

1 ENGROSSED SENATE  
2 BILL NO. 1509

By: Haste of the Senate

3 and

4 Miller of the House  
5

6 An Act relating to the Department of Transportation;  
7 amending 47 O.S. 2021, Section 1167, as amended by  
8 Section 193, Chapter 282, O.S.L. 2022 (47 O.S. Supp.  
9 2023, Section 1167), which relates to the Weigh  
10 Station Improvement Revolving Fund; allowing the  
11 transfer of monies between fund and agency disbursing  
12 funds; amending 66 O.S. 2021, Section 309, which  
13 relates to the Oklahoma Railroad Maintenance  
14 Revolving Fund; allowing the transfer of monies to  
15 and from fund; amending 68 O.S. 2021, Section 6512,  
16 which relates to the Driving on Road Infrastructure  
17 with Vehicles of Electricity (DRIVE) Revolving Fund;  
18 allowing the transfer of monies between fund and  
19 agency disbursing funds; amending 69 O.S. 2021,  
20 Section 506, which relates to the High Priority State  
21 Bridge Revolving Fund; allowing the transfer of  
22 monies between fund and agency disbursing funds;  
23 amending 69 O.S. 2021, Section 507, which relates to  
24 the County Improvements for Roads and Bridges Fund;  
allowing the transfer of monies between fund and  
agency disbursing funds; amending 69 O.S. 2021,  
Section 1501, which relates to the State Highway  
Construction and Maintenance Fund; allowing the  
transfer of monies between fund and agency disbursing  
funds; amending 69 O.S. 2021, Section 1521, which  
relates to the Rebuilding Oklahoma Access and Driver  
Safety Fund; allowing the transfer of monies between  
fund and agency disbursing funds; amending 69 O.S.  
2021, Section 1913, as amended by Section 1, Chapter  
17, 1st Extraordinary Session, O.S.L. 2023 (69 O.S.  
Supp. 2023, Section 1913), which relates to the Rural  
Economic Transportation Reliability and Optimization  
Fund; allowing transfer of monies between fund and  
agency disbursing funds; amending 69 O.S. 2021,  
Section 4031, which relates to the Public Transit  
Revolving Fund; allowing transfer of monies between  
fund and agency disbursing funds; amending 82 O.S.

2021, Section 1141, which relates to the McClellan-Kerr Arkansas River Navigation System Infrastructure Revolving Fund; allowing transfer of monies between fund and agency disbursing funds; updating statutory language; updating statutory references; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 47 O.S. 2021, Section 1167, as amended by Section 193, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 1167), is amended to read as follows:

Section 1167. A. The Corporation Commission is hereby authorized to promulgate rules pursuant to the Administrative Procedures Act to establish the amounts of fees, fines and penalties as set forth in Section 1166 et seq. of this title. The Corporation Commission shall notify all interested parties of any proposed rules to be promulgated as provided herein and shall provide such parties an opportunity to be heard prior to promulgation.

B. The Corporation Commission shall adjudicate enforcement actions initiated by Corporation Commission personnel.

C. Revenue derived from all fines and penalties collected or received by the Corporation Commission pursuant to the provisions of the Trucking One-Stop Shop Act shall be apportioned as follows:

1. For the period beginning August 23, 2013, the first Three Hundred Thousand Dollars (\$300,000.00) collected or received each fiscal year shall be remitted to the Department of Public Safety for

1 the purpose of staffing the port of entry weigh stations to conduct  
2 safety inspections. The next Five Hundred Fifty Thousand Dollars  
3 (\$550,000.00) shall be remitted to the Oklahoma Tax Commission and  
4 apportioned as provided in Section 1104 of this title; and

5 2. The remaining amount shall be deposited to the Trucking One-  
6 Stop Shop Fund created in subsection D of this section.

7 D. There is hereby created in the State Treasury a revolving  
8 fund for the Corporation Commission to be known and designated as  
9 the "Trucking One-Stop Shop Fund". The Trucking One-Stop Shop Fund  
10 shall consist of:

11 1. All funds apportioned thereto in subsection C of this  
12 section;

13 2. Fees collected by the Commission to be retained as a  
14 licensed operator or other Corporation Commission registration or  
15 motor fuel fees as allowed by statute or rule; and

16 3. Any other monies to be utilized for the Trucking One-Stop  
17 Shop Act.

18 The fund shall be a continuing fund, not subject to fiscal year  
19 limitations, and shall not be subject to legislative appropriation.  
20 Monies in the Trucking One-Stop Shop Fund shall only be expended for  
21 direct expenses relating to the Trucking One-Stop Shop Act.

22 Expenditures from the revolving fund shall be made pursuant to the  
23 laws of this state. In addition, expenditures from the revolving  
24 fund may be made pursuant to the Oklahoma Central Purchasing Act for

1 the purpose of immediately responding to emergency situations,  
2 within the Commission's jurisdiction, having potentially critical  
3 environmental or public safety impact. Warrants for expenditures  
4 from the fund shall be drawn by the State Treasurer against claims  
5 filed as prescribed by law with the Director of the Office of  
6 Management and Enterprise Services for approval and payment.

7 E. There is hereby created in the State Treasury a revolving  
8 fund for the Department of Transportation to be designated the  
9 "Weigh Station Improvement Revolving Fund". The fund shall be a  
10 continuing fund, not subject to fiscal year limitations, and shall  
11 consist of all monies deposited thereto. All monies accruing to the  
12 credit of the fund are hereby appropriated and may be budgeted, ~~and~~  
13 expended, and transferred to and between the agency disbursing funds  
14 for the current or prior fiscal years by the Department for the  
15 purpose of constructing, equipping and maintaining facilities to  
16 determine the weight of vehicles traveling on the roads and highways  
17 of this state. Expenditures from the fund shall be made upon  
18 warrants issued by the State Treasurer against claims filed as  
19 prescribed by law with the Director of the Office of Management and  
20 Enterprise Services for approval and payment.

21 SECTION 2. AMENDATORY 66 O.S. 2021, Section 309, is  
22 amended to read as follows:

23 Section 309. There is hereby created in the State Treasurer's  
24 office a revolving fund for the Department of Transportation, to be

1 designated the Oklahoma Railroad Maintenance Revolving Fund. The  
2 fund shall be composed of all revenues generated by the provisions  
3 of Sections 2201 et seq. of Title 68 of the Oklahoma Statutes, which  
4 are, beginning July 1, 1978, henceforth levied for and dedicated to  
5 the implementation of the provisions of this act together with any  
6 federal grants, or financial assistance payments or contributions by  
7 any state or agency thereof or any authority constituted by a state,  
8 private donation or the proceeds from any rail property sale or  
9 payments for the use of any rail property and any accumulated  
10 interest thereon. ~~No state funds except those appropriated for the~~  
11 ~~purposes of this act shall be expended by the Department of~~  
12 ~~Transportation in furtherance of the provisions of this act.~~  
13 Appropriations, federal monies, or any other monies collected by or  
14 for the Department, and monies from the current and prior fiscal  
15 years may be transferred to and between the agency disbursing funds  
16 for the current or prior fiscal years, the Oklahoma Railroad  
17 Maintenance Revolving Fund, and any other funds authorized for the  
18 use by the Department as necessary to carry out the duties of the  
19 Department under the Railroad Revitalization Act. Expenditures from  
20 the fund shall be made upon warrants issued by the State Treasurer  
21 against claims filed as prescribed by law with the Director of the  
22 Office of Management and Enterprise Services for approval and  
23 payment.  
24

SECTION 3. AMENDATORY 68 O.S. 2021, Section 6512, is amended to read as follows:

Section 6512. There is hereby created in the State Treasury a revolving fund for the Oklahoma Department of Transportation to be designated the "Driving on Road Infrastructure with Vehicles of Electricity (DRIVE) Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Department of Transportation from sources provided by law. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted, ~~and~~ expended, and transferred to and between the agency disbursing funds for the current or prior fiscal years by the Department of Transportation for the purpose of administering the provisions of ~~this act~~ the Driving on Road Infrastructure with Vehicles of Electricity (DRIVE) Act of 2021. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

SECTION 4. AMENDATORY 69 O.S. 2021, Section 506, is amended to read as follows:

Section 506. A. There is hereby created in the State Treasury a revolving fund to be known as the "High Priority State Bridge Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all appropriations

1 and transfers made by the Legislature and the apportionments made  
2 pursuant to Sections 500.6 and 500.7 of Title 68 of the Oklahoma  
3 Statutes. All monies accruing to the credit of said fund are hereby  
4 appropriated and may be budgeted, ~~and~~ expended, and transferred to  
5 and between the agency disbursing funds for the current or prior  
6 fiscal years beginning with the fiscal year ending June 30, 2008,  
7 and each fiscal year thereafter pursuant to subsection B of this  
8 section. Expenditures from said fund shall be made upon warrants  
9 issued by the State Treasurer against claims filed as prescribed by  
10 law with the Director of the Office of Management and Enterprise  
11 Services for approval and payment.

12 B. The funds shall be used for the sole purpose of construction  
13 or reconstruction of bridges on the state highway system that are of  
14 the highest priority as defined by the Transportation Commission.  
15 The fund shall be invested in whatever instruments are authorized by  
16 law for investments by the State Treasurer and the interest earned  
17 by any investment of monies from the fund shall be credited to the  
18 fund which shall earn the same, if there is any unexpended balance  
19 of such fund to which to credit the interest.

20 SECTION 5. AMENDATORY 69 O.S. 2021, Section 507, is  
21 amended to read as follows:

22 Section 507. A. There is hereby created in the State Treasury  
23 a revolving fund to be known as the "County Improvements for Roads  
24 and Bridges Fund". The fund shall be a continuing fund, not subject

1 to fiscal year limitations, and shall consist of all appropriations  
2 and transfers made by the Legislature and the apportionments made  
3 pursuant to subsection L of Section 1104 of Title 47 of the Oklahoma  
4 Statutes. All monies accruing to the credit of said fund are hereby  
5 appropriated and may be budgeted, ~~and~~ expended, and transferred to  
6 and between the agency disbursing funds for the current or prior  
7 fiscal years beginning with the fiscal year ending June 30, 2008,  
8 and each fiscal year thereafter pursuant to subsection B of this  
9 section. Expenditures from said fund shall be made upon warrants  
10 issued by the State Treasurer against claims filed as prescribed by  
11 law with the Director of the Office of Management and Enterprise  
12 Services for approval and payment.

13 B. The funds apportioned pursuant to subsection L of Section  
14 1104 of Title 47 of the Oklahoma Statutes shall be in equal amounts  
15 to the various Transportation Commission districts. The funds shall  
16 be used for the sole purpose of construction or reconstruction of  
17 county roads or bridges on the county highway system that are of the  
18 highest priority as defined by the Transportation Commission.  
19 Counties may accumulate annual funding for a period of up to five  
20 (5) years for a specific project, with such funding to be held by  
21 the Transportation Commission to the credit of the county project.  
22 The Transportation Commission shall promulgate rules for the  
23 administration of the process and the development of criteria for  
24 determining the level of priority for projects and include such



1 projects in a five-year construction plan that will be updated  
2 annually. Projects in the five-year construction plan shall be  
3 contracted as provided by law and awarded by the Transportation  
4 Commission.

5 C. The fund shall be invested in whatever instruments are  
6 authorized by law for investments by the State Treasurer and the  
7 interest earned by any investment of monies from the fund shall be  
8 credited to the fund which shall earn the same, if there is any  
9 unexpended balance of such fund to which to credit the interest.  
10 The interest credited herein shall be expended pursuant to this  
11 section.

12 SECTION 6. AMENDATORY 69 O.S. 2021, Section 1501, is  
13 amended to read as follows:

14 Section 1501. ~~(a)~~ A. All monies received by taxation or  
15 otherwise for use on the state highways of this state shall, unless  
16 otherwise provided by law, be placed in the State Treasury in a fund  
17 to be known as the State Highway Construction and Maintenance Fund.  
18 The fund shall also consist of revenues specifically apportioned to  
19 such fund by provisions of the Oklahoma Statutes.

20 ~~(b)~~ B. All monies remaining in the State Highway Construction  
21 and Maintenance Fund created by 69 O.S. 1961, Section 44(d), when  
22 this Code becomes effective, and all other assets thereof, and all  
23 taxes, revenue and other funds payable to or required to be  
24 deposited in such fund under the provisions of other laws when this

1 Code becomes effective, shall be transferred to, be deposited in and  
2 be a part of the State Highway Construction and Maintenance Fund  
3 created by this section; and the latter fund shall be liable for the  
4 payment of all outstanding obligations existing against the former  
5 fund and may be budgeted, expended, and transferred to and between  
6 the agency disbursing funds for the current or prior fiscal years.

7 ~~(e)~~ C. Of the monies deposited in the State Highway  
8 Construction and Maintenance Fund pursuant to the apportionment of  
9 Motor Fuels Tax Fees provided in Section ~~4~~ 101 et seq. of this ~~act~~  
10 title, the lesser of Ten Thousand Dollars (\$10,000.00) and one and  
11 one-half percent (1 1/2%) of such monies may be used for the  
12 development and maintenance of alternative fuel corridors as defined  
13 by the Federal Highway Administration.

14 SECTION 7. AMENDATORY 69 O.S. 2021, Section 1521, is  
15 amended to read as follows:

16 Section 1521. A. There is hereby created in the State Treasury  
17 a fund to be known as the "Rebuilding Oklahoma Access and Driver  
18 Safety Fund". The fund shall be a continuing fund, not subject to  
19 fiscal year limitations, and shall consist of all appropriations and  
20 transfers made by the Legislature. All monies accruing to the  
21 credit of the fund are hereby appropriated and may be budgeted, ~~and~~  
22 expended, and transferred to and between the agency disbursing funds  
23 for the current or prior fiscal years by the Department of  
24 Transportation for the purposes authorized by subsection F of this

1 section in amounts as authorized by the Oklahoma Legislature.

2 Expenditures from the fund shall be made upon warrants issued by the  
3 State Treasurer against claims filed as prescribed by law with the  
4 Director of the Office of Management and Enterprise Services for  
5 approval and payment.

6 B. Beginning July 1, 2021, except for an amount equivalent to  
7 the amount of revenue apportioned to the Rebuilding Oklahoma Access  
8 and Driver Safety Fund pursuant to Section 500.4B of Title 68 and  
9 Section 1104 of Title 47 of the Oklahoma Statutes and from other  
10 sources apportioned to the Fund by law, there shall be apportioned  
11 to the funds specified in this subsection from the monies that would  
12 otherwise be apportioned to the General Revenue Fund by Section 2352  
13 of Title 68 of the Oklahoma Statutes from the revenues derived  
14 pursuant to subsections A, B and E of Section 2355 of Title 68 of  
15 the Oklahoma Statutes amounts as follows:

16 1. Subject to any reductions required by subsection E of this  
17 section, there shall be apportioned to the Rebuilding Oklahoma  
18 Access and Driver Safety Fund:

19 a. for the fiscal year beginning July 1, 2021, and for  
20 each fiscal year thereafter, Eighty Million Dollars  
21 (\$80,000,000.00), which shall be allocated and used by  
22 the Department of Transportation first for the purpose  
23 of making any required payments for principal,  
24 interest or other costs of borrowing with respect to

1 the obligations issued pursuant to Section 341 of  
2 Title 73 of the Oklahoma Statutes and after any such  
3 required payment has been made then for the purposes  
4 otherwise authorized by this section, plus

5 b. the total amount apportioned to the Rebuilding  
6 Oklahoma Access and Driver Safety Fund for the  
7 preceding fiscal year which, except for the amount  
8 prescribed by subparagraph a of this paragraph, shall  
9 be apportioned before any other amount is apportioned  
10 pursuant to Section 2352 of Title 68 of the Oklahoma  
11 Statutes, plus

12 c. an additional amount that is required in order for the  
13 total apportionment to the Rebuilding Oklahoma Access  
14 and Driver Safety Fund from all sources for such  
15 fiscal year to equal:

16 (1) Five Hundred Seventy-five Million Dollars  
17 (\$575,000,000.00) for the fiscal year beginning  
18 July 1, 2021, and

19 (2) Five Hundred Ninety Million Dollars  
20 (\$590,000,000.00) for the fiscal year beginning  
21 July 1, 2022, and for each fiscal year  
22 thereafter.

23 All amounts apportioned pursuant to this paragraph shall be  
24 divided into twelve equal amounts to be apportioned each month

1 during the fiscal year except the amount specified in subparagraph a  
2 of this paragraph which amount shall be allocated in its full amount  
3 in cash not later than July 30 each year or such later date as may  
4 be required in order for the amount to be allocated in cash; and

5 2. For each fiscal year after the apportionments required by  
6 paragraph 1 of this subsection have been made:

7 a. the next Two Million Dollars (\$2,000,000.00) shall be  
8 apportioned to the Oklahoma Tourism and Passenger Rail  
9 Revolving Fund created pursuant to Section 325 of  
10 Title 66 of the Oklahoma Statutes to be used for  
11 capital and operating costs for the "Heartland Flyer"  
12 rail project, and

13 b. the next Three Million Dollars (\$3,000,000.00) shall  
14 be apportioned to the Public Transit Revolving Fund  
15 created pursuant to Section 4031 of this title to be  
16 used for purposes authorized by law other than the  
17 purpose described by subparagraph a of this paragraph.

18 All amounts apportioned pursuant to this paragraph shall be  
19 divided into twelve equal amounts to be apportioned each month  
20 during the fiscal year.

21 C. The monies apportioned to the Rebuilding Oklahoma Access and  
22 Driver Safety Fund shall not be used to supplant or replace existing  
23 state funds used for transportation purposes.

1       D. In order to ensure that the funds from the ROADS Fund are  
2 used to enhance and not supplant state funding for the Department of  
3 Transportation, the State Board of Equalization shall examine and  
4 investigate expenditures from the fund each year. For purposes of  
5 this examination, monies used to retire outstanding debt obligations  
6 for which the Department of Transportation is responsible shall be  
7 excluded. At the meeting of the State Board of Equalization held  
8 within five (5) days after the monthly apportionment in February of  
9 each year, the State Board of Equalization shall issue a finding and  
10 report which shall state whether expenditures from the ROADS Fund  
11 were used to enhance or supplant state funding for the Department of  
12 Transportation. If the State Board of Equalization finds that state  
13 funding for the Department of Transportation was supplanted by funds  
14 from the ROADS Fund, the Board shall specify the amount by which  
15 such funding was supplanted. In this event, the Legislature shall  
16 not make any appropriations for the ensuing fiscal year until an  
17 appropriation in that amount is made to replenish state funding for  
18 the Department of Transportation.

19       E. In the event that the Director of the Office of Management  
20 and Enterprise Services declares a General Revenue Fund revenue  
21 failure pursuant to Section 34.49 of Title 62 of the Oklahoma  
22 Statutes, and agency allocations are reduced pursuant to the  
23 provisions of Section 34.49 of Title 62 of the Oklahoma Statutes,  
24

1 the amounts that would otherwise be apportioned to the ROADS Fund  
2 by:

3 1. Subparagraph a of paragraph 1 of subsection B of this  
4 section, only to the extent that the amount is not required for debt  
5 service related to the obligations authorized pursuant to Section  
6 341 of Title 73 of the Oklahoma Statutes, Section 350 of Title 73 of  
7 the Oklahoma Statutes and Section 1 of Enrolled House Bill No. 2896  
8 of the 1st Session of the 58th Oklahoma Legislature;

9 2. Subparagraphs b and c of paragraph 1 of subsection B of this  
10 section; and

11 3. Subparagraphs a and b of paragraph 2 of subsection B of this  
12 section,  
13 shall be reduced by a percentage equal to that required of the  
14 General Revenue Fund appropriations to state agencies and such  
15 reductions shall occur during the entire fiscal year and for any  
16 month during which such reductions are required by the Office of  
17 Management and Enterprise Services and by the same percentage as  
18 that required of the agencies for such General Revenue Fund  
19 appropriations.

20 F. The Department of Transportation shall use the monies in the  
21 Rebuilding Oklahoma Access and Driver Safety Fund for:

22 1. The construction and maintenance of state roads, bridges and  
23 highways;

1        2. The direct expenses of operating and maintaining the state  
2 highway system, including bridges;

3        3. Direct expenses incurred in constructing, repairing, and  
4 maintaining state highways, farm-to-market roads, county highways  
5 and bridges as authorized by law;

6        4. Matching federal funds;

7        5. The purchase of materials, tools, machinery, motor vehicles,  
8 and equipment necessary or convenient for the construction and  
9 maintenance of the state highway system and bridges;

10       6. Debt service incurred prior to January 1, 2006, for Capital  
11 Improvement Program bonds sold pursuant to Section 2001 of this  
12 title; and

13       7. Debt service incurred on or after July 1, 2009, with respect  
14 to obligations authorized to be issued pursuant to Section 341 of  
15 Title 73 of the Oklahoma Statutes, Section 350 of Title 73 of the  
16 Oklahoma Statutes and Section 1 of Enrolled House Bill No. 2896 of  
17 the 1st Session of the 58th Oklahoma Legislature.

18       G. From the monies allocated pursuant to the provisions of  
19 subparagraph a of paragraph 1 of subsection B of this section each  
20 fiscal year, the Department of Transportation shall make payments  
21 required for the payment of principal, interest and other costs  
22 related to the obligations issued by the Oklahoma Capitol  
23 Improvement Authority as authorized by Section 341 of Title 73 of  
24 the Oklahoma Statutes, Section 350 of Title 73 of the Oklahoma



1 Statutes and Section 1 of Enrolled House Bill No. 2896 of the 1st  
2 Session of the 58th Oklahoma Legislature, and such payments shall be  
3 made by the Department each fiscal year before such monies are used  
4 for any other purpose.

5 SECTION 8. AMENDATORY 69 O.S. 2021, Section 1913, as  
6 amended by Section 1, Chapter 17, 1st Extraordinary Session, O.S.L.  
7 2023 (69 O.S. Supp. 2023, Section 1913), is amended to read as  
8 follows:

9 Section 1913. There is hereby established a fund within the  
10 State Treasury to be known as the "Rural Economic Transportation  
11 Reliability and Optimization Fund" to be administered by the  
12 Oklahoma Department of Transportation. The fund shall be a  
13 continuing fund, not subject to fiscal year limitations, and shall  
14 consist of any general revenues as may be directly appropriated or  
15 otherwise provided by law.

16 Any monies appropriated to the Rural Economic Transportation  
17 Reliability and Optimization Fund shall not result in a decrease in  
18 historic and traditional total state transportation funding levels  
19 or be used to supplant or replace existing state funds used for  
20 transportation purposes.

21 In order to ensure that the funds from the Rural Economic  
22 Transportation Reliability and Optimization Fund are used to enhance  
23 and not supplant state funding for the Department of Transportation,  
24 the State Board of Equalization shall examine and investigate the

1 funding levels as described. At the meeting of the State Board of  
2 Equalization held within five (5) days after the monthly  
3 apportionment in February of each year, the State Board of  
4 Equalization shall issue a finding and report which shall state  
5 whether expenditures from the Rural Economic Transportation  
6 Reliability and Optimization Fund were used to enhance or supplant  
7 state funding for the Department of Transportation. If the State  
8 Board of Equalization finds that state funding for the Department of  
9 Transportation was supplanted by funds from the Rural Economic  
10 Transportation Reliability and Optimization Fund, the Board shall  
11 specify the amount by which such funding was supplanted. In this  
12 event, the Legislature shall not make any appropriations for the  
13 ensuing fiscal year until an appropriation in that amount is made to  
14 replenish state funding for the Department of Transportation.

15 All monies accruing to the credit of the Rural Economic  
16 Transportation Reliability and Optimization Fund are hereby  
17 appropriated and may be budgeted, expended, and transferred to and  
18 between the agency disbursing funds for the current or prior fiscal  
19 years. Such funds shall be used to assist the Department in the  
20 equitable prioritization of construction, repair and maintenance of  
21 state highways in rural areas where robust economic development has  
22 resulted in traffic safety and circulation difficulties attributed  
23 to significant and unanticipated increases in traffic volumes and as  
24 fully recorded and documented by the Department. "Robust economic

1 development", as used in this act, shall mean those conditions of  
2 the highways of this state in counties with a population of less  
3 than seventy-five thousand (75,000) where traffic volumes have  
4 increased to become so impaired or hazardous as to constitute a  
5 threat to the safety of persons or property traveling over or upon  
6 such highways.

7 When such traffic conditions as described may arise in rural  
8 areas, the Department of Transportation shall engage the Oklahoma  
9 Department of Commerce, the Oklahoma Tax Commission or other  
10 agencies or entities of the state, as necessary, to confirm the  
11 relationship of traffic conditions to robust economic development.  
12 Once said relationship is confirmed and documented, the Department  
13 of Transportation may utilize any proceeds from the Rural Economic  
14 Transportation Reliability and Optimization Fund in an amount not to  
15 exceed fifty percent (50%) of the total project costs to incentivize  
16 and leverage the acceleration and prioritization of improvement  
17 projects existing in or to be incorporated into the Department's  
18 Eight-Year Construction Work Plan.

19 SECTION 9. AMENDATORY 69 O.S. 2021, Section 4031, is  
20 amended to read as follows:

21 Section 4031. There is hereby created in the State Treasury a  
22 revolving fund for the Department of Transportation, to be  
23 designated the "Public Transit Revolving Fund". The fund shall be a  
24 continuing fund, not subject to fiscal year limitations, and shall

1 consist of all monies received ~~by the Department~~ for deposit in the  
2 fund. All monies accruing to the credit of ~~said~~ the fund are hereby  
3 appropriated and may be budgeted, ~~and~~ expended, and transferred to  
4 and between the agency disbursing funds for the current or prior  
5 fiscal years by the Department of Transportation for the purpose of  
6 ~~establishing, expanding, improving, and maintaining rural and urban~~  
7 ~~public mass transportation services~~ conducting training or  
8 certification of individuals seeking to become registered as highway  
9 construction materials technicians. Expenditures from ~~said~~ the fund  
10 shall be made upon warrants issued by the State Treasurer against  
11 claims filed as prescribed by law with the Director of the Office of  
12 Management and Enterprise Services for approval and payment.

13 SECTION 10. AMENDATORY 82 O.S. 2021, Section 1141, is  
14 amended to read as follows:

15 Section 1141. There is hereby created in the State Treasury a  
16 revolving fund for the Oklahoma Department of Transportation to be  
17 designated the "McClellan-Kerr Arkansas River Navigation System  
18 Infrastructure Revolving Fund". The fund shall be a continuing  
19 fund, not subject to fiscal year limitations, for the purpose of  
20 pooling all monies received by the Oklahoma Department of  
21 Transportation from appropriations, dedicated revenues, federal  
22 funds, private contributions or other sources authorized by law  
23 dedicated to the McClellan-Kerr Arkansas River Navigation System  
24 (MKARNS). All monies accruing to the credit of the fund are hereby

1 appropriated and may be budgeted, ~~and~~ expended, and transferred to  
2 and between the agency disbursing funds for the current or prior  
3 fiscal years by the Oklahoma Department of Transportation upon a  
4 recommendation by the Waterways Advisory Board of the Oklahoma  
5 Department of Transportation and upon consultation with all Native  
6 American tribes with an ownership interest in the Arkansas riverbed  
7 for the purpose of repairing or constructing assets which are part  
8 of the MKARNS located in the State of Oklahoma which are essential  
9 to the safe and efficient operation of such system and may also be  
10 used to match federal grants and awards associated with channel  
11 improvements of the MKARNS, whether due to natural disasters,  
12 emergency conditions, operations and maintenance needs or  
13 construction projects. Expenditures from the fund shall be made  
14 upon warrants issued by the State Treasurer against claims filed as  
15 prescribed by law with the Director of the Office of Management and  
16 Enterprise Services for approval and payment.

17 SECTION 11. This act shall become effective July 1, 2024.

18 SECTION 12. It being immediately necessary for the preservation  
19 of the public peace, health or safety, an emergency is hereby  
20 declared to exist, by reason whereof this act shall take effect and  
21 be in full force from and after its passage and approval.  
22  
23  
24

1 Passed the Senate the 14th day of March, 2024.

2  
3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2024.

7  
8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives