

THE HOUSE OF REPRESENTATIVES
Monday, February 15, 2010

House Bill No. 2533

HOUSE BILL NO. 2533 - By: FAUGHT of the House.

An Act relating to roads, bridges and ferries; amending 69 O.S. 2001, Section 2711, which relates to turnpikes; exempting emergency vehicles from paying turnpike tolls; removing limitation on law enforcement toll exemption; and providing an effective date.

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

1 SECTION 1. AMENDATORY 69 O.S. 2001, Section 2711, is amended to read
2 as follows:
3 Section 2711. The Authority, subject to the provisions hereof, is hereby authorized
4 to fix, revise, charge and collect tolls for the use of each turnpike project and the different
5 parts or sections thereof, except for use by emergency vehicles and except for use by law
6 enforcement officers responsible for enforcing the traffic laws and the general laws of the
7 state and federal governments on turnpikes, who shall be entitled to free use of every
8 such project ~~in the performance of official duties connected with such turnpike project,~~
9 and to contract with any person, partnership, association or corporation desiring the use
10 of any part thereof, including the right-of-way adjoining the paved portion, for placing
11 thereon telephone, telegraph, electric light or power lines, gas stations, garages, stores,
12 hotels, restaurants and advertising signs, or for any other purpose except for tracks for
13 railroad or railway use, and to fix the terms, conditions, rents and rates of charges for

1 such use. Such tolls, subject to the other restrictions hereof, shall be so fixed and
2 adjusted in respect of the aggregate of tolls from the turnpike project or projects in
3 connection with which the bonds of any issue shall have been issued as to provide a fund
4 sufficient with other revenues, if any, to pay (a) the cost of maintaining, repairing, and
5 operating such turnpike project or projects, and (b) the principal of and the interest of
6 such bonds as the same shall become due and payable, and to create reserves for such
7 purposes. The tolls and all other revenues derived from the turnpike project or projects in
8 connection with which the bonds of any issue shall have been issued, except such part
9 thereof as may be necessary to pay such cost of maintenance, repair, and operation and
10 to provide such reserves therefor as may be provided for in the resolution authorizing the
11 issuance of such bonds or in the trust agreement securing the same shall be set aside at
12 such regular intervals as may be provided in such resolution or such trust agreement in a
13 sinking fund which is hereby pledged to, and charged with, the payment of (a) the
14 interest upon such bonds as such interest shall fall due, (b) the principal of such bonds as
15 the same shall fall due, (c) the necessary charges of paying agents for paying principal
16 and interest, and (d) the redemption price or the purchase price of bonds retired by call
17 or purchase as therein provided, which are a charge against such fund. The use and
18 disposition of monies to the credit of such sinking fund shall be subject to the provisions
19 of the resolution authorizing the issuance of such bonds or of such trust agreement.
20 Except as may otherwise be provided in such resolution or such trust agreement, such
21 sinking fund shall be a fund for all such bonds without distinction or priority of one over
22 another. The monies in the sinking fund, less such reserve as may be provided in such

1 resolution or trust agreement, if not used within a reasonable time for the purchase of
2 bonds for cancellation as above provided, shall be applied to the redemption of bonds at
3 the redemption price then applicable. Any person who leases, rents, or acquires control
4 of any gas station, garage, store, hotel, or restaurant must have been a resident of, or
5 been doing business in, Oklahoma for the past five (5) years. Notwithstanding anything
6 else herein contained to the contrary, the Corporation Commission of the State of
7 Oklahoma shall exercise the jurisdiction now or hereafter vested in it to regulate and
8 control the operation of motor carriers of passengers and freight, using or desiring to use
9 any turnpike project, in the manner and to the extent that it regulates or controls such
10 carriers using the highways of the state. The Authority shall not discriminate against
11 any group or class or individual member thereof in fixing the amount of toll, rents, or
12 charge for the use of the turnpike project.

13 SECTION 2. This act shall become effective November 1, 2010.

14 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 02-11-10 -
15 DO PASS.