

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 56th Legislature (2018)

4   ENGROSSED SENATE  
5   BILL NO. 1138

                              By: Bice and Pittman of the  
                                      Senate

6   and

7   Watson and Moore of the  
8   House

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

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

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

18           Section 601.   A.   The county highway system shall be composed of  
19   all public roads within any county, less any part of any road or  
20   roads which may be designated as a state highway by the State  
21   Transportation Commission.   It shall be the duty of the board of  
22   county commissioners in each county to construct and maintain as  
23   county highways those roads which best serve the most people of the  
24   county.   For this purpose the board of county commissioners is

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

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1 B. The boards of county commissioners are hereby authorized to  
2 establish road improvement districts as provided by law for existing  
3 roads in the unincorporated areas of counties. The boards of county  
4 commissioners may also have improvements made on existing roads in  
5 unincorporated areas of counties on a force account basis.

6 SECTION 2. This act shall become effective November 1, 2018.  
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8 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION, dated 04/09/2018 -  
9 DO PASS, As Coauthored.  
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