

EHB 1694

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THE STATE SENATE
Wednesday, April 7, 2004

ENGROSSED
House Bill No. 1694
As Amended

ENGROSSED HOUSE BILL NO. 1694 - By: TYLER of the House and LEFTWICH (Debbe) of the Senate.

[roads, bridges, and ferries - turnpikes - 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;

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,

(Bold face denotes Committee Amendments)

1 underpasses, interchanges, entrance plazas, approaches, free access
2 roads, bridges, and road construction, toll houses, service
3 stations, and administration, storage and other buildings which the
4 Authority may deem necessary for the operation of such turnpike,
5 together with all property, rights, easements and interests which
6 may be acquired by the Authority for the construction or the
7 operation of such turnpike. ~~However, in contracting or leasing~~
8 ~~concessions for gas stations, garages, restaurants, parking~~
9 ~~facilities and other services for any turnpike project other than~~
10 ~~the Turner Turnpike, the Authority shall contract or lease such~~
11 ~~concessions by concession areas, and shall not lease or contract for~~
12 ~~any concession covering the entire turnpike project, unless it shall~~
13 ~~be unable to obtain bids for development of sufficient individual~~
14 ~~concession areas to serve the turnpike project. The Authority may~~
15 contract or lease concessions for gas stations, garages,
16 restaurants, parking facilities and other services for all or any
17 portion of any turnpike project or projects;

18 3. "Cost", as applied to a turnpike project, shall embrace the
19 cost of construction, the cost of the acquisition of all land,
20 rights-of-way, property, rights, easements and interests acquired by
21 the Authority for such construction, the cost of all machinery and
22 equipment, financing charges, provision for working capital,
23 interest prior to, during, and after construction and a reserve for

1 interest in such amounts as the Authority shall determine, cost of
2 traffic estimates and of engineering and legal expenses, plans,
3 specifications, surveys, estimates of cost, and of revenues, other
4 expenses necessary or incident to determining the feasibility or
5 practicability of constructing any such project, administrative
6 expense, and such other expense as may be necessary or incident to
7 the construction of the project, the financing of such construction,
8 and the placing of the project in operation. Any obligation or
9 expense incurred by the Transportation Commission with the approval
10 of the Authority for traffic surveys, borings, preparation of plans
11 and specifications, and other engineering services in connection
12 with the financing and construction of a project shall be regarded
13 as a part of the cost of such project and shall be reimbursed to the
14 state out of the proceeds of the turnpike revenue bonds hereafter
15 authorized. However, the Transportation Commission shall not incur
16 obligations or expenses totaling more than One Thousand Five Hundred
17 Dollars (\$1,500.00) per turnpike mile. Provided further, however,
18 that an additional sum not to exceed One Thousand Dollars
19 (\$1,000.00) per turnpike mile may be expended for updating reports
20 prior to financing; and

21 4. "Owner" means and includes all individuals, copartnerships,
22 associations, or corporations having any title or interest in any

1 property, rights, easements, and interests authorized to be acquired
2 by this article.

3 SECTION 2. It being immediately necessary for the preservation
4 of the public peace, health and safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval.

7 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 3-30-04 - DO
8 PASS, As Amended.