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April 12, 2017

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL NO. 1305

By: Murdock and Bennett (John)  
of the House

and

Boggs of the Senate

## COMMITTEE SUBSTITUTE

[ roads, bridges and ferries - permits to harvest hay along the right-of-way of public roads - certain consent - regulations - codification - effective date ]

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 601.7 of Title 69, unless there is created a duplication in numbering, reads as follows:

A. The board of county commissioners is authorized to issue permits which authorize and regulate the harvesting of hay along the right-of-way of public roads of the county highway system within their respective counties. Each permit shall authorize the permittee to harvest hay for the duration of the calendar year.

B. The applicant for a permit shall be informed in writing and shall sign a release acknowledging that he or she will assume all

1 risk and liability for hay quality and for any accidents and damages  
2 that may occur as a result of the work and that the county and State  
3 of Oklahoma assume no liability for the hay quality or for work done  
4 by the permittee.

5 C. Any person who stores the harvested hay along the right-of-  
6 way for later removal shall store the harvested hay at the outer  
7 edge of the right-of-way and shall remove the harvested hay within  
8 two (2) days after harvesting.

9 D. The county shall obtain consent from the owner whose land  
10 abuts the right-of-way before issuing or reissuing a permit to  
11 harvest hay. The owner may revoke his or her consent at any time.

12 E. The owner or the owner's assignee of land abutting the  
13 right-of-way shall have priority to receive a permit for such land  
14 under this section.

15 F. The county may charge a permit fee in an amount calculated  
16 only to defray the actual costs of administering this section;  
17 provided, that any owner or owner's assignee shall be granted a  
18 permit at no cost when harvesting hay on the right-of-way abutting  
19 that owner's land. All fees received under this section shall be  
20 remitted to the county treasurer for credit to the county highway  
21 fund.

22 G. Counties shall require permittees to carry and keep in force  
23 liability insurance during the permit period. Counties shall  
24 determine required minimum amounts of such coverage, which shall be

1 at least Three Hundred Thousand Dollars (\$300,000.00) for each  
2 occurrence of bodily injury and One Hundred Thousand Dollars  
3 (\$100,000.00) for each occurrence of property damage.

4 H. Counties may establish regulations to carry out this  
5 section.

6 SECTION 2. This act shall become effective November 1, 2017.

7 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
8 April 12, 2017 - DO PASS AS AMENDED  
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