

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 HOUSE BILL NO. 3182

6 By: Kern

7 COMMITTEE SUBSTITUTE

8 ( Turnpikes - prohibiting certain transactions -

9 effective date )

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

14 SECTION 1. AMENDATORY 61 O.S. 2001, Section 118, as  
15 amended by Section 20, Chapter 294, O.S.L. 2002 (61 O.S. Supp. 2007,  
16 Section 118), is amended to read as follows:

17 Section 118. A. In order to determine the responsibility of  
18 bidders, the awarding public agency may require prospective bidders,  
19 general contractors, subcontractors and material suppliers to  
20 prequalify as responsible bidders prior to submitting bids on a  
21 public construction contract. Notice of any such prequalification  
22 requirement shall be made equally and uniformly known by the  
23 awarding public agency to all prospective bidders and the public in  
24 the same manner as proposals to award public construction contracts

1 as set forth in Section 104 of this title. Financial information  
2 including, but not limited to, audited financial statements required  
3 by the awarding public agency as part of prequalification shall  
4 remain confidential.

5 B. The Oklahoma Except as provided in subsection C of this  
6 section, the Transportation Commission and the Oklahoma  
7 ~~Transportation~~ Turnpike Authority may establish a system for  
8 prequalifying prospective bidders on construction and maintenance  
9 contracts to be awarded by the Commission or Authority. The  
10 Commission and the Authority shall be the sole judge of the  
11 qualifications of prospective bidders and shall ascertain, to their  
12 exclusive satisfaction, the qualifications of each prequalified  
13 bidder. Any contractor or subcontractor prequalified as of the  
14 effective date of this act performing signing, highway lighting, or  
15 traffic signal installation or maintenance for the ~~Oklahoma~~  
16 Department of Transportation or the Oklahoma ~~Transportation~~ Turnpike  
17 Authority shall be allowed to continue to bid and perform such work  
18 without obtaining any additional license from this state or any  
19 political subdivision of this state. However, no contractor or  
20 subcontractor may transfer, convey or assign this exemption to any  
21 other person or entity.

22 C. The Transportation Commission and the Oklahoma Turnpike  
23 Authority shall not enter into any contract with a private company  
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1 to sell, lease, sublease, or operate any turnpike or portion of a  
2 turnpike in this state.

3 SECTION 2. AMENDATORY 69 O.S. 2001, Section 1701, as  
4 last amended by Section 1, Chapter 68, O.S.L. 2005 (69 O.S. Supp.  
5 2007, Section 1701), is amended to read as follows:

6 Section 1701. ~~In~~ A. Except as provided in subsection B of this  
7 section, in order to facilitate vehicular traffic throughout the  
8 state and remove the present handicaps and hazards on the congested  
9 highways in the state, and to provide for the construction of modern  
10 express highways embodying reasonable safety devices including ample  
11 shoulder widths, long sight distances, the bypassing of cities and  
12 towns, and grade separations at intersecting highways and railroads,  
13 the Oklahoma Turnpike Authority, as created in Section 1703 of this  
14 title, is hereby authorized and empowered to construct, maintain,  
15 repair, and operate turnpike projects as defined in Section 1704 of  
16 this title, at such locations as shall be approved by the  
17 Transportation Commission, and to issue turnpike revenue bonds of  
18 the Authority payable solely from revenues to pay the cost of such  
19 projects. The Authority is further authorized and empowered to  
20 develop and market alternative uses of the Oklahoma Turnpike  
21 Authority Electronic Toll Collection System, and construct,  
22 maintain, repair, and operate inter-modal transportation transfer  
23 facilities and infrastructure relating thereto, including, without  
24 limitation, warehouses and utility facilities and intercity rail

1 transit projects as it shall determine to be feasible and  
2 economically sound.

3 B. The Oklahoma Turnpike Authority shall not enter into any  
4 contract with a private company to sell, lease, sublease, or operate  
5 any turnpike or portion of a turnpike in this state.

6 SECTION 3. This act shall become effective November 1, 2008.

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8 51-2-10312 CJB 02/25/08

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