

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL NO. 871

By: Bergstrom

AS INTRODUCED

An Act relating to roads and bridges; amending 69 O.S. 2011, Section 601, which relates to county highways; allowing boards of county commissioners to enter into certain agreements to construct or maintain certain roads; and providing an effective date.

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

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

Section 601. A. The county highway system shall be composed of all public roads within any county, less any part of any road or roads which may be designated as a state highway by the State Transportation Commission. It shall be the duty of the board of county commissioners in each county to construct and maintain as county highways those roads which best serve the most people of the county. For this purpose the board of county commissioners is authorized to use any funds which are in the county highway fund, subject to statutory restrictions on the use of any of such funds, together with any money or item of value derived from any agreement

1 entered into between the county and the Transportation Commission,
2 the federal government, this state, any other county or political
3 subdivision of this state or other governmental entity, or any
4 citizen or group of citizens who have made donations for that
5 purpose. The boards of county commissioners of the various counties
6 shall have exclusive jurisdiction over the designation, construction
7 and maintenance and repair of all of the county highways and bridges
8 therein. All interlocal cooperation agreements made pursuant to
9 this section between counties and those political subdivisions or
10 citizens of a county shall be submitted to the district attorney of
11 each of the counties subject to the agreement for approval. All
12 other interlocal cooperation agreements shall be submitted and
13 approved in accordance with Sections 1001 through 1008 of Title 74
14 of the Oklahoma Statutes.

15 B. The boards of county commissioners are hereby authorized to
16 establish road improvement districts as provided by law for existing
17 roads in the unincorporated areas of counties. The boards of county
18 commissioners may also have improvements made on existing roads in
19 unincorporated areas of counties on a force account basis.

20 C. The boards of county commissioners of the various counties
21 shall have authority and discretion to enter into an agreement with
22 private citizens within its respective county to construct and/or
23 maintain a private road, such as a road within a subdivision, as
24 long as at least three-fourth (3/4) of the citizens affected by the

1 road donate the funds necessary for materials and/or labor to
2 perform such work to the county prior to the roadwork commencing.
3 This statute shall not be construed to give any county the authority
4 to perform work on any citizen's private driveway or roadway that
5 only serves that homeowner or his or her family members. The county
6 must enter into an interlocal agreement with the citizens pursuant
7 to subsection A of this section.

8 SECTION 2. This act shall become effective November 1, 2019.

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