

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

HOUSE BILL 1067

By: West (Josh)

AS INTRODUCED

An Act relating to roads and bridges; amending 69 O.S. 2021, Section 1711, which relates to turnpikes; exempting school buses from paying tolls; authorizing the promulgation of rules; and providing an effective date.

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

SECTION 1. AMENDATORY 69 O.S. 2021, Section 1711, is amended to read as follows:

Section 1711. ~~The~~ A. Except as provided in subsection B of this section, the Oklahoma Turnpike Authority, subject to the provisions hereof, is hereby authorized to fix, revise, charge and collect tolls for the use of each turnpike project and the different parts or sections thereof, except for use by law enforcement officers responsible for enforcing the traffic laws and the general laws of the state and federal governments on turnpikes, who shall be entitled to free use of every such project in the performance of official duties connected with such turnpike project, and to

1 contract with any person, partnership, association or corporation
2 desiring the use of any part thereof, including the right-of-way
3 adjoining the paved portion, for placing thereon telephone,
4 telegraph, electric light or power lines, gas stations, garages,
5 stores, hotels, restaurants and advertising signs, or for any other
6 purpose except for tracks for railroad or railway use, and to fix
7 the terms, conditions, rents and rates of charges for such use.
8 Such tolls, subject to the other restrictions hereof, shall be so
9 fixed and adjusted in respect of the aggregate of tolls from the
10 turnpike project or projects in connection with which the bonds of
11 any issue shall have been issued as to provide a fund sufficient
12 with other revenues, if any, to pay (a) the cost of maintaining,
13 repairing, and operating such turnpike project or projects, and (b)
14 the principal of and the interest of such bonds as the same shall
15 become due and payable, and to create reserves for such purposes.
16 The tolls and all other revenues derived from the turnpike project
17 or projects in connection with which the bonds of any issue shall
18 have been issued, except such part thereof as may be necessary to
19 pay such cost of maintenance, repair, and operation and to provide
20 such reserves therefor as may be provided for in the resolution
21 authorizing the issuance of such bonds or in the trust agreement
22 securing the same shall be set aside at such regular intervals as
23 may be provided in such resolution or such trust agreement in a
24 sinking fund which is hereby pledged to, and charged with, the

1 payment of (a) the interest upon such bonds as such interest shall
2 fall due, (b) the principal of such bonds as the same shall fall
3 due, (c) the necessary charges of paying agents for paying principal
4 and interest, and (d) the redemption price or the purchase price of
5 bonds retired by call or purchase as therein provided, which are a
6 charge against such fund. The use and disposition of monies to the
7 credit of such sinking fund shall be subject to the provisions of
8 the resolution authorizing the issuance of such bonds or of such
9 trust agreement. Except as may otherwise be provided in such
10 resolution or such trust agreement, such sinking fund shall be a
11 fund for all such bonds without distinction or priority of one over
12 another. The monies in the sinking fund, less such reserve as may
13 be provided in such resolution or trust agreement, if not used
14 within a reasonable time for the purchase of bonds for cancellation
15 as above provided, shall be applied to the redemption of bonds at
16 the redemption price then applicable. Any person who leases, rents,
17 or acquires control of any gas station, garage, store, hotel, or
18 restaurant must have been a resident of, or been doing business in,
19 Oklahoma for the past five (5) years. Notwithstanding anything else
20 herein contained to the contrary, the Oklahoma Corporation
21 Commission ~~of the State of Oklahoma~~ shall exercise the jurisdiction
22 now or hereafter vested in it to regulate and control the operation
23 of motor carriers of passengers and freight, using or desiring to
24 use any turnpike project, in the manner and to the extent that it

1 regulates or controls such carriers using the highways of the state.
2 The Authority shall not discriminate against any group or class or
3 individual member thereof in fixing the amount of toll, rents, or
4 charge for the use of the turnpike project.

5 B. The Oklahoma Turnpike Authority shall not charge tolls for
6 the use of any turnpike by the following:

7 1. Law enforcement officers responsible for enforcing the
8 traffic laws and the general laws of the state and federal
9 governments on turnpikes who use the turnpike in the performance of
10 official duties connected with such turnpike project; or

11 2. Public school transportation equipment and auxiliary
12 transportation equipment as defined by Section 9-104 of Title 70 of
13 the Oklahoma Statutes.

14 C. The Oklahoma Turnpike Authority is authorized to promulgate
15 any rules necessary to administer the purposes of this section.

16 SECTION 2. This act shall become effective November 1, 2023.

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