

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 3388

By: Ford (Roger)

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8 COMMITTEE SUBSTITUTE

9 An Act relating to railroads; amending 66 O.S. 2011,
10 Section 128, which relates to duties to construct and
11 maintain railroad crossings; modifying notification
12 process for failure to construct and maintain
13 crossing; providing certain standards for
14 construction and maintenance; requiring written
15 notice by the Oklahoma Corporation Commission;
16 providing for contempt proceeding in certain cases;
17 and providing an effective date.

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

21 SECTION 1. AMENDATORY 66 O.S. 2011, Section 128, is
22 amended to read as follows:

23 Section 128. A. It shall be the duty of every railroad company
24 or corporation doing business, or operating a line of railroad,
within this state, to construct a crossing across that portion of
its track, roadbed or right-of-way over which any public highway may
run, and maintain the same unobstructed, in a good condition for the
use of the public, and to build and maintain in good condition all

1 bridges and culverts that may be necessary on its right-of-way at
2 such crossing ~~and in case any.~~

3 B. Any railroad company or corporation that fails ~~se~~ to
4 construct and maintain said crossing in accordance with the
5 recommendations set forth in the United States Department of
6 Transportation Railroad-Highway Grade Crossing Handbook, for thirty
7 (30) days after written notice by the ~~road overseer of any road~~
8 ~~district or the council or board of trustees of any city or town in~~
9 ~~this state, or fifty (50) petitioners of any city or town who are~~
10 ~~interested (where such work or repairs are needed), to be given~~
11 Oklahoma Corporation Commission to the ~~section boss, or any station~~
12 ~~agent or employee~~ of any railroad company or corporation in the
13 county ~~(where such work or repairs are needed) it,~~ shall ~~forfeit and~~
14 ~~pay to said county, road district, city or town complaining, the sum~~
15 ~~of Twenty-five Dollars (\$25.00) per day for every day said company~~
16 ~~or corporation may neglect to comply with the requirements of this~~
17 ~~section~~ be subject to a contempt proceeding before the Oklahoma
18 Corporation Commission.

19 SECTION 2. This act shall become effective November 1, 2018.
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21 56-2-10103 SD 03/02/18
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