

ENROLLED SENATE
BILL NO. 832

By: Bingman and Branan of the
Senate

and

Shannon and Tibbs of the
House

An Act relating to roads, bridges and ferries; amending 69 O.S. 2001, Section 660, as amended by Section 1, Chapter 157, O.S.L. 2006 (69 O.S. Supp. 2008, Section 660), which relates to replacement of bridges; updating references; authorizing boards of county commissioners to enter agreements with the Oklahoma Turnpike Authority to replace certain bridges; stating funding sources; providing for approval process; authorizing certain entity to prioritize bridge replacements; creating the Oklahoma Roads Task Force; stating membership; providing termination date; providing for travel reimbursement; providing for staffing; stating duties; requiring report; providing for noncodification; and declaring an emergency.

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

SECTION 1. AMENDATORY 69 O.S. 2001, Section 660, as amended by Section 1, Chapter 157, O.S.L. 2006 (69 O.S. Supp. 2008, Section 660), is amended to read as follows:

Section 660. A. The Local Government Division of the Department of Transportation shall immediately establish a program to aid counties in replacing or reconstructing bridges and roads.

The bridges and roads to be replaced or reconstructed shall be those that are structurally inadequate, functionally obsolete or have been destroyed or rendered unusable.

B. Funds made available for the purposes of the County Bridge and Road Improvement Act may be used to pay the cost of county bridge inspections, classifications, and evaluations, and county road inspections, classifications, and evaluations for federal and state purposes and to match federal or state funds, provided the applicable federal or state funds are available.

C. Except as otherwise specified in ~~this act~~ the County Bridge and Road Improvement Act, the county collector system, including any future revisions thereto, shall constitute the system of roads wherein the bridges and roads are located that are eligible for project funding under ~~this act~~ the County Bridge and Road Improvement Act. Official maps showing the county collector system in each county shall be maintained on file by the Department of Transportation and shall be furnished each county at no cost.

D. The Department of Transportation may approve the utilization of up to ninety percent (90%) of the estimated four-year apportionment to the county for county projects. However, no additional projects may be approved for the county until the county has accumulated a surplus of three (3) months of apportionments and repaid all funds advanced from the State Highway Construction and Maintenance Fund.

E. When a county bridge sustains damage, whether caused by a natural or artificial event, and consequently requires immediate repair, the board of county commissioners may by resolution direct the transfer, by the Department of Transportation, of any unencumbered monies in that county's account in the County Bridge and Road Improvement Fund, to that county's highway fund, for the sole purpose of repairing or reconstructing ~~said~~ the bridge.

F. The boards of county commissioners may enter into cooperative agreements with the Oklahoma Turnpike Authority for the purpose of replacement, expansion or repair of functionally obsolete and structurally deficient bridges which cross over or under turnpikes. The expenditures for such projects will be from any federal, state or county public funds appropriated and earmarked for

such purpose. Counties may apply for the expenditure of these earmarked funds for projects that have been requested by the board of county commissioners of the county where the bridge is located. Once approved by the Oklahoma Cooperative Circuit Engineering Districts Board, the Board will select and prioritize the bridge replacement projects based on criteria which shall include, but not be limited to, high traffic volume and current bridge safety assessments.

SECTION 2. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. There is hereby created until January 1, 2010, the "Oklahoma Roads Task Force" for the purpose of studying and evaluating the effect of inflation on highway and bridge construction and maintenance.

B. The Oklahoma Roads Task Force shall consist of nine (9) members, as follows:

1. The Director of the Department of Transportation, or a designee;

2. A representative from a statewide organization representing counties appointed by the Speaker of the House of Representatives;

3. A representative from a transportation advocacy group appointed by the Speaker of the House of Representatives;

4. A representative from a statewide organization representing municipalities appointed by the President Pro Tempore of the Senate;

5. A representative from a road and bridge organization appointed by the President Pro Tempore of the Senate;

6. Two members of the House of Representatives, appointed by the Speaker of the House of Representatives; and

7. Two members of the Senate, appointed by the President Pro Tempore of the Senate.

C. Any vacancy on the task force shall be filled in the same manner as the original appointment.

D. The chair shall be appointed by the Speaker of the House of Representatives. The vice-chair shall be appointed by the President Pro Tempore of the Senate. The chair shall convene the first meeting of the task force. The members of the task force shall elect any other officers as they may deem necessary. The task force shall meet as often as necessary. Members of the task force shall serve without compensation. Nonlegislative task force members employed by the state shall be reimbursed for travel expenses related to their service on the task force by their appointing authority in accordance with the provisions of the State Travel Reimbursement Act. Legislative members of the task force shall be reimbursed for their necessary travel expenses incurred in the performance of their duties in accordance with Section 456 of Title 74 of the Oklahoma Statutes.

E. Administrative support for the task force shall be provided by the Department of Transportation to be supplemented, if necessary, by the staff of the Oklahoma House of Representatives and the State Senate. All participating state agencies shall provide for any administrative support as requested by the task force.

F. The task force shall study, receive testimony, deliberate upon and make recommendations on all aspects concerning the effect of inflation on highway and bridge construction and maintenance.

G. The task force shall report its findings and recommendations to the Governor, the Oklahoma House of Representatives, and the State Senate on or before February 1, 2010. The report shall be prepared by the staff of the Department of Transportation.

SECTION 3. 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 Senate the 15th day of May, 2009.

Presiding Officer of the Senate

Passed the House of Representatives the 18th day of May, 2009.

Presiding Officer of the House
of Representatives