

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1707

By: Hilliard

4  
5  
6 AS INTRODUCED

7 An Act relating to roads, bridges and ferries;  
8 amending 69 O.S. 2001, Section 1711, which relates to  
9 turnpikes; exempting school buses from paying tolls;  
10 providing for codification; and declaring an  
11 emergency.

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

13 SECTION 1. AMENDATORY 69 O.S. 2001, Section 1711, is  
14 amended to read as follows:

15 Section 1711. ~~The~~ Except as provided in Section 2 of this act,  
16 the Oklahoma Turnpike Authority, subject to the provisions hereof,  
17 is hereby authorized to fix, revise, charge and collect tolls for  
18 the use of each turnpike project and the different parts or sections  
19 thereof, ~~except for use by law enforcement officers responsible for~~  
20 ~~enforcing the traffic laws and the general laws of the state and~~  
21 ~~federal governments on turnpikes, who shall be entitled to free use~~  
22 ~~of every such project in the performance of official duties~~  
23 ~~connected with such turnpike project,~~ and to contract with any  
24 person, partnership, association or corporation desiring the use of

1 any part thereof, including the right-of-way adjoining the paved  
2 portion, for placing thereon telephone, telegraph, electric light or  
3 power lines, gas stations, garages, stores, hotels, restaurants and  
4 advertising signs, or for any other purpose except for tracks for  
5 railroad or railway use, and to fix the terms, conditions, rents and  
6 rates of charges for such use. Such tolls, subject to the other  
7 restrictions hereof, shall be so fixed and adjusted in respect of  
8 the aggregate of tolls from the turnpike project or projects in  
9 connection with which the bonds of any issue shall have been issued  
10 as to provide a fund sufficient with other revenues, if any, to pay  
11 (a) the cost of maintaining, repairing, and operating such turnpike  
12 project or projects, and (b) the principal of and the interest of  
13 such bonds as the same shall become due and payable, and to create  
14 reserves for such purposes. The tolls and all other revenues  
15 derived from the turnpike project or projects in connection with  
16 which the bonds of any issue shall have been issued, except such  
17 part thereof as may be necessary to pay such cost of maintenance,  
18 repair, and operation and to provide such reserves therefor as may  
19 be provided for in the resolution authorizing the issuance of such  
20 bonds or in the trust agreement securing the same shall be set aside  
21 at such regular intervals as may be provided in such resolution or  
22 such trust agreement in a sinking fund which is hereby pledged to,  
23 and charged with, the payment of (a) the interest upon such bonds as  
24 such interest shall fall due, (b) the principal of such bonds as the

1 same shall fall due, (c) the necessary charges of paying agents for  
2 paying principal and interest, and (d) the redemption price or the  
3 purchase price of bonds retired by call or purchase as therein  
4 provided, which are a charge against such fund. The use and  
5 disposition of monies to the credit of such sinking fund shall be  
6 subject to the provisions of the resolution authorizing the issuance  
7 of such bonds or of such trust agreement. Except as may otherwise  
8 be provided in such resolution or such trust agreement, such sinking  
9 fund shall be a fund for all such bonds without distinction or  
10 priority of one over another. The monies in the sinking fund, less  
11 such reserve as may be provided in such resolution or trust  
12 agreement, if not used within a reasonable time for the purchase of  
13 bonds for cancellation as above provided, shall be applied to the  
14 redemption of bonds at the redemption price then applicable. Any  
15 person who leases, rents, or acquires control of any gas station,  
16 garage, store, hotel, or restaurant must have been a resident of, or  
17 been doing business in, Oklahoma for the past five (5) years.  
18 Notwithstanding anything else herein contained to the contrary, the  
19 Corporation Commission of the State of Oklahoma shall exercise the  
20 jurisdiction now or hereafter vested in it to regulate and control  
21 the operation of motor carriers of passengers and freight, using or  
22 desiring to use any turnpike project, in the manner and to the  
23 extent that it regulates or controls such carriers using the  
24 highways of the state. The Authority shall not discriminate against

1 any group or class or individual member thereof in fixing the amount  
2 of toll, rents, or charge for the use of the turnpike project.

3 SECTION 2. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 1711.1 of Title 69, unless there  
5 is created a duplication in numbering, reads as follows:

6 A. The Oklahoma Turnpike Authority shall not charge tolls for  
7 the use of any turnpike by the following:

8 1. Law enforcement officers responsible for enforcing the  
9 traffic laws and the general laws of the state and federal  
10 governments on turnpikes who use the turnpike in the performance of  
11 official duties connected with such turnpike project; or

12 2. Public school transportation equipment and auxiliary  
13 transportation equipment as defined by Section 9-104 of Title 70 of  
14 the Oklahoma Statutes.

15 B. The Oklahoma Turnpike Authority shall promulgate any rules  
16 necessary to administer the purposes of this section.

17 SECTION 3. It being immediately necessary for the preservation  
18 of the public peace, health and safety, an emergency is hereby  
19 declared to exist, by reason whereof this act shall take effect and  
20 be in full force from and after its passage and approval.

21

22 53-1-5581 CJB 12/27/10

23

24