

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1556

By: Branan

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6 AS INTRODUCED

7 An Act relating to roads, bridges and ferries;
8 providing procedures for municipalities to request
9 vacation of Partial Control of Access Designation on
10 certain highways; providing for district court
11 determination upon application by the Director of the
12 Department of Transportation; providing for appeal;
13 providing for codification; and declaring an
14 emergency.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 1303.1 of Title 69, unless there
18 is created a duplication in numbering, reads as follows:

19 When the governing body of a municipality incorporated in this
20 state presents a resolution to the State Transportation Commission
21 requesting a vacation of Partial Control of Access Designation on
22 highways located within the corporate limits of such municipality
23 for the purpose of encouraging economic development, such request
24 shall be granted at the next ensuing meeting of the Commission;
provided, however, if a district court located in the county wherein
the affected section of highway is located, in whole or in part,

1 finds upon application by the Director of the Department of
2 Transportation that such request would be in contradiction of an
3 unusual and compelling state interest, or would result in an
4 increased risk to the public which is both unusual and unreasonable,
5 the request shall be denied. Such decision of the district court
6 may be appealed by the municipality for a de novo hearing on the
7 merits.

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

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