

1 ENGROSSED SENATE
2 BILL NO. 1138

By: Bice of the Senate

3 and

4 Watson of the House

5
6 An Act relating to railroads; amending 69 O.S. 2011,
7 Section 601, which relates to crossing construction
8 requirements; limiting the space where crossing
9 construction is required; construing provision; and
10 providing an effective date.

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

12 SECTION 1. AMENDATORY 69 O.S. 2011, Section 601, is
13 amended to read as follows:

14 Section 601. A. The county highway system shall be composed of
15 all public roads within any county, less any part of any road or
16 roads which may be designated as a state highway by the State
17 Transportation Commission. It shall be the duty of the board of
18 county commissioners in each county to construct and maintain as
19 county highways those roads which best serve the most people of the
20 county. For this purpose the board of county commissioners is
21 authorized to use any funds which are in the county highway fund,
22 subject to statutory restrictions on the use of any of such funds,
23 together with any money or item of value derived from any agreement
24 entered into between the county and the Transportation Commission,

1 the federal government, this state, any other county or political
2 subdivision of this state or other governmental entity, or any
3 citizen or group of citizens who have made donations for that
4 purpose. The boards of county commissioners of the various counties
5 shall have exclusive jurisdiction over the designation, construction
6 and maintenance and repair of all of the county highways and bridges
7 therein. Where a railway company crosses a public road, the railway
8 company shall improve the space between its tracks, and two (2) feet
9 on either side thereof, in the same manner that the remainder of the
10 road is to be improved, or with such other material as the county
11 commissioners may require. Provided, there shall be no increase or
12 reduction of the common law liabilities of any party. All
13 interlocal cooperation agreements made pursuant to this section
14 between counties and those political subdivisions or citizens of a
15 county shall be submitted to the district attorney of each of the
16 counties subject to the agreement for approval. All other
17 interlocal cooperation agreements shall be submitted and approved in
18 accordance with Sections 1001 through 1008 of Title 74 of the
19 Oklahoma Statutes.

20 B. The boards of county commissioners are hereby authorized to
21 establish road improvement districts as provided by law for existing
22 roads in the unincorporated areas of counties. The boards of county
23 commissioners may also have improvements made on existing roads in
24 unincorporated areas of counties on a force account basis.

SECTION 2. This act shall become effective November 1, 2018.

Passed the Senate the 13th day of March, 2018.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2018.

Presiding Officer of the House
of Representatives