

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1509

By: Haste

AS INTRODUCED

An Act relating to the Department of Transportation; amending Section 2, Chapter 240, O.S.L. 2022 (11 O.S. Supp. 2023, Section 37-501), which relates to the Municipal Road Drilling Activity Revolving Fund; allowing the transfer of monies to and from fund; amending 47 O.S. 2021, Section 1167, as amended by Section 193, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2023, Section 1167), which relates to the Weigh Station Improvement Revolving Fund; allowing the transfer of monies between fund and agency disbursing funds; amending 66 O.S. 2021, Section 309, which relates to the Oklahoma Railroad Maintenance Revolving Fund; allowing the transfer of monies to and from fund; amending 68 O.S. 2021, Section 6512, which relates to the Driving on Road Infrastructure with Vehicles of Electricity (DRIVE) Revolving Fund; allowing the transfer of monies between fund and agency disbursing funds; amending 69 O.S. 2021, Section 506, which relates to the High Priority State Bridge Revolving Fund; allowing the transfer of monies between fund and agency disbursing funds; amending 69 O.S. 2021, Section 507, which relates to 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

1 agency disbursing funds; amending 69 O.S. 2021,
2 Section 1963, as amended by Section 1, Chapter 274,
3 O.S.L. 2022 (69 O.S. Supp. 2023, Section 1963), which
4 relates to the Highway Construction Materials
5 Technician Certification Revolving Fund; allowing
6 transfer of monies between fund and agency disbursing
7 funds; amending 69 O.S. 2021, Section 4031, which
8 relates to the Public Transit Revolving Fund;
9 allowing transfer of monies between fund and agency
10 disbursing funds; amending 82 O.S. 2021, Section
11 1141, which relates to the McClellan-Kerr Arkansas
12 River Navigation System Infrastructure Revolving
13 Fund; allowing transfer of monies between fund and
14 agency disbursing funds; updating statutory language;
15 updating statutory references; providing an effective
16 date; and declaring an emergency.

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

18 SECTION 1. AMENDATORY Section 2, Chapter 240, O.S.L.
19 2022 (11 O.S. Supp. 2023, Section 37-501), is amended to read as
20 follows:

21 Section 37-501. There is hereby created in the State Treasury a
22 revolving fund for the Oklahoma Department of Transportation to be
23 designated the "Municipal Road Drilling Activity Revolving Fund".
24 The fund shall be a continuing fund, not subject to fiscal year
25 limitations, and shall consist of all monies received by the
26 Oklahoma Department of Transportation from the apportionment of
27 sales tax prescribed by subsection E of Section 1353 of Title 68 of
28 the Oklahoma Statutes. All monies accruing to the credit of said
29 fund are hereby appropriated and may be budgeted and expended by the
30 Oklahoma Department of Transportation for the purposes prescribed by

1 and according to the requirements of Section ~~3~~ 37-502 of this ~~act~~
2 title. Appropriations, federal monies, or any other monies
3 collected by or for the Department, and monies from the current and
4 prior fiscal years, may be transferred to and between the agency
5 disbursing funds for the current or prior fiscal years, the
6 Municipal Road Drilling Activity Revolving Fund, and any other funds
7 authorized for the use by the Department as necessary to carry out
8 the duties of the Department. Expenditures from said fund shall be
9 made upon warrants issued by the State Treasurer against claims
10 filed as prescribed by law with the Director of the Office of
11 Management and Enterprise Services for approval and payment.

12 SECTION 2. AMENDATORY 47 O.S. 2021, Section 1167, as
13 amended by Section 193, Chapter 282, O.S.L. 2022 (47 O.S. Supp.
14 2023, Section 1167), is amended to read as follows:

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

22 B. The Corporation Commission shall adjudicate enforcement
23 actions initiated by Corporation Commission personnel.
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1 C. Revenue derived from all fines and penalties collected or
2 received by the Corporation Commission pursuant to the provisions of
3 the Trucking One-Stop Shop Act shall be apportioned as follows:

4 1. For the period beginning August 23, 2013, the first Three
5 Hundred Thousand Dollars (\$300,000.00) collected or received each
6 fiscal year shall be remitted to the Department of Public Safety for
7 the purpose of staffing the port of entry weigh stations to conduct
8 safety inspections. The next Five Hundred Fifty Thousand Dollars
9 (\$550,000.00) shall be remitted to the Oklahoma Tax Commission and
10 apportioned as provided in Section 1104 of this title; and

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

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

17 1. All funds apportioned thereto in subsection C of this
18 section;

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

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

1 The fund shall be a continuing fund, not subject to fiscal year
2 limitations, and shall not be subject to legislative appropriation.
3 Monies in the Trucking One-Stop Shop Fund shall only be expended for
4 direct expenses relating to the Trucking One-Stop Shop Act.
5 Expenditures from the revolving fund shall be made pursuant to the
6 laws of this state. In addition, expenditures from the revolving
7 fund may be made pursuant to the Oklahoma Central Purchasing Act for
8 the purpose of immediately responding to emergency situations,
9 within the Commission's jurisdiction, having potentially critical
10 environmental or public safety impact. Warrants for expenditures
11 from the fund shall be drawn by the State Treasurer against claims
12 filed as prescribed by law with the Director of the Office of
13 Management and Enterprise Services for approval and payment.

14 E. There is hereby created in the State Treasury a revolving
15 fund for the Department of Transportation to be designated the
16 "Weigh Station Improvement Revolving Fund". The fund shall be a
17 continuing fund, not subject to fiscal year limitations, and shall
18 consist of all monies deposited thereto. All monies accruing to the
19 credit of the fund are hereby appropriated and may be budgeted, ~~and~~
20 expended, and transferred to and between the agency disbursing funds
21 for the current or prior fiscal years by the Department for the
22 purpose of constructing, equipping and maintaining facilities to
23 determine the weight of vehicles traveling on the roads and highways
24 of this state. Expenditures from the fund shall be made upon

1 warrants issued by the State Treasurer against claims filed as
2 prescribed by law with the Director of the Office of Management and
3 Enterprise Services for approval and payment.

4 SECTION 3. AMENDATORY 66 O.S. 2021, Section 309, is
5 amended to read as follows:

6 Section 309. There is hereby created in the State Treasurer's
7 office a revolving fund for the Department of Transportation, to be
8 designated the Oklahoma Railroad Maintenance Revolving Fund. The
9 fund shall be composed of all revenues generated by the provisions
10 of Sections 2201 et seq. of Title 68 of the Oklahoma Statutes, which
11 are, beginning July 1, 1978, henceforth levied for and dedicated to
12 the implementation of the provisions of this act together with any
13 federal grants, or financial assistance payments or contributions by
14 any state or agency thereof or any authority constituted by a state,
15 private donation or the proceeds from any rail property sale or
16 payments for the use of any rail property and any accumulated
17 interest thereon. ~~No state funds except those appropriated for the~~
18 ~~purposes of this act shall be expended by the Department of~~
19 ~~Transportation in furtherance of the provisions of this act.~~
20 Appropriations, federal monies, or any other monies collected by or
21 for the Department, and monies from the current and prior fiscal
22 years may be transferred to and between the agency disbursing funds
23 for the current or prior fiscal years, the Oklahoma Railroad
24 Maintenance Revolving Fund, and any other funds authorized for the

1 use by the Department as necessary to carry out the duties of the
2 Department under the Railroad Revitalization Act. Expenditures from
3 the fund shall be made upon warrants issued by the State Treasurer
4 against claims filed as prescribed by law with the Director of the
5 Office of Management and Enterprise Services for approval and
6 payment.

7 SECTION 4. AMENDATORY 68 O.S. 2021, Section 6512, is
8 amended to read as follows:

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

SECTION 5. 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 and transfers made by the Legislature and the apportionments made pursuant to Sections 500.6 and 500.7 of Title 68 of the Oklahoma Statutes. 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 beginning with the fiscal year ending June 30, 2008, and each fiscal year thereafter pursuant to subsection B of this section. 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.

B. The funds shall be used for the sole purpose of construction or reconstruction of bridges on the state highway system that are of the highest priority as defined by the Transportation Commission. The fund shall be invested in whatever instruments are authorized by law for investments by the State Treasurer and the interest earned by any investment of monies from the fund shall be credited to the

1 fund which shall earn the same, if there is any unexpended balance
2 of such fund to which to credit the interest.

3 SECTION 6. AMENDATORY 69 O.S. 2021, Section 507, is
4 amended to read as follows:

5 Section 507. A. There is hereby created in the State Treasury
6 a revolving fund to be known as the "County Improvements for Roads
7 and Bridges Fund". The fund shall be a continuing fund, not subject
8 to fiscal year limitations, and shall consist of all appropriations
9 and transfers made by the Legislature and the apportionments made
10 pursuant to subsection L of Section 1104 of Title 47 of the Oklahoma
11 Statutes. All monies accruing to the credit of said fund are hereby
12 appropriated and may be budgeted, ~~and~~ expended, and transferred to
13 and between the agency disbursing funds for the current or prior
14 fiscal years beginning with the fiscal year ending June 30, 2008,
15 and each fiscal year thereafter pursuant to subsection B of this
16 section. Expenditures from said fund shall be made upon warrants
17 issued by the State Treasurer against claims filed as prescribed by
18 law with the Director of the Office of Management and Enterprise
19 Services for approval and payment.

20 B. The funds apportioned pursuant to subsection L of Section
21 1104 of Title 47 of the Oklahoma Statutes shall be in equal amounts
22 to the various Transportation Commission districts. The funds shall
23 be used for the sole purpose of construction or reconstruction of
24 county roads or bridges on the county highway system that are of the

1 highest priority as defined by the Transportation Commission.
2 Counties may accumulate annual funding for a period of up to five
3 (5) years for a specific project, with such funding to be held by
4 the Transportation Commission to the credit of the county project.
5 The Transportation Commission shall promulgate rules for the
6 administration of the process and the development of criteria for
7 determining the level of priority for projects and include such
8 projects in a five-year construction plan that will be updated
9 annually. Projects in the five-year construction plan shall be
10 contracted as provided by law and awarded by the Transportation
11 Commission.

12 C. The fund shall be invested in whatever instruments are
13 authorized by law for investments by the State Treasurer and the
14 interest earned by any investment of monies from the fund shall be
15 credited to the fund which shall earn the same, if there is any
16 unexpended balance of such fund to which to credit the interest.
17 The interest credited herein shall be expended pursuant to this
18 section.

19 SECTION 7. AMENDATORY 69 O.S. 2021, Section 1501, is
20 amended to read as follows:

21 Section 1501. ~~(a)~~ A. All monies received by taxation or
22 otherwise for use on the state highways of this state shall, unless
23 otherwise provided by law, be placed in the State Treasury in a fund
24 to be known as the State Highway Construction and Maintenance Fund.

1 The fund shall also consist of revenues specifically apportioned to
2 such fund by provisions of the Oklahoma Statutes.

3 ~~(b)~~ B. All monies remaining in the State Highway Construction
4 and Maintenance Fund created by 69 O.S. 1961, Section 44(d), when
5 this Code becomes effective, and all other assets thereof, and all
6 taxes, revenue and other funds payable to or required to be
7 deposited in such fund under the provisions of other laws when this
8 Code becomes effective, shall be transferred to, be deposited in and
9 be a part of the State Highway Construction and Maintenance Fund
10 created by this section; and the latter fund shall be liable for the
11 payment of all outstanding obligations existing against the former
12 fund and may be budgeted, expended, and transferred to and between
13 the agency disbursing funds for the current or prior fiscal years.

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

21 SECTION 8. AMENDATORY 69 O.S. 2021, Section 1521, is
22 amended to read as follows:

23 Section 1521. A. There is hereby created in the State Treasury
24 a fund to be known as the "Rebuilding Oklahoma Access and Driver
25

1 Safety Fund". The fund shall be a continuing fund, not subject to
2 fiscal year limitations, and shall consist of all appropriations and
3 transfers made by the Legislature. All monies accruing to the
4 credit of the fund are hereby appropriated and may be budgeted, ~~and~~
5 expended, and transferred to and between the agency disbursing funds
6 for the current or prior fiscal years by the Department of
7 Transportation for the purposes authorized by subsection F of this
8 section in amounts as authorized by the Oklahoma Legislature.
9 Expenditures from the fund shall be made upon warrants issued by the
10 State Treasurer against claims filed as prescribed by law with the
11 Director of the Office of Management and Enterprise Services for
12 approval and payment.

13 B. Beginning July 1, 2021, except for an amount equivalent to
14 the amount of revenue apportioned to the Rebuilding Oklahoma Access
15 and Driver Safety Fund pursuant to Section 500.4B of Title 68 and
16 Section 1104 of Title 47 of the Oklahoma Statutes and from other
17 sources apportioned to the Fund by law, there shall be apportioned
18 to the funds specified in this subsection from the monies that would
19 otherwise be apportioned to the General Revenue Fund by Section 2352
20 of Title 68 of the Oklahoma Statutes from the revenues derived
21 pursuant to subsections A, B and E of Section 2355 of Title 68 of
22 the Oklahoma Statutes amounts as follows:
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1 1. Subject to any reductions required by subsection E of this
2 section, there shall be apportioned to the Rebuilding Oklahoma
3 Access and Driver Safety Fund:

4 a. for the fiscal year beginning July 1, 2021, and for
5 each fiscal year thereafter, Eighty Million Dollars
6 (\$80,000,000.00), which shall be allocated and used by
7 the Department of Transportation first for the purpose
8 of making any required payments for principal,
9 interest or other costs of borrowing with respect to
10 the obligations issued pursuant to Section 341 of
11 Title 73 of the Oklahoma Statutes and after any such
12 required payment has been made then for the purposes
13 otherwise authorized by this section, plus

14 b. the total amount apportioned to the Rebuilding
15 Oklahoma Access and Driver Safety Fund for the
16 preceding fiscal year which, except for the amount
17 prescribed by subparagraph a of this paragraph, shall
18 be apportioned before any other amount is apportioned
19 pursuant to Section 2352 of Title 68 of the Oklahoma
20 Statutes, plus

21 c. an additional amount that is required in order for the
22 total apportionment to the Rebuilding Oklahoma Access
23 and Driver Safety Fund from all sources for such
24 fiscal year to equal:

- 1 (1) Five Hundred Seventy-five Million Dollars
2 (\$575,000,000.00) for the fiscal year beginning
3 July 1, 2021, and
4 (2) Five Hundred Ninety Million Dollars
5 (\$590,000,000.00) for the fiscal year beginning
6 July 1, 2022, and for each fiscal year
7 thereafter.

8 All amounts apportioned pursuant to this paragraph shall be
9 divided into twelve equal amounts to be apportioned each month
10 during the fiscal year except the amount specified in subparagraph a
11 of this paragraph which amount shall be allocated in its full amount
12 in cash not later than July 30 each year or such later date as may
13 be required in order for the amount to be allocated in cash; and

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

- 16 a. the next Two Million Dollars (\$2,000,000.00) shall be
17 apportioned to the Oklahoma Tourism and Passenger Rail
18 Revolving Fund created pursuant to Section 325 of
19 Title 66 of the Oklahoma Statutes to be used for
20 capital and operating costs for the "Heartland Flyer"
21 rail project, and
22 b. the next Three Million Dollars (\$3,000,000.00) shall
23 be apportioned to the Public Transit Revolving Fund
24 created pursuant to Section 4031 of this title to be

1 used for purposes authorized by law other than the
2 purpose described by subparagraph a of this paragraph.

3 All amounts apportioned pursuant to this paragraph shall be
4 divided into twelve equal amounts to be apportioned each month
5 during the fiscal year.

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

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

1 appropriation in that amount is made to replenish state funding for
2 the Department of Transportation.

3 E. In the event that the Director of the Office of Management
4 and Enterprise Services declares a General Revenue Fund revenue
5 failure pursuant to Section 34.49 of Title 62 of the Oklahoma
6 Statutes, and agency allocations are reduced pursuant to the
7 provisions of Section 34.49 of Title 62 of the Oklahoma Statutes,
8 the amounts that would otherwise be apportioned to the ROADS Fund
9 by:

10 1. Subparagraph a of paragraph 1 of subsection B of this
11 section, only to the extent that the amount is not required for debt
12 service related to the obligations authorized pursuant to Section
13 341 of Title 73 of the Oklahoma Statutes, Section 350 of Title 73 of
14 the Oklahoma Statutes and Section 1 of Enrolled House Bill No. 2896
15 of the 1st Session of the 58th Oklahoma Legislature;

16 2. Subparagraphs b and c of paragraph 1 of subsection B of this
17 section; and

18 3. Subparagraphs a and b of paragraph 2 of subsection B of this
19 section,

20 shall be reduced by a percentage equal to that required of the
21 General Revenue Fund appropriations to state agencies and such
22 reductions shall occur during the entire fiscal year and for any
23 month during which such reductions are required by the Office of
24 Management and Enterprise Services and by the same percentage as

1 that required of the agencies for such General Revenue Fund
2 appropriations.

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

5 1. The construction and maintenance of state roads, bridges and
6 highways;

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

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

12 4. Matching federal funds;

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

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

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

1 G. From the monies allocated pursuant to the provisions of
2 subparagraph a of paragraph 1 of subsection B of this section each
3 fiscal year, the Department of Transportation shall make payments
4 required for the payment of principal, interest and other costs
5 related to the obligations issued by the Oklahoma Capitol
6 Improvement Authority as authorized by Section 341 of Title 73 of
7 the Oklahoma Statutes, Section 350 of Title 73 of the Oklahoma
8 Statutes and Section 1 of Enrolled House Bill No. 2896 of the 1st
9 Session of the 58th Oklahoma Legislature, and such payments shall be
10 made by the Department each fiscal year before such monies are used
11 for any other purpose.

12 SECTION 9. AMENDATORY 69 O.S. 2021, Section 1913, as
13 amended by Section 1, Chapter 17, 1st Extraordinary Session, O.S.L.
14 2023 (69 O.S. Supp. 2023, Section 1913), is amended to read as
15 follows:

16 Section 1913. There is hereby established a fund within the
17 State Treasury to be known as the "Rural Economic Transportation
18 Reliability and Optimization Fund" to be administered by the
19 Oklahoma Department of Transportation. The fund shall be a
20 continuing fund, not subject to fiscal year limitations, and shall
21 consist of any general revenues as may be directly appropriated or
22 otherwise provided by law.

23 Any monies appropriated to the Rural Economic Transportation
24 Reliability and Optimization Fund shall not result in a decrease in
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1 historic and traditional total state transportation funding levels
2 or be used to supplant or replace existing state funds used for
3 transportation purposes.

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

22 All monies accruing to the credit of the Rural Economic
23 Transportation Reliability and Optimization Fund are hereby
24 appropriated and may be budgeted, expended, and transferred to and

1 between the agency disbursing funds for the current or prior fiscal
2 years. Such funds shall be used to assist the Department in the
3 equitable prioritization of construction, repair and maintenance of
4 state highways in rural areas where robust economic development has
5 resulted in traffic safety and circulation difficulties attributed
6 to significant and unanticipated increases in traffic volumes and as
7 fully recorded and documented by the Department. "Robust economic
8 development", as used in this act, shall mean those conditions of
9 the highways of this state in counties with a population of less
10 than seventy-five thousand (75,000) where traffic volumes have
11 increased to become so impaired or hazardous as to constitute a
12 threat to the safety of persons or property traveling over or upon
13 such highways.

14 When such traffic conditions as described may arise in rural
15 areas, the Department of Transportation shall engage the Oklahoma
16 Department of Commerce, the Oklahoma Tax Commission or other
17 agencies or entities of the state, as necessary, to confirm the
18 relationship of traffic conditions to robust economic development.
19 Once said relationship is confirmed and documented, the Department
20 of Transportation may utilize any proceeds from the Rural Economic
21 Transportation Reliability and Optimization Fund in an amount not to
22 exceed fifty percent (50%) of the total project costs to incentivize
23 and leverage the acceleration and prioritization of improvement
24

1 projects existing in or to be incorporated into the Department's
2 Eight-Year Construction Work Plan.

3 SECTION 10. AMENDATORY 69 O.S. 2021, Section 1963, as
4 amended by Section 1, Chapter 274, O.S.L. 2022 (69 O.S. Supp. 2023,
5 Section 1963), is amended to read as follows:

6 Section 1963. There is hereby created in the State Treasury a
7 revolving fund for the Department of Transportation to be designated
8 the "Highway Construction Materials Technician Certification
9 Revolving Fund". The fund shall be a continuing fund, not subject
10 to fiscal year limitations, and shall consist of all monies received
11 for deposit in the fund. All monies accruing to the credit of the
12 fund are hereby appropriated and may be budgeted, ~~and~~ expended, and
13 transferred to and between the agency disbursing funds for the
14 current or prior fiscal years by the Department of Transportation
15 for the purpose of conducting training or certification of
16 individuals seeking to become registered as highway construction
17 materials technicians. Expenditures from the fund shall be made
18 upon 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 11. AMENDATORY 69 O.S. 2021, Section 4031, is
22 amended to read as follows:

23 Section 4031. There is hereby created in the State Treasury a
24 revolving fund for the Department of Transportation, to be
25

1 designated the "Public Transit Revolving Fund". The fund shall be a
2 continuing fund, not subject to fiscal year limitations, and shall
3 consist of all monies received ~~by the Department~~ for deposit in the
4 fund. All monies accruing to the credit of ~~said~~ the 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 by the Department of Transportation for the purpose of
8 ~~establishing, expanding, improving, and maintaining rural and urban~~
9 ~~public mass transportation services~~ conducting training or
10 certification of individuals seeking to become registered as highway
11 construction materials technicians. Expenditures from ~~said~~ the fund
12 shall be made upon warrants issued by the State Treasurer against
13 claims filed as prescribed by law with the Director of the Office of
14 Management and Enterprise Services for approval and payment.

15 SECTION 12. AMENDATORY 82 O.S. 2021, Section 1141, is
16 amended to read as follows:

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

1 dedicated to the McClellan-Kerr Arkansas River Navigation System
2 (MKARNS). All monies accruing to the credit of 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 Oklahoma Department of Transportation upon a
6 recommendation by the Waterways Advisory Board of the Oklahoma
7 Department of Transportation and upon consultation with all Native
8 American tribes with an ownership interest in the Arkansas riverbed
9 for the purpose of repairing or constructing assets which are part
10 of the MKARNS located in the State of Oklahoma which are essential
11 to the safe and efficient operation of such system and may also be
12 used to match federal grants and awards associated with channel
13 improvements of the MKARNS, whether due to natural disasters,
14 emergency conditions, operations and maintenance needs or
15 construction projects. Expenditures from the fund shall be made
16 upon warrants issued by the State Treasurer against claims filed as
17 prescribed by law with the Director of the Office of Management and
18 Enterprise Services for approval and payment.

19 SECTION 13. This act shall become effective July 1, 2024.

20 SECTION 14. It being immediately necessary for the preservation
21 of the public peace, health or safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
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