given by law;i

2. "Project" or "turnpike project" means any express highways,
superhighways, or motorways, wayports, aviation transfer centers or
aviation hubs constructed under the provisions of this article by
the Authority, and shall embrace all bridges, tunnels, overpasses,
underpasses, interchanges, entrance plazas, approaches, free access
roads, bridges, and road construction, toll houses, service
stations, and administration, storage and other buildings which the
Authority may deem necessary for the operation of such turnpike,
together with all property, rights, easements and interests which
may be acquired by the Authority for the construction or the
operation of such turnpike. ~~However, in contracting or leasing
concessions for gas stations, garages, restaurants, parking
facilities and other services for any turnpike project other than
the Turner Turnpike, the Authority shall contract or lease such
concessions by concession areas, and shall not lease or contract for
any concession covering the entire turnpike project, unless it shall
be unable to obtain bids for development of sufficient individual
concession areas to serve the turnpike project. The Authority may
contract or lease concessions for gas stations, garages,
restaurants, parking facilities and other services for all or any
portion of any turnpike project or projects;~~

3. "Cost", as applied to a turnpike project, shall embrace the
cost of construction, the cost of the acquisition of all land,

rights-of-way, property, rights, easements and interests acquired by the Authority for such construction, the cost of all machinery and equipment, financing charges, provision for working capital, interest prior to, during, and after construction and a reserve for interest in such amounts as the Authority shall determine, cost of traffic estimates and of engineering and legal expenses, plans, specifications, surveys, estimates of cost, and of revenues, other expenses necessary or incident to determining the feasibility or practicability of constructing any such project, administrative expense, and such other expense as may be necessary or incident to the construction of the project, the financing of such construction, and the placing of the project in operation. Any obligation or expense incurred by the Transportation Commission with the approval of the Authority for traffic surveys, borings, preparation of plans and specifications, and other engineering services in connection with the financing and construction of a project shall be regarded as a part of the cost of such project and shall be reimbursed to the state out of the proceeds of the turnpike revenue bonds hereafter authorized. However, the Transportation Commission shall not incur obligations or expenses totaling more than One Thousand Five Hundred Dollars (\$1,500.00) per turnpike mile. Provided further, however, that an additional sum not to exceed One Thousand Dollars (\$1,000.00) per turnpike mile may be expended for updating reports prior to financing-; and

4. "Owner" means and includes all individuals, copartnerships, associations, or corporations having any title or interest in any property, rights, easements, and interests authorized to be acquired by this article.

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.

Passed the House of Representatives the 29th day of April, 2004.

Presiding Officer of the House of
Representatives

Passed the Senate the 10th day of May, 2004.

Presiding Officer of the Senate