

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1479

By: Paxton

AS INTRODUCED

An Act relating to roads and highways; amending 69 O.S. 2011, Section 1213, which relates to obstructing or damaging roads; authorizing certain authority to remove certain obstructions from roadways; updating statutory language; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 69 O.S. 2011, Section 1213, is amended to read as follows:

Section 1213. ~~(a)~~ A. Any person or persons who shall willfully or knowingly obstruct or damage any public road or highway by obstructing the side or cross drain or ditches thereof, or by turning water upon such road or highway or right-of-way, or by throwing or depositing brush, trees, stumps, logs, or any refuse or debris whatsoever in the road or highway, or on the sides or in the ditches thereof, or by fencing across or upon the right-of-way of the same, or by planting any hedge within the lines established for such road or highway, or by changing the location thereof, or shall obstruct ~~said~~ the road, highway or drains in any other manner

1 whatsoever, or, except as provided in subsection ~~(b)~~ B of this
2 section, any person or persons who shall willfully or knowingly
3 deface, damage, destroy or remove any traffic-control device, road
4 sign, signboard, guide sign or signpost shall be deemed guilty of a
5 misdemeanor.

6 ~~(b)~~ B. If any person or persons willfully or knowingly defaces,
7 damages, destroys or removes any traffic-control device, road sign,
8 signboard, guide sign or signpost and such action results in
9 personal injury to or death of any person, the person or persons
10 responsible for such action shall be guilty of a felony punishable
11 by imprisonment in the custody of the Department of Corrections for
12 not more than two (2) years, or by a fine of not more than One
13 Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.
14 Notice of this provision shall be placed in the manual provided by
15 the Department of Public Safety which manual is issued for purpose
16 of passing driving privilege.

17 ~~(c)~~ C. The governing body who finds any road or highway
18 obstructed as above specified shall notify the person violating the
19 provisions of this section, verbally or in writing, to remove such
20 obstruction forthwith, and if such person does not remove the
21 obstruction within ten (10) days after being notified, he shall pay
22 the sum of Five Dollars (\$5.00) for each and every day after the
23 tenth day such obstruction is maintained or permitted to remain,
24 such fine to be recovered by suit brought by the governing body in

1 any court of competent jurisdiction. If such obstruction is not
2 removed within thirty (30) days of notification, the governing body
3 who found the obstruction as specified in this act shall have the
4 authority to remove the obstruction.

5 SECTION 2. This act shall become effective July 1, 2020.

6 SECTION 3. It being immediately necessary for the preservation
7 of the public peace, health or safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval.

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