

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

SENATE BILL 536

By: Littlefield

AS INTRODUCED

An Act relating to railroads; amending 66 O.S. 2001, Section 142, which relates to fences; modifying definition of lawful fences; requiring railroad corporations to maintain certain right-of-way; and declaring an emergency.

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

SECTION 1. AMENDATORY 66 O.S. 2001, Section 142, is amended to read as follows:

Section 142. A. A lawful fence, under the provisions of ~~the preceding section~~ Section 141 of this title, shall be composed of posts and barb wires, ~~four~~ five wires to be firmly fastened to the posts, such posts to be not more than one (1) rod apart, the top wire to be not less than fifty-four (54) nor more than fifty-eight (58) inches from the ground, and the bottom wire to be not more than twenty (20) nor less than fourteen (14) inches from the ground.

B. Any railroad corporation or the lessee, person, company or corporation operating any railroad, shall properly maintain any right-of-way that abuts the property of a land owner. The right-of-way shall be kept clear of any unreasonable trees, brush or vegetation at all times.

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.