

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3971

By: Menz

AS INTRODUCED

An Act relating to the Oklahoma Turnpike Authority; amending 69 O.S. 2021, Section 1705, as amended by Section 572, Chapter 486, O.S.L. 2025 (69 O.S. Supp. 2025, Section 1705), which relates to the powers and duties of the Oklahoma Turnpike Authority; removing power of condemnation from Oklahoma Turnpike Authority; amending 69 O.S. 2021, Section 1706, which relates to grade separations; removing provisions related to condemnation; amending 69 O.S. 2021, Section 1707, which relates to the acquisition of land and interest therein; removing ability of Authority to acquire lands by condemnation; amending 69 O.S. 2021, Section 1722, which relates to condemnation of railroad property or right-of-way; removing ability of Authority to acquire certain easements by condemnation; repealing 69 O.S. 2021, Section 1708, which relates to condemnation proceedings; and providing an effective date.

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

SECTION 1. AMENDATORY 69 O.S. 2021, Section 1705, as amended by Section 572, Chapter 486, O.S.L. 2025 (69 O.S. Supp. 2025, Section 1705), is amended to read as follows:

Section 1705. The Oklahoma Turnpike Authority is hereby authorized and empowered:

1 (a) To adopt bylaws for the regulation of its affairs and
2 conduct of its business.

3 (b) To adopt an official seal and alter the same at pleasure.

4 (c) To maintain an office at such place or places within the
5 state as it may designate.

6 (d) To sue and be sued in contract, reverse condemnation,
7 equity, mandamus and similar actions in its own name, plead and be
8 impleaded; provided, that any and all actions at law or in equity
9 against the Authority shall be brought in the county in which the
10 principal office of the Authority shall be located, or in the county
11 of the residence of the plaintiff, or the county where the cause of
12 action arose. All privileges granted to the Authority and duties
13 enjoined upon the Authority by the provisions of Sections 1701
14 through 1734 of this title may be enforced in a court of competent
15 jurisdiction in an action in mandamus.

16 (e) To construct, maintain, repair and operate turnpike
17 projects and highways, with their access and connecting roads, at
18 such locations and on such routes as it shall determine to be
19 feasible and economically sound; provided, that until specifically
20 authorized by the Legislature, the Authority shall be authorized to
21 construct and operate toll turnpikes only at the following
22 locations:

23 (1) The Turner Turnpike between Oklahoma City and Tulsa.
24

1 (2) The Southwestern (H.E. Bailey) Turnpike between Oklahoma
2 City and Wichita Falls, Texas.

3 (3) The Northeastern (Will Rogers) Turnpike between Tulsa and
4 Joplin, Missouri.

5 (4) The Eastern (Indian Nation) Turnpike between Tulsa and
6 Paris, Texas, including all or any part thereof between McAlester
7 and the Red River south of Hugo.

8 (5) The Cimarron Turnpike between Tulsa and Interstate Highway
9 35 north of Perry, including a connection to Stillwater.

10 (6) The Muskogee Turnpike between Broken Arrow and Interstate
11 Highway 40 west of Webbers Falls.

12 (7) All or any part of an extension of the Muskogee Turnpike,
13 beginning at a point on Interstate Highway 40 near the present south
14 terminus of the Muskogee Turnpike, and extending in a southeasterly
15 direction on an alignment near Stigler, Poteau and Heavener to the
16 vicinity of the Arkansas State Line to furnish access to Hot
17 Springs, Texarkana, Shreveport and New Orleans.

18 (8) A tollgate on the Turner Turnpike in the vicinity of
19 Luther, Oklahoma, and in the vicinity of the intersection of State
20 Highway 33 and Turner Turnpike in Creek County, Oklahoma, or in the
21 vicinity of the intersection of State Highway 33 and Turner Turnpike
22 or U.S. Highway 66 in Creek County, Oklahoma, from any monies
23 available to the Authority.

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1 (9) Add on the Will Rogers Turnpike a northbound automatic
2 tollgate onto State Highway 28 and a southbound on-ramp from State
3 Highway 28.

4 (10) A turnpike or any part or parts thereof beginning in the
5 vicinity of Duncan extending east to the vicinity of the City of
6 Davis, and extending in a northeasterly direction, by way of the
7 vicinity of the City of Ada, to a connection in the vicinity of
8 Henryetta or in the vicinity of the intersection of State Highway 48
9 and Interstate 40; and a turnpike or any part or parts thereof from
10 the vicinity of Snyder extending north to the vicinity of Woodward.

11 (11) A turnpike or any part or parts thereof beginning at a
12 point in the vicinity of Ponca City, or at a point on the Kansas-
13 Oklahoma state boundary line east of the Arkansas River and west of
14 the point where Oklahoma State Highway No. 18 intersects said state
15 boundary line, and extending in a southeasterly direction to a
16 connection with the Tulsa Urban Expressway System in the general
17 area of the Port of Catoosa.

18 (12) All or any part of an Oklahoma City toll expressway system
19 connecting the residential, industrial and State Capitol Complex in
20 the north part of Oklahoma City with the residential, industrial and
21 Will Rogers World Airport Complex in the south and southwest parts
22 of Oklahoma City.

23 (13) A turnpike (The Industrial Parkway) or any part or parts
24 thereof beginning at a point on the Oklahoma-Kansas state boundary

1 line between the point where U.S. Highway 66 intersects the boundary
2 line and the northeast corner of Oklahoma and ending by means of a
3 connection or connections with Shreveport, Louisiana, and Houston,
4 Texas, in southeastern Oklahoma and at no point to exceed thirty
5 (30) miles west of the Missouri or Arkansas border.

6 (14) A turnpike or any part or parts thereof beginning in the
7 vicinity of Velma or County Line to a point intersecting with
8 Interstate 35 in the area south of Davis.

9 (15) A turnpike or any part or parts thereof beginning in the
10 vicinity of Watonga and extending south and/or east to the vicinity
11 of north and/or west Oklahoma City.

12 (16) A tollgate on the Will Rogers Turnpike near the
13 intersection of State Highway 137 and the Will Rogers Turnpike,
14 located south of Quapaw.

15 (17) A tollgate on the Muskogee Turnpike in the vicinity of
16 Porter, Oklahoma, a tollgate on the Will Rogers Turnpike in the
17 vicinity of Adair, Oklahoma, a tollgate on the Turner Turnpike in
18 the vicinity of Luther, Oklahoma, and a tollgate on the H.E. Bailey
19 Turnpike at Elgin, Oklahoma, from any monies available to the
20 Authority.

21 (18) A tollgate on the Turner Turnpike in the vicinity of
22 Wellston, Oklahoma, from any monies available to the Authority.
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1 (19) A tollgate on the Muskogee Turnpike in the vicinity of
2 Brushy Mountain, Oklahoma, and in the vicinity of Elm Grove,
3 Oklahoma, from any monies available to the Authority.

4 (20) All or any part of an Oklahoma City Outer Loop expressway
5 system beginning in the vicinity of I-35 and the Turner Turnpike and
6 extending west into Canadian County and then south to I-40; and then
7 south and east to I-35 in the vicinity of Moore and Norman; and then
8 extending east and north to I-40 east of Tinker Field; and then
9 extending north to the Turner Turnpike to complete the Outer Loop.

10 (21) All or any part of the Tulsa south bypass expressway
11 system beginning in the vicinity of the Turner Turnpike near Sapulpa
12 and extending south and east to U.S. 75 in the vicinity of 96th
13 Street to 121st Street; and then east across the Arkansas River to a
14 connection with the Mingo Valley Expressway; and then south and/or
15 east to a point on the Tulsa-Wagoner County Line near 131st Street
16 south in the city of Broken Arrow.

17 (22) A new turnpike or any part thereof from near the west gate
18 of the Will Rogers Turnpike south to the west end of south Tulsa
19 Turnpike at the Tulsa-Wagoner County Line.

20 (23) A new turnpike or any parts thereof from the vicinity of
21 the connection between State Highway 33 and U.S. 69 easterly to the
22 Arkansas State Line.

23 (24) A four-lane extension of the Muskogee Turnpike from
24 Interstate Highway 40 west of Webbers Falls to the Poteau vicinity.

1 (25) A new turnpike or any part or parts thereof beginning at a
2 point in the vicinity of northwest Tulsa, and extending in a
3 northwesterly direction, by means of a connection or connections
4 with the cities of Pawhuska and Newkirk, to a point intersecting in
5 the vicinity of U.S. Highway No. 77 and the Kansas State Line.

6 (26) A full access interchange on the Indian Nation Turnpike
7 south of Interstate 40, in the vicinity of Henryetta, Oklahoma, and
8 in the vicinity of the proposed theme park, museum or an industrial
9 facility which qualifies for the Oklahoma Quality Jobs Program Act,
10 from any monies available to the Authority.

11 (27) A new turnpike beginning at a point directly west of the
12 Arkansas line and four-laning Highway 70 from that point to the
13 farthest western reach of Highway 70 creating a southern route
14 through Oklahoma.

15 (28) A new turnpike and bridge or any parts thereof from a
16 point in the vicinity of the city of Mustang southerly across the
17 South Canadian River to the H.E. Bailey Turnpike in the vicinity of
18 the city of Tuttle; and then easterly across the South Canadian
19 River to a point in the vicinity of the city of Norman.

20 (29) A new turnpike or any parts thereof beginning at a point
21 in the vicinity of the city of Altus and extending in a
22 northwesterly direction to a point in the vicinity of the city of
23 Sayre.

1 (30) A new turnpike or any parts thereof beginning at a point
2 in the vicinity of the city of Enid and extending in a westerly
3 direction to a point in the vicinity of the city of Woodward.

4 (31) An on- and off-ramp or any parts thereof at Fletcher,
5 Oklahoma, in the vicinity of the Interstate 44 and State Highway 277
6 intersection. Any existing on- or off-ramp or any parts thereof in
7 the vicinity of Fletcher, Oklahoma, shall not be removed and shall
8 be maintained pursuant to Section 1701 et seq. of this title.

9 (32) A new bridge crossing the Arkansas River between South
10 Delaware Avenue and Memorial Drive in Tulsa County. This project
11 shall commence upon a determination by the Oklahoma Transportation
12 Authority that such bridge shall be self-sufficient at some point
13 over a thirty-year time period from the toll charges associated with
14 the bridge project.

15 (33) An exit ramp or any parts thereof from the eastbound lane
16 of the Turner Turnpike at 96th Street in Tulsa.

17 (34) An on- and off-ramp or any parts thereof on the Cimarron
18 Turnpike in the vicinity of the northside of the Glencoe, Oklahoma,
19 municipal limits.

20 (35) A new turnpike or any parts thereof beginning at
21 Interstate 44 at or near its intersection with 49th West Avenue,
22 past State Highway 64/412, turning northeasterly, crossing 41st West
23 Avenue, and continuing eastward to the L.L. Tisdale Expressway in
24 Tulsa, Oklahoma.

1 All access roads, interchanges, or lead roads connecting such
2 turnpikes with existing highways must be built by funds furnished by
3 the Authority.

4 The minimum and maximum wages for the construction of the roads,
5 highways and projects provided for in Sections 1701 through 1734 of
6 this title shall be in accordance with the schedules of wages used
7 or adopted by the Commission in construction of state highways.

8 The Authority is hereby authorized to enter into contracts or
9 agreements with agencies and instrumentalities of other states or
10 the national government for construction, maintenance and operation
11 of interstate turnpikes or highways.

12 The Authority is hereby required to construct and install
13 automatic tollgates on the Will Rogers Turnpike at State Highway No.
14 28 near Adair.

15 (f) To issue turnpike revenue bonds of the Authority, payable
16 solely from revenues, including the revenues accruing to the trust
17 fund created by Sections 1701 through 1734 of this title, for the
18 purpose of paying all or any part of the cost of any one or more
19 turnpike projects. Provided that any bonds issued for the
20 construction of the proposed turnpike referred to in subparagraphs
21 (10), (20), (21) and (22) of paragraph (e) of this section shall be
22 issued as one issue for all four of the proposed turnpikes and shall
23 be financed, constructed and operated under one bond indenture.

1 (g) To fix and revise from time to time tolls for the use of
2 any turnpike projects.

3 Any common carrier having authority at the time of opening any
4 turnpike project to operate upon a highway approximately paralleling
5 the turnpike project shall be granted without further showing
6 authority to operate over the turnpike project to all municipalities
7 which such carrier is serving at the time the turnpike project is
8 opened to traffic. But nothing herein shall be construed as
9 granting any new operation rights to any common carriers.

10 (h) To acquire, hold, and dispose of real and personal property
11 in the exercise of its powers and the performance of its duties.

12 (i) To acquire in the name of the Authority by purchase or
13 otherwise on such terms and conditions and in such manner as it may
14 deem proper, ~~or by exercise of the right of condemnation in manner~~
15 ~~hereinafter provided,~~ such public or private lands, including public
16 parks, playgrounds, or reservations, or parts thereof or rights
17 therein, rights-of-way, property, rights, easements, and interests,
18 as it may deem necessary for carrying out the provisions of Sections
19 1701 through 1734 of this title; provided, that all public property
20 damaged in carrying out the powers granted by Sections 1701 through
21 1734 of this title shall be restored or repaired and placed in its
22 original condition as nearly as practicable.

23 (j) To designate, except as is provided for herein, the
24 location, and establish, limit and control such points of ingress to

1 and egress from each turnpike project as may be necessary or
2 desirable in the judgment of the Authority to insure the proper
3 operation and maintenance of such project, and to prohibit entrance
4 to such project from any point or points not so designated.

5 (k) To make and enter into all contracts and agreements
6 necessary or incidental to the performance of its duties and the
7 execution of its powers, and to employ consulting engineers,
8 attorneys, accountants, construction and financial experts,
9 superintendents, managers, and such other employees and agents as
10 may be necessary in its judgment, and to fix their compensation;
11 provided, that all such expenses shall be payable solely from the
12 proceeds of turnpike revenue bonds issued under the provisions of
13 Sections 1701 through 1734 of this title or from revenues; provided,
14 further, no attorney employed by the Authority, nor any member of
15 any law firm of which the attorney may be connected, shall ever be
16 paid any fee or compensation for any special or extraordinary
17 services.

18 (l) To receive and accept from any federal agency grants for or
19 in aid of the construction of any turnpike project, provided, the
20 acceptance of such grants will not reduce the amount of federal aid
21 for the construction, repair, or maintenance of farm-to-market roads
22 and other highways and bridges in this state; and to receive and
23 accept aid or contributions from any source of either money,
24 property, labor, or other things of value, to be held, used, and

1 applied only for the purposes for which such grants and
2 contributions may be made.

3 (m) To adopt such rules, and to do any and all things necessary
4 to comply with rules, regulations, or requirements of the Bureau of
5 Public Roads, Multistate Economic Development Regional Commission,
6 as defined in Sections 1151 through 1153, inclusive, of Title 74 of
7 the Oklahoma Statutes, Ozarka Region Commission or any other federal
8 agency administering any law enacted by the Congress of the United
9 States to aid or encourage the construction of highways.

10 (n) To do all things necessary or convenient to carry out the
11 powers expressly granted in Sections 1701 through 1734 of this
12 title. The design standards for all paving shall comply with the
13 design standards of the American Association of State Highway and
14 Transportation Officials as modified by the Oklahoma Department of
15 Transportation. All contracts for construction work on turnpike
16 projects shall be let to the lowest responsible bidder, or bidders,
17 after notice by publication in a newspaper published in the county
18 where the work is to be done in two consecutive weekly issues of the
19 newspaper. In all cases where more than eight (8) miles of
20 construction is let at the same time and is not an advertisement for
21 a surface-treatment-only project, such advertisement shall provide
22 for bids on sections of the turnpike not to exceed eight (8) miles.
23 If the project advertised is a surface-treatment-only project of
24 more than twenty (20) miles of road, the advertisement shall provide

1 for bids on sections of the road no longer than twenty (20) miles,
2 as well as bids on the project as a whole. Subject to the following
3 restrictions and limitations, the Authority shall, when contracting
4 for construction work, divide such work into paving projects, bridge
5 projects, including underpasses and overpasses, and earthmoving or
6 miscellaneous projects, according to the type of work to be done.
7 Each project shall be let under a separate contract or contracts and
8 no contract or project shall include more than one of such types of
9 construction work. Each contract for construction work shall
10 contain a provision that ninety percent (90%) of all labor employed
11 on the project shall be residents of Oklahoma. However, contracts
12 for bridges may include earthwork and structures for the approaches
13 thereto.

14 (o) It shall be unlawful for any member, officer or employee of
15 the Authority to transact with the Authority, either directly or
16 indirectly, any business for profit of such member, officer, or
17 employee; and any person, firm, or corporation knowingly
18 participating therein shall be equally liable for violation of this
19 provision.

20 The term "business for profit" shall include, but not be limited
21 to, the acceptance or payment of any fee, commission, gift, or
22 consideration to such member, officer, or employee.

23 Violation of this provision shall constitute a Class D1 felony
24 offense punishable by incarceration as provided for in subsections B

1 through F of Section 20N of Title 21 of the Oklahoma Statutes, or a
2 fine of not less than Five Hundred Dollars (\$500.00) and not more
3 than Five Thousand Dollars (\$5,000.00), or both such imprisonment
4 and fine.

5 (p) In the event of a national emergency, the Authority,
6 subject to any vested rights or claims, may enter into contracts
7 with the federal government or any authorized agency thereof to
8 allow the federal government or agency thereof to use such turnpikes
9 partly or exclusively during the existence of such emergency,
10 provided, that the federal government agrees in such contract to
11 pay, during the term of such contract, an amount sufficient, when
12 added to any tolls collected, to meet all operating and maintenance
13 expenses, interest payments, and the minimum sinking fund and
14 reserve requirements of the trust agreement for the turnpike covered
15 by the contract.

16 (q) All meetings of the Authority shall be open public meetings,
17 and all records shall be public records, except when considering
18 personnel or litigation.

19 SECTION 2. AMENDATORY 69 O.S. 2021, Section 1706, is
20 amended to read as follows:

21 Section 1706. A. The Oklahoma Turnpike Authority may and it
22 shall be its duty to construct grade separations at intersections of
23 any turnpike project with state and federal highways, and to change
24 and adjust the lines and grades of such highways so as to

1 accommodate the same to the design of such grade separation. The
2 Authority may construct grade separations at intersections of
3 turnpike projects with county highways and city streets and it shall
4 construct grade separations at intersections of any turnpike project
5 with county highways used as mail or school bus routes, or section
6 lines which are well used and are necessary for convenience of
7 people living in these areas. The cost of such grade separations
8 and any damage incurred in changing and adjusting the lines and
9 grades of such highways shall be ascertained and paid by the
10 Authority as a part of the cost of such turnpike project. Except
11 for routine surface maintenance, the Authority shall maintain the
12 structure and surface of bridges and overpasses where a county road
13 crosses over or under a turnpike.

14 B. If the Authority shall find it necessary to change the
15 location of any portion of any state or county highway or street of
16 a municipality, it shall cause the same to be reconstructed in
17 substantially the same type and in as good condition as the original
18 highway. Provided, however, that all changes and adjustments of the
19 lines and grades of state highways shall be subject to the approval
20 of the Transportation Commission. The cost of such reconstruction
21 and any damage incurred in changing the location of any such highway
22 or street shall be ascertained and paid by the Authority as a part
23 of the cost of such turnpike project.

1 C. In addition to the foregoing powers, the Authority and its
2 authorized agents and employees may enter upon any lands, waters,
3 and premises in the state for the purpose of making surveys,
4 soundings, drillings, and examinations as it may deem necessary or
5 convenient for the purposes of establishing, locating, relocating,
6 constructing, and maintaining turnpikes or relocations thereof and
7 facilities necessary and incidental thereto. Such entry shall not
8 be deemed a trespass, ~~nor shall an entry for such purpose be deemed~~
9 ~~an entry under any condemnation proceedings which may be then~~
10 ~~pending~~; however, notice shall be given to the owner of or person
11 residing on the premises, personally or by registered mail, at least
12 ten (10) days prior to such entry. The Authority shall make
13 reimbursement for any actual damages resulting to such lands,
14 waters, and premises as a result of such activities. ~~In the event~~
15 ~~of disagreement as to the amount of damage, either the person or the~~
16 ~~Authority may file a petition with the district court for the~~
17 ~~appointment of commissioners to appraise the damages and proceed to~~
18 ~~have the same determined as in condemnation proceedings.~~

19 D. The State of Oklahoma hereby consents to the use of all
20 lands owned by it, including lands lying under water, which are
21 deemed by the Authority to be necessary for the construction or
22 operation of any turnpike project; and the State of Oklahoma shall
23 be paid reasonable compensation for the land or property used, ~~such~~
24

1 ~~compensation to be determined in the manner now provided by law for~~
2 ~~condemnation proceedings.~~

3 SECTION 3. AMENDATORY 69 O.S. 2021, Section 1707, is
4 amended to read as follows:

5 Section 1707. The Oklahoma Turnpike Authority is hereby
6 authorized and empowered to acquire by purchase, ~~or condemnation,~~
7 land or such interest therein as in its discretion may be necessary
8 for the purpose of establishing, constructing, maintaining and
9 operating turnpike projects or relocation thereof, and facilities
10 necessary and incident thereto, or necessary in the restoration of
11 public or private property damaged or destroyed, including borrow
12 areas, detours, channel changes, concession areas, public or private
13 access roads, and deposits of rock, gravel, sand and other road
14 building material for use in turnpike construction and maintenance,
15 upon such terms and at such price as may be considered by it to be
16 reasonable and can be agreed upon between the Authority and the
17 owner thereof, and to take title thereto in the name of the
18 Authority, provided, that such right and title shall be limited to
19 the surface rights only and shall not include oil or other mineral
20 rights. Groundwater rights may be severed from surface rights, upon
21 the written request of the owner of land to be acquired; however, an
22 owner of groundwater rights shall not have a right of access to the
23 Authority's acquired surface rights. No person may construct,
24 maintain or operate any water well, drilling equipment or lines on

1 or under the surface acquired by the Authority without express
2 written approval of the Authority.

3 SECTION 4. AMENDATORY 69 O.S. 2021, Section 1722, is
4 amended to read as follows:

5 Section 1722. A. The location and removal of all telephone,
6 telegraph, fiber optic, electric light and power transmission lines,
7 poles, cables, wires and conduits, sewers and all pipelines erected,
8 constructed or in place upon, across or under any turnpike shall be
9 under the control and supervision of the Oklahoma Turnpike
10 Authority, insofar as same affects the public travel or interferes
11 with the construction and maintenance of such turnpike. Whenever
12 the Authority plans a turnpike project or improvement or
13 construction or reconstruction thereof, and before such work is
14 started, it shall serve a written notice upon the person, firm, or
15 corporation owning or maintaining any such facility, which notice
16 shall contain a plan or chart indicating the places on the right-of-
17 way where such facilities may be maintained. The notice shall state
18 the time when the work of constructing or improving such turnpike is
19 proposed to commence, and a reasonable time shall be allowed to the
20 owner of the facility to remove and relocate its property; provided,
21 however, that the effect of any change ordered by the Authority
22 shall not be to exclude the facilities from the turnpike right-of-
23 way. The removal and relocation of all such facilities shall be
24 made at the cost and expense of the owners thereof, unless otherwise

1 provided by law or the Authority, and in no event shall such
2 relocation result in a taking of the owner's property rights without
3 just compensation as provided in Section 1708 of this title. The
4 removal and relocation of all such facilities shall be made at the
5 cost and expense of the owners thereof, unless otherwise provided by
6 law or the Authority, and in the event of the failure of such owners
7 to remove the same at the time set out in the notice, the facilities
8 may be removed by the Authority and the cost thereof collected from
9 such owners, and the Authority shall not be liable in any way to any
10 person for the locating or relocating of such facilities at the
11 places prescribed. Any corporation or association, or the officers
12 or agents of such corporation or association, or any other person
13 who shall erect or maintain any such lines, poles, cables, wires and
14 conduits, sewers, pipelines, equipment or other facilities within
15 the right-of-way of any turnpike in a manner not in complete
16 accordance with the requirements of the Authority shall be deemed
17 guilty of a misdemeanor.

18 B. ~~With respect to any railroad property or right-of-way, any~~
19 ~~powers of condemnation may be exercised to acquire only an easement~~
20 ~~interest therein which shall be located either sufficiently far~~
21 ~~above or sufficiently far below the grade of any railroad track or~~
22 ~~tracks upon such railroad property so that neither the proposed~~
23 ~~project nor any part thereof, including any bridges, abutments,~~
24 ~~columns, supporting structures and appurtenances, nor any traffic~~

1 ~~upon it shall interfere in any manner with the use, operation or~~
2 ~~maintenance of the trains, tracks, works or appurtenances or other~~
3 ~~property of the railroad nor endanger the movement of the trains or~~
4 ~~traffic upon the tracks of the railroad. Prior to the institution~~
5 ~~of condemnation proceedings for such easement over or under such~~
6 ~~railroad property or right of way, plans and specifications of the~~
7 ~~proposed project showing compliance with the above mentioned above~~
8 ~~or below grade requirements and showing sufficient and safe plans~~
9 ~~and specifications for such overhead or undergrade structure and~~
10 ~~appurtenance shall be submitted to the railroad for examination and~~
11 ~~approval. If the railroad fails or refuses within thirty (30) days~~
12 ~~to approve the plans and specifications so submitted, the matter~~
13 ~~shall be submitted to the Corporation Commission whose decision,~~
14 ~~arrived at after due consideration in accordance with its usual~~
15 ~~procedure, shall be final as to the sufficiency and safety of such~~
16 ~~plans and specifications and as to such elevations or distances~~
17 ~~above or below the grade. Such overhead or undergrade structure and~~
18 ~~appurtenances shall be constructed only in accordance with such~~
19 ~~plans and specifications and in accordance with such elevations or~~
20 ~~distances above or below the tracks so approved by the railroad or~~
21 ~~the Corporation Commission as the case may be. A copy of the plans~~
22 ~~and specifications approved by the railroad or the Corporation~~
23 ~~Commission shall be filed as an exhibit with the petition for~~
24 ~~condemnation.~~

1 ~~C.~~ Rural water districts, nonprofit water corporations and
2 municipal public water systems in municipalities with a population
3 of ten thousand (10,000) or less, according to the latest Federal
4 Decennial Census, or their beneficial trusts shall be exempt from
5 the payment of the costs and expenses for the removal and relocation
6 of water and sewer pipelines and all such facilities constructed or
7 in place in the public right-of-way when the removal and relocation
8 of such facilities is necessary for the improvement, construction or
9 reconstruction of any turnpike. Such costs and expenses, including
10 any unpaid on the effective date of this act, shall be paid by the
11 public authority having jurisdiction over the particular turnpike.

12 SECTION 5. REPEALER 69 O.S. 2021, Section 1708, is
13 hereby repealed.

14 SECTION 6. This act shall become effective November 1, 2026.

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16 60-2-14357 JBH 12/03/25
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