

# An Act

ENROLLED HOUSE  
BILL NO. 3388

By: Ford (Roger) of the House

and

Fry of the Senate

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

SUBJECT: Railroad crossings

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

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

Section 128. A. It shall be the duty of every railroad company 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 bridges and culverts that may be necessary on its right-of-way at such crossing ~~and in case any.~~

B. Any railroad company or corporation that fails ~~se~~ to construct and maintain said crossing in accordance with the recommendations set forth in the United States Department of Transportation Railroad-Highway Grade Crossing Handbook, for thirty

~~(30) days after written notice by the road overseer of any road district or the council or board of trustees of any city or town in this state, or fifty (50) petitioners of any city or town who are interested (where such work or repairs are needed), to be given Oklahoma Corporation Commission to the section boss, or any station agent or employee of any railroad company or corporation in the county (where such work or repairs are needed) it, shall forfeit and pay to said county, road district, city or town complaining, the sum of Twenty-five Dollars (\$25.00) per day for every day said company or corporation may neglect to comply with the requirements of this section be subject to a contempt proceeding before the Oklahoma Corporation Commission.~~

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

Passed the House of Representatives the 12th day of March, 2018.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 26th day of April, 2018.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
By: \_\_\_\_\_