

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 1046

By: Roberts (Dustin)

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5  
6 AS INTRODUCED

7 An Act relating to roads, bridges and ferries;  
8 amending 69 O.S. 2011, Section 1711, which relates to  
9 turnpikes; exempting emergency vehicles from paying  
10 turnpike tolls; and providing an effective date.

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

13 SECTION 1. AMENDATORY 69 O.S. 2011, Section 1711, is  
14 amended to read as follows:

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

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

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

1 highways of the state. The Authority shall not discriminate against  
2 any group or class or individual member thereof in fixing the amount  
3 of toll, rents, or charge for the use of the turnpike project.

4 SECTION 2. This act shall become effective November 1, 2013.

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6 54-1-5098 CJB 12/03/12

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