

1 ENGROSSED HOUSE
2 BILL NO. 3388

By: Ford (Roger) of the House

3 and

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

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

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

20 Section 128. A. It shall be the duty of every railroad company
21 or corporation doing business, or operating a line of railroad,
22 within this state, to construct a crossing across that portion of
23 its track, roadbed or right-of-way over which any public highway may
24 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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1 Passed the House of Representatives the 12th day of March, 2018.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2018.

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8 Presiding Officer of the Senate