

OKLAHOMA STATUTES
TITLE 69. ROADS, BRIDGES, AND FERRIES

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Highways, bridges, and other facilities which are part of the state highway system may be considered for dedication in honor of individuals deserving of commendation for their active involvement in the project or for outstanding service to the nation, this state, or their community. Persons proposed to be so honored shall have been deceased not less than three (3) years prior to consideration. The provisions of this section shall not apply to the naming of highways and bridges on the state highway system designed to honor members of the United States Armed Forces, members of law enforcement or firefighters fallen in the performance of their duties. The provisions of this section shall also not apply to the naming of highways and bridges on the state highway system designed to honor Medal of Honor recipients both living and deceased. Proposals for the dedication of state highway facilities should specifically state the accomplishments upon which the proposal is based.....	
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§69-101. Declaration of legislative intent.

(a) Recognizing that safe and efficient highway transportation is a matter of important interest to all the people in the state, the Legislature hereby determines and declares that an integrated system of roads and highways is essential to the general welfare of the State of Oklahoma.

(b) The provision of such a system of facilities, and its efficient management, operation and control, are recognized as urgent problems, and as the proper objectives of highway legislation.

(c) Inadequate roads and streets obstruct the free flow of traffic; result in undue cost of motor vehicle operation; endanger the health and safety of the citizens of the state; depreciate property values; and impede generally economic and social progress of the state.

(d) In designating the highway systems of this state, as hereinafter provided, the Legislature places a high degree of trust in the hands of those officials whose duty it shall be, within the limits of available funds, to plan, develop, operate, maintain and protect the highway facilities of this state, for present as well as for future use.

(e) To this end, it is the intent of the Legislature to make the State Highway Commission and its Director, and the Department of Highways of the State of Oklahoma acting through the Commission, custodian of the State Highway System and to provide sufficiently broad authority to enable the Commission and the Department to function adequately and efficiently in all areas of appropriate jurisdiction, subject to the limitations of the Constitution and the legislative mandate hereinafter imposed.

(f) The Legislature intends to declare, in general terms, the powers and duties of the Commission and its Director, leaving specific details to be determined by reasonable rules, regulations and policies which may be promulgated by the Commission. In short, the Legislature intends by a general grant of authority to the Commission to delegate sufficient power and authority to enable the Commission and the Department to carry out the broad objectives stated above.

(g) It is the further intent of the Legislature to bestow upon the boards of county commissioners similar authority with respect to the county highway system. The efficient management, operation and control of our county roads and other public thoroughfares are likewise a matter of vital public interest. The problem of establishing and maintaining adequate roads and highways, eliminating congestion, reducing accident frequency, providing parking facilities and taking all necessary steps to ensure safe and convenient transportation on these public ways is no less urgent.

(h) While it is necessary to fix responsibilities for the location, design, construction, maintenance and operation of the several systems of highways, it is intended that the State of Oklahoma shall have an integrated system of all roads, highways and streets to provide safe and efficient highway transportation throughout the state. The authority hereinafter granted to the Commission and to counties and municipalities to assist and cooperate with each other and to coordinate their activities is therefore essential.

(i) The Legislature hereby determines and declares that this Code is necessary for the preservation of the public peace, health and safety, for promotion of the general welfare, and as a contribution to the national defense.

Added by Laws 1968, c. 415, § 101, operative July 1, 1968.

§69-113a. Successful bidders - Return of executed contract.

A. A successful bidder awarded a contract by the Department of Transportation shall return to the Department a fully executed written contract within ten (10) working days from the date the contract is awarded. The Department shall, within fourteen (14) working days from the date the contract is received, complete its execution of the contract and return a copy of the executed contract to the successful bidder.

B. A successful bidder awarded a contract by the Oklahoma Transportation Authority shall return to the Authority a fully executed written contract within ten (10) working days from the date the contract is awarded. The Authority shall, within fourteen (14) working days from the date the contract is received, complete its execution of the contract and return an executed copy to the successful bidder.

Added by Laws 2000, c. 69, § 1, eff. Nov. 1, 2000.

§69-201. Definitions of words and phrases.

When following words and phrases when used in this Code shall, for the purpose of this Code, have the meanings respectively ascribed to them in this article, except when the context otherwise requires. Added by Laws 1968, c. 415, § 201, operative July 1, 1968.

§69-202. Abandonment.

The cessation of use of right-of-way or activity thereon with no intention to reclaim or use again for highway purposes. Added by Laws 1968, c. 415, § 202, operative July 1, 1968.

§69-203. Acquisition or taking.

The process of obtaining rights-of-way. Added by Laws 1968, c. 415, § 203, operative July 1, 1968.

§69-204. Arterial highway.

An arterial highway is a street or highway especially designed for through traffic, entrance into which at intersections may be limited by requiring all entering vehicles to be brought to a complete stop, and the governing body having jurisdiction thereover may otherwise protect the right-of-way of vehicles thereon. Added by Laws 1968, c. 415, § 204, operative July 1, 1968.

§69-205. Authority.

The Oklahoma Turnpike Authority. Added by Laws 1968, c. 415, § 205, operative July 1, 1968.

§69-206. Auxiliary service highway.

A street or highway especially designed to furnish access to a limited access highway or to an arterial highway. Added by Laws 1968, c. 415, § 206, operative July 1, 1968.

§69-207. Board.

The board of county commissioners of a county. Added by Laws 1968, c. 415, § 207, operative July 1, 1968.

§69-208. Bureau of Public Roads.

The Bureau of Public Roads of the U. S. Department of Transportation, or its successor. Added by Laws 1968, c. 415, § 208, operative July 1, 1968.

§69-209. Commission.

The State Highway Commission of the State of Oklahoma. Added by Laws 1968, c. 415, § 209, operative July 1, 1968.

§69-210. Control of access (full).

Full control of access means that the authority to control access is exercised to give preference to through traffic by providing access connections with selected frontage or local roads only and by prohibiting crossings at grade or direct private driveway connections.

Added by Laws 1968, c. 415, § 210, operative July 1, 1968.

§69-211. Control of access (partial).

Partial control of access means that the authority to control access is exercised to give preference to through traffic to a degree that, in addition to access connections with selected frontage or local roads, there may be some crossings at grade and some private driveway connections.

Added by Laws 1968, c. 415, § 211, operative July 1, 1968.

§69-212. Construction or reconstruction of highways.

The construction of new highways; the enlargement, reconstruction or relocation of existing highways; the acquisition of necessary rights-of-way therefor and all work incidental thereto.

Added by Laws 1968, c. 415, § 212, operative July 1, 1968.

§69-213. County highway system.

The system of highways the responsibility for which is lodged with the counties.

Added by Laws 1968, c. 415, § 213, operative July 1, 1968.

§69-214. Department.

The Department of Highways of the State of Oklahoma.

Added by Laws 1968, c. 415, § 214, operative July 1, 1968.

§69-215. Director.

The State Highway Director.

Added by Laws 1968, c. 415, § 215, operative July 1, 1968.

§69-216. Divided highway.

A highway with separated roadways for traffic moving in opposite directions.

Added by Laws 1968, c. 415, § 216, operative July 1, 1968.

§69-217. Expressway.

A divided arterial highway.

Added by Laws 1968, c. 415, § 217, operative July 1, 1968.

§69-217.1. Force account or construction on a force account basis.

"Force account" or "construction on a force account basis" means the construction of a public project performed by a public body, in

whole or in part, using permanent personnel on its own payroll, using the equipment of such public body, except for specialized equipment and a qualified operator of such specialized equipment, and without hiring outside supervision or utilizing outside direction unless it is determined such outside supervision or direction will contribute to the quality of the work being performed.

Added by Laws 2000, c. 109, § 1, eff. Nov. 1, 2000.

§69-218. Frontage road.

A road constructed adjacent and parallel to but separated from the highway and connected thereto at least at each end, for service to abutting property and for control of access.

Added by Laws 1968, c. 415, § 218, operative July 1, 1968.

§69-219. Governing body.

The legislative authority of any city or town for all streets and highways within the corporate limits of such city or town; and the board of county commissioners of each county as to all county highways; and the State Highway Commission of the State of Oklahoma as to all state highways.

Added by Laws 1968, c. 415, § 219, operative July 1, 1968.

§69-220. Hard surface.

A road surfaced with concrete, brick, water bound or bituminous macadam, or the equivalent of properly bound gravel, or other material approved by the State Highway Commission, and meeting the federal requirements.

Added by Laws 1968 c. 415, § 220, operative July 1, 1968.

§69-221. Heavy traffic highway.

Any street or highway designed especially for the use of trucks, buses, and commercial vehicles, although not reserved exclusively for such use.

Added by Laws 1968, c. 415, § 221, operative July 1, 1968.

§69-222. Highway, street or road.

A general term denoting a public way for purposes of vehicular travel including the entire area within the right-of-way.

Added by Laws 1968, c. 415, § 222, operative July 1, 1968.

§69-223. Improvement.

Any dwelling, outbuilding, other structure or fence, or part thereof, but not including public utilities, which lie within an area to be acquired for highway purposes.

Added by Laws 1968, c. 415, § 223, operative July 1, 1968.

§69-224. Limited access facility.

Includes limited access highways, expressways, arterial highways, frontage roads, public roads and the auxiliary service highway.
Added by Laws 1968, c. 415, § 224, operative July 1, 1968.

§69-225. Limited access highway.

A street or highway especially designed for through traffic, and over, from, or to which neither owners nor occupants of abutting lands nor other persons have any right or easement of access, light, air, or view.

Added by Laws 1968, c. 415, § 225, operative July 1, 1968.

§69-226. Local road.

A road constructed to provide access to property abutting on or adjacent to the highway and which has but one connection to the highway.

Added by Laws 1968, c. 415, § 226, operative July 1, 1968.

§69-227. Median.

The portion of a divided highway separating the traveled ways for traffic in opposite directions.

Added by Laws 1968, c. 415, § 227, operative July 1, 1968.

§69-228. Municipal corporation or municipality.

Includes all cities and towns organized under the laws of this state, but shall not include any other political subdivisions.

Added by Laws 1968, c. 415, § 228, operative July 1, 1968.

§69-229. Parkway.

Any street, highway or limited access facility from which trucks, buses, and other commercial vehicles are, or may be, excluded.

Added by Laws 1968, c. 415, § 229, operative July 1, 1968.

§69-230. Person.

Any individual, firm, partnership, corporation or business entity of any kind or character, or the executor, administrator, trustee, receiver, assignee, or personal representative thereof.

Added by Laws 1968, c. 415, § 230, operative July 1, 1968.

§69-231. Project.

An undertaking by the State Highway Commission, governing body or other governmental instrumentality for highway construction, including preliminary engineering, acquisition of right-of-way and actual construction, or for highway planning and research, or for any other work or activity to carry out the provisions of the federal law for the administration of federal aid for highways.

Added by Laws 1968, c. 415, § 231, operative July 1, 1968.

§69-232. Public road.

A road constructed to connect other public roads or streets, but not connected to the highway.

Added by Laws 1968, c. 415, § 232, operative July 1, 1968.

§69-233. Public service corporation.

Any transportation or transmission company, any gas, electric, heat, light and power company, any person, firm, corporation, receiver or trustee engaged in such business, and any person, firm, corporation, receiver or trustee authorized to exercise the right of eminent domain or having a franchise to use or occupy any right-of-way, street, alley or public highway, whether along, over or under the same, in a manner not permitted to the general public.

Added by Laws 1968, c. 415, § 233, operative July 1, 1968.

§69-234. Right of access.

The right of ingress to a highway from abutting land and egress from a highway to abutting land.

Added by Laws 1968, c. 415, § 234, operative July 1, 1968.

§69-235. Right of survey entry.

The right to enter property temporarily to make surveys and investigations for proposed highway improvements.

Added by Laws 1968, c. 415, § 235, operative July 1, 1968.

§69-236. Right-of-way.

A general term denoting land, property, or interest therein, usually a strip acquired for or devoted to a highway use.

Added by Laws 1968, c. 415, § 236, operative July 1, 1968.

§69-237. Right-of-way appraisal.

A determination of the market value of property including damages, if any, as of a specified date, resulting from an analysis of facts.

Added by Laws 1969, c. 415, § 237, operative July 1, 1968.

§69-238. Right-of-way estimate.

An approximation of the market value of property including damages, if any, in advance of an appraisal.

Added by Laws 1968, c. 415, § 238, operative July 1, 1968.

§69-239. Separation (outer).

The portion of an arterial highway between the traveled ways of a roadway for through traffic and a frontage road.

Added by Laws 1968, c. 415, § 239, operative July 1, 1968.

§69-240. Severance damages.

Loss in value of the remainder of a parcel resulting from an acquisition.

Added by Laws 1968, c. 415, § 240, operative July 1, 1968.

§69-241. Shoulder.

The portion of the roadway contiguous with the traveled way for accommodation of stopped vehicles, for emergency use, and for lateral support of base and surface courses.

Added by Laws 1968, c. 415, § 241, operative July 1, 1968.

§69-242. State highway system.

The system of state roads designated by the State Highway Commission, including necessary urban extension, the responsibility for which is lodged in the Department of Highways.

Added by Laws 1968, c. 415, § 242, operative July 1, 1968.

§69-243. Traffic lane.

The portion of the traveled way for the movement of a single line of vehicles.

Added by Laws 1968, c. 415, § 243, operative July 1, 1968.

§69-244. Traveled way.

The portion of the roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

Added by Laws 1968, c. 415, § 244, operative July 1, 1968.

§69-301. Creation of department and commission - Rules, regulations and policies - Powers, duties and obligations of former department, commission and director continued.

(a) There is hereby created a Department of Highways and a State Highway Commission in and for the State of Oklahoma, pursuant to the provisions of Section 1, Article 16, of the Constitution of the State of Oklahoma, and such department shall be governed by the State Highway Director, provided for by Section 305 of this Code, under such reasonable rules, regulations and policies and road improvement programs as may be prescribed by the Commission. Such rules and regulations and amendments thereto as adopted by the Commission shall be filed and recorded in the office of the Secretary of State.

(b) The Department and the Commission created by the preceding paragraph and the State Highway Director provided for by Section 305 of this Code shall be the legal successors of, and unless and except as otherwise provided by this Code shall also have the powers and duties vested by other laws in, and shall take immediate charge of all equipment, supplies and property now in the possession of, the Department, Commission and Director, respectively, created and provided for by 69 O.S. 1961, Sections 20.1 and 20.6, as amended, and shall be liable for their respective obligations.

Added by Laws 1968, c. 415, § 301, operative July 1, 1968.

§69-301.1. Repealed by Laws 2007, c. 93, § 10, eff. Nov. 1, 2007.

§69-302. Members of Commission - Appointment and confirmation - Eligibility - Term - Compensation - Travel expenses - Ex officio member.

A. The State Transportation Commission shall consist of an at-large member and one (1) member from each of eight districts of the state, such districts to serve as the maintenance districts and to include the area as follows:

District 1. Wagoner, Cherokee, Adair, Sequoyah, Muskogee, Okmulgee, McIntosh and Haskell Counties.

District 2. Pittsburg, Latimer, LeFlore, McCurtain, Pushmataha, Atoka, Choctaw, Bryan and Marshall Counties.

District 3. Lincoln, Cleveland, McClain, Garvin, Pottawatomie, Okfuskee, Seminole, Hughes, Pontotoc, Coal and Johnston Counties.

District 4. Payne, Logan, Canadian, Kingfisher, Garfield, Grant, Kay, Noble and Oklahoma Counties.

District 5. Roger Mills, Dewey, Custer, Washita, Beckham, Greer, Kiowa, Harmon, Jackson, Blaine, and Tillman Counties.

District 6. Cimarron, Texas, Beaver, Harper, Woods, Alfalfa, Ellis, Major and Woodward Counties.

District 7. Carter, Love, Murray, Grady, Comanche, Stephens, Cotton, Caddo and Jefferson Counties.

District 8. Osage, Pawnee, Nowata, Creek, Craig, Ottawa, Rogers, Mayes, Delaware, Washington and Tulsa Counties.

B. The members of the Commission shall be appointed as follows:

1. Members from Districts 5, 6, 7 and 8 and the at-large member shall be appointed by the Governor;

2. Members from Districts 2 and 3 shall be appointed by the Speaker of the House of Representatives; and

3. Members from Districts 1 and 4 shall be appointed by the President Pro Tempore of the Senate.

C. Each member shall serve at the pleasure of his or her appointing authority and may be removed or replaced without cause. Any member of the Commission shall be prohibited from voting on any issue in which the member has a direct financial interest. The Director of the Department of Transportation shall be an ex officio member of the Commission, but shall be entitled to vote only in case of a tie vote.

D. The members of the Commission each shall receive an annual salary of Four Thousand Eight Hundred Dollars (\$4,800.00), payable monthly, and each shall be entitled to receive travel expenses pursuant to the State Travel Reimbursement Act.

Added by Laws 1968, c. 415, § 302, operative July 1, 1968. Amended by Laws 1971, c. 58, § 1, emerg. eff. April 2, 1971; Laws 1985, c.

178, § 51, operative July 1, 1985; Laws 1990, c. 316, § 1; Laws 2019, c. 10, § 1, emerg. eff. March 13, 2019.

§69-302.1. Department of Transportation County Advisory Board.

A. There is hereby created the Department of Transportation County Advisory Board. The Board shall be made up of nine (9) county commissioners selected by the Oklahoma Cooperative Circuit Engineering Districts Board. One member shall be elected from each of the eight districts of the Oklahoma Cooperative Circuit Engineering Districts Board and one member shall be selected at large by the other eight members. Each member shall hold office for a two-year term or until the successor of the member takes office. Their term of office shall begin on July 1 of the succeeding fiscal year. It shall be the duty of the Board to act in an advisory capacity to the Director of the Department of Transportation. The Board shall review the County Road and Bridge Programs of the Department. The Board shall meet no less than on a quarterly basis with the Director of the Department of Transportation and the staff of the Director to discuss areas of mutual concern.

B. The Board is authorized to develop the following criteria for the County Road Machinery and Equipment Revolving Fund:

1. Establish estimated purchase prices for equipment and road machinery;
2. Establish amortization schedules for all equipment and road machinery;
3. Establish a list of independent appraisers to be used for equipment and road machinery inspections;
4. Establish the County Funding Classification Designation priority list;
5. Establish the method, manner and expense of marking or identifying all equipment and road machinery;
6. Establish a list of items which are to be purchased from the state purchase list;
7. Establish a maximum purchase allocation for participating counties and circuit engineering districts; and
8. Establish and approve an interest rate which may be charged on all leases or lease-purchase agreements.

C. The Board will have the authority to determine the financial obligation of a county when road machinery or equipment is destroyed by an act of God or other unforeseen occurrence.

Added by Laws 1989, c. 352, § 6, operative July 1, 1989. Amended by Laws 1993, c. 75, § 4, eff. Sept. 1, 1993; Laws 1996, c. 179, § 1, eff. Nov. 1, 1996; Laws 2001, c. 117, § 1, eff. Nov. 1, 2001; Laws 2017, c. 20, § 1, eff. Nov. 1, 2017.

§69-302.2. Department of Transportation Tribal Advisory Board.

A. There is hereby created the Department of Transportation Tribal Advisory Board. The Board shall consist of nine (9) members. The Governor, President Pro Tempore of the Senate and Speaker of the House of Representatives shall make three appointments each from a list of qualified persons nominated by the Oklahoma Tribal Transportation Council. Four members shall be members of tribes served by each Bureau of Indian Affairs Area Office in Oklahoma and one member shall be selected at large by the Governor. Each member shall hold office for a two-year term or until the successor of the member takes office. Their terms of office shall begin on July 1 of the succeeding fiscal year.

B. It shall be the duty of the Board to act in an advisory capacity to the Director of the Department of Transportation. The Board may review the Department's policy and procedures for transportation programs that affect tribal governments. The Board shall meet no less than on a quarterly basis with the Director of the Department of Transportation and the staff of the Director to discuss areas of mutual concern.

Added by Laws 1999, c. 199, § 1, emerg. eff. May 24, 1999.

§69-303. Functions, powers and duties of Commission.

(a) The Commission shall constitute an advisory, administrative, and policy making board with which the Director shall from time to time consult regarding the administration of the affairs of the Department. The Commission may require from the Director complete reports and information relative to the affairs of the Department at such time and in such manner as the Commission may deem advisable.

(b) In addition to its other powers and duties, as herein defined, the Commission shall have the following specific powers and duties:

(1) To organize itself by the election of a chairman, vice-chairman and secretary, who shall perform the duties required of them by the rules and regulations of the Commission, but shall receive no extra compensation therefor;

(2) To elect a State Highway Director and fix his salary within the limits of this Code, who shall serve during the pleasure of the Commission, expressed by a majority vote of the entire Commission;

(3) To prescribe rules, regulations, and policies for the transaction of its business, and for the letting of all contracts and purchases;

(4) To prescribe the manner of cooperation between county and municipal officials with the Commission;

(5) Except as otherwise provided herein, to let or supervise the letting of all contracts for construction or improvements of state highways, or any contract for road or bridge construction or improvement where the work is being done in whole or in part with state or federal monies;

(6) To authorize all expenditures prior to the incurring therefor, except as otherwise provided in this Code.

(c) Each Commissioner shall aid in the promotion of highway construction, improvements, and maintenance throughout the entire state, and shall not act as the special representative of the particular district in which he resides.

Laws 1968, c. 415, § 303, operative July 1, 1968.

§69-303-A. Soliciting or receiving political contributions by members of Highway Commission prohibited.

No appointed member of the State Highway Commission shall directly or indirectly solicit, receive or in any manner be concerned in soliciting or receiving any assessment, subscription or contribution for any political organization, candidacy or other political purpose.

Laws 1969, c. 351, § 1, emerg. eff. May 14, 1969.

§69-304. State Highway System - Construction and maintenance - Powers of Commission.

(a) The construction and maintenance of the State Highway System, and all work incidental thereto, shall be under the general supervision and control of the Transportation Commission.

(b) The Commission shall have power to make all final decisions affecting the work provided for herein, and all reasonable rules and regulations it may deem necessary, not inconsistent with this code, for the proper management and conduct of such work, and for carrying out the provisions of this article, in such manner as shall be to the best interest and advantage of the people of this state.

(c) The Commission shall have power and authority to contract for and purchase, lease or otherwise acquire any tools, machinery, supplies, material or labor needed or to be needed for such work, having the deliveries of such articles made as actually needed, and to pay for engineering, preparation of plans and specifications, costs of advertising, engineering supervision and inspection and all expenses and contingencies in connection with the construction and maintenance of the State Highway System. When quality and prices are equal, preference shall be given materials produced within the State of Oklahoma and highway construction companies domiciled, having and maintaining offices in and being citizen taxpayers of the State of Oklahoma.

(d) The Commission shall have authority to make all contracts and do all things necessary to cooperate with the United States Government in matters relating to the cooperative construction, improvement and maintenance of the State Highway System, or any road or street of any political or governmental subdivision or any municipal or public corporation of this state, for which federal funds or aid are secured. Such contracts or acts shall be carried

out in the manner required by the provisions of the Acts of Congress and rules and regulations made by an agency of the United States in pursuance of such acts.

(e) Any political or governmental subdivision or any public or municipal corporation of this state shall have the authority to enter into contracts through or with the Commission to enable them to participate in all the benefits to be secured from federal aid funds, or funds made available from the federal government to be used on roads and streets. The Commission may negotiate and enter into contracts with the federal government, or any of its constituted agencies, and take all steps and proceedings necessary in order to secure such benefits for such political or governmental subdivisions or public or municipal corporations.

(f) The Commission, on behalf of the state, and any political or governmental subdivision or public or municipal corporation of this state shall have the authority to enter into agreements with each other respecting the planning, designating, financing, establishing, constructing, improving, maintaining, using, altering, relocating, regulating or vacating of highways, roads, streets or connecting links.

(g) The Commission shall have authority to act in an advisory capacity, upon request, to any political or governmental subdivision or public or municipal corporation of this state in matters pertaining to the planning, locating, constructing and maintaining of roads, highways and streets and other related matters. The Commission, in such instances, may provide services and may cooperate with such subdivisions and corporations on such terms as may be mutually agreed upon.

(h) The Commission may purchase out of the State Highway Construction and Maintenance Fund such commercial vehicles and passenger automobiles as may be necessary for the use of the Department and its employees in the construction and maintenance of the State Highway System and all work incidental thereto, and in carrying out the duties now or hereafter imposed upon the Department by the laws of this state.

(i) The Commission may enter into written agreements with private citizens to allow such citizens to mow state highway rights-of-way and keep the clippings from such mowing as the sole compensation therefor.

Added by Laws 1968, c. 415, § 304, operative July 1, 1968. Amended by Laws 1971, c. 60, § 1, emerg. eff. April 6, 1971; Laws 1975, c. 326, § 10, emerg. eff. June 12, 1975; Laws 1976, c. 245, § 10, emerg. eff. June 17, 1976; Laws 1978, c. 69, § 1.

§69-305. Director of the Department of Transportation - Salary.

There is hereby created the office of the Director of the Department of Transportation, who shall be appointed by the Governor

with the advice and consent of the Senate and who shall serve at the pleasure of the Governor and may be removed or replaced without cause. Compensation for the Director shall be determined by the Governor. The Director may be removed from office by a two-thirds (2/3) vote of the members elected to and constituting each chamber of the Legislature.

Added by Laws 1968, c. 415, § 305, operative July 1, 1968. Amended by Laws 1969, c. 346, § 1, emerg. eff. May 8, 1969; Laws 1974, c. 287, § 10, emerg. eff. May 29, 1974; Laws 1984, c. 239, § 9, operative July 1, 1984; Laws 2019, c. 10, § 2, emerg. eff. March 13, 2019.

§69-306. Powers and duties of Director.

Immediately upon the election and qualification of the Director, he shall become vested with the duties and powers of the management and control of the Department, under such orders, rules and regulations as may be prescribed by the Commission; and in addition thereto he shall have the following specific powers and duties:

(a) To supervise the state highway system under rules and regulations prescribed by the Commission;

(b) To appoint and employ, supervise and discharge such professional, clerical, skilled and semiskilled help, labor and other employees as may be deemed necessary for the proper discharge of the duties of the Department and to fix and determine the salaries or wages to be paid subject to all such rules and regulations as may be promulgated by the Commission, and subject to the policies, rules and regulations of the Office of Management and Enterprise Services and the State Merit System of Personnel Administration;

(c) To investigate and determine upon the various methods of road and bridge construction and maintenance in the different sections of the state;

(d) To aid at all times in promoting highway improvements and maintenance throughout the state;

(e) To make recommendations to the Commission in the letting of all contracts for construction or improvements of state highways or any contract for road or bridge construction or improvement where the work is being done in whole or in part with state or federal monies; and to act for the Commission in the purchase of all materials, equipment and supplies as provided for in this Code;

(f) To place on the state highway system any road he deems necessary and to the best interest of the state, when approved by a majority of the entire Commission, and to eliminate from the state highway system any road when approved by a majority of the entire Commission;

(g) To approve and pay claims for the services of professional, clerical, skilled and semiskilled help, laborers and other employees, for the Commission, when the salary or wages of such help and

employees shall have been previously approved by the Commission; and to approve and pay progressive estimates on work done or contracts performed, where such work or contracts have theretofore been approved by the Commission; and to approve and pay claims for the purchase of equipment, materials and supplies theretofore authorized by the Commission;

(h) To make emergency purchases of equipment, materials, and supplies, and emergency contracts for construction and repairs, under rules and regulations prescribed by the Commission;

(i) To grant permission to state agencies, municipalities and water companies or districts to lay any water pipeline within the rights-of-way of state highways, when approved by the Commission; and

(j) To act for the Department in all matters except as otherwise provided in this Code.

Added by Laws 1968, c. 415, § 306, operative July 1, 1968. Amended by Laws 1982, c. 338, § 49, eff. July 1, 1982; Laws 2012, c. 304, § 571.

§69-306.1. Contracts - Price adjustment clauses.

The provisions of any other law to the contrary notwithstanding, the Department of Transportation is hereby authorized and empowered to provide for the use of and inclusion in, its construction contracts price adjustment clauses, providing adjustments in contract bid prices as may be deemed necessary and appropriate by the Director for increases or decreases of energy-intensive materials based upon the price FOB source on the day of bidding and actual invoice price FOB source on the day of delivery.

This authorization is to be applied only to such contracts as may be determined by the Director and approved by the Transportation Commission and further specified in the notice to bidders.

Laws 1981, c. 339, § 11, emerg. eff. June 30, 1981.

§69-306.2. Trust for benefit of Transportation Department employees.

The Department of Transportation is hereby authorized to establish, with funds currently held by the Department of Transportation which accrued to its health insurance rate stabilization account, a trust for the benefit of Department of Transportation employees. The trust shall be under the control of three (3) trustees who shall invest the funds constituting the trust in interest bearing accounts in federally insured institutions or in U.S. Treasury instruments. The trustees shall be the Director, Deputy Director and Chief Engineer of the Department of Transportation. The trustees shall serve without compensation from the trust and shall be immune from any legal action relating to the trust except in the case of fraud, theft or misappropriation of trust funds. The Attorney General shall defend any legal action against the trustees, which may arise from the trustees' administration of

the trust. The cost and expense of participating in such litigation shall be payable from funds in the trust estate, or in the event there are no such funds or insufficient funds, the cost and expense of participating in such litigation shall be borne by the Department of Transportation. The trustees shall be entitled to full indemnity from funds of this trust provided, however, if there are no such trust funds or insufficient trust funds to reimburse the trustees for any liability or loss they may sustain by reason of any such litigation, then the trustees shall be indemnified from funds of the Department of Transportation; provided further, the trustees shall not be entitled to indemnity from either source if they are adjudged guilty of fraud, theft or misappropriation of trust funds in connection with any such litigation.

The term of this trust shall be for two (2) years from the effective date of this act, provided however, the district court of Oklahoma County may extend the term of this trust in the best interest of the beneficiaries. Upon formation of this trust, the trustees shall immediately bring an action in the district court of Oklahoma County for a determination of beneficiaries and their interest in the trust, and when determined, the trustees shall distribute the trust in accordance with the determination of the court.

Added by Laws 1988, c. 289, § 18, operative July 1, 1988. Amended by Laws 1993, c. 161, § 1, emerg. eff. May 7, 1993.

§69-308. Oath of office.

Each member of the Commission and every employee of the Department shall, before entering upon the duties of his office or employment, take and subscribe to an oath or affirmation to support the Constitution of the United States and of the State of Oklahoma, and to discharge faithfully and honestly the duties of such office or employment. Any officer or employee who shall violate the provisions of this section shall be guilty of a misdemeanor, and such violation shall be cause for removal.

Laws 1968, c. 415, § 308, operative July 1, 1968; Laws 1980, c. 159, § 20, emerg. eff. April 2, 1980.

§69-309. Employment of persons closely related to members or Director - Contracts with such persons.

It shall be unlawful for the Commission or the Director to appoint or employ, or approve the appointment or employment of, any persons related within the third degree by blood or marriage to the Director or any member of the Commission. The Director knowingly appointing or employing any persons in violation of this provision, or any member of the Commission knowingly approving or recommending the appointment or employment of persons in violation of such provision, shall be guilty of a misdemeanor. It also shall be

unlawful for the Commission or the Director to approve or enter into any contract with any persons related within the third degree by blood or marriage to the Director or any member of the Commission. The Director knowingly approving or entering into any such contract in violation of such provision, or any member of the Commission knowingly voting to enter into or to approve any such contract, shall be guilty of a misdemeanor.

Laws 1968, c. 415, § 309, operative July 1, 1968.

§69-310. Conflict of interest.

(a) No official or employee of the Commission, governing body or other governmental instrumentality who is authorized in his official capacity to negotiate, make, accept, or approve, or to take part in negotiating, making, accepting or approving any contract or subcontract in connection with a project shall have, directly or indirectly, any financial or other personal interest in any such contract or subcontract. No engineer, attorney, appraiser, inspector or other person performing services for the Commission, governing body, or other governmental instrumentality in connection with a project shall have, directly or indirectly, a financial or other personal interest, other than his employment or retention by the Commission, governing body, or other governmental instrumentality, in any contract or subcontract in connection with such project. No officer or employee of such person retained by the Commission, governing body or other governmental instrumentality shall have, directly or indirectly, any financial or other personal interest in any real property acquired for a project unless such interest is openly disclosed upon the public records of the Commission, the governing body or other governmental instrumentality, and such officer, employee or person has not participated in such acquisition for and in behalf of the Commission, the governing body or other governmental instrumentality.

(b) Any official or employee of the Commission, governing body or other governmental instrumentality, or officer or employee of such person retained by the Commission, the governing body or other governmental instrumentality who knowingly violates any of the provisions of this section shall be guilty of a felony and upon conviction thereof shall be punished by imprisonment in the State Penitentiary for a term not to exceed five (5) years, or by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or by both such imprisonment and fine. In addition, if the Commission or the Director enters into any contract on the part of the Department in which the Director or any member of the Commission is interested, directly or indirectly, and the state suffers a loss due to excessive charges or otherwise, the members of the Commission knowingly voting to enter into or to approve such contract, and the Director knowingly entering into, approving, or recommending any such contract, and the

contracting party, shall be jointly and individually liable for any loss the state may suffer. The official bonds of such officer shall be liable for such loss. The provisions of this section shall be cumulative to existing law. The members of the Commission and the Director found guilty of violating any of the provisions of this section shall in addition to the penalty heretofore set out forfeit their respective offices.

(c) Any employee of the Department, Director or Commission, who in the course of such employment knowingly accepts, approves, or recommends for approval or payment any material, service, job, project, or structure, or any part thereof, which does not meet the specifications therefor, or is to his knowledge otherwise more deficient in quality, quantity or design than was provided for in the plans, purchase orders or any minimum standard provided by any state agency or official, or by law, shall be guilty of a felony and, upon conviction, shall be punished and penalized as provided by this section.

(d) The ownership by any member of the Commission, or the Director, of less than five percent (5%) of the stocks or shares actually issued by a corporation contracting with the Department shall not be considered an interest, directly or indirectly, in a contract with such corporation within the meaning of this section, and such ownership shall not affect the validity of any contract, or impose liability under this section unless the owner of such stock or shares is also an officer or agent of the corporation or association. Ownership shall include any stock or shares standing in the name of a member of the Commissioners' or Director's immediate family or a family trust.

Added by Laws 1968, c. 415, § 310, operative July 1, 1968. Amended by Laws 1997, c. 133, § 569, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 412, eff. July 1, 1999.

NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 569 from July 1, 1998, to July 1, 1999.

§69-311. Meetings - Voting.

The members of the Commission shall meet on the first Monday of each month at the Department office in Oklahoma City, Oklahoma, to transact all official business, and shall remain in regular session not to exceed five (5) days in any one month. Called meetings of the Commission may be had at such times as are deemed necessary by the Chairman or a majority of the members thereof. There shall be not more than two called meetings each month, and each meeting shall not exceed two (2) days duration. All official acts of the Commission shall be by majority vote of the total membership of the Commission; provided, the Governor as an ex officio member of the Commission shall be entitled to cast a deciding vote in case of a tie vote. Laws 1968, c. 415, § 311, operative July 1, 1968.

§69-312. Rules and regulations - Nonresidents transacting business with Commission - Agent for service of process - Appointment - Secretary of State as agent - Financial statement by bidders.

The Commission shall have authority to promulgate such reasonable rules and regulations as it may deem necessary for the proper and orderly transaction of its business. Every nonresident person, natural or artificial, firm or entity, including any corporation not domiciled in this state, shall, before it be permitted to transact business or continue business with the Commission, appoint and maintain an agent upon whom service or process may be had in any action to which such person, natural or artificial, firm or entity shall be a party. Such agent shall reside in the State of Oklahoma and shall file with the Secretary of State a formal declaration as to his place of residence in the State of Oklahoma. Service had upon such agent shall be taken and held as service upon such person, natural or artificial, firm or entity. Such appointment, properly executed and acknowledged, shall be filed with the Secretary of State and shall give the residence address or place of business of such agent. Contractors or other persons desiring to bid upon construction or maintenance work shall be required to submit a financial statement and such other information as the Commission may deem necessary or desirable, such statement and information to be on file with the Commission for a period of at least ten (10) days prior to the date on which they expect or desire to submit bid or bids to the Commission. Any person, natural or artificial, firm or entity failing to comply with the provisions of this section shall be deemed to have appointed the Secretary of State as his service agent in accordance with the provisions of Title 47, Sections 391 - 398, O.S.1961, as amended, and service of process may be had as therein provided.

Laws 1968, c. 415, § 312, operative July 1, 1968.

§69-313. Reports and recommendations.

It shall be the duty of the Commission and Director to make quarterly reports in writing to the Governor of the complete operation, activities, and plans of the Department, together with such recommendations for future activities of the Department as the Commission and Director may deem to be to the best interest of the State of Oklahoma.

Laws 1968, c. 415, § 313, operative July 1, 1968.

§69-314. Legal advisors.

The Director shall, with the advice and consent of the Commission, appoint such attorneys as may be necessary for the handling of all legal services for the Commission and the Department. The attorneys shall be the legal advisors for the Commission and the

Director, and are hereby authorized to appear for and represent the Department in any and all litigation that may arise in the discharge of its duties, and advise it upon all legal matters pertaining to the Department. The attorneys and, in addition, the Attorney General, are further authorized to appear for and represent officers and employees of the Department and the Commission in any civil suits brought against such officers and employees in their individual capacities upon alleged causes of action which arose from acts or omissions of such officers and employees within the scope of their official duties.

The salaries for the attorneys, other than the Attorney General, shall be fixed by the Commission and shall be payable monthly out of the State Highway Construction and Maintenance Fund. Laws 1968, c. 415, § 314, operative July 1, 1968; Laws 1976, c. 19, § 1, emerg. eff. March 2, 1976.

§69-315. Audit of books, records and files of Commission and Department.

The expenses of audits of the State Transportation Commission and the Oklahoma Department of Transportation shall be paid by the Commission out of the State Highway Construction and Maintenance Fund upon the presentation of sworn and itemized claims, which claims shall have been duly approved by the State Auditor and Inspector. A sum equivalent to one-tenth of one percent (1/10 of 1%) of the warrants issued during the previous fiscal year shall be allotted and appropriated annually from such fund for the expense of this audit. If such sum is found to be inadequate for the purposes above set forth, then the Commission may allot and appropriate from such fund such additional sums as may be necessary.

Added by Laws 1968, c. 415, § 315, operative July 1, 1968. Amended by Laws 1979, c. 30, § 130, emerg. eff. April 6, 1979; Laws 2010, c. 413, § 25, eff. July 1, 2010.

§69-316. Certification of county road mileage.

The Commission, on or before the first day of June of each year, shall certify to the Oklahoma Tax Commission the county road mileage of each county and the total county road mileage of the state as such mileage existed on the first day of January of such year. Such mileage shall be the computation of the existing road mileage for counties including any mileage represented by streets or roads in municipalities with a population of less than two thousand five hundred (2,500) and any other streets and roads in municipalities with a population of less than five thousand (5,000) that the county has agreed to construct, maintain, or repair. Any roads removed from the State Highway System by the Transportation Commission and

returned to the county road system shall be added to the total county road mileage of the said county.

Added by Laws 1963, c. 351, § 1. Amended by Laws 1967, c. 366, § 1; Laws 1968, c. 415, § 316, operative July 1, 1968; Laws 1981, c. 309, § 1; Laws 1983, c. 317, § 8, emerg. eff. June 27, 1983; Laws 1987, c. 236, § 118, emerg. eff. July 20, 1987; Laws 2002, c. 142, § 2, eff. July 1, 2002.

§69-317. Cooperation with counties, municipalities, other states and United States.

The Department shall have the power and authority to cooperate with the several counties and municipalities of the State of Oklahoma, and with the State Highway Departments, bureaus, commissions, and the authorities now in existence or hereafter created by the Congress of the United States and by the Legislature of this State, or other states, and by whatever name or title designated, by providing surveys, maps, specifications, and other things necessary in planning, supervising, locating, improving, and constructing roads and highways, and bridges including interstate bridges, and streets, in any part, section, or area of the State of Oklahoma.

Laws 1968, c. 415, § 317, operative July 1, 1968.

§69-318. Agreements with Public Welfare Commission - Construction and maintenance of roads - Costs.

The State Highway Commission and the Oklahoma Public Welfare Commission may enter into an agreement whereby the State Highway Commission shall construct and/or maintain various roads located on the grounds of state institutions under the supervision and control of the Oklahoma Public Welfare Commission. Such agreement shall provide that the cost of materials shall be divided between the two departments on the basis of twenty-five percent (25%) by the Department of Highways and seventy-five percent (75%) by the Department of Public Welfare, and the total amount to be expended in one (1) year shall not exceed Four Hundred Thousand Dollars (\$400,000.00). The order or priority for construction or maintenance of such roads shall be determined by the Oklahoma Public Welfare Commission.

Laws 1968, c. 415, § 318, operative July 1, 1968.

§69-319. Status of employees under Merit and Retirement Systems not changed.

This Code shall not affect the status, rights and privileges accrued under the State Merit System of Personnel Administration, or the Oklahoma Public Employees Retirement System, to persons serving as employees of the Department of Highways created by 69 O.S.1961, Section 20.1, when this Code becomes effective, and continuing to

serve as employees of the Department created by Section 301 of this Code. For the purposes of 74 O.S.1961, Sections 801 - 839, as amended, and Chapter 50, Oklahoma Session Laws 1963 (74 O.S. Supp. 1965, Sections 901 - 928), the former Department and the latter Department shall be deemed to be a single continuing department or agency of the state government; and persons serving as employees of the former Department and continuing as employees of the latter Department shall be entitled to the same status, rights and privileges that they would have had if the former Department had remained in existence.

Laws 1968, c. 415, § 319, operative July 1, 1968.

§69-320. Quiet title actions - Service of summons on Department or Commission.

In any action to quiet title to real property, the Department or the Commission may be made a party defendant for the purpose of determining whether the Department or the Commission has or claims any interest in such real property; and in any such action service of summons upon the Department or the Commission may be made by delivery of a copy of the summons to the Director.

Laws 1968, c. 415, § 320, operative July 1, 1968.

§69-321. Oklahoma School for the Deaf in Sulphur, Murray County - Erection of informational highway sign.

The Oklahoma Department of Transportation shall erect an informational highway sign on I-35 at or near the Sulphur exit for the Oklahoma School for the Deaf in Sulphur, Murray County.

Added by Laws 1992, c. 46, § 1, eff. Sept. 1, 1992.

§69-322. Office of Mobility and Public Transit.

A. There is hereby created the Office of Mobility and Public Transit within the Department of Transportation. All current Transit Division responsibilities, including oversight and management of Federal Transit Administration (FTA) grants and resources and the State Management Plan, are moved to the Office of Mobility and Public Transit. Notwithstanding this subsection, the Office of Mobility and Public Transit will not be responsible for oversight and management of FTA grants and resources received by transit agencies as a direct recipient of the FTA as that is not a current responsibility of the Transit Division. All Federal Transit Administration program implementations not currently managed by the Department of Transportation shall be moved to the Office of Mobility and Public Transit from other state agencies and other state programs. The Office of Mobility and Public Transit is charged with overseeing a network of public transit systems that receive adequate funding to ensure the mobility needs of all Oklahomans are met in a safe, affordable, reliable, consistent and coordinated fashion.

B. The Office of Mobility and Public Transit shall promulgate rules and procedures to:

1. Implement innovative pilot programs including, but not limited to, microtransit and autonomous vehicles in the following systems:

- a. EMBARK,
- b. Tulsa Transit,
- c. Little Dixie Transit, and
- d. other transit systems as determined by the Department of Transportation;

2. Implement expansion of the current Veterans' Ride Connect call center at Pelivan Transit to create a "one call/one click" statewide system for all citizens; and

3. Develop the Oklahoma Public Transit Policy Plan. The plan will be developed jointly by the Department of Transportation and the Oklahoma Transit Association.

- a. A copy of the plan shall be submitted to the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate by July 1, 2020.
- b. The plan shall:
 - (1) be all-inclusive of the public transit systems in the state,
 - (2) reflect the results of the 2018 Oklahoma Transit Needs Assessment conducted by the Small Urban and Rural Transit Center,
 - (3) include all stakeholder input,
 - (4) provide for future collaboration and coordination of an effective network of public transit systems across the state,
 - (5) provide for future collaboration and coordination among all public transit agencies and systems and all stakeholders with an interest in public transit, and
 - (6) provide for future collaboration and coordination among all state agencies with an interest in public transit including, but not limited to, the:
 - (a) Oklahoma Department of Commerce,
 - (b) Oklahoma Department of Rehabilitation Services,
 - (c) Oklahoma Department of Human Services,
 - (d) Oklahoma Department of Mental Health and Substance Abuse Services,
 - (e) Oklahoma Department of Veterans Affairs,
 - (f) Oklahoma Association of Centers for Independent Living,
 - (g) Oklahoma Health Care Authority,
 - (h) Oklahoma Employment Security Commission,

- (i) Oklahoma State Department of Education,
- (j) Oklahoma Department of Environmental Quality,
and
- (k) Oklahoma Department of Labor.

Added by Laws 2019, c. 143, § 1, eff. July 1, 2019.

§69-323. Transfer of Transit Division into Office of Mobility and Public Transit.

A. The Transit Division within the Department of Transportation, including oversight and management of Federal Transit Administration grants and resources and the State Management Plan, is transferred into the Office of Mobility and Public Transit. The Executive Director of the Department of Transportation shall assume all executive-level responsibilities for the Office of Mobility and Public Transit and shall function as and possess the powers of the director for the Office of Mobility and Public Transit. For the purposes of this section, the term "transferring agency" shall mean the Transit Division within the Department of Transportation, including oversight and management of Federal Transit Administration grants and resources and the State Management Plan. Any funds appropriated to, in the possession of or allocated to the transferring agency shall be deemed to be funds of the Office of Mobility and Public Transit.

B. Upon request of the Executive Director of the Department of Transportation, the personnel of the transferring agency shall deliver to the Office of Mobility and Public Transit all books, papers, records and property.

C. All functions, powers, duties and obligations previously assigned to the transferring agency are hereby transferred to the Office of Mobility and Public Transit.

D. All rules, regulations, acts, orders, contracts, determinations and decisions of the transferring agency pertaining to the functions and powers herein transferred and assigned to the Office of Mobility and Public Transit in force at the time of such transfer, assignment, assumption or devolution shall continue in force and effect as rules, regulations, acts, orders, contracts, determinations and decisions of the Office of Mobility and Public Transit until duly modified or abrogated by the appropriate body or until otherwise provided by law.

Added by Laws 2019, c. 143, § 2, eff. July 1, 2019.

§69-324. Aging Services Division transfer of certain responsibilities into Office of Mobility and Public Transit.

A. The Aging Services Division within the Department of Human Services shall transfer responsibilities regarding oversight and management of Federal Transit Administration grants and resources under 49 U.S.C., Section 5310 into the Office of Mobility and Public

Transit. The Executive Director of the Department of Transportation shall assume all executive-level responsibilities for management and oversight of the Federal Transit Administration grants and resources. For the purposes of this section, the term "transferring agency" shall mean the Aging Services Division within the Department of Human Services. Any federal 49 U.S.C., Section 5310 funds or funds in the possession of or allocated to the transferring agency related to 49 U.S.C., Section 5310 transportation services shall be deemed to be funds of the Office of Mobility and Public Transit.

B. Upon request of the Executive Director of the Department of Transportation, the personnel of the transferring agency shall deliver to the Office of Mobility and Public Transit all books, papers, records and property related to Federal Transit Administration grants and resources.

C. All functions, powers, duties and obligations related to Federal Transit Administration grants and resources previously assigned to the transferring agency are hereby transferred to the Office of Mobility and Public Transit.

D. All rules, regulations, acts, orders, contracts, determinations and decisions of the transferring agency pertaining to the functions and powers herein transferred and assigned to the Office of Mobility and Public Transit in force at the time of such transfer, assignment, assumption or devolution shall continue in force and effect as rules, regulations, acts, orders, contracts, determinations and decisions of the Office of Mobility and Public Transit until duly modified or abrogated by the appropriate body or until otherwise provided by law.

Added by Laws 2019, c. 143, § 3, eff. July 1, 2019.

§69-401. Cooperation with, or agency for, Bureau of Public Roads - Contracts on terms approved by Bureau of Public Roads.

In order to facilitate civil defense and the construction and maintenance of flight strips, access highways, and the construction of other federal aid highways and roads, the Commission, upon the request of the Bureau of Public Roads, may cooperate with and act as the agent of the Bureau of Public Roads in making the surveys, plans and specifications and estimates for, and in the construction and maintenance of, flight strips, roads and bridges necessary to provide access to military and naval establishments, defense industries, defense-industry sites, source of raw materials, roads and bridges replacing existing highways and highway connections shut off from general public use at military and naval reservations and defense-industry sites, and other federal aid highways. Notwithstanding any other provisions of law, the Commission may negotiate and enter into contracts for the construction or maintenance of any such flight strip, road, bridge or highway, under such procedure, in such manner and upon such terms and conditions as may be approved by the Bureau

of Public Roads, or may, either as principal or agent of the Bureau of Public Roads, perform such construction and maintenance work by the "force-account" method. The provisions of this article shall be applicable in all cases where the work is being paid for either in whole with federal funds or in part with federal funds and in part with funds of the State of Oklahoma or one of its subdivisions. Laws 1968, c. 415, § 401, operative July 1, 1968.

§69-402. State Highway Construction and Maintenance Fund - Use of - Acceptance and disbursement of federal funds - Liability of State Treasurer.

The Commission shall have authority to use any money in the State Highway Construction and Maintenance Fund to carry out the provisions of this article. Whenever the Commission contracts as the agent of the Bureau of Public Roads, it shall be authorized to accept and receive federal funds for disbursement in the discharge of the obligation of such contracts, and to deposit same in a special account in the State Treasury, and to disburse the same in such manner as may be approved by the Bureau of Public Roads. The State Treasurer and his bondsmen shall be liable for any such federal funds so deposited by the Commission.

Laws 1968, c. 415, § 402, operative July 1, 1968.

§69-403. State Infrastructure Bank.

A. The Transportation Commission is hereby authorized to create a "State Infrastructure Bank", pursuant to the federal National Highway System Designation Act of 1995 and the Transportation Infrastructure Finance and Innovation Act of 1998, for the purpose of pooling available federal, private and state appropriated or revolving fund monies or credit assistance specifically authorized by the Legislature for such use. The Commission shall be the instrumentality to make application to the Federal Highway Administration for the capitalization grant which is to be placed in the State Infrastructure Bank. The Commission shall be the instrumentality to submit a Letter of Interest to the Federal Highway Administration for credit assistance pursuant to the Transportation Infrastructure Finance and Innovation Act of 1998. The Commission shall adopt all rules necessary to implement and effectuate the provisions of this act.

B. The State Infrastructure Bank authorized by this section may be utilized by the various counties of Oklahoma for pooling available federal, private and state appropriated or revolving fund monies or credit assistance specifically authorized by the Legislature for capital improvements. The various counties of Oklahoma are authorized to receive and repay monies from the Department of Transportation revolving fund designated as the "State Infrastructure

Bank Revolving Fund" for the purpose specifically authorized by the Legislature.

C. The Transportation Commission shall be authorized to make loans from the State Infrastructure Bank to qualified applicants as provided in this act in order to implement the provisions of the National Highway System Designation Act of 1995 and the Transportation Infrastructure Finance and Innovation Act of 1998. Added by Laws 1996, c. 303, § 1, emerg. eff. June 10, 1996. Amended by Laws 1997, c. 218, § 8, eff. Nov. 1, 1997; Laws 1998, c. 292, § 1, eff. Nov. 1, 1998; Laws 2012, c. 356, § 1, eff. Nov. 1, 2012.

§69-403.1. Definitions.

For the purposes of Sections 403 through 412 of this title:

1. "Eligible project" means the construction, restoration, or replacement of a public transportation facility, limited to highways, bridges, roads, streets, rail, rail crossings, and right-of-way acquisition that would enhance the economic development of this state and provide safety to the citizens of this state;
2. "Eligible applicant" means state agencies, counties, cities, special districts, municipal corporations, and Indian tribal governments;
3. "Commission" means the Transportation Commission;
4. "Department" means the Department of Transportation; and
5. "Director" means the Director of the Department of Transportation.

Added by Laws 1998, c. 292, § 3, eff. Nov. 1, 1998. Amended by Laws 2012, c. 356, § 2, eff. Nov. 1, 2012.

§69-404. State Infrastructure Bank Revolving Fund.

A. There is hereby created in the State Treasury a revolving fund for the Department of Transportation to be designated the "State Infrastructure Bank Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of the following:

1. All monies received by the Department of Transportation as provided in Section 403 of this title;
2. All monies received pursuant and subject to the provisions of the National Highway System Designation Act of 1995 and the Transportation Infrastructure Finance and Innovation Act of 1998 which are eligible for use in state revolving loan funds established to meet the requirements of that act;
3. All monies appropriated to this fund;
4. Payments of principal and interest and penalty payments on loans made directly from federal monies and appropriated monies in this fund;
5. Annual state administration fees of one-half percent (1/2%) on the outstanding loan balance; and

6. Any other sums designated for deposit to this fund from any source, public or private.

All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Department of Transportation for the purposes of effectuating the provisions of this act. Expenditures from the 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 monies placed in the State Infrastructure Bank Revolving Fund shall be invested by the State Treasurer as prescribed by Section 89.2 of Title 62 of the Oklahoma Statutes. Any interest earned by the State Treasurer shall be deposited to the credit of the State Infrastructure Bank Revolving Fund. Monies invested by the State Treasurer shall be available to meet the program funding needs established by the Department of Transportation pursuant to this act. Added by Laws 1996, c. 303, § 2, emerg. eff. June 10, 1996. Amended by Laws 1998, c. 292, § 2, eff. Nov. 1, 1998; Laws 2012, c. 356, § 3, eff. Nov. 1, 2012; Laws 2013, c. 15, § 91, emerg. eff. April 8, 2013. NOTE: Laws 2012, c. 304, § 572 repealed by Laws 2013, c. 15, § 92, emerg. eff. April 8, 2013.

§69-405. Use of fund - Purposes.

The Department of Transportation shall use the State Infrastructure Bank Revolving Fund for the following purposes:

1. To make a loan to an eligible entity if:
 - a. the loan application, project and planning documents have been approved by the Department or the Transportation Commission,
 - b. the loan is made at or below market interest rates,
 - c. principal and interest payments will begin no later than the month following the completion of the project,
 - d. the State Infrastructure Bank Revolving Fund will be credited with all payments of principal and interest on all loans,
 - e. the applicant demonstrates to the satisfaction of the Department the financial capability to assure sufficient revenues to pay debt service,
 - f. the recipient of the loan establishes a dedicated source of revenue for payment of debt service for the loan, and
 - g. the recipient agrees to maintain financial records in accordance with governmental accounting standards, to conduct an annual audit of the financial records relating to the construction project, and to submit the audit report to the Department on a scheduled annual basis;

2. To guarantee or purchase insurance for eligible entities if the guarantee or insurance would improve access to market credit or reduce interest rates;

3. To provide loan guarantees to similar revolving loan accounts or funds established by eligible entities;

4. To administer the State Infrastructure Bank Revolving Fund pursuant to the provisions in this act. All funds to be utilized for administrative costs from the State Infrastructure Bank Revolving Fund shall be subject to annual appropriation by the Legislature; and

5. For such other purpose or in such manner as is determined by the Commission or the Director to be an appropriate use of the State Infrastructure Bank Revolving Fund and which has been specifically approved by the Federal Highway Administration pursuant to the National Highway System Designation Act of 1995 and the Transportation Infrastructure Finance and Innovation Act of 1998. Added by Laws 1998, c. 292, § 4, eff. Nov. 1, 1998. Amended by Laws 2012, c. 356, § 4, eff. Nov. 1, 2012.

§69-406. Additional powers and duties of Department - Review of applications - Oversight and technical assistance.

In addition to other powers and duties provided by law, the Oklahoma Department of Transportation shall have the power and duty to:

1. Review, assess, and prioritize the preliminary applications received from eligible applicants;

2. Determine the feasibility of each transportation project and the eligibility of the entity to receive funding from the State Infrastructure Bank Revolving Fund;

3. Determine which applications should be referred to the Commission for loans from the State Infrastructure Bank Revolving Fund; and

4. Provide oversight and technical assistance during the planning, design, and construction phases of the transportation project for which the entity is applying for the loan.

Added by Laws 1998, c. 292, § 5, eff. Nov. 1, 1998.

§69-407. Rules.

The Department of Transportation shall prescribe such rules as may be necessary for determining the eligibility and priority of such entities for transportation projects in order to receive loans made pursuant to the National Highway System Designation Act of 1995, credit assistance pursuant to the Transportation Infrastructure Finance and Innovation Act of 1998 and the State Infrastructure Bank Revolving Fund. At a minimum, such rules shall:

1. Ensure the fair and equitable prioritization of entities eligible for loans made pursuant to the provisions of this act;

2. Be in conformance with applicable provisions of the National Highway System Designation Act of 1995 and the Transportation Infrastructure Finance and Innovation Act of 1998;

3. Require that, to be approved, an applicant needs or will need the transportation project loan to comply with regulations and standards adopted by the Department; and

4. Require the transportation project to:

- a. be designed to enhance the economic development of this state and provide safety to its citizens,
- b. meet the established criteria of the Department as provided for by the National Highway System Designation Act of 1995 and the Transportation Infrastructure Finance and Innovation Act of 1998,
- c. comply with all applicable federal, state, and local laws and rules, and
- d. meet any other consideration deemed necessary by the Department.

Added by Laws 1998, c. 292, § 6, eff. Nov. 1, 1998. Amended by Laws 2012, c. 356, § 5, eff. Nov. 1, 2012.

§69-408. Additional powers and duties of Department - Administration of monies - Establishment of accounts and subaccounts.

In addition to the other powers and duties provided by law, the Oklahoma Department of Transportation shall have the power and duty to:

1. Manage, maintain, expend and otherwise administer monies in the State Infrastructure Bank Revolving Fund and any accounts or subaccounts in the Fund, pursuant to the provisions of this act. The Department shall manage the Fund so as to make available the amounts necessary to fund loans to the eligible entities entitled to receive funding pursuant to the provisions of this act;

2. Establish separate accounts and subaccounts within the State Infrastructure Bank and provide that such accounts be segregated and used for specified purposes or held as security for designated obligations; and

3. Enter into binding loan agreements with the eligible entities as specified by the Department.

Added by Laws 1998, c. 292, § 7, eff. Nov. 1, 1998.

§69-409. Preliminary evaluations of transportation projects - Financial review - Final loan applications - Approval or rejection - Release of loan proceeds.

A. By May 1, 1999, the Oklahoma Transportation Commission shall provide financial review guidelines to the Oklahoma Department of Transportation for use by the Department in preliminary evaluations of transportation projects. The evaluation shall include such

information as required by the Department and the Commission, including but not limited to:

1. Cost of the proposed transportation project;
2. Amount of the loan requested;
3. Repayment schedule; and
4. Existing and anticipated assets and liabilities of the

applicant.

B. Upon a determination of the Department that an entity meets the criteria to receive funding pursuant to the provisions of this act, the Department shall forward to the Commission the preliminary application for an initial financial review.

C. Upon receipt of the preliminary application, the Commission shall prepare an initial financial review of the entity based upon:

1. The documents submitted by the Department and any additional information requested by the Commission through the Department, necessary to make a financial review of such entity; and
2. The proposed loan amount and interest rate for which the entity qualifies.

Upon conclusion of the initial financial review, the Commission may either recommend approval or rejection of the proposed loan.

D. The Commission shall return the preliminary application to the Department with a written recommendation of approval or rejection. If the Commission recommends rejection, the written recommendation shall include the reason for the rejection. The Commission shall forward a written copy of the rejection notice to the entity. The entity may then be allowed to modify any such documents in order to comply with the requirements of the Commission and may resubmit the necessary financial documents to the Department.

E. If the Commission recommends approval, the Commission shall notify the Department of the acceptance. Upon receipt of the notice and upon approval of the planning documents by the Department, the Department shall notify the entity of the approval and request the entity to prepare and submit the final loan application and a nonrefundable loan application processing fee in the amount of Five Hundred Dollars (\$500.00).

F. Upon a determination of compliance with the state and federal laws, the Department is authorized to approve, refer and forward the final loan application and necessary documents to the Commission with the recommendation that a loan be made to the eligible entity pursuant to the federal National Highway System Designation Act of 1995 from the State Infrastructure Bank Revolving Fund.

G. Upon review of the final loan application and applicable documents, the Commission shall either approve or reject the loan application. The Commission may request additional information from the applicant or the Department in order to complete the financial review of the application for the loan. The Commission shall notify the applicant of any rejection of the final loan application.

Notification of approval of such entity for a loan shall be sent to the Department and the Department shall notify the applicant. The Department shall have the authority to grant final approval for disbursement of loan proceeds by the State Infrastructure Bank and to present the proceeds at the closing of the loan. Upon request for disbursement of funds from the account pursuant to the provisions of this act, the Commission shall provide for the release of the loan proceeds.

H. Payment on loans shall be made to the State Infrastructure Bank as provided in the loan documents.

Added by Laws 1998, c. 292, § 8, eff. Nov. 1, 1998.

§69-410. Repealed by Laws 2010, c. 413, § 30, eff. July 1, 2010.

§69-411. Default - Collections.

In the event of a default in payment of the principal or interest on loans made from the State Infrastructure Bank Revolving Fund pursuant to this act, the Attorney General is empowered and it shall be the duty of the Attorney General to take actions to collect any amounts due or owing to the Fund. The Attorney General shall institute appropriate proceedings to compel the defaulting party and its officers, agents, and employees to cure the default.

Jurisdiction of any proceedings shall be in the district court of Oklahoma County.

Added by Laws 1998, c. 292, § 10, eff. Nov. 1, 1998.

§69-412. Revenue sources.

A. In order to administer the State Infrastructure Bank, the following sources of revenues may be utilized:

1. Monies from the State Infrastructure Bank Revolving Fund pursuant to the federal National Highway System Designation Act of 1995 and credit assistance pursuant to the Transportation Infrastructure Finance and Innovation Act of 1998;

2. Loan processing fees; and

3. Appropriations from the General Revenue Fund or other funds as may be provided for this purpose.

B. All funds to be utilized for administration by the Department of Transportation shall be subject to annual appropriation by the Legislature.

Added by Laws 1998, c. 292, § 11, eff. Nov. 1, 1998. Amended by Laws 2012, c. 356, § 6, eff. Nov. 1, 2012.

§69-420. Repealed by Laws 2013, c. 227, § 30, eff. Nov. 1, 2013.

§69-421. Repealed by Laws 2013, c. 227, § 30, eff. Nov. 1, 2013.

§69-501. Classes of highways - Construction, repair, and maintenance - Removal from System - Maps.

A. The highway system of this state shall be divided into two classes to be known as the State Highway System and county highway system. The State Highway System shall be designated by the Commission and shall be composed of intercounty and interstate highways.

B. When the Commission shall have taken over any highway, or part thereof, as a state highway, the Commission shall become responsible for the construction, repair and maintenance of such highway and for this purpose shall be authorized to use any state highway funds, together with any money derived from any agreement entered into between the Commission and the federal government, any county, or any citizen or group of citizens who have made donations for that purpose.

C. When any segment of the State Highway System is removed from the system, all right, title, and interest to the road, right-of-way, and any signs or facilities shall revert to the appropriate county or municipal authority. The Department of Transportation shall determine the specific right-of-way to be conveyed and prepare and execute a conveyance of title document which shall be forwarded to the local authority to be filed with the county clerk.

D. Prior to returning a state highway back to the county highway system, the Oklahoma Department of Transportation shall make any necessary improvements to the road to meet the minimum design guidelines as set forth in the current State of Oklahoma County Road Design Guidelines Manual, and provide a driving surface that has no less than a good rating according to the current County Road Surface Management System. Prior to returning a state highway bridge back to the County Bridge System, the Oklahoma Department of Transportation shall make any necessary improvements to the bridge so that it will achieve a minimum H-20 twenty (20) ton computed operating rating according to the National Bridge Inventory System and a Minimum Scour Rating of 3, NBI Item 113.

E. The Commission shall provide and maintain a map of the state which shall show all the highways which have been designated as part of the State Highway System and, when practical, status of improvement thereon. In addition, the Commission shall include on such map the principal access road to every city and town not served by the State Highway System and which has a United States Post Office or with a population in excess of one hundred (100) persons according to the latest Federal Decennial Census.

Added by Laws 1968, c. 415, § 501, operative July 1, 1968. Amended by Laws 1970, c. 59, § 1, emerg. eff. March 16, 1970; Laws 1998, c. 73, § 1, eff. Nov. 1, 1998; Laws 1998, c. 206, § 1, eff. Nov. 1, 1998.

§69-502. Roads connecting public use areas, state parks, national parks and state-owned institutions with certain highways or streets - Roads within boundaries of state parks and memorials.

(a) The Commission, at its discretion, may designate and maintain as a part of the State Highway System any roads connecting public use areas, state parks, national parks and state-owned institutions of the State of Oklahoma with federal highways, state highways, county highways or municipal streets where the right-of-way for the roads has been obtained and title thereto is in the State of Oklahoma or any agency thereof; and the Commission shall construct or maintain roads and highways within the boundaries of state parks and memorials.

(b) The Commission may use any state highway funds for the purpose of constructing, repairing and maintaining such roads. Added by Laws 1968, c. 415, § 502, operative July 1, 1968. Amended by Laws 1970, c. 9, § 1.

§69-502.1. National Highway System connector route.

The Transportation Commission shall designate and maintain as part of the State Highway System any road accepted by the Federal Highway Administration as a National Highway System connector route to an intermodal port. Such road shall not exceed one and one-half (1 1/2) miles in length.

Added by Laws 2001, c 399, § 7, emerg. eff. June 4, 2001.

§69-503. Notice before removal of highways from State Highway System.

Any highway designated as a state highway shall not be removed by the Commission from the State Highway System until notice in writing of intention to do so has been given to the State Senators and State Representatives of the respective districts which may be affected, thereby fixing a time for a public hearing thereon, which hearing shall be held not less than ten (10) days after the notice specified herein.

Laws 1968, c. 415, § 503, operative July 1, 1968.

§69-504. Maintenance of streets, roads and state-owned parking lots on Capitol grounds and adjacent lands.

A. It shall be the duty of the Department of Transportation to maintain all streets, roads and state-owned parking lots, including all streets designated on the plat filed in the office of the Secretary of State as File No. 155 of the "State Property Records" and all streets within the boundaries of the "State Capitol Park" and the "Cowboy Hall of Fame Park" upon its establishment.

B. The streets, roads and parking lots described in subsection A of this section shall constitute and be incorporated as a part of the State Highway System, and the Commission is authorized to expend any

money appropriated for the construction and maintenance of these highways, streets, roads and parking lots. Laws 1968, c. 415, § 504, operative July 1, 1968; Laws 1981, c. 280, § 1, emerg. eff. June 26, 1981.

§69-505. Title to removed bridge due to construction or reconstruction of state highway.

In the construction or reconstruction of a state highway, in the event it is necessary to remove any bridge structure, title to such bridge structure removed is in the State Highway Department regardless of the source of the funds from which said removed bridge was originally constructed.

Laws 1970, c. 59, § 2, emerg. eff. March 16, 1970.

§69-506. High Priority State Bridge Revolving Fund.

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

Added by Laws 2006, 2nd Ex. Sess., c. 45, § 6, eff. July 1, 2007.

Amended by Laws 2012, c. 304, § 574.

§69-507. County Improvements for Roads and Bridges Fund.

A. There is hereby created in the State Treasury a revolving fund to be known as the "County Improvements for Roads and Bridges 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 subsection L of Section 1104 of Title 47 of the Oklahoma Statutes. All monies accruing to the credit of said fund are hereby

appropriated and may be budgeted and expended 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 apportioned pursuant to subsection L of Section 1104 of Title 47 of the Oklahoma Statutes shall be in equal amounts to the various Transportation Commission districts. The funds shall be used for the sole purpose of construction or reconstruction of county roads or bridges on the county highway system that are of the highest priority as defined by the Transportation Commission. Counties may accumulate annual funding for a period of up to five (5) years for a specific project, with such funding to be held by the Transportation Commission to the credit of the county project. The Transportation Commission shall promulgate rules for the administration of the process and the development of criteria for determining the level of priority for projects and include such projects in a five-year construction plan that will be updated annually. Projects in the five-year construction plan shall be contracted as provided by law and awarded by the Transportation Commission.

C. 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 fund which shall earn the same, if there is any unexpended balance of such fund to which to credit the interest. The interest credited herein shall be expended pursuant to this section. Added by Laws 2006, 2nd Ex. Sess., c. 45, § 7, eff. July 1, 2007. Amended by Laws 2012, c. 304, § 575.

§69-601. Authority and duties of county commissioners.

A. The county highway system shall be composed of all public roads within any county, less any part of any road or roads which may be designated as a state highway by the State Transportation Commission. It shall be the duty of the board of county commissioners in each county to construct and maintain as county highways those roads which best serve the most people of the county. For this purpose the board of county commissioners is authorized to use any funds which are in the county highway fund, subject to statutory restrictions on the use of any of such funds, together with any money or item of value derived from any agreement entered into between the county and the Transportation Commission, the federal government, this state, any other county or political subdivision of this state or other governmental entity, or any citizen or group of citizens who have made donations for that purpose. The boards of

county commissioners of the various counties shall have exclusive jurisdiction over the designation, construction and maintenance and repair of all of the county highways and bridges therein. All interlocal cooperation agreements made pursuant to this section between counties and those political subdivisions or citizens of a county shall be submitted to the district attorney of each of the counties subject to the agreement for approval. All other interlocal cooperation agreements shall be submitted and approved in accordance with Sections 1001 through 1008 of Title 74 of the Oklahoma Statutes.

B. The boards of county commissioners are hereby authorized to establish road improvement districts as provided by law for existing roads in the unincorporated areas of counties. The boards of county commissioners may also have improvements made on existing roads in unincorporated areas of counties on a force account basis. Added by Laws 1968, c. 415, § 601, operative July 1, 1968. Amended by Laws 1978, c. 208, § 1, eff. Jan. 1, 1979; Laws 2000, c. 180, § 1, eff. Nov. 1, 2000.

§69-601.1. Plans and specifications for new roads and bridges

The board of county commissioners in each county may cause to be prepared, and may adopt by resolution, standard plans and specifications for the establishment and construction of new roads or bridges to be dedicated to the use and benefit of the public. Such roads or bridges must meet such specifications before being accepted and becoming public roads.

Laws 1975, c. 239, § 1, emerg. eff. May 30, 1975.

§69-601.2. Exemptions.

This act shall not apply to cities, towns, planning district or any other area where jurisdiction is otherwise vested by law in a political subdivision to establish standards for the dedication of roads or bridges.

Laws 1975, c. 239, § 2, emerg. eff. May 30, 1975.

§69-601.3. Adoption of annual priority plan and budget for construction of road, bridge, culvert and drainage projects - Amendment.

A. On or before September 30 of each year the board of county commissioners shall adopt an annual priority plan and budget for the construction of road, bridge, culvert and drainage projects during the next federal fiscal year and the four (4) years succeeding the next federal fiscal year, based upon available existing and estimated future funds administered by the Department of Transportation for county bridges and roads. The plan shall be filed by the board of county commissioners with the Department of Transportation and the county clerk.

B. The board of county commissioners may amend annual priority plans and budgets, but any amendment shall be filed with the Department of Transportation and county clerk.
Added by Laws 1982, c. 311, § 2. Amended by Laws 2005, c. 174, § 2, emerg. eff. May 16, 2005.

§69-601.4. Application of waste oil to streets and roads prohibited.

A. Except as otherwise provided in this section, the practice of applying waste oil to any street or road in this state is hereby prohibited. Upon authorization of the Corporation Commission and compliance with the provisions of this section, a board of county commissioners of any county in this state may apply waste oil to any street or road in the county.

B. The Corporation Commission may issue authorization for the application of waste oil on any street or road in this state. No authorization shall be issued except upon proper application and a showing by the county requesting such authorization that the use of waste oil on the street or road is necessary for the care, maintenance, and improvement of the street or road, that such activity is in the public interest, and that the procedure for the application of the waste oil shall be made in such a manner so as to protect any adjoining public or private property from damage and made in such a manner so as to prevent the pollution of surface and subsurface waters.

C. The Corporation Commission shall promulgate rules and regulations which are necessary to protect, from damage, public and private property adjoining any street or road upon which waste oil is to be applied and prevent the pollution of surface and subsurface waters and which are reasonable and necessary to effectuate and enforce the provisions of this section including but not limited to the types of waste oil which may be used in such applications and when the application of the waste oil shall be made. The Corporation Commission shall supervise the application of waste oil to ensure that such application is made in the manner required by the rules and regulations promulgated by the Commission pursuant to this section.

D. Any person who authorizes the application of or applies waste oil to any street or road without authorization of the Corporation Commission or in violation of any rule or regulation of the Corporation Commission promulgated pursuant to this section shall be held personally liable. A proven violation of the provisions of this section or of any rules or regulations promulgated thereto shall be punishable, in the first instance, by a fine not in excess of Two Thousand Five Hundred Dollars (\$2,500.00). A second proven violation in any calendar year shall result in a fine not in excess of Five Thousand Dollars (\$5,000.00). A third proven violation in any calendar year shall result in a fine not in excess of Ten Thousand

Dollars (\$10,000.00) and suspension of authority for up to thirty (30) days.

E. For the purpose of this section, "waste oil" includes crude petroleum oil or other hydrocarbons produced from or obtained or used in connection with the drilling, development, producing and processing of oil or any residue obtained from any oil storage facility. The term waste oil shall not include any hydrocarbon to which lead has been added.

Added by Laws 1985, c. 340, § 1, emerg. eff. July 30, 1985.

§69-601.5. Maintenance or improvement of private roads for school bus turn-arounds.

In order to protect the health, safety and welfare of the children of this state, the board of county commissioners shall be authorized to enter onto private property adjoining county roads in order to perform maintenance or improvements to an existing private road when:

1. The private road is used by a school bus to turn around;
2. The available right-of-way does not provide enough space for the school bus to turn around without endangering the occupants of the school bus; and
3. The owner of the private road agrees in writing to the necessary maintenance or improvements.

The maintenance or improvements to the private road shall be limited to the area necessary for the school bus to adequately turn around.

Added by Laws 1999, c. 341, § 8, eff. Nov. 1, 1999.

§69-601.6. Acceptance of public road or bridge project bids.

The board of county commissioners in every county in this state must notify the Department of Transportation at least twenty-one (21) days prior to accepting bids on any publicly let road or bridge work projects in the county. The Department shall make this information available to the public on their website.

Added by Laws 2010, c. 256, § 5, eff. July 1, 2010.

§69-601.7. Permits for harvesting of hay along right-of-way public roads.

A. The boards of county commissioners are authorized to issue permits which authorize and regulate the harvesting of hay along the right-of-way of public roads of the county highway system within their respective counties. Each permit shall authorize the permittee to harvest hay for the duration of the calendar year.

B. The applicant for a permit shall be informed in writing and shall sign a release acknowledging that he or she will assume all risk and liability for hay quality and for any accidents and damages that may occur as a result of the work and that the county and State

of Oklahoma assume no liability for the hay quality or for work done by the permittee.

C. Any person who stores the harvested hay along the right-of-way for later removal shall store the harvested hay at the outer edge of the right-of-way and shall remove the harvested hay within two (2) days after harvesting.

D. The county shall obtain consent from the owner whose land abuts the right-of-way before issuing or reissuing a permit to harvest hay. The owner may revoke his or her consent at any time.

E. The owner or the owner's assignee of land abutting the right-of-way shall have priority to receive a permit for such land under this section.

F. The county may charge a permit fee in an amount calculated only to defray the actual costs of administering this section; provided, that any owner or owner's assignee shall be granted a permit at no cost when harvesting hay on the right-of-way abutting that owner's land. All fees received under this section shall be remitted to the county treasurer for credit to the county highway fund.

G. Counties shall require permittees to carry and keep in force liability insurance during the permit period. Counties shall determine required minimum amounts of such coverage, which shall be at least Three Hundred Thousand Dollars (\$300,000.00) for each occurrence of bodily injury and One Hundred Thousand Dollars (\$100,000.00) for each occurrence of property damage.

H. Counties may establish regulations to carry out this section. Added by Laws 2017, c. 218, § 1, eff. Nov. 1, 2017.

§69-601.8. Immunity from liability - Cattle guards or other devices.

The state, county or political subdivision shall be immune from liability if a claim for damages results from the use, repair or maintenance of cattle guards or other device designed to impede the movement of livestock, wildlife or other animals on public roadways. Added by Laws 2019, c. 293, § 1, eff. Nov. 1, 2019.

§69-602. State and county highways - Connection with city paving - Federal aid.

(a) A hard surfaced state or county highway may be extended into the corporate limits of a municipality to connect with the paving of such municipality under the following conditions:

(1) When any state or county highway within any county has been completed with hard surface to the limits of any municipality which maintains a system of street paving but none of the paved streets of which reach to or connect with such hard surfaced state or county highway; or

(2) When such paved streets are not at a greater distance than two (2) miles from such hard surfaced highway; or

(3) If the board of county commissioners of such county finds and so certifies of record that such municipality is unable to extend its paving to connect with such hard surfaced state or county highway by reason of the value of abutting real estate that would be liable for such paving being inadequate to sustain the cost thereof; or

(4) If it will be for the best interests of the citizens and residents of such county that such hard surfaced highways be connected with the paving in such municipality by a hard surfaced road.

(b) Provided, however, that the cost of such extension within such municipality as herein provided shall be borne by the county within which such municipality is located.

(c) Provided, further, that when federal aid may be obtained, the board of county commissioners shall take such action as will secure federal aid available for the construction of any hard surfaced road or street as authorized by this section.

Laws 1968, c. 415, § 602, operative July 1, 1968.

§69-603. Contracts for grading, etc., of streets within incorporated cities or towns.

The board of county commissioners of any county may, under the direction of the Commission, contract for grading, draining or hardsurfacing any street within any municipality where such street is a continuation of or a connecting link in the State or County Highway System or if the county and the municipality have entered into an agreement pursuant to Section 36-113 of Title 11 of the Oklahoma Statutes for the construction, improvement, repair or maintenance of municipal streets.

Added by Laws 1968, c. 415, § 603, operative July 1, 1968. Amended by Laws 2010, c. 266, § 3, emerg. eff. May 13, 2010.

§69-604. Bonds authorized for roads and bridges - Procedure.

The board of county commissioners may issue bonds of its county for the purpose of building, constructing, repairing or acquiring bridges, and for building and constructing state or county roads and bridges; provided, the issuance of such bonds shall first be approved by not less than three-fifths (3/5) of the qualified voters of the county voting on the question at an election held for such purpose. Such election shall be called and held, and the bonds shall be issued and sold, as in the case of bonds issued for the erection of county hospitals.

Added by Laws 1968, c. 415, § 604, operative July 1, 1968.

§69-605. Bridge contracts - Preliminary action.

Whenever the board of county commissioners shall determine to construct a permanent bridge or culvert, the engineer's estimated cost of which exceeds the sum of Ten Thousand Dollars (\$10,000.00),

it shall adopt a resolution of necessity, containing substantially the following matters, to wit:

(a) The location of such bridge or culvert, which location shall be so plainly pointed out that the same can easily be determined.

(b) The material of which such bridge or culvert is to be constructed.

(c) The approximate width of the roadway and depth of fill, if any, over the crown or floor of the bridge or culvert.

(d) The approximate length of span or arch of the bridge or culvert.

(e) The approximate area of the watershed to be drained through the bridge or culvert.

(f) The estimated cost of the bridge or culvert.

Laws 1968, c. 415, § 605, operative July 1, 1968; Laws 1979, c. 92, § 1, emerg. eff. April 24, 1979.

§69-606. Bridges between adjoining counties.

The board of county commissioners of any two or more adjoining counties may unite in the construction of a bridge, or bridges, over any stream forming the boundary line between such counties or flowing from one county into the other, and the said bridge, or bridges, may be located by them at any point or points on the stream not more than two (2) miles from the boundary line of the counties. If the board of county commissioners of each county so situated finds that a bridge across the stream is necessary and approves its construction, it shall be the duty of the boards of county commissioners, and each of them, to at once proceed with the construction of the bridge. Such counties shall bear the cost of the construction of the bridge, or bridges as agreed by said counties; such construction shall be under the supervision of the boards of county commissioners, which boards shall act in conjunction in such construction; and the bridge, when so constructed, shall remain the property of such counties, respectively, and shall be jointly maintained by such counties.

Added by Laws 1968, c. 415, § 606, operative July 1, 1968. Amended by Laws 2015, c. 302, § 1, eff. July 1, 2015.

§69-607. Intercounty bridges - Proceedings (Boundary bridges).

(a) Whenever the public convenience justly demands it and the need thereof shall be appropriately signified, as herein provided, then the board of county commissioners must proceed as follows with respect to intercounty bridges across streams serving in whole or in part as a boundary between two counties: After the presentation in the case of a bridge to cost not over One Thousand Dollars (\$1,000.00), of a petition signed by at least fifty taxpayers of each county; to cost from One Thousand Dollars (\$1,000.00) to Ten Thousand Dollars (\$10,000.00), by seventy-five taxpaying signers in each county; to cost more than Ten Thousand Dollars (\$10,000.00), by one

hundred taxpaying signers in each county, to the board of county commissioners, it may within one (1) year proceed to act and construct the bridge if such levy as may be required for this purpose may be made within the constitutional limitation as to tax levies; and such petitions or actions, at whatever stage, shall bind and have equal force with the successors in office to those Commissioners originally receiving it. The cost of the bridge shall be apportioned between the counties upon the basis of their total valuation, unless the boards of county commissioners in the exercise of sound judgment shall agree to apportion it otherwise.

(b) The above proceeding shall not apply in the case of intercounty bridges where the total span is two hundred (200) feet or more, including approaches thereto of timber work or any material other than earth embankment, if there is another bridge of substantially equal size and importance over the same stream within six (6) miles of the proposed location.

Laws 1968, c. 415, § 607, operative July 1, 1968.

§69-608. Repair of bridges, payment for by county.

The board of county commissioners may pay for the reconstruction or repairing of such county bridges as have been damaged or destroyed by floods. Provided, that the authority granted by this section shall apply only to claims for repairing or reconstructing bridges previously owned by the county on the same site.

Laws 1968, c. 415, § 608, operative July 1, 1968.

§69-609. Allowance of accounts for repair or reconstruction of bridges.

The accounts for repairing or reconstructing such bridges destroyed or damaged shall be filed and allowed by the board of county commissioners upon accounts itemized and verified by affidavit as in other cases.

Laws 1968, c. 415, § 609, operative July 1, 1968.

§69-610. Joint construction of bridges by county, city and public service corporation.

Any county, by act of the board of county commissioners, and any municipality within such county, by a majority of its governing board, and any public service corporation organized under the laws of the State of Oklahoma, may all or either of them jointly contract for the construction and maintenance of bridges across streams running through such county.

Laws 1968, c. 415, § 610, operative July 1, 1968.

§69-611. Contracts for bridges with public service corporations authorized - Bond issue - Tax levy.

Any public service corporation organized under the laws of the State of Oklahoma may jointly contract with any municipality, county, or citizen of same, for the joint construction, maintenance, ownership and use of any bridge or bridge approaches over and across any stream, river, or creek, and any such public service corporation may contract with any municipality or county for the purchase of such bridge and for the joint ownership and use thereof by the public service corporation and the public; and the several parties so interested may contract and set aside the part of such bridge or bridges and approaches to be used or maintained by each, and such municipality or county may issue and sell bonds, or levy taxes, to pay for construction or purchase of such bridge or bridges, or interest therein, the same as bonds are issued or taxes levied for other bridge purposes.

Laws 1968, c. 415, § 611, operative July 1, 1968.

§69-612. Bonds for bridges jointly constructed between county and municipality.

When the cost of such construction is apportioned respectively between the county and municipality, bonds may be voted for the same in like manner and form as otherwise provided by law for the construction of a bridge in its entirety by the county and municipality, respectively.

Laws 1968, c. 415, § 612, operative July 1, 1968.

§69-613. Working convicts on county highways - Duties of officers.

The board of county commissioners of any county shall have authority to work any convicts confined in the county jail, either as punishment for crime or in lieu of payment of fine and costs, upon public highways in the county, and to employ such guards and other assistants as may be required. It shall be the duty of the sheriff, upon the order of the board of county commissioners, to deliver, to any person authorized to receive them for work, upon public highways, any persons sentenced and confined in the county jail either as punishment for crime or in lieu of payment of fine and costs.

Laws 1968, c. 415, § 613, operative July 1, 1968.

§69-614. Convicts on rock pile or other public work.

When, in the judgment of the board of county commissioners, the expense of working the convicts upon the public highways is too great, on account of the small number thereof, or for any other reason, then it shall have authority to provide all necessary apparatus for working of such convicts upon a rock pile, or rock crusher, for the purpose of providing material for use upon the public highways of the county. Such authority shall be exercised in the same manner as is provided in the preceding section for the working of convicts upon the public highways, and the board of county

commissioners shall have full authority as to how and where such materials shall be used; provided, it shall use same for no other purpose than the betterment of the public highways in the county; provided, further, that in any county where the working of convicts upon a rock pile, or rock crusher, is found impractical for any reason, then the board of county commissioners may provide for the working of the convicts upon any public work in which the county has an interest.

Laws 1968, c. 415, § 614, operative July 1, 1968.

§69-615. Convicts to perform road work - Credit for work - Authority of road supervisors.

Any person in this state convicted of a crime who, as a result of such conviction, is confined as a prisoner in a county jail of any county may, at the discretion of the board of county commissioners of such county in which the jail is located, be required by the board of county commissioners to perform road work on the public highways of the county and upon the streets of any municipality located in the county. When such prisoner shall perform the road work in a satisfactory manner, under the supervision of any road supervisor of the county or municipality having jurisdiction over the person, the prisoner shall be entitled to two (2) day's credit on his time in the jail for each day consisting of eight (8) hours of road work performed by the person and he shall be recorded as having served two (2) days in the jail on his judgment and sentence. Any road supervisor having under his supervision any prisoner or prisoners for the purpose of performing road work, as herein provided, shall be deputized as a deputy sheriff or special police officer with full authority of law as deputy sheriff or police officer for the purpose of properly carrying out the provisions of this section and shall be responsible under the law in the same manner as other officers are responsible for safekeeping of prisoners and shall be subject to the same penalties.

Laws 1968, c. 415, § 615, operative July 1, 1968.

§69-616. Supplies for convicts doing road work.

The board of county commissioners shall purchase supplies for feeding and maintaining county convicts while at work, from the lowest and best bidder, after reasonable public notice shall have been given. No contract for furnishing supplies at a higher price than the ordinary selling price of the articles furnished shall be valid.

Laws 1968, c. 415, § 616, operative July 1, 1968.

§69-617. Food for convicts - Medical attention.

The board of county commissioners shall furnish wholesome food in sufficient quantity and variety to all convicts working upon the

public roads to maintain them in good health and vigor, and shall furnish medical attention when required in accordance with the standards promulgated pursuant to Section 192 of Title 74 of the Oklahoma Statutes.

Added by Laws 1968, c. 415, § 617, operative July 1, 1968. Amended by Laws 1978, c. 244, § 28, eff. July 1, 1978.

§69-618. Other service may be required of convicts.

Any of the convicts whether male or female, mentioned in the preceding sections may be required to perform service in or around the county jail or other place of confinement, or at any camp or commissary where convicts are kept or fed.

Laws 1968, c. 415, § 618, operative July 1, 1968.

§69-619. City and town prisoners employed by counties - Credit for work.

The boards of county commissioners of the several counties of the state shall have authority to receive by agreement with the governing board of any municipality, the prisoners of the municipality, who have been sentenced to imprisonment in the municipality's jail, either as punishment or in lieu of payment of fine and costs for the violation of any municipal ordinance, and such board of county commissioners shall have authority to work any such prisoners on the public highways or upon a rock pile, or rock crusher, for the purpose of providing material for use upon public highways or any public institution of such county, or upon any public work in which the county is interested. Any such person so imprisoned for nonpayment of fine and costs shall receive credit upon his or her fine and costs of One Dollar (\$1.00) for each day so confined in prison or worked upon the public highways, rock pile, rock crusher, or other public work; provided, the board of county commissioners shall not pay for the services of such prisoners, except the cost of their transportation and maintenance.

Laws 1968, c. 415, § 619, operative July 1, 1968.

§69-620. Unexpended funds - Transfer to other road projects.

Whenever there remains in the State Treasury to the credit of the Commission, in the account of any county in this state, an unexpended balance of any special fund, being an amount in excess of the contract price of any federal aid road or bridge project and the purpose for which it was created has been fully observed, and there remains no further use for such balance, the Commission shall make a certificate to the board of county commissioners of the county showing the amount of the balance, and it shall then be lawful for the board of county commissioners, by resolution, to transfer such balance to any other federal aid road or bridge project of the county.

Laws 1968, c. 415, § 620, operative July 1, 1968.

§69-621. Maintenance and construction by adjoining counties.

All county highways on county lines in this state shall be maintained and constructed by the counties adjoining. County commissioners of each of the counties or other jurisdictions between which such roads are located may enter into agreements to provide for said maintenance and construction.

Added by Laws 1968, c. 415, § 621, operative July 1, 1968. Amended by Laws 2015, c. 302, § 2, eff. July 1, 2015.

§69-622. Duties of counties to maintain roads - Expenditures - Division of roads.

(a) It shall be the duty of each board of county commissioners to maintain the section of each county line road assigned to it by the aforesaid agreement. The expenditures on such roads shall be governed by the laws relating to expenditures by boards of county commissioners as expenditures on roads within the boundaries of such counties.

(b) Provided, that when the board of county commissioners of any county is notified by the Board of an adjoining county that an agreement relating to division of county line roads as provided in the preceding section is desired, the boards shall within thirty (30) days of such notice proceed with the division in the manner agreed upon between the respective boards.

Laws 1968, c. 415, § 622, operative July 1, 1968.

§69-623. Division when counties fail to agree.

Should the boards of county commissioners fail to agree upon an equitable division of such roads or upon the expense of maintenance and construction of such roads after the division has been made, the Director shall be authorized to settle such disputes, when called upon to do so by the board of county commissioners of either county, and his decision in such cases shall be final and binding upon both counties.

Laws 1968, c. 415, § 623, operative July 1, 1968.

§69-624. County engineer - Appointment - Compensation - Removal - Qualifications - Joint employment - Agreement for engineering services.

A. The board of county commissioners of each county shall employ one or more full- or part-time county engineers, who shall perform the duties as provided by law. The county engineer shall receive as compensation a salary to be fixed by the board of county commissioners for his services on road and bridge and other work appertaining thereto, and all necessary and actual expenses incident thereto.

B. Any person employed as county engineer may be relieved of his duties by the board of county commissioners.

C. The county engineer shall be registered as a professional engineer or certified as an engineer-in-training by the State Board of Registration for Professional Engineers and Land Surveyors pursuant to Sections 475.1 et seq. of Title 59 of the Oklahoma Statutes, and shall have a practical knowledge of civil engineering, be skilled in bridge, culvert and road building and in laying of drains and general road work and be active and diligent in the discharge of his duties.

D. The boards of county commissioners may enter into an agreement to jointly employ a county engineer. Such agreement shall be written and entered in the minutes of each participating board of county commissioners. The engineer employed under such agreement shall be the designated county engineer for each of the respective counties.

E. In the event a board of county commissioners determines that it cannot afford to employ a full-time county engineer, or if it cannot enter into an agreement with other counties to jointly employ a part-time county engineer, then said board shall enter into an agreement with the Department of Transportation for the provision of necessary county engineering services. Any engineering services provided by the Department of Transportation shall be furnished without cost or expense to the county. However, nothing in this section shall be construed to relieve a board of county commissioners of the responsibilities or costs associated with the efficient and necessary construction and maintenance of roads, bridges, culverts and drainage projects within its jurisdiction, or as otherwise provided by law. Road funds shall be withheld from any county failing to employ or utilize county engineering services as provided herein.

Added by Laws 1968, c. 415, § 624, operative July 1, 1968. Amended by Laws 1982, c. 311, § 1; Laws 2006, c. 63, § 2, eff. Nov. 1, 2006.

§69-625. Bond of county engineer.

Before entering upon the performance of his duties the county engineer shall execute and deliver to the board of county commissioners a bond in such sum as may be fixed by the board of county commissioners with sufficient surety to be approved by the board, conditioned upon the faithful performance of his duties as such engineer, and that he will account for and deliver to his successor in office, at the expiration of his term, all books, papers and other property belonging to the county.

Laws 1968, c. 415, § 625, operative July 1, 1968.

§69-626. Duties of county engineer.

(a) The county engineer shall, when requested by the board of county commissioners, give instruction or advice with reference to the construction, building or repairing of any roads or bridges.

(b) When requested by the board of county commissioners, the county engineer shall personally inspect the condition of any of the roads, culverts and bridges within his county, and shall upon the board's request make such surveys and perform such other duties in connection with his office as may be required as herein provided, and he shall, if required, make his report of such examination in writing, together with such recommendations as he may offer relative to the construction, repairing or building of any such road or bridge.

Laws 1968, c. 415, § 626, operative July 1, 1968.

§69-627. Cost records of road work, engineer to keep.

The county engineer shall keep, prepare and submit cost records upon all road work in his charge in order that the best and most economical method of doing the work may be thus ascertained and put into practice.

Laws 1968, c. 415, § 627, operative July 1, 1968.

§69-628. Power of county commissioners to open roads.

The board of county commissioners shall have power and authority upon its own motion to open and establish public roads on section lines anywhere in the county and obtain right-of-way therefor, either by amicable settlement or condemnation proceedings as provided by law.

Laws 1968, c. 415, § 628, operative July 1, 1968.

§69-629. Width of roads.

The board of county commissioners shall at the time of establishing public roads make an order fixing the width thereof and definitely describing such roads.

Laws 1968, c. 415, § 629, operative July 1, 1968.

§69-630. Interest of officers in contracts prohibited.

No member of the Department, or any person in the employ of the Department, no county commissioner, county engineer, road superintendent, or any person in their employ, or one holding an appointment under them, shall be either directly or indirectly interested in any contract for the construction or building of any bridge or culvert, or of any improvement of any road or parts of road coming under the provisions of this Code.

Laws 1968, c. 415, § 630, operative July 1, 1968.

§69-631. Use of bridges by public utilities or service corporations - Supervision by county board.

Boards of county commissioners in their respective counties shall have the supervision over bridges and the approaches thereto constructed upon county highways within their respective counties which have been erected by the voting of bonds by the county and may permit any public utility or public service corporation to cross any such bridges and the approaches thereto or jointly use any such bridge and the approaches thereto with the public for an adequate consideration, and upon such terms and conditions as may be satisfactory to it in agreement with any such public utility or public service corporation, and no public utility or public service corporation shall have the right to use or cross any bridge or the approaches thereto, located over any stream in Oklahoma, when such bridge or approaches thereto has been erected by the voting of bonds by the county for that purpose, unless the board of county commissioners shall, by resolution, determine that in its judgment the bridge and approaches thereto may be safely so used and without any substantial detriment to the public interest.
Laws 1968, c. 415, § 631, operative July 1, 1968.

§69-632. Public utilities and public service corporations to pay tolls.

(a) The board of county commissioners may require any public utility or public service corporation, using any such bridge or approaches thereto, to pay such toll or rental for the use of such bridge and the approaches thereto as it may agree upon with the public utility or public service corporation and may make such agreement and stipulation as to the use of the bridge and the approaches thereto with such utility or public service corporation as in its judgment shall conserve the public interest.

(b) Provided, that no public utility or public service corporation shall use any such bridge or approaches thereto unless and until it shall have so agreed with the board of county commissioners as to the tolls, rentals and use of the bridge and the approaches thereto, and then during such time only as it shall make payment therefor and comply with its contract.
Laws 1968, c. 415, § 632, operative July 1, 1968.

§69-633. Plans and specifications - Letting contract - Building by county board - Advisory services - Warrants for payroll.

A. When any culvert or bridge is to be constructed at an estimated cost of One Hundred Fifty Thousand Dollars (\$150,000.00) or more, or any culvert or bridge reconstruction is to be accomplished at an estimated cost of One Hundred Fifty Thousand Dollars (\$150,000.00) or more, or grade-and-drainage project is to be developed, or reconstruction, replacement or major repairs are to be accomplished by the board of county commissioners acting alone or in cooperation with the state or federal government, at an estimated

cost of Four Hundred Thousand Dollars (\$400,000.00) or more, in either event, engineering plans and specifications shall be prepared by the county engineer to insure sound engineering practices. The project shall be advertised for bids pursuant to Section 1101 of this title, and the contract shall be let only after notice at a public letting. If the construction work can be completed for a cost below or equal to the estimate of the engineer or below any bid submitted at a public letting and so entered in its journal, nothing in this title shall prevent the board from causing the same to be built by day labor, force account, and purchase by the county of materials as provided by law.

B. If the board of county commissioners deems it necessary, it may consult and seek the advice of the Department of Transportation regarding the design, construction and maintenance of the project, and the Department of Transportation may furnish advice for any of the projects to insure sound engineering practices. If provided, the services shall be furnished without cost or expense to the county.

C. The board may authorize the county clerk to draw warrants for the amount of payrolls for labor furnished under the day labor system, when the payrolls are certified to as correct by the engineer or person in charge of the work, and the payroll shall be passed upon by the board following certification.

Added by Laws 1968, c. 415, § 633, operative July 1, 1968. Amended by Laws 1971, c. 103, § 1, emerg. eff. April 26, 1971; Laws 1975, c. 338, § 1, operative July 1, 1975; Laws 1979, c. 92, § 2, emerg. eff. April 24, 1979; Laws 1981, c. 1, 1st Ex.Sess., § 5, emerg. eff. Sept. 8, 1981; Laws 1982, c. 286, § 1; Laws 1984, c. 71, § 3; Laws 2004, c. 419, § 1, eff. Nov. 1, 2004; Laws 2005, c. 174, § 1, emerg. eff. May 16, 2005; Laws 2009, c. 231, § 2, eff. July 1, 2009; Laws 2010, c. 253, § 1, emerg. eff. May 10, 2010.

§69-634. Bond of contractor.

The board of county commissioners shall require each contractor to furnish a bond pursuant to the provisions of Section 1 of Title 61 of the Oklahoma Statutes but made payable to the county. If the contractor fails to comply with the terms of the contract, the bond shall be forfeited to the county treasurer for credit to the county highway fund. Unless otherwise provided for by contract, the surety on any bond shall be held, to consent without notice to:

1. an extension of time given to the contractor to perform the contract if each extension does not exceed sixty (60) days; and
2. any change in the plans, specifications, or contract if such change does not involve an increase of more than twenty percent (20%) of the total contract price. If such increase is more than twenty percent (20%) of the total contract price, the surety shall be released only as to such increase in price that is in excess of a twenty percent (20%) increase.

Amended by Laws 1983, c. 125, § 2, eff. Nov. 1, 1983.

§69-635. Violation by officials - Punishment - Suspension and forfeiture of office.

(a) Any road, county, or other official charged with duties herein who shall violate any of the terms or provisions of this Article the punishment for which is not prescribed elsewhere in this Code, shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than One Hundred Dollars (\$100.00) for each offense, or imprisoned in the county jail not less than thirty (30) days, or suffer both such fine and imprisonment.

(b) Upon presentation in court of complaint in legal form, alleging violation of any provision of this Article, any road official charged with the duties herein shall be, at the option of the court, immediately suspended from office pending final judgment, and upon being found guilty shall forfeit his office in addition to any punishment imposed.

Laws 1968, c. 415, § 635, operative July 1, 1968.

§69-636.1. County Road Machinery and Equipment Revolving Fund.

There is hereby created in the State Treasury a revolving fund to be known and designated the "County Road Machinery and Equipment Revolving Fund", which shall consist of all appropriations and deposits made for the purposes hereinafter designated and shall also include all proceeds resulting from the lease, lease-purchase, sale or resale of equipment purchased out of monies in the revolving fund. The revolving fund shall be a continuing fund and shall be nonfiscal in character. 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 fund for expenditure as provided by law.

Added by Laws 1982, c. 286, § 2. Amended by Laws 2006, 2nd Ex. Sess., c. 45, § 8, eff. July 1, 2007.

§69-636.2. Revolving fund to be used to purchase road and bridge construction and maintenance machinery and equipment.

The Department of Transportation is hereby authorized to use the County Road Machinery and Equipment Revolving Fund to purchase new or used road and bridge construction and maintenance machinery and equipment for lease or lease-purchase to counties. Such machinery and equipment shall include, but not be limited to, the following: asphalt pavers, automobiles, backhoes, bridge painting machines, cranes, elevating graders, fork lifts, front-end loaders, motorized weed sprayers, mowers, paving breaker tampers, pickups, power shovels, snow plows, street sweepers, trucks and wheel and crawler tractors. The Department of Transportation may make such purchases only if requested to do so by a board of county commissioners or

circuit engineering districts pursuant to the provisions of Section 302.1 of this title, and may not act in behalf of any county in the purchase of any road machinery or equipment except as provided for in this act.

Added by Laws 1982, c. 286, § 3. Amended by Laws 2001, c. 117, § 2, eff. Nov. 1, 2001.

§69-636.3. Counties to contract to lease or lease-purchase road machinery and equipment - Eligibility - Notice of intent - Lack of funds - Full warranty leases - Rules and regulations.

A. Counties shall enter into lease or lease-purchase contracts for road machinery and equipment pursuant to the provisions of Sections 636.1 through 636.7 of this title or pursuant to the provisions of Sections 1500 through 1505 of Title 19 of the Oklahoma Statutes and may not otherwise lease road machinery or equipment except in the case of an emergency, when specialized road machinery or equipment for projects of short durations is required for periods not to exceed thirty (30) days.

B. A county shall be eligible to enter into a lease or lease-purchase contract with the Department of Transportation for road machinery and equipment on a priority basis determined by the county funding classification designation during any fiscal year for the purchase of road machinery and equipment. The county funding classification designation shall be developed by the Department of Transportation and the Oklahoma Cooperative Circuit Engineering Districts Board and approved by the Oklahoma Department of Transportation County Advisory Board. Upon approval by the Department of Transportation County Advisory Board, the funding classification designation shall be submitted to the Transportation Commission for final approval. The counties receiving the least appropriations per mile of road may receive the highest priority rating. A county may also enter into a full warranty lease contract for road machinery and equipment pursuant to the provisions of subsection F of this section. Nothing in Sections 636.1 through 636.7 of this title shall prohibit a county from purchasing road machinery and equipment if it has adequate funds appropriated during any fiscal year for such purpose.

C. Whenever a county desires to lease or lease-purchase road machinery and equipment with funds from the County Road Machinery and Equipment Revolving Fund, it shall notify the Department of Transportation of its requirements and specifications and shall provide a list of vendors from which bids will be requested for the lease or lease-purchase agreements.

D. Upon receiving such notification from a county, the Department shall be authorized to purchase requested road machinery or equipment for lease or lease-purchase to that county or may lease or lease-purchase surplus or used road machinery and equipment to a

county provided such road machinery or equipment meets the requirements and specifications of the requesting county.

E. If there are no funds available in the County Road Machinery and Equipment Revolving Fund, the Department of Transportation, upon notification that a county desires to lease or lease-purchase road machinery or equipment, shall certify to the county that there are no funds available in the County Road Machinery and Equipment Revolving Fund for such purposes. The county may then request the Purchasing Director of the Office of Management and Enterprise Services to solicit bids or request bids pursuant to the provisions of Section 1500 et seq. of Title 19 of the Oklahoma Statutes to lease or lease-purchase the requested road machinery or equipment.

F. When funds are available in the County Road Machinery and Equipment Revolving Fund the Department of Transportation shall, after receiving notification from a county desiring to lease or lease-purchase equipment, authorize the county to request bids pursuant to the provisions of this act and allocate funds equal to the estimated cost of the equipment or machinery requested. However, if the lowest and best bid received by the county exceeds the estimated purchase price of the equipment or machinery, the county shall pay any difference above the estimated purchase price if accepted. The county shall use the bid procedure provided for in Section 1500 et seq. of Title 19 of the Oklahoma Statutes. The county shall forward the lowest and best bid received to the Department of Transportation which shall authorize the lease or lease-purchase of the equipment or machinery.

G. A county may enter into a full warranty lease contract for road machinery and equipment if the county has adequate funds appropriated during any fiscal year for such purpose. Whenever a county desires to enter into a full warranty lease contract for road machinery or equipment, the county must notify the State Auditor and Inspector of its intent and must provide the State Auditor and Inspector with its requirements and specifications along with the proper documentation to be advertised for bids. Upon receiving the notification and documentation from a county, the State Auditor and Inspector shall review the documentation and, upon approval, shall forward the documentation and specifications to the State Purchasing Division of the Office of Management and Enterprise Services. The Purchasing Director of the Office of Management and Enterprise Services shall solicit bids to lease the requested road machinery or equipment according to the documentation and specifications of the county as approved by the State Auditor and Inspector. The term of any full warranty lease contract authorized pursuant to this subsection may be for any period up to one (1) year, provided the term shall not extend beyond the end of any fiscal year, with an option to renew such lease subject to the requirement that adequate funds are appropriated during the fiscal year by the county for such

purpose. The State Auditor and Inspector shall prescribe the lease forms and other documentation necessary for implementing the provisions of this subsection.

H. Except as provided in subsection G of this section, the Department of Transportation shall promulgate such rules and regulations and is authorized to require from the counties such information, forms and reports as are necessary for properly and efficiently administering Sections 636.1 through 636.7 of this title. Added by Laws 1982, c. 286, § 4. Amended by Laws 1983, c. 205, § 4, emerg. eff. June 16, 1983; Laws 1991, c. 203, § 1, emerg. eff. May 17, 1991; Laws 1992, c. 6, § 2, emerg. eff. March 18, 1992; Laws 1993, c. 75, § 1, eff. Sept. 1, 1993; Laws 1996, c. 179, § 2, eff. Nov. 1, 1996; Laws 2012, c. 304, § 576; Laws 2017, c. 20, § 2, eff. Nov. 1, 2017.

§69-636.4. Department authorized to lease or lease-purchase road equipment and machinery - Eligibility of counties - Sales - Rental rate - Interest - Disposition of proceeds.

A. The Department of Transportation may enter into a written lease or lease-purchase agreement providing new, surplus or used road machinery and equipment for the use by a county during the then current fiscal year. Any county leasing road machinery or equipment from the Department shall be eligible to enter into a like contract for the ensuing fiscal year, and shall also be eligible to purchase the same such units, as provided for herein.

B. The Department of Transportation may sell any particular unit of road machinery or equipment to a county at any time after such unit has been leased for one (1) fiscal year for an amount not less than the original total cost of purchase, less rentals actually paid for the use of the unit, or any expenses incurred in reconditioning the unit; provided however, in so selling such unit, preference shall be given to the county leasing the unit during the then preceding fiscal year.

C. Whenever the Department of Transportation has agreed to sell a unit of road machinery or equipment to a county, the title to said machinery or equipment shall be transferred to the county upon receipt of the final payment by the Department.

D. Road machinery and equipment leased or lease-purchased by a county shall be leased or lease-purchased at the annual rental rate, which shall be fixed at an amount not less than that required to amortize the original purchase cost of the unit by ten (10) years' rental thereof.

E. The Department of Transportation may charge a county interest on any lease or lease-purchase agreement for road machinery or equipment provided the Oklahoma Department of Transportation County Advisory Board determines and approves the rate to be charged.

F. All proceeds derived from the lease or lease-purchase of road machinery and equipment by the Department of Transportation shall be deposited with the State Treasurer to be credited to the County Road Machinery and Equipment Revolving Fund.

Added by Laws 1982, c. 286, § 5. Amended by Laws 1996, c. 179, § 3, eff. Nov. 1, 1996.

§69-636.5. Use and care of equipment and machinery - Liability of leasing county - Return.

A. Any county leasing road machinery and equipment from the Department of Transportation shall use and care for said machinery and equipment in a careful and prudent manner and shall pay all operating and maintenance expenses including any and all repairs during the time said machinery or equipment is in its possession.

B. The leasing county assumes all risk and liability for and shall hold the Department of Transportation and its agents harmless from all damages to property and injuries and death to persons arising out of the use, possession or transportation of said road machinery or equipment.

C. When road machinery or equipment is returned to the Department of Transportation prior to the payment in full of the contract purchase price the county must notify the Department of Transportation and request an inspection and appraisal of any such unit of equipment or machinery. At the appointed time of inspection of equipment or machinery being returned, a county commissioner, a Department representative and an independent appraiser will determine the fair market value of said equipment and machinery.

Should the appraised value not meet or exceed the balance remaining on the contract for lease-purchase, the county shall be assessed the difference and shall not be permitted to participate in the County Road Machinery and Equipment Revolving Fund until such difference is paid in full. The extent of the financial obligation by the county will be based on the appraisal of equipment and road machinery at the time of inspection.

The county may elect to remedy any deficiencies noted at the inspection meeting and request a subsequent inspection and appraisal after the deficiencies are corrected.

D. All risk physical damage insurance shall be carried on all equipment and road machinery purchased through the County Road Machinery and Equipment Revolving Fund. The Department is authorized to arrange such coverage and include the cost of premium in the lease-purchase contract. The county is authorized to request such coverage through the Department or provide said coverage through a county insurance plan.

Added by Laws 1982, c. 286, § 6. Amended by Laws 1993, c. 75, § 2, eff. Sept. 1, 1993.

§69-636.6. Disposal of surplus road machinery and equipment.

A. Any surplus road machinery and equipment in excess of the needs of the Department of Transportation which was purchased pursuant to the provisions of this act shall be offered for sale to all counties before it is disposed of. Whether sold to a county or sold as otherwise provided by law, the proceeds derived from selling surplus road machinery and equipment shall be deposited with the State Treasurer to be credited to the County Road Machinery and Equipment Revolving Fund.

B. Whenever any county owns road machinery and equipment which it deems as surplus it may request the Department of Transportation to dispose of said equipment. If so requested, the Department in turn shall issue notice to all counties of county-owned surplus road machinery or equipment available at fair market value. If no other county offers to purchase said machinery or equipment the Department may, at the request of the county owning the road machinery or equipment, sell said machinery or equipment as otherwise provided by law and return the proceeds to the county to whom the machinery or equipment belonged.

C. If a county disposes of its surplus road machinery and equipment, it shall do so pursuant to Sections 421 et seq. of Title 19 of the Oklahoma Statutes.

Added by Laws 1982, c. 286, § 7. Amended by Laws 1984, c. 71, § 4.

§69-636.7. Storage of road machinery and equipment - Costs and expenses.

A. The Department of Transportation is hereby authorized to acquire space for storing road machinery and equipment while not in possession of a county and to pay the necessary costs thereof from the County Road Machinery and Equipment Revolving Fund.

B. Any costs or expenses necessarily incurred by the Department of Transportation in the administration of the foregoing provisions relating to the County Road Machinery and Equipment Revolving Fund may be paid from the fund.

C. Any costs or expenses necessarily incurred by the Department of Transportation in the administration of a county inventory system for materials, supplies and equipment used for the construction and maintenance of roads and bridges as provided in Section 658 of this title may be paid from the County Road Machinery and Equipment Revolving Fund.

Added by Laws 1982, c. 286, § 8. Amended by Laws 1993, c. 75, § 3, eff. Sept. 1, 1993; Laws 1998, c. 28, § 1, eff. Nov. 1, 1998.

§69-638. Hard surfacing farm-to-market roads - Conditions.

When any county road within the state, which shall have been designated as a part of the federal aid secondary highway system, is brought to standard grade and drain by the county in accordance with

plans and specifications approved by the Commission, and where sufficient right-of-way is provided by the county wherein the road is located, and where state and federal funds are available, such road shall be hard surfaced by the Department.

Laws 1968, c. 415, § 638, operative July 1, 1968.

§69-639. Maintenance by county.

Whenever any road shall have been hard surfaced as provided for in the preceding section, it shall then become the duty of the county in which the road is located to maintain such road in a manner satisfactory to the Commission and the Bureau of Public Roads.

Laws 1968, c. 415, § 639, operative July 1, 1968.

§69-640. Use of road machinery by farmers.

If there be located in any county less than six private operators actively engaged and registered with the governmental bureau or department having supervision of soil conservation, and available for contracting for rendering soil conservation services, the board of county commissioners may permit farmers in such counties to use the county road machinery and equipment in constructing and maintaining terraces and ditches in the county.

Laws 1968, c. 415, § 640, operative July 1, 1968.

§69-641. Contract by farmers as to expenses and for return of machinery.

(a) The board of county commissioners may not permit the use of such machinery and equipment, as provided in the preceding section, until the farmer desiring the use thereof shall make and enter into a contract with such county, providing that the farmer shall pay all expenses incurred in moving the machinery and equipment and the upkeep thereof, and that the same shall be returned to the county in as good condition as it was when received, the usual wear and tear alone excepted.

(b) The farmer shall further, to enforce the compliance with such contract, deposit a bond with the board of county commissioners guaranteeing the compliance with such contract and the payment for oil and gas, etc., such bond to be approved by the board, or, in lieu of such bond, shall make a cash deposit in such sum as may be required by the board; provided, that no farmer shall be liable for major breakage of such equipment.

Laws 1968, c. 415, § 641, operative July 1, 1968.

§69-642. Operation of machinery and equipment used by farmers.

Such machinery and equipment when used as hereinbefore provided shall be operated by and be under the control of the duly appointed agents and employees of the counties.

Laws 1968, c. 415, § 642, operative July 1, 1968.

§69-643. Survey of farm - Maintenance of terrace by farmer - Advice of county farm agent.

Before the board of county commissioners shall permit the use of any such machinery, the board shall require that such farm be surveyed for terracing purposes by an engineer from Oklahoma State University or by the county agent of the county, either under his supervision or by some other person competent to properly survey and lay off a terrace, who shall be approved by the board of county commissioners. Such permit for the use of the machinery shall provide that the landowner shall maintain such terrace in good condition while he owns said land. The board of county commissioners and contracting farmer or farmers shall at all times seek the advice of and cooperate with, as far as possible, the county farm agent or agents in the county. Laws 1968, c. 415, § 643, operative July 1, 1968.

§69-643.1. Circumstances under which county commissioners authorized to enter and perform work on private property.

The board of county commissioners is authorized to enter onto private property adjoining county roads and to perform work by county employees or by contractors working for the county, on such private property, when:

1. The available right-of-way does not provide enough space for needed conservation works of improvement to diminish erosion and siltation of the right-of-way;

2. The owner, or owners, of the adjoining property sign a cooperative agreement permitting such works, which agreement shall state the amount of land to be treated, and the works of improvement to be constructed. Any work performed will be restricted solely to that specified in the cooperative agreement;

3. The local Conservation District has approved the proposed works of improvement; and

4. A copy of the cooperative agreement and a statement of approval from the local Conservation District has been filed with the records of the county commissioners in the office of the county clerk and the cooperative agreement and statement from the local Conservation District have become a part of the minutes of the county commissioners' proceedings.

Added by Laws 1985, c. 274, § 2, emerg. eff. July 18, 1985.

§69-644. Loan of machinery and equipment to municipalities.

The board of county commissioners may, upon such terms and conditions as it deems advisable, loan the county road machinery, tractors and equipment to municipalities located within the county for the purpose of permitting the use thereof in the building, grading and maintaining of streets, alleys and roads within such municipalities. Laws 1968, c. 415, § 644, operative July 1, 1968.

§69-645. Marking of equipment.

The board of county commissioners shall cause each piece of county-owned, rented or leased road machinery and equipment, and each automobile and truck, to be marked in accordance with the provisions of this section. County-owned automobiles, trucks, road machinery and equipment shall be conspicuously and legibly marked PROPERTY OF (name of county) COUNTY, and leased automobiles, trucks, road machinery and equipment shall be conspicuously and legibly marked LEASED BY (name of county) COUNTY, on each side, in upper case letters, on a background of sharply contrasting color.

Laws 1968, c. 415, § 645, operative July 1, 1968.

§69-646. Condemnation procedure - Indian or federal lands.

A. The board of county commissioners may open, establish, reserve or condemn roads on section lines and may vacate, alter, widen, change or lay out other new roads according to the following procedure:

1. A proposal for action to vacate, alter, widen, change or locate a road shall be upon a petition to the board of county commissioners signed by at least twelve freeholders residing in the vicinity of the road affected or by resolution of the board of county commissioners;

2. The petition shall state the proposed action and clearly show on a map of the area the location and terminals of the road. If the petition is in proper form, the board of county commissioners shall promptly investigate the proposal to determine if the petition has merit;

3. The board of county commissioners may conclude, upon investigation, that action concerning the road is unnecessary and impractical and deny the petition. Should the board determine that the petition has merit, the board shall set the date of the hearing and provide notice as prescribed by this section;

4. At such time it is determined that the petition has merit, the board of county commissioners shall set a hearing date. The county clerk shall then notify those landowners whose property is immediately affected by the road, in such a way that the road may cross their property, abut to their property, or in some manner provide ingress or egress to their property. The notice shall be given by regular mail at least twenty-one days (21) prior to the hearing date;

5. Legal notice to the public shall be given by advertisement in a newspaper of general circulation in the county setting forth the facts and the date when the hearing will be held and the petition acted upon. The notice shall be published once per week for three (3) consecutive weeks at least twenty-one (21) days prior to the

hearing date. A record of all such proceedings shall be made by the county clerk;

B. In a petition proposing that a road be altered, widened, changed or located where the owners of the land to be taken agree in writing to the proposed location or changes by providing an easement to the county for such purpose, or donate the land required, the board of county commissioners shall then cause to be prepared a cost estimate for the proposed project. The cost estimate shall include the cost to survey the road or the proposed changes. If the estimated cost is reasonable and the road or the proposed changes serve the general public by providing a better route or by eliminating a hazard making the route safer, the board of county commissioners may order and establish the road as a county highway, or order the proposed changes to be made and make the appropriate record thereof. However, no work shall be performed until a survey is completed and easements secured. If the board determines that the expense cannot be justified in whole or in part, the board may order that the petitioners must bear the responsibility to adequately fund the proposed action in whole or in part. If easements are not granted freely, the easements shall be obtained in the manner provided by law and shall be considered in the cost estimate of the proposed action.

C. In a petition proposing that a road be vacated, the board of county commissioners shall, upon receiving the petition, attest that according to their records the road in question is within their jurisdiction and is considered to be open for use by the general public, through grant or ownership, by easement or dedication, by adverse possession, or by open and notorious use, regardless of the frequency of maintenance or lack thereof. In considering the proposal to vacate the road, the board shall hear testimony provided by the petitioners and others who may testify at the hearing as to whether the road should be vacated. Upon a decision by the board to vacate the road, the board shall issue an order to void any easement pertaining to the road, if such easement exists, and require that the road be closed in such a manner as to prevent the use of the road by the general public. The decision of the board to vacate or not to vacate the road shall be final. Except as provided in Section 649 of this title, no road in use by the general public shall be closed, obstructed or vacated in any manner except as provided by this section. Every person who shall close, obstruct or attempt to vacate a road in a manner other than the manner set forth in this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00). In addition, such person shall be liable for the cost incurred by the county to remove, repair or otherwise return the road to open travel by the public. Nothing in this section shall prohibit the temporary closing of any road by law enforcement or

emergency personnel in the performance of their official duty, public utilities with regard to routine maintenance and construction, or other such entities as authorized by the board of county commissioners.

D. Wherever in those counties the amount of Indian lands or those exempt from taxation by reason of the operation of any federal law is thirty percent (30%) or more of the total area of the county, then the board of county commissioners may, upon its own initiative, and if the public interests demand it, move to secure roads over, adjacent to, or for the benefit of all such exempted lands as set forth in this subsection. The board shall call upon the Director of the Oklahoma Department of Transportation as a disinterested party to undertake and make such surveys, plans and estimates and obtain all other essential data and records as are required to make a full and complete statement and report upon the interest involved, and to make such recommendations as in the premises may seem proper. When so prepared, the Department of Transportation shall then advance the matter to the Department of the Interior of the United States, or to any other federal department concerned, through its proper local representative, if there be one, with the request that the matter be considered and disposed of as speedily as possible. If the project be so approved and authorized, then the work may proceed under the special supervision and direct administration of the Department of Transportation and subject to such special regulations as the circumstances seem to require.

Added by Laws 1968, c. 415, § 646, operative July 1, 1968. Amended by Laws 2000, c. 230, § 1, eff. Nov. 1, 2000; Laws 2004, c. 412, § 17, emerg. eff. June 3, 2004.

§69-647. Opening section lines and building and establishing roads. The boards of county commissioners of the respective counties of this state, within the boundaries of which counties a state park is located, are hereby authorized to open section lines leading into such state parks, to build and establish roads thereon, to extend said roads into the state parks and connect same with recreational facilities therein, the location and extent of such roads to be in the discretion of the board of county commissioners; provided, that the location thereof be first approved by the Division of Parks, Recreation and Waterways of the Oklahoma Industrial Development and Park Commission, or the agency having control of state parks. Laws 1968, c. 415, § 647, operative July 1, 1968.

§69-648. Appropriation of highway by county or city for public purpose - Dedication of adjacent land. In any case in the state where a public highway has been appropriated and occupied by a county or municipality for a public purpose and such county or municipality owns adjacent land, the board of county

commissioners of such county or the governing body of such municipality may convey and dedicate to the public for street or highway purposes such adjacent lands or a sufficient part thereof for such purpose in lieu of the highway by them so appropriated and occupied.

Laws 1968, c. 415, § 648, operative July 1, 1968.

§69-649. Grant of right to close, inundate, destroy, alter or appropriate county highway for public purposes.

The board of county commissioners of each county, by and with the written approval of the Commission, may grant to the United States of America or any irrigation district, conservancy district or water user's association, organized under the laws of the state, the right to close, inundate, destroy, alter or appropriate any county highway in such county in connection with the construction, development, operation or maintenance of any irrigation, reclamation, water conservation and utilization, flood control, military or national defense project, for needful public buildings, or other public projects being constructed, operated, developed or maintained by the United States of America, or any such district or association, upon such terms and conditions and for such consideration as the board of county commissioners may determine to be just and proper. The grant of any such right or rights may include the right to construct irrigation ditches and canals across and along any such highway.

Laws 1968, c. 415, § 649, operative July 1, 1968.

§69-650. Execution of necessary instruments.

The board of county commissioners shall have the power to authorize the execution of, and the chairman of the board in accordance with such authorization shall have the power to execute, any and all contracts, deeds, easements and other instruments of conveyance as may be required in or convenient to the exercise of the powers granted in the preceding section.

Laws 1968, c. 415, § 650, operative July 1, 1968.

§69-651. Section and quarter section corners.

The provisions of Sections 1229 - 1233 of this Code, relating to the marking and obliteration of section and quarter section corners within rights-of-way of state highways, shall apply with full force and effect and in like manner to the board of county commissioners of each county, whenever section corners or quarter section corners are obliterated, or may be obliterated by the construction or resurfacing of either low type or high type paved roads of any county highway within the county.

Laws 1968, c. 415, § 651, operative July 1, 1968.

§69-652. Federal aid secondary highway projects - Consulting engineers.

The board of county commissioners of any county shall have authority to employ consulting engineers to make locations and prepare plans and specifications on any federal aid secondary highway project on the county highway system; and the supervision and inspection of any such project may be done by a consulting engineer, or by an engineer of the department assigned for such purpose when request therefor is made to the Department by the board of county commissioners.

Laws 1968, c. 415, § 652, operative July 1, 1968.

§69-653. Numerical designation of section lines - System.

The State Highway Department shall numerically designate each section line in the State of Oklahoma according to the following system:

The first section line running north and south at the west end of the State shall be designated NS1, each succeeding section line shall have the number changed in numerical order, the prefix NS remaining the same, until a number has been assigned to the last section line paralleling the Arkansas border. In like manner the first section line running east and west below the northern border of Oklahoma shall be designated EW1 and each succeeding section line shall be changed in numerical sequence, the prefix EW remaining the same until the last section line north of the Red River has been designated.

Laws 1968, c. 237, § 1, emerg. eff. April 24, 1968.

§69-654. Adoption of county primary road system.

The boards of county commissioners of the various counties in this state shall adopt a system of county highways and public roads which shall constitute the county primary road system of their respective counties. Said system shall consist of functionally classified county collector routes as determined by the Department of Transportation in cooperation with the various boards of county commissioners and approved by the Federal Highway Administration.

In constructing and maintaining the various routes comprising the county primary road system, county officials shall take into consideration the relative traffic volumes existing on the various segments of such system in the county, population, industrial and marketing centers, and connections with improved segments of the respective county primary road systems in adjoining counties, the state highway system and the city street system.

Laws 1968, c. 237, § 2, operative July 1, 1968; Laws 1970, c. 97, § 1, emerg. eff. March 30, 1970; Laws 1992, c. 80, § 1, eff. July 1, 1992.

§69-655. County route markers.

The board of county commissioners in each county may, within one (1) year after the designation of the county primary road system in

that county, locate, erect and thereafter maintain markers designating those routes classified as county primary roads. Markers shall bear the cardinal number or other identification assigned the particular route on which the marker is erected and shall indicate the name of the county. The responsibility for devising a practical, systematic county primary route numbering scheme, including the configuration of the identifying device, readily lending itself to functional implementation is vested and imposed jointly on representatives of the Oklahoma Cooperative Circuit Engineering Districts Board and the Department of Transportation. The scheme shall be so devised as to offer intracounty and intercounty road users a convenient means of identifying and using the county primary road system and shall provide for continuous numbering of routes crossing county boundaries. The Department of Transportation is hereby authorized to negotiate with the counties, on a statewide basis, to manufacture and provide the markers on a materials plus cost basis.

Added by Laws 1968, c. 237, § 3, eff. July 1, 1968. Amended by Laws 1992, c. 80, § 2, eff. July 1, 1992; Laws 2017, c. 20, § 3, eff. Nov. 1, 2017.

§69-656. Bridge or construction projects on county primary road system.

A. The county commissioners in each county shall designate a county primary road system as provided for in Section 654 of this title, and upon completion, the board of county commissioners in any county may program bridge or roadway projects located on the county primary road system in accordance with the provisions of this section.

B. Any bridge or roadway construction project which materially contributes to improving the adequacy of the county primary road system which meets accepted design standards may be considered eligible.

C. Design standards for projects to be constructed under this section shall be developed cooperatively between the Oklahoma Cooperative Circuit Engineering Districts Board and the Department of Transportation; provided however, any such standards so developed must meet the minimum criteria required to assure federal participation in the project if such participation is to be used for such project.

D. The Department of Transportation shall be the administering agency, and, in cooperation with the Oklahoma Cooperative Circuit Engineering Districts Board, shall develop and promulgate regulations for the carrying out of the provisions of this section. Provided however, any such administrative procedures so developed shall be subject to the approval of the State Transportation Commission.

E. The county shall be responsible for plans, surveys and other necessary engineering to prepare the project for contract letting; however, construction engineering shall be performed by the Department of Transportation.

F. The county shall be responsible for the acquisition of all rights-of-way required to construct the project including relocation assistance payments and the costs associated with necessary utility relocations or adjustments. All right-of-way acquisition activities shall be carried out in accordance with applicable state statutes. Assistance in the preparation of deeds and easements, in the actual acquisition of real property, and in the relocation of families and businesses shall be provided by the Department of Transportation upon written request of the county.

G. Projects shall be let to contract by the State Transportation Commission through competitive bidding procedures, provided however, force account projects may be awarded to the county by the Transportation Commission based upon agreed unit prices, if deemed in the best public interest.

H. Counties constructing projects under provisions of this section shall enter into an agreement with the Department of Transportation that the county will adequately maintain any bridge or road built under this section. Funds provided to support the accomplishment of this section shall be withheld from any county not providing adequate maintenance for projects built under its provisions.

I. While the intent of the Legislature is that any funds utilized under this section be directed primarily toward the replacement of inadequate bridges on the county primary road system, emphasizing those portions of that system serving as school bus routes, it is also recognized that other critical road needs may exist in the various counties; therefore, projects in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) may be approved under this section for these other critical needs in those instances where such approval can be justified by the county. It is further the intent of the Legislature that this be a continuing program so that significant improvement in the overall adequacy of Oklahoma's county road system may be realized.

Added by Laws 1978, c. 274, § 10, emerg. eff. May 10, 1978. Amended by Laws 1979, c. 288, § 11, emerg. eff. June 7, 1979; Laws 1980, c. 349, § 16, emerg. eff. June 25, 1980; Laws 1992, c. 80, § 3, eff. July 1, 1992; Laws 2017, c. 20, § 4, eff. Nov. 1, 2017.

§69-657. Short title.

This act shall be known and may be cited as the "County Bridge and Road Improvement Act".

Added by Laws 1980, c. 307, § 1, emerg. eff. June 17, 1980. Amended by Laws 1997, c. 284, § 18, eff. July 1, 1997.

§69-658. Repealed by Laws 2010, C. 256, § 12, eff. July 1, 2010.

§69-659. County bridge standards - Demonstration bridge projects - Engineering services.

The Department of Transportation is hereby authorized to develop a complete set of county bridge standards, including standards for demonstration bridge projects and standards for county bridges with low average daily traffic volumes as defined by the latest published version of the County Roads Design Guidelines Manual. Such standards shall be developed under the direction of the Bridge Division of the Department and prior to implementation shall be approved by the Oklahoma Cooperative Circuit Engineering Districts Board and the Transportation Commission. Such standards shall be furnished without cost to local units of government. Monies received by the county pursuant to the County Bridge and Road Improvement Act, Section 657 et seq. of this title, may be used for purposes of obtaining engineering services. Only registered professional engineers, approved by the Department, experienced in the design and construction of highway and related facilities, shall be used for such services. Counties acquiring engineering services as provided for in this section shall require the engineers providing such services to execute professional service contracts which include a requirement that the engineer shall maintain an adequate policy of professional liability insurance.

Added by Laws 1980, c. 307, § 3, emerg. eff. June 17, 1980. Amended by Laws 1989, c. 44, § 2, operative July 1, 1989; Laws 1989, c. 352, § 2, operative July 1, 1989; Laws 1993, c. 206, § 1, emerg. eff. May 25, 1993; Laws 1997, c. 284, § 20, eff. July 1, 1997; Laws 2010, c. 256, § 6, eff. July 1, 2010; Laws 2017, c. 20, § 5, eff. Nov. 1, 2017.

§69-660. Replacement, expansion, or repair of bridges - Expenditures.

The boards of county commissioners may enter into cooperative agreements with the Oklahoma Turnpike Authority for the purpose of replacement, expansion or repair of functionally obsolete and structurally deficient bridges which cross over or under turnpikes. The expenditures for such projects will be from any federal, state or county public funds appropriated and earmarked for such purpose. Counties may apply for the expenditure of these earmarked funds for projects that have been requested by the board of county commissioners of the county where the bridge is located. Once approved by the Oklahoma Cooperative Circuit Engineering Districts Board, the Board will select and prioritize the bridge replacement projects based on criteria which shall include, but not be limited to, high traffic volume and current bridge safety assessments.

Added by Laws 1980, c. 307, § 4, emerg. eff. June 17, 1980. Amended by Laws 1981, c. 68, § 1, emerg. eff. April 16, 1981; Laws 1989, c. 352, § 3, operative July 1, 1989; Laws 1991, c. 98, § 1, eff. July 1, 1991; Laws 1995, c. 20, § 1, eff. Nov. 1, 1995; Laws 1997, c. 284, § 21, eff. July 1, 1997; Laws 2006, c. 157, § 1, emerg. eff. May 15, 2006; Laws 2009, c. 281, § 1, emerg. eff. May 22, 2009; Laws 2010, c. 256, § 7, eff. July 1, 2010.

§69-661. Priority of replacement or reconstruction projects - Selection - Apportionment of funds.

A. When a county receives monies pursuant to the County Bridge and Road Improvement Act, a county shall give priority to reconstructing, replacing, or closing those bridges in the county that are rated less than three (3) tons or fifteen (15) tons or less for those bridges on school bus routes. Bridge and road replacement or reconstruction projects shall be selected by the individual boards of county commissioners and shall be based on a countywide assessment of bridge and road reconstruction and replacement needs.

B. Funds accruing to the County Bridge and Road Improvement Revolving Fund shall be apportioned on the basis of a formula developed by the Department of Transportation and approved by the Department of Transportation County Advisory Board created pursuant to Section 302.1 of this title. The formula shall be similar to that previously used for the distribution of County Bridge Improvement Program funds, but shall also take into consideration the effects of terrain and traffic volume as related to county road improvement and maintenance costs.

Added by Laws 1980, c. 307, § 5, emerg. eff. June 17, 1980. Amended by Laws 1981, c. 68, § 2, emerg. eff. April 16, 1981; Laws 1984, c. 239, § 15, operative July 1, 1984; Laws 1989, c. 44, § 3, operative July 1, 1989; Laws 1989, c. 352, § 4, operative July 1, 1989; Laws 1995, c. 25, § 1, eff. Nov. 1, 1995; Laws 1997, c. 284, § 22, eff. July 1, 1997; Laws 2001, c. 73, § 1, eff. Nov. 1, 2001; Laws 2004, c. 419, § 2, eff. Nov. 1, 2004; Laws 2006, c. 157, § 2, emerg. eff. May 15, 2006; Laws 2010, c. 256, § 8, eff. July 1, 2010.

§69-662. Approval of projects - County-built projects.

A. A professional engineer registered by the State Board of Licensure for Professional Engineers and Land Surveyors pursuant to Section 475.1 et seq. of Title 59 of the Oklahoma Statutes, shall approve projects that may be awarded to contractors by the boards of county commissioners, Transportation Commission or by other federal or state agencies under their normal competitive bidding procedures, excluding prequalification of bidders. A "county-built" project may be a road or bridge in whole or in part built with its own county forces or entirely let to contract, but all costs associated are payable.

B. County-built bridges using the County Bridge and Road Improvement Fund shall meet or exceed the following criteria:

1. The bridge has been built according to the current edition of the County Bridge Standards manual or from field notes drawn by a registered professional engineer that provide the basic structural requirements to achieve a load rating of H. twenty-three (23) tons or greater. Field notes may be handwritten specifications or sketches which have been stamped or signed;

2. The finished bridge shall achieve a twenty-three-ton or greater rating. The rating criteria shall be determined by the National Bridge Inventory and approved by the Department of Transportation for bridges twenty (20) feet or more in length;

3. The subsurface foundation of the bridge shall meet the minimum guidelines established by using approved engineering methods, details of which shall be kept as shop notes;

4. The finished bridge shall have a minimum roadway width of twenty-four (24) feet; and

5. Materials used in the construction of the bridge shall meet or exceed the specifications for materials as specified in the current edition of the County Bridge Standards or certified in writing by the engineer or supplier.

C. Prior to construction of the bridge, a county may request that construction supervision be provided by the Circuit Engineering District of which the county is a member to ensure quality control and quality assurance.

Added by Laws 1980, c. 307, § 6, emerg. eff. June 17, 1980. Amended by Laws 1995, c. 25, § 2, eff. Nov. 1, 1995; Laws 1997, c. 284, § 23, eff. July 1, 1997; Laws 1998, c. 29, § 1, eff. Nov. 1, 1998; Laws 1999, c. 240, § 1, eff. Nov. 1, 1999; Laws 2000, c. 110, § 1, eff. July 1, 2000; Laws 2001, c. 73, § 2, eff. Nov. 1, 2001; Laws 2006, c. 157, § 3, emerg. eff. May 15, 2006; Laws 2009, c. 231, § 3, eff. July 1, 2009; Laws 2010, c. 256, § 9, eff. July 1, 2010; Laws 2011, c. 63, § 1, eff. July 1, 2011.

§69-663. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-663.1. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-664. Repealed by Laws 2010, c. 256, § 13, eff. July 1, 2010.

§69-665. Review of contracts - Expenditures permitted.

A. All consulting engineering contracts for services referred to in this act may be reviewed by the Department of Transportation except those contracts entered into pursuant to the provisions of Section 687.1 of this title or by the county or circuit engineer. The Department, county or circuit engineer shall make findings on all contracts reviewed that the cost is reasonable and the firm involved

is capable of performing the service within a reasonable period of time.

B. Expenditures which may be allowed pursuant to the provisions of this act shall include the following:

1. The cost of county bridge inspections, classifications, and evaluations, and county road inspections, classifications and evaluations for federal and state purposes and to match federal or state funds, provided the applicable federal or state funds are available;

2. Project engineering costs;

3. The cost of rights-of-way acquired for projects pursuant to the provisions of this act and the cost of the relocation of utilities from the rights-of-way so acquired;

4. The cost of reconstruction or replacement of roadway structures which may be less than twenty (20) feet in length;

5. Any cost or expense for administration, program management, engineering, including the development of appropriate local road standards which shall apply only to those roads reconstructed, maintained, or otherwise constructed pursuant to this act, or construction supervision necessarily incurred by the Department of Transportation or Circuit Engineering Districts in fulfilling its duties and responsibilities pursuant to this act;

6. Any cost or expense related to a comprehensive plan for signing or inventory of signs on the county road system;

7. The expense and related costs of employing an engineer to assist a county or counties in carrying out the daily operations of road and bridge maintenance and construction, including the employment of a circuit engineer; and

8. All costs associated with constructing a bituminous surface treatment or gravel roadway.

Added by Laws 1980, c. 349, § 14, emerg. eff. June 25, 1980. Amended by Laws 1995, c. 25, § 3, eff. Nov. 1, 1995; Laws 1997, c. 284, § 25, eff. July 1, 1997; Laws 2010, c. 256, § 10, eff. July 1, 2010.

§69-666. Replacement of county bridge - Environmental studies.

Environmental studies as otherwise required by state or federal law shall not be required prior to the replacement of any existing county bridge.

Added by Laws 2011, c. 257, § 1, emerg. eff. May 18, 2011.

NOTE: Editorially renumbered from § 663 of Title 69 to avoid duplication in numbering.

§69-670. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-671. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-671.1. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-672. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-672.1. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-673. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-674. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-675. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

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§69-679. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-680. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-685. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-686. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-687. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-687.1. Circuit engineering districts.

A. The board of county commissioners of any county in this state may create a circuit engineering district with any other county or counties. The objectives of the circuit engineering district shall be:

1. To allow county governments to make the most efficient use of their powers by enabling them to cooperate with each other and other units of government on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of county government;

2. To provide research and research support to county government;

3. To provide assistance to county governments in performing the functions delegated by law including, but not limited to, the operation of road maintenance, construction, inspection, and equipment purchases and management;

4. To conduct public discussion groups, forums, panels, lectures, and other similar programs;

5. To present courses of instruction and education;

6. To obtain, develop and present scientific and all other types of information relative to the operation of the public transportation system in this state;

7. For long-range planning and growth of the transportation system within the circuit engineering district and other circuit engineering districts within this state; and

8. To provide services to counties in a coordinated manner that will improve the quality of the transportation system and be cost effective.

B. The authority of the circuit engineering district shall be as follows:

1. To comply with and carry out the provisions of the Interlocal Cooperation Act;

2. To advise and assist its members with how to implement and make an effective transportation plan for the best interest of each member of the circuit engineering district;

3. To prepare such programs of research as may be necessary and advisable in carrying out its purposes;

4. To contract for services with persons, firms or units of government to carry out the purposes of the circuit engineering district;

5. To provide periodic reports for the circuit engineering district or for its members as may be required by federal or state legislation or regulations pertaining thereto, and as are within the scope and range of the purpose of the circuit engineering district;

6. To acquire and hold property for its use and to incur expenses to carry out its functions;

7. To receive gifts, contributions and donations to carry out the purposes for which it is formed;

8. To assess its members for the services rendered in carrying out its functions;

9. To apply for, contract for, administer, receive and expend funds or grants from any participating member, the State of Oklahoma, the federal government, or any other source; and

10. To publish studies in connection with its work which may be of benefit to its members or other agencies within and outside of the circuit engineering district.

C. Circuit engineering districts may, by affirmative vote of their board, determine that the association representing the county commissioners of Oklahoma be designated to negotiate for services, required by law or necessity, on behalf of the circuit engineering districts.

D. The circuit engineering district shall conduct an independent audit upon completion of each fiscal year.

E. The board of directors may employ an attorney to provide legal research, advice and opinions on contracts and other matters which may come before the board of directors.

F. The State Auditor and Inspector shall prescribe the necessary rules, forms and procedures to provide for the efficient and timely means by which the pool purchase of supplies and equipment may be accomplished on behalf of the participating counties. The rules, forms and procedures developed by the State Auditor and Inspector for pool purchasing may be utilized by the Oklahoma Department of Transportation County Advisory Board in coordination with the circuit engineering districts for the purpose of pool purchasing utilizing funds from the County Road Machinery and Equipment Revolving Fund. For the purpose of obtaining access to pricing and bids available on a national level, counties shall be eligible to participate in such pool purchasing in a manner as determined by the State Auditor and Inspector.

G. Circuit engineering districts may participate in the County Road Machinery and Equipment Revolving Fund pursuant to the provisions of Section 302.1 of this title.

H. Circuit engineering districts are authorized to organize a statewide board consisting of the chairpersons duly elected by each of their respective circuit engineering districts. The statewide board organized pursuant to this section shall:

1. Have the power to conduct business, including the development of policies and procedures, incur expenses, and contract for services so long as such business furthers the provisions of this act;
2. Coordinate activities between circuit engineering districts;
3. Administer the Statewide Circuit Engineering District Revolving Fund, created pursuant to Section 687.2 of this title; and
4. Have authority to promulgate rules to carry out the provisions of this act.

I. A circuit engineering district created pursuant to this section shall be deemed a political subdivision of the state.

J. A district may hire up to one registered professional engineer per three counties within each circuit engineering district. Added by Laws 1992, c. 80, § 12, eff. July 1, 1992. Amended by Laws 1998, c. 94, § 1, eff. July 1, 1998; Laws 2001, c. 117, § 3, eff. Nov. 1, 2001; Laws 2007, c. 113, § 1, eff. July 1, 2007; Laws 2010, c. 134, § 2, eff. Nov. 1, 2010; Laws 2013, c. 193, § 1, eff. July 1, 2013.

§69-687.2. Statewide Circuit Engineering District Revolving Fund.

There is hereby created in the State Treasury a revolving fund for the State Treasurer to be designated the "Statewide Circuit Engineering District Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the State Treasurer pursuant to the provisions

of Section 227.3 of Title 74 of the Oklahoma Statutes and any other monies designated by law for deposit thereto. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the State Treasurer solely for the purpose of funding the statewide circuit engineering board organized pursuant to Section 687.1 of this title. The State Auditor and Inspector shall audit the Statewide Circuit Engineering District on a yearly basis, and the statewide circuit engineering district board shall be responsible for the cost of the audit. Expenditures from the fund shall be made once each month 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. Added by Laws 2005, c. 414, § 1, eff. July 1, 2006. Amended by Laws 2007, c. 113, § 2, eff. July 1, 2007; Laws 2012, c. 304, § 577.

§69-687.3. Emergency and Transportation Revolving Fund

A. There is hereby created in the State Treasury a revolving fund to be designated the "Emergency and Transportation Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by any donations, deposits designated by law, or appropriations. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by any qualified county or counties pursuant to subsection B of this section for the purpose of funding emergency or transportation projects of a county that are reimbursable and subsection C of this section for the purpose of funding loans to purchase compressed natural gas vehicles or convert fleet vehicles to compressed natural gas. No more than fifty percent (50%) of the fund's balance at the beginning of each fiscal year shall be expended pursuant to subsection C of this section. 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 Statewide Circuit Engineering District Revolving Fund created pursuant to Section 687.2 of this title for expenditure as provided by law. Expenditures from the Emergency and Transportation Revolving 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 Statewide Circuit Engineering Board shall develop and adopt rules governing the application and qualification procedures for counties seeking funding pursuant to subsection A of this section. Such rules shall also specify criteria in determining reimbursable projects and the procedures for reimbursement of the fund upon completion of projects.

C. 1. The Statewide Circuit Engineering Board shall develop and adopt rules governing application and qualification procedures for

counties requesting a loan pursuant to subsection A of this section to purchase compressed natural gas vehicles or convert existing fleet vehicles to compressed natural gas.

2. Loans shall be provided at no interest for a maximum term of five (5) years.

3. Counties that borrow funds for the purpose of purchasing compressed natural gas vehicles shall provide documentation showing that an amount of gas- or diesel-powered vehicles equal to or greater than those purchased have been sold or disposed of.

Added by Laws 2008, c. 288, § 1, eff. July 1, 2008. Amended by Laws 2010, c. 318, § 2, emerg. eff. June 6, 2010; Laws 2012, c. 304, § 578; Laws 2015, c. 388, § 1; Laws 2016, c. 260, § 1.

§69-688. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-689. Local road design standards - Plans, surveys and engineering services.

A. The Department of Transportation is hereby directed, in cooperation with the Oklahoma Cooperative Circuit Engineering Districts Board, to cause to be developed appropriate local road design standards for use in constructing projects pursuant to this program. The standards, upon their adoption by the Transportation Commission and by those counties wishing to participate in this program, shall be used for the design and construction of all projects funded pursuant to this program. However, when funds available pursuant to this program are used to match federal funds, projects shall meet appropriate minimum design standards for local roads and other applicable federal requirements. All plans and specifications for federal-aid projects shall be subject to the approval of the Department. To every extent possible, negotiations with the Federal Highway Administration should be undertaken to allow application of the County Roads Design Guidelines Manual.

B. Plans, surveys, and engineering shall be the responsibility of the county in which the project is located. Only registered professional engineers, approved by the Department of Transportation, experienced in the design and construction of highway and related facilities, shall be used for such services.

C. Prior to award of the contract by the Transportation Commission, the county shall be given the option of accepting or rejecting the bid submitted by the successful bidder.

Added by Laws 1985, c. 351, § 23, emerg. eff. July 31, 1985. Amended by Laws 1989, c. 44, § 5, operative July 1, 1989; Laws 1991, c. 98, § 4, eff. July 1, 1991; Laws 1995, c. 25, § 4, eff. Nov. 1, 1995; Laws 1997, c. 284, § 26, eff. July 1, 1997; Laws 2001, c. 73, § 3, eff. Nov. 1, 2001; Laws 2010, c. 256, § 11, eff. July 1, 2010; Laws 2017, c. 20, § 6, eff. Nov. 1, 2017.

§69-689.1. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-690. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-690.1. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-695. Repealed by Laws 1997, c. 284, § 27, eff. July 1, 1997.

§69-701. Preparation of state design standards.

The Department shall cause to be prepared state design standards, standard plans and standard specifications for the design, construction and maintenance of the state highways and bridges which are not on the interstate or national highway system within this state. Plans and specifications shall be uniform and may be amended from time to time as the Department deems advisable. Design standards, when adopted by the Transportation Commission and accepted by the Federal Highway Administration, shall constitute the current recognized design standard for such highways in this state. Laws 1968, c. 415, § 701, operative July 1, 1968; Laws 1993, c. 228, § 1, eff. Sept. 1, 1993.

§69-702. Entry upon premises to make surveys and examinations for establishment or relocation of highways - Notice.

The Department, through its authorized agents and employees, may enter upon any lands, waters, and premises in the state for the purpose of making surveys, soundings and drillings, and examinations as may be determined necessary or convenient for the purpose of establishing, locating, relocating, constructing, and maintaining state highways or relocations thereof and facilities necessary and incidental thereto. Such entry shall not be deemed a trespass, nor shall an entry for such purpose be deemed an entry under any condemnation proceedings which may be then pending; but notice shall be given to the owner of or person residing on the premises, personally or by registered mail, at least ten (10) days prior to such entry.

Laws 1968, c. 415, § 702, operative July 1, 1968.

§69-703. Reimbursement for actual damages.

The Department shall make reimbursement for any actual damages resulting to such lands, waters, premises and property as a result of activities pursuant to the preceding section. In the event of disagreement as to the amount of the damage, either the person damaged or the Department may file a petition with the district court for the appointment of commissioners to appraise the damages and proceed to have the same determined as in condemnation proceedings. Laws 1968, c. 415, § 703, operative July 1, 1968.

§69-704. Commission to complete and revise maps.

The Commission may complete the topographic mapping of the State of Oklahoma and revise existing United States Topographic maps of the state, so that a complete and accurate map of the entire state may be complete and obtained by state departments and agencies, the federal government, and all persons desiring information relative to the natural resources of the State.

Laws 1968, c. 415, § 704, operative July 1, 1968.

§69-705. United States Geological Survey, agreements with.

The Commission may enter into agreements with the Director of the United States Geological Survey, or legal successor thereof, for the purpose of making the necessary surveys and maps, and preparing data covering topographic surveys, so that they may be made available for public use.

Laws 1968, c. 415, § 705, operative July 1, 1968.

§69-706. Expenses.

The Transportation Commission shall pay the expenses incurred under Sections 704 and 705 of this title out of the State Highway Construction and Maintenance Fund upon proper vouchers. Provided, that any funds so expended shall be matched by the United States Government, and the total expenditures of state funds shall not exceed One Hundred Thousand Dollars (\$100,000.00) in any fiscal year.

Laws 1968, c. 415, § 706, operative July 1, 1968; Laws 1994, c. 69, § 1, eff. July 1, 1994.

§69-707. Surveys - Lawful to cross premises.

For the purpose of carrying into effect the provisions of Sections 704 and 705, it shall be lawful for all persons employed in the making of the topographic survey to enter upon and cross all lands within the state; provided, however, that in so doing no damage shall be done to private property.

Laws 1968, c. 415, § 707, operative July 1, 1968.

§69-708. Repealed by Laws 1999, c. 219, § 15, eff. July 1, 1999.

§69-708.1. Definitions.

As used in Sections 4 and 5 of this act:

1. "Authority" means the Oklahoma Transportation Authority;
2. "Construction manager" means any individual, firm, corporation, association, partnership, copartnership, or any other legal entity possessing the qualifications to provide services of construction management which include, but are not necessarily limited to, design review, scheduling, cost control, value engineering, constructability evaluation, preparation and coordination of bid packages and construction administration;

3. "Department" means the Department of Transportation;

4. "Design consultant" means an individual or legal entity possessing the qualifications to provide licensed architectural, registered engineering or registered land surveying services for the design of a transportation public work improvement project; and

5. "Public work improvement" means any highway, bridge, street, sewer, pavement, waterline, sidewalk or any other improvement to a transportation facility which is constructed, altered, or repaired, under contract with the Department or the Authority.

Added by Laws 2001, c 399, § 3, emerg. eff. June 4, 2001.

§69-708.2. Consultant list - Solicitation - Review - Negotiations - Demand service contracts.

A. The Department of Transportation and the Oklahoma Turnpike Authority shall each compile a list of all persons and entities interested in and capable of performing construction management and design consultant services specific to the transportation industry. The consultant list shall include, but shall not be limited to, qualified construction managers and design consultants capable of performing such services as solicited from the Office of Management and Enterprise Services file on an annual basis. The Department and the Authority shall each determine the qualifications of the prospective construction managers and design consultants. The construction managers and design consultants shall be selected at the discretion of the Department or the Authority.

B. The Department or the Authority shall issue a solicitation to construction managers or design consultants capable of providing the services desired. The solicitation shall, at a minimum, contain:

1. A description and scope of the projects;

2. An estimated construction cost, anticipated starting date, and completion date the Department or the Authority desires for the project;

3. A certification of funds available for the construction manager or design consultant fee, including federal, state or other participation;

4. The closing date for construction manager or design consultant to give notice of interest; and

5. Additional data the Department or the Authority requires from the construction manager or design consultant. The closing date for submission of construction manager or design consultant notice of interest for consideration shall be within thirty (30) days of the date the notice is issued by the Department or the Authority.

C. The Department or the Authority shall review the qualifications of the entities on the consultant list and shall select no less than three and no more than five consultants per contract for further consideration. The review shall include consideration of the following information:

1. Professional qualifications for the type of work contemplated;
2. Capacity for completing the project in the specified time period;
3. Past performance on projects of a similar nature; and
4. Percentage of work to be performed by residents of Oklahoma.

D. The Department and the Authority shall each establish a committee which will evaluate the construction managers or design consultants selected for consideration and rank the construction managers or design consultants in order of preference.

E. The Department or the Authority shall enter into negotiations with the first-choice consultant. If the Department or Authority and the first-choice consultant cannot reach an agreement, their negotiations shall be terminated and negotiations with the second-choice consultant shall commence. If the Department or the Authority and the second-choice consultant cannot reach an agreement, their negotiations shall be terminated and negotiations with the third-choice consultant shall commence. If the Department or the Authority and the third-choice consultant cannot reach an agreement, then all negotiations shall be terminated. Should the Department or the Authority be unable to negotiate a satisfactory contract with any of the three selected consultants, the Department or the Authority shall reevaluate the proposed work and send out a new notice.

F. As provided for in the Transportation Commission rules or by Authority resolutions, the Department or the Authority shall perform a written evaluation of the services provided by the consultant. This evaluation shall become a part of the Department's and the Authority's consultant file. Failure of the consultant to perform the prescribed work in a timely and accurate manner shall be grounds for exclusion from the list of qualified construction managers or design consultants until such time as the consultant can reasonably document and demonstrate performance improvement to the satisfaction of the Department or the Authority.

G. As provided for in the Transportation Commission rules or by Authority resolutions, the Department or the Authority may enter into demand services contracts for consultant services to provide a specific project work type or activity for unspecified projects or facilities on an as-needed basis. When soliciting and securing such services, the Department and the Authority shall utilize the procedure as set forth in this section.

Added by Laws 2001, c 399, § 4, emerg. eff. June 4, 2001. Amended by Laws 2008, c. 116, § 1; Laws 2012, c. 304, § 579.

§69-708.3. Plans for selection of contractor.

Any plans developed pursuant to the process for selection of a contractor for construction of a facility shall become the nonexclusive property of the State of Oklahoma as a condition of the

award of the final contract for construction of the facility. The State of Oklahoma shall not be obligated to obtain any further permission for use of the plans or to make payment to any person or other legal entity for the further use of the plans as may be needed for additional projects.

Added by Laws 2001, c 399, § 5, emerg. eff. June 4, 2001.

§69-801. Road tests or highway research projects.

The Department, acting alone or in cooperation with any federal, state or local agency, or any other state, or combination of such states and agencies, may conduct or participate in road tests or highway research projects; and may assign personnel to such tests and projects, and may expend therefor monies in the State Highway Maintenance and Construction Fund, regardless of whether such tests or research are conducted within or without the State of Oklahoma. Laws 1968, c. 415, § 801, operative July 1, 1968.

§69-802. Soil tests for counties - Reports - Charges.

The Department shall, when requested to do so by a county through its board of county commissioners, make tests of soil samples for the county, if the samples are submitted to the Department's laboratory in Oklahoma City; and shall furnish the county with a written report of its findings. The Department shall charge the county for the cost of making such tests; and the board of county commissioners shall pay for such cost from county funds.

Laws 1968, c. 415, § 802, operative July 1, 1968.

§69-901. Construction, improvements or maintenance of municipal streets, signs, lights, etc.

The Commission shall pay the cost of or perform the act of constructing, improving or maintaining municipal streets where such streets are a continuation of the state or federal highway system and the cost of installation, repair and maintenance of signs and lane marking for municipal streets where such streets are a continuation of the state or federal highway system. The Commission shall not pay the cost of mowing the right-of-way; drainage systems and facilities; or curbs, sidewalks or driveways of any such street. When a municipality performs construction or maintenance operations within the right-of-way which affects or involves the removal of the surface, grade or subgrade of the highway, the municipality shall, at the expense of the municipality, restore the surface, grade or subgrade of the highway in accordance with the standards and specifications set forth by the Department of Transportation. If the municipality fails to restore the surface, grade or subgrade of the highway in accordance with the standards and specifications set forth by the Department of Transportation, the Department of Transportation shall restore the highway and charge the municipality for all

expenses associated therewith. The Commission may participate in or pay the cost of lighting and electronic traffic control devices for municipal streets where such streets are a continuation of the state or federal highway system.

Added by Laws 1968, c. 415, § 901, operative July 1, 1968. Amended by Laws 1987, c. 113, § 25, operative May 18, 1987; Laws 1987, c. 205, § 85, operative July 1, 1987; Laws 1994, c. 125, § 1, eff. Sept. 1, 1994.

§69-902. Intersection of county road and state highway - Maintenance authority.

A. At the intersection of a county road and a state highway, the county shall maintain the county road to the point where it intersects with the travel lanes of the highway or the improved shoulder. The Department of Transportation shall maintain the existing signage at the intersections to include replacement or relocation of stop signs and vegetation control within three (3) feet of the stop sign whether or not the sign is within the county right-of-way. The Department shall also maintain drainage structures that are within the state's right-of-way, that lie under county roads at the intersections of county roads and state highways. The Department may place and maintain new or additional signs at any such intersection at the discretion of the Department. The county shall maintain any advance warning sign and sight line vegetation control to the intersection. The county may obtain from the Department, at no cost to the county, replacement advance warning signs.

B. The Department of Transportation shall maintain the structure of bridges and overpasses where a county road crosses over or under a state highway. The repair and maintenance of the county road shall be the responsibility of the county.

Added by Laws 1997, c. 232, § 2, eff. Nov. 1, 1997. Amended by Laws 2006, c. 157, § 4, emerg. eff. May 15, 2006.

§69-1001. Sale, exchange or lease of unneeded property - Notice.

A. The Transportation Commission shall have authority to sell any lands, or interest therein, which may have been acquired for highway purposes, or facilities necessary and incident thereto, and any equipment, materials or supplies which in the opinion of the Commission are no longer serviceable, useful or necessary for the state highway system or the operation of the Department of Transportation. Such authority shall be subject at all times to the continuing right to the use of the lands by any entity operating a sewer, water or gas system, telephone or electrical services, and by public service corporations and rural electric and telephone cooperatives for the construction, reconstruction, maintenance, operation and repair of their facilities of service which may be upon the lands. However, any such land which was acquired by the

Commission from a governmental subdivision as a gift, or for a nominal consideration, may be reconveyed to the governmental subdivision by the Commission, upon repayment by the governmental subdivision to the Commission of any consideration for the original conveyance.

B. Any surplus land which has been leased to a political subdivision by the Commission may be sold and conveyed to the political subdivision for the present fair market value as determined by a competent appraisal and the political subdivision may have credited toward the purchase price of any such property the lease payments which the political subdivision shall have previously made to the Commission.

C. Except as otherwise herein provided, the lands, materials, equipment and supplies shall be sold for cash to the highest and best bidder after notice by publication in a newspaper published in the county where the land is situated, or where the materials, equipment or supplies are located, in two consecutive weekly issues of the newspaper.

D. 1. If the land originally comprised a partial taking leaving an abutting remainder, then prior to conducting such advertisement and solicitation of bids for the sale of any lands or interests therein, the Commission shall notify the person, firm or corporation which originally conveyed the property to the Commission or present successor to the original remainder that same has been declared surplus and is to be offered for sale. Such notice shall be sent by registered mail addressed to the last-known address of such person, firm or corporation, with return receipt requested. Such notice shall contain an offer to sell such property to such person, firm or corporation for an amount not greater than the amount for which the property was originally obtained by the Commission for a period of five (5) years from the original taking. Following the five-year period, the sale of such property may be offered at fair market value. The amount of the Commission's requested purchase price based on such appraisal shall be stated in the notice, and the person, firm or corporation receiving such notice and offer shall be informed therein that unless such person, firm or corporation notifies the Commission in writing within thirty (30) days from the date of receipt of the notice that the Commission's offer of sale is accepted by such person, firm or corporation, the Commission shall proceed to sell the property at public auction as provided for in this section. After the expiration of thirty (30) days from the date of receipt of the notice by the person, firm or corporation to whom it is addressed, if such person, firm or corporation has not notified the Commission in writing of the acceptance of the Commission's offer of sale, the Commission shall proceed to sell such property by public auction and no attempt to accept the Commission's offer by such person, firm or corporation after the expiration of such thirty (30)

days shall be honored by the Commission. However, such person, firm or corporation may submit a bid at the public auction of the property in the same manner as any other qualified bidder.

2. If the land to be disposed of originally comprised a total taking leaving no abutting remainder, then such shall be sold to the highest bidder, or as otherwise herein provided except that if the land to be disposed of originally comprised a total taking of less than three (3) acres leaving only one abutting property owner of record, then prior to conducting such advertisement and solicitation of bids for the sale of any such lands or interest therein, the Commission shall notify the sole abutting property owner of record to the taking that such has been declared surplus and is to be offered for sale. Such notice shall be sent by registered mail addressed to the last-known address of such person, firm or corporation, with return receipt requested. Such notice shall contain an offer to sell such property to such person, firm or corporation subject to the same conditions as set forth in paragraph 1 of this subsection.

3. For the purposes of this section, the Commission shall not distinguish between persons from whom surplus lands or interest therein were acquired by negotiated sale or gift and persons from whom such property was acquired by condemnation proceedings.

E. The Commission may, in its discretion, exchange any such lands for other lands needed for highway purposes, or may lease or rent any lands which are owned by the Department, and are not immediately necessary for highway purposes, on such terms as the Commission determines for the best interests of the state.

F. On an annual basis, for every parcel of land:

1. Owned by the Transportation Commission; and
2. Deemed surplus for ten (10) years or more,

the Commission shall submit a waiver request to the Federal Highway Administration of the United States Department of Transportation seeking exception from any federal regulation preventing the sale of such land for less than fair market value.

G. When the Department of Transportation determines that any equipment or vehicle becomes excess, obsolete, antiquated, unused or otherwise surplus, the Department shall notify the Office of Management and Enterprise Services in writing that such equipment or vehicle is surplus. The notice shall identify:

1. The type, brand or make, and country of manufacture of the equipment or vehicle;
2. The age of the equipment or vehicle including but not limited to mileage;
3. Whether the equipment or vehicle is in good working condition or not;
4. If the equipment or vehicle is not in good working condition, whether it is in repairable condition at reasonable cost;
5. Original cost of the equipment or vehicle; and

6. Present value of the equipment or vehicle, if known.

The Office of Management and Enterprise Services, with any other notice of surplus property, shall notify the eligible individuals or entities as provided in subsection H of this section of the availability of the surplus property of the Department of Transportation.

H. Prior to any advertised public auction or advertised sealed bids to all individuals and entities eligible for participation in the surplus program, the Department, thirty (30) days prior to the advertised auction date, shall offer, at fair market value, the equipment or vehicles to the individuals or entities, in the following order of priority:

1. Other state agencies;
2. Political subdivisions of the state;
3. Rural fire departments located in this state; and
4. Rural water districts located in this state.

Any equipment or vehicles purchased pursuant to this subsection shall be made available to the purchaser on the date of purchase.

I. The Department is authorized to act on behalf of the Commission in transactions authorized pursuant to this section, except as may be otherwise provided by rule or regulation of the Commission; and, all prior transactions of the Department which are otherwise in conformity with this section are deemed authorized and approved.

J. When the Department of Transportation determines that any road or bridge materials or supplies become excess, unused, or otherwise surplus, the Department shall make such road or bridge material or supplies available to all governmental entities eligible for participation in the surplus program. The Department may be reimbursed for any cost incurred in the recovery or storage of such road or bridge material or supplies. The governmental entity requesting the excess, unused, or otherwise surplus road or bridge materials or supplies shall retrieve such materials or supplies from the Department of Transportation within one hundred eighty (180) days from the completion of project for which the materials or supplies are declared excess or surplus.

The Department, upon request of a local government, may transfer surplus bridge beams to the local government for use in the construction or repair of public roadway bridges. The local government shall not sell the surplus beams. Prior to the transfer, the local government shall cause the surplus beams to be inspected by a registered professional engineer. The local government shall assume full responsibility for the cost of transporting the beams and for the use of the beams including, but not limited to, the proper removal and disposal of lead-based paint. The Department shall retain the surplus beams for the requesting local government for a

period not exceeding one hundred eighty (180) days, after which the Department may otherwise dispose of the surplus beams.

Added by Laws 1968, c. 415, § 1001, operative July 1, 1968. Amended by Laws 1971, c. 291, § 1, emerg. eff. June 19, 1971; Laws 1986, c. 217, § 1, eff. Nov. 1, 1986; Laws 1990, c. 258, § 69, operative July 1, 1990; Laws 1992, c. 377, § 2, eff. Sept. 1, 1992; Laws 1993, c. 10, § 12, emerg. eff. March 21, 1993; Laws 1994, c. 298, § 1, eff. July 1, 1994; Laws 1998, c. 28, § 2, eff. Nov. 1, 1998; Laws 2004, c. 73, § 1, eff. Nov. 1, 2004; Laws 2008, c. 310, § 1, emerg. eff. June 2, 2008; Laws 2012, c. 304, § 580; Laws 2018, c. 16, § 1, eff. Nov. 1, 2018; Laws 2019, c. 142, § 1, eff. Nov. 1, 2019.

NOTE: Laws 1992, c. 341, § 1 repealed by Laws 1993, c. 10, § 16, emerg. eff. March 21, 1993.

§69-1002. Compromise of claims for damage or loss.

The Commission shall have authority to comprise, settle or litigate claims which it may have against any person, firm or corporation for damages to or loss of property, equipment, or facilities of any kind belonging to the Department or over which the Department or the Commission shall have jurisdiction and control. Laws 1968, c. 415, § 1002, operative July 1, 1968.

§69-1003. Deposit of proceeds.

The proceeds from the sale or rental of any lands, or from the sale of equipment, materials or supplies, and any funds received as the result of the settlement or litigation of claims for damages to or loss of property, equipment or facilities owned by or under the control of the Department or Commission, shall be deposited in the State Highway Construction and Maintenance Fund. Laws 1968, c. 415, § 1003, operative July 1, 1968.

§69-1004. Disposition of unneeded portions of rights-of-way by counties or cities - Procedure - Approval.

Whenever circumstances alter the highway, road or street requirements or needs of a county or city, after such county or city has purchased or acquired by eminent domain, any strip, piece or parcel of land so that such property, or any part thereof, is no longer needed for such purposes, the board of commissioners of such county or the governing board of such city is authorized to sell all right, title and interest of the county or city in such real property as herein provided. Such property shall be disposed of in the manner set forth in Title 69, Oklahoma Statutes, Section 1001; provided, however, no such property which has been or is at the time of such disposal a portion of the State Highway System shall be offered for sale or in any manner disposed of by the county or the city unless notice in writing has first been given to the State Highway Director,

and the State Highway Director has approved of such sale or other disposal of such property in writing.
Laws 1972, c. 172, § 1.

§69-1101. Letting contracts - Advertisement for bids - Contract extension.

A. All contracts for construction work upon the state highway system shall be let and awarded pursuant to the provisions of the Public Competitive Bidding Act of 1974. If the project advertised pursuant to the provisions of the Public Competitive Bidding Act of 1974 is for the construction of more than eight (8) miles of road, and is not a surface treatment only project, said advertisement shall provide for bids on sections of the road no longer than eight (8) miles, as well as bids on the project as a whole. If the project advertised pursuant to the provisions of the Public Competitive Bidding Act of 1974 is a surface treatment only project of more than twenty (20) miles of road, the advertisement shall provide for bids on sections of the road no longer than twenty (20) miles, as well as bids on the project as a whole.

B. The Department may extend a contract no more than twenty-five percent (25%) of the length and extent of the original project. The price for the extension work shall not be greater than the contract unit basis.

Added by Laws 1968, c. 415, § 1101, operative July 1, 1968. Amended by Laws 1983, c. 125, § 3, eff. Nov. 1, 1983; Laws 2007, c. 264, § 1, emerg. eff. June 4, 2007.

§69-1102. Suspension of contract due to federal order or directive - Renegotiation - Cancellation and reletting.

When any contract for the construction or improvement of a state highway, or for the construction or improvement of a bridge, has not been carried out or work thereunder has been suspended by virtue of an order or directive of any officer or agency of the federal government issued under authority vested in or delegated to such officer or agency during any national emergency, and the Commission finds that in order to prevent further delay in the construction and completion of any such project, or that for any other reason it is to the best interest of the state to renegotiate the contract with the original contractor, or to cancel the contract and relet the same on advertised bids, the Commission in its discretion may renegotiate the contract with the original contractor on the most advantageous terms to the state obtainable, or may cancel the contract with the consent of the contractor upon such terms as may be mutually agreed upon and relet the cancelled contract on advertised bids at a public letting.
Laws 1968, c. 415, § 1102, operative July 1, 1968.

§69-1103. Repealed by Laws 1995, c. 200, § 4, emerg. eff. May 19, 1995.

§69-1104. Expedited highway improvement contracts.

A. As used in this section:

1. "Highway emergency" means a situation or condition of a designed state highway that:

- a. poses a threat to life or property of travelers, or
- b. substantially disrupts the orderly flow of traffic and commerce; and

2. "Highway improvement contract" means a contract awarded by the Department of Transportation for the construction, repair, or maintenance of a designated state highway or any part of the highway.

B. As the part of any bidding procedure as provided by law for the letting of contracts by the Department of Transportation, the Department may award a highway improvement contract in a highway emergency in accordance with rules adopted by the Department which may include:

1. Contractor eligibility;
2. Notification of prospective bidders;
3. Bidding requirements;
4. Procedures for awarding the contract, pursuant to the Public Competitive Bidding Act of 1974;
5. Bonding or other requirements to ensure satisfactory performance by the contractor and the protection of claimants supplying labor and materials used in performance of the contract;
6. Contract form and contents;
7. Provisions for extended work days to expedite the improvement; and
8. Provisions for waiver of or exception to a procedure or requirement adopted pursuant to this section.

C. Prior to awarding a contract under this section, the Department shall certify in writing a description of the highway emergency. A copy of the certification of the highway emergency shall be attached to the contract. The Transportation Commission shall be sent a copy of the certification of the highway emergency for final approval.

D. In addition to the requirements of this section, any contract awarded pursuant to this section shall comply with the Public Competitive Bidding Act of 1974.

Added by Laws 1997, c. 70, § 1, eff. Nov. 1, 1997.

§69-1201. Open section lines as public highways - Reserved section lines - Prohibition.

A. All section lines in the state which are opened and maintained by the board of county commissioners or the Department of Transportation for public use are hereby declared public highways.

All section lines that are not so opened and maintained for public use may, by resolution of board, on the petition of the owner or all the owners of the abutting land, after public notice and at the expense of petitioner, be designated "reserved section lines" and are in the full and complete control of the owner or owners of the abutting land until such time as the board of county commissioners, by resolution, stating imminent intended use for public highway purposes, and by ninety-day written notice to the owner or owners of the abutting land, revoke said "reserved section lines" status. Provided, however, that no section line may be placed in reserve status unless the full width of such section line is so treated and no fee owner shall be denied the right of ingress and egress to his land by virtue of this act. Whenever a section line is a boundary line between two counties, action by boards of county commissioners of both counties will be necessary to place a section line in "reserve status."

B. Neither a board of county commissioners nor the Department of Transportation shall open a public highway, take any action to open a public highway, or incur any of the costs necessary to open, construct or maintain a public highway pursuant to subsection A of this section or pursuant to Section 601 et seq. of this title, upon a segment of section line located within a county which is not then already open and in use as a public highway or which is not then in reserve status as provided for in subsection A of this section, and where all of the following three circumstances exist, the Legislature hereby finding that through access by the public would not be possible on the segment of section line even if a public highway were constructed thereon:

1. a. the land crossed by the segment of section line is located within the original boundaries of a facility previously owned and operated by the United States of America or a department or agency thereof which was subsequently conveyed by the United States of America or said department or agency thereof to a public trust having the State of Oklahoma or one or more units of county or city government as its beneficiary, or
 - b. the land crossed by the segment of section line is located within the boundaries of property proposed for construction of a new or expanded business facility. The business shall make a minimum capital investment of Ten Million Dollars (\$10,000,000.00) in the stated facility and hire twenty-five new employees whose salaries meet or exceed the average county wage where the project is located;
2. Any one or more of the owners of any portion of the land on both sides of the entire section line has failed to request or

consent to the opening of a public highway on said segment of section line or any portion thereof; and

3. The segment of section line is blocked at one or both ends thereof by an impassable barrier, such as a river, one or more operating airport runways or taxiways, or security fencing, gates or barricades erected in connection therewith, or by an operating rail line which does not have a section line highway crossing.

C. Nothing in this section shall deny a fee owner their right of ingress or egress to their land.

Added by Laws 1968, c. 415, § 1201, operative July 1, 1968. Amended by Laws 1975, c. 80, § 1, emerg. eff. April 24, 1975; Laws 2008, c. 73, § 1, emerg. eff. April 22, 2008; Laws 2011, c. 125, § 1.

§69-1201.1. Preexisting easements to remain in full force and effect

Whenever a section line is designated a "reserved section line," any preexisting easements granted to public utilities, rural electric cooperatives, rural water districts, rural sewer districts, nonprofit rural water corporations or other entities shall remain in full force and effect. After the effective date of this act, use for future public utility, rural electric cooperative, rural water district, rural sewer district or nonprofit rural water corporation easements of any section line in reserve status shall be subject to the same conditions and agreements between public utility companies, rural electric cooperatives, rural water districts, rural sewer districts or nonprofit rural water corporations and the board of county commissioners as apply on other section lines.

Laws 1975, c. 80, § 2, emerg. eff. April 24, 1975; Laws 1976, c. 47, § 1, emerg. eff. April 9, 1976.

§69-1201.2. New section lines not created - Existing lines not widened - Indian lands.

Nothing in this act shall be construed to create a section line where none existed, nor to widen an existing section line, nor in any way to conflict with provisions relating to section lines of Indian Treaties or acts of Congress providing for disposition of Indian lands, nor to diminish any existing rights of any owners of abutting land, or registered land surveyors to enter section lines in the official conduct of their business.

Laws 1975, c. 80, § 3, emerg. eff. April 24, 1975.

§69-1202. Highways - Right of adjoining owner.

An owner of land bounded by a road or street is presumed to own to the center of the way, but the contrary may be shown.

Laws 1968, c. 415, § 1202, operative July 1, 1968.

§69-1203. Acquisition of lands or interests by purchase, donation or condemnation

(a) The Department shall have authority to acquire in fee simple in the name of the State of Oklahoma, by purchase, donation or condemnation, lands or such interests therein as in its discretion may be necessary for the purpose of establishing, constructing and maintaining state highways or relocations thereof, and facilities necessary or incident thereto, including borrow areas, channel changes and deposits of rock, gravel, sand and other road building material for use in highway construction and maintenance. Such acquisition may be for immediate or future use. The Department may acquire reasonable amounts of land adjacent to its normal right-of-way for the purpose of screening unsightly areas adjacent to highways, landscaping safety rest areas and scenic overlook areas.

(b) In determining the amount of land required, or width of right-of-way necessary for such state highways, the Department shall take into consideration the present and probable future needs in connection with maintaining and reconstructing the highways, and the prevention of traffic congestion and hazards.

(c) Except in instances where there are nonresident owners, unknown heirs, imperfect titles and owners whose whereabouts cannot be ascertained with reasonable diligence, the Department shall give the owner an opportunity to sell the necessary lands or interests therein to the State of Oklahoma before resort to condemnation may be had. The Department may condemn such lands or interests therein in the following manner:

The district judge of the county in which the real property may be situated, upon petition of either party, and after ten (10) days' notice to the opposite party, either by personal service or by leaving a copy thereof at his usual place of residence with some member of his family over fifteen (15) years of age, or, in the case of nonresidents, unknown heirs or other persons whose whereabouts cannot be ascertained, by publication in two issues of a newspaper in general circulation in the county (the ten-day period to begin with the first publication), shall direct the sheriff of the county to summon three disinterested freeholders, to be selected by the judge as commissioners, and who shall not be interested in a like question. The commissioners shall be sworn to perform their duties impartially and justly; and they shall inspect the real property and consider the injury which the owner may sustain by reason of the condemnation, and they shall assess the just compensation to which the owner is entitled; and they shall forthwith make a report in writing to the clerk of the court, setting forth the quantity, boundaries and just compensation for the property taken, and amount of injury done to the property, either directly or indirectly, which they assess to the owner, which report must be filed and recorded by the clerk. A certified copy of the report may be transmitted to the county clerk of the county where the land lies, to be filed and recorded by the county clerk (without further acknowledgment or proof) in the same

manner and with like force and effect as is provided for the recording of deeds. The procedure for service by publication as authorized herein shall be the same as provided by law for service by publication in civil actions, except summons need not be issued and served, and except as otherwise provided herein.

(d) Immediately upon payment to the clerk of the court for the use of the owner the sum so assessed and reported to the court clerk as aforesaid, the Department shall thereby be authorized to enter upon the condemned premises, and remove and dispose of any obstructions thereon, by sale or otherwise. If the landowner shall refuse to deliver up possession to the Department, the court shall issue an order to the sheriff of the county to place the Department in possession thereof.

(e) (1) The report of commissioners may be reviewed by the district court, on written exceptions filed by either party in the clerk's office within thirty (30) days after the filing of such report, and the court, after hearing had, shall make such order therein as right and justice may require, either by confirmation, rejection or by ordering a new appraisal on good cause shown. Provided, that in the event a new appraisal is ordered, the Department shall have the continuing right of possession obtained under the first appraisal, unless and until its right to condemn has finally been determined otherwise; or either party may within sixty (60) days after the filing of such report file with the clerk a written demand for a trial by jury, in which case the amount of damages shall be assessed by a jury, and the trial shall be conducted and judgment entered in the same manner as civil actions in the district court. If the party demanding such trial does not recover a verdict more favorable to the party than the assessment of the commissioners, all costs in the district court shall be taxed against the party. No owner upon whom proper service by publication has been had, as provided in this title, shall be let in to defend after expiration of time for appeal or review of the report of commissioners as above provided has elapsed. Provided, that if, after the filing of exceptions to the report of commissioners as hereinafter provided, the Department shall fail to establish its right to condemn such premises, or any part thereof, the landowner shall be restored to possession of the premises, or part thereof, and the Department shall pay for any damages sustained through the occupation by the Department, and if such damages cannot be determined by amicable settlement they shall be determined by jury trial in the same proceedings.

(2) Within ten (10) days after the Report of Commissioners is filed, the court clerk shall forward to the attorney of record for the condemnor, the attorney of record for each condemnee, and to all unrepresented condemnees, a copy of the commissioners' report and a notice, stating the time limits for filing an exception or demand for

jury trial as specified in paragraph (A) of Section 55 of Title 66 of the Oklahoma Statutes. The attorney of record for the condemnor shall provide the clerk of the court with the names and last-known addresses of the parties to whom notice and the report of the commissioners shall be mailed, sufficient copies of the notice and report to be mailed, and pre-addressed, postage-paid envelopes. This notice shall be on a form prepared by the Court Administrator, which shall be approved by the Supreme Court, and shall be distributed to all clerks of the district court by the Court Administrator. If a party has been served by publication, the clerk shall forward a copy of the report of commissioners and notice of time limits for filing an exception or demand for jury trial to the last-known mailing address, if any, and shall cause a copy of the notice of time limits to be published in one issue of a newspaper qualified to publish legal notices, as defined in Section 106 of Title 25 of the Oklahoma Statutes. After issuing the notices provided herein the court clerk shall endorse on the notice form filed in the case the date and that a copy of the report together with the notice form filed in the case was forwarded to each condemnee and each attorney of record, or the date the notice was published in compliance with the provisions hereof.

(3) The time limits for filing an exception and demand for jury trial, as prescribed in paragraph (A) of Section 55 of Title 66 of the Oklahoma Statutes, shall be calculated from the date the report of the commissioners is filed in the case. On failure of the court clerk to give notice within the time prescribed in paragraph (B) of Section 55 of Title 66 of the Oklahoma Statutes, the court, on application of any party, may extend the time for filing an exception to the report, or a demand for trial by jury for a period not to exceed twenty (20) days from the date the application is heard.

(f) Either party aggrieved may appeal to the Supreme Court from the decision of the district court on exceptions to the report of commissioners, or jury trial; but such review or appeal shall not delay the prosecution of the work on such highway over the premises in question if the award of commissioners, or jury, as the case may be, has been deposited with the clerk for such owner, and in no case shall the Department be liable for the costs on such review or appeal unless the owner of the real property shall be adjudged entitled, upon either review or appeal, to a greater amount of damages than was awarded by the commissioners. The Department shall in all cases pay the cost of the commissioners' fees and expenses, for their services, as determined and ordered paid by the judge of the district court in which such case is pending, however, poundage fees and condemnation fees shall only be paid by the Department in the event of appeal resulting in a jury verdict in excess of the commissioners' award, but under no circumstances shall any poundage fees or condemnation fees be assessed against the recipient of the award. And in case of

review or appeal, a certified copy of the final order or judgment shall be transmitted by the clerk of the court, duly certified, to the proper county clerk, to be filed and recorded as hereinabove provided for the recording of the report, and with like effect.

(g) When an estate is being probated, or a minor or incompetent person has a legal guardian, the administrator or executor of the estate, or guardian of the minor or incompetent person, shall have the authority to execute all instruments of conveyance provided for in this title on behalf of the estate, minor or incompetent person without other proceedings than approval by the judge of the district court endorsed on the instrument of conveyance.

(h) "Just compensation", as used in this section, shall mean the value of the property taken, and in addition, any injury to any part of the property not taken. Any special and direct benefits to the part of the property not taken may be offset only against any injury to the property not taken. If only a part of a tract is taken, just compensation shall be ascertained by determining the difference between the fair market value of the whole tract immediately before the taking and the fair market value of that portion left remaining immediately after the taking.

(i) In the event that the determination of just compensation of a property is less than the commissioners' award for such real property, any mortgagee or lien holder who received payment from the commissioners' award in an amount in excess of the finding of just compensation value of the real property taken will only be liable for and required to pay back to the condemnor no more than the difference between what was actually received by the mortgagee or lien holder from the commissioners' award and the jury's just compensation value. In all respects a mortgagee or lien holder will only be liable to return to the condemnor any sums actually paid to and received by such party in excess of the determination of just compensation for the real property. The mortgagor would be and remain liable to the mortgagee or lien holder for the excess that is paid by the mortgagee or lienholder to the condemning authority.

Added by Laws 1968, c. 415, § 1203, operative July 1, 1968. Amended by Laws 1970, c. 322, § 2, emerg. eff. Jan. 1, 1971; Laws 1971, c. 32, § 1, operative Jan. 1, 1972; Laws 1975, c. 277, § 1, emerg. eff. June 5, 1975; Laws 1991, c. 175, § 3, emerg. eff. May 8, 1991; Laws 2001, c. 258, § 11, eff. July 1, 2001; Laws 2016, c. 175, § 1, eff. July 1, 2016.

§69-1204. Highway construction - No issuance of work order until securing of all rights-of-way.

No work order on a contract for construction, reconstruction, maintenance, or any other type of highway construction shall be issued by the Transportation Commission unless all rights-of-way

necessary for such construction shall have first been secured by the state or local units of government.

Added by Laws 1968, c. 415, § 1204, operative July 1, 1968. Amended by Laws 1999, c. 341, § 3, eff. Nov. 1, 1999.

§69-1205. Acquisition policy.

The policy which the Commission shall follow in the acquisition of all rights-of-way shall be as follows:

(a) For construction on the Interstate Highway System within the limits of municipalities having a population of five thousand (5,000) or more, federal aid funds, if available, may be used for the acquisition of rights-of-way, and shall, if available, be used to pay the cost of the removing or relocating of utility facilities located in either privately owned or public rights-of-way. In such event the municipality in which such construction is to be performed shall furnish funds to the state necessary to match the federal funds, unless the utility requiring relocation is owned by another municipality having a population of five thousand (5,000) or more, in which case the municipal utility owner shall furnish the funds.

(b) For construction on the Interstate Highway System in all locations other than within the limits of municipalities having a population of five thousand (5,000) or over, and where control of access is required, the state shall furnish all rights-of-way and may use federal aid funds, if available, for such purpose, and when federal aid funds are available for such purpose, shall pay the cost of removing or relocating utility facilities located on either privately owned or public rights-of-way.

(c) For all construction projects within the limits of municipalities, other than projects on the Interstate Highway System, as described in the Federal Aid Highway Act of 1956, the municipality or county involved and the Department shall equally share the cost of all necessary rights-of-way, clear of all obstructions, including structures of any kind or nature and utility lines, poles, pipelines or other facilities above or below the surface of the ground. If federal aid funds are available for the project, the municipality or county and the Department shall equally share the local portion of the costs for acquiring and clearing the right-of-way, including the cost of removing and relocating utility facilities located on privately owned rights-of-way.

(d) In any municipality where the Commission has determined it to be necessary to construct a highway through or within the corporate limits, and further determines that the construction will not benefit the municipality involved, or that the construction will benefit state-owned property or institutions, the Commission may, in its discretion, pay for or participate in the cost of rights-of-way for such project.

(e) For all reconstruction or widening projects on existing improved roads of permanent-type surface in rural areas, the Department shall pay fifty percent (50%) of the cost of any additional rights-of-way required to meet right-of-way standard-width requirements, and the remaining fifty percent (50%) shall be furnished or paid for by local units of government; provided, however, that no right-of-way shall be acquired under the terms of this article, except by due process of law.

(f) For new construction on unsurfaced roads where the construction follows a section line or an existing unimproved road, all rights-of-way shall be furnished by local units of government free of cost to the Department; provided, should the new or additional rights-of-way, either contiguous or adjacent to the section line or existing unimproved road, be acquired only on one side of the section line or road, then one-half of the cost shall be borne by the state.

(g) For all new construction diagonally across country or not following on a section line road or other existing unimproved road, the rights-of-way shall be paid for by the Department.

(h) In securing the necessary rights-of-way in rural areas, the state shall pay for all damages to buildings, improvements, fences and all other appurtenances thereto, or their moving and relocating.

(i) In any county where a proposed alignment for a highway project on the primary system shall not come within one-half (1/2) mile of the limits of any municipality within the county, or contribute to the highway transportation system or to the economy of the county, the Commission may in its discretion increase the amount of the state's participation in the cost of rights-of-way for such projects.

(j) The term "utility facility" as used herein means any publicly, privately, municipally or cooperatively owned facility or system which is used to provide water, power, light, gas, sewer, telegraph, telephone and communications, or like utility service, to the public in the State of Oklahoma, or some portion thereof. Added by Laws 1968, c. 415, § 1205, operative July 1, 1968. Amended by Laws 1970, c. 308, § 1, eff. July 1, 1970; Laws 1971, c. 355, § 8, eff. July 1, 1972; Laws 2017, c. 319, § 1, eff. July 1, 2017. NOTE: Laws 1971, c. 355, § 8 reads: "Subparagraph (f) of Section 1205, Chapter 415, O.S.L. 1968, as amended by Section 1, Chapter 308, O.S.L. 1970 (69 O.S. Supp. 1970, § 1205(f)) and all other laws or parts of laws in conflict herewith are hereby repealed." The repealed "subparagraph" reads as follows:

"(f) On all projects wherein Federal aid funds may be used for right-of-way or construction, the Department may pay moving costs, dislocation allowances or relocation expenses and replacement housing expenses incidental to the transfer of property, as is provided by the Federal Highway Act of 1968."

§69-1206. Rights-of-way not secured by negotiation - Offers - Costs.

In any or all of the above cases where local units of government are required to pay or participate in the cost of right-of-way and such right-of-way cannot be secured by negotiation, the state and the local units of government involved shall agree upon a fair and reasonable offer to be made for the right-of-way and, should the eventual cost thereof exceed the offer, the excess shall be borne with the local units of government involved, in proportion to their respective obligations in the purchase of such right-of-way, and shall be computed on the basis of each tract separately.

Laws 1968, c. 415, § 1206, operative July 1, 1968; Laws 1971, c. 287, § 1, emerg. eff. June 19, 1971.

§69-1206.1. State highways - Rights-of-way - County nonparticipation.

No county, regardless of population, and no municipality having a population of less than sixty thousand (60,000) persons according to the latest Federal Decennial Census shall be required to participate financially in the acquisition of lands for use for rights-of-way for state highways contracted for and constructed after the effective date of this section; provided, that this act shall not relieve any county or any said municipality, except those with a population of one thousand five hundred (1,500) or less, of such financial participation where responsibility for the same has been assumed under a preexisting contractual agreement with the department.

Laws 1976, c. 182, § 1, emerg. eff. June 4, 1976; Laws 1978, c. 84, § 1, eff. July 1, 1978.

§69-1206.2. Municipalities - State highways - Right of way acquisition - Nonparticipation.

No municipality having a population of sixty thousand (60,000) persons or more according to the latest Federal Decennial Census shall be required to participate financially in the acquisition of land for use for rights-of-way for state highways contracted for and constructed after the effective date of this section; provided that this section shall not relieve any said municipality of such financial participation where responsibility for the same has been assumed under a preexisting contractual agreement with the department.

Added by Laws 1978, c. 84, § 2, eff. July 1, 1979.

§69-1207. Purchase and sale of unneeded parcels.

Whenever a part of a parcel of land is to be taken for state highway purposes and the remainder is to be left in such shape or condition as to be of little value to its owner, or to give rise to claims or litigation concerning severance or other damage, the Department may acquire by condemnation or as otherwise provided by

law the whole parcel and may sell the remainder or may exchange the same for other property needed for state highway purposes. The Department shall also have authority to acquire lands or interests therein to be used as passageways between tracts of land severed by limited access highways and to convey the same to the owners whose land is so severed.

Laws 1968, c. 415, § 1207, operative July 1, 1968.

§69-1208. Structures in right-of-way or street prohibited - Public nuisance.

(a) The rights-of-way acquired by the Department shall be held inviolate for state highway and departmental purposes, and no physical or functional encroachments or uses shall be permitted within such rights-of-way.

(b) It shall be unlawful for any person to construct, maintain or operate any gasoline pump, driveway canopy, building, sign, fence, post, or any thing or structure on or overhanging any right-of-way, or upon or overhanging any street occupied by a designated state or federal highway, and the construction or maintaining of any such thing or structure on or overhanging any federal or state highway shall constitute a public nuisance, which may be summarily abated by the Commission or its officers, agents, servants and employees in the manner provided in this article.

(c) This section shall not apply to the lawful use of such rights-of-way for the erection and operation of facilities of a public utility.

Laws 1968, c. 415, § 1208, operative July 1, 1968.

§69-1209. Removal of structures by highway commission.

The Commission, its officers, agents, servants and employees shall have authority to physically remove any such sign, post, thing or structure, gasoline pump, driveway canopy, fence, signpost and building; and if the owner of any such driveway canopy, gasoline pump, or building, thing or structure fails to remove the same within a reasonable time after written demand for the removal thereof has been made upon him by registered mail or personal service, the Commission, its officers, agents, servants and employees may physically tear down and remove such building, canopy, or pump, and for such purpose may enter upon private property to the extent necessary to accomplish the removal. Neither the state nor the Commission or its agents, servants, officers and employees shall be liable for any damage caused or sustained by reason of the abatement and removal of any such nuisance.

Laws 1968, c. 415, § 1209, operative July 1, 1968.

§69-1210. Culverts, driveways, mailboxes and stock-pass fences excepted - Approval by Commission required.

Sections 1208 through 1211 shall not prevent the construction or maintenance of any culvert or driveway as a means of ingress and egress to private property, or prevent the placing of mailboxes or fences to stock-passes on any highway right-of-way. The Commission may regulate the construction and maintenance of such culverts, driveways, fences to stock-passes, and mailboxes with due regard to the safety of the traveling public and proper maintenance of the highway. No culvert, driveway, fence to stock-pass, or mailbox shall be constructed or maintained on the right-of-way of any designated state or federal highway by any person without the approval of the Commission, and the Commission may remove without notice any such culvert, driveway, fence to stock-pass, or mailbox constructed or maintained without first obtaining such approval when in its judgment such culvert, driveway, fence to stock-pass, or mailbox is dangerous to the traveling public or interferes with proper drainage or maintenance of the highway.

Laws 1968, c. 415, § 1210, operative July 1, 1968.

§69-1211. Violation a misdemeanor - Punishment - Interference with abatement.

(a) Every person who shall construct, maintain, or operate any gasoline pump, driveway canopy, building, sign, fence, post, or any other thing or structure except such as may be specifically authorized by law upon the right-of-way of any designated state or federal highway, or upon any street designated as a part of any state or federal highway, shall be guilty of a misdemeanor and each day such violation continues shall be a separate offense.

(b) Every person who, by threats, physical violence, or in any manner, prevents, obstructs or hinders the abatement of any such nuisance by the Commission, its agents, servants or employees shall be guilty of a misdemeanor.

Laws 1968, c. 415, § 1211, operative July 1, 1968.

§69-1212. Geological signs on highway through Arbuckle Mountains not affected.

The provisions of Sections 1208 through 1211 shall not affect in any way the geological signs on the right-of-way of Highway No. 77 through the Arbuckle Mountains.

Laws 1968, c. 415, § 1711, operative July 1, 1968.

§69-1213. Obstructing or damaging roads - Defacing, damaging, destroying or removing any traffic-control device, road sign, signboard, guide sign or signpost - Felony penalty.

(a) Any person or persons who shall willfully or knowingly obstruct or damage any public road or highway by obstructing the side or cross drain or ditches thereof, or by turning water upon such road or highway or right-of-way, or by throwing or depositing brush,

trees, stumps, logs, or any refuse or debris whatsoever in the road or highway, or on the sides or in the ditches thereof, or by fencing across or upon the right-of-way of the same, or by planting any hedge within the lines established for such road or highway, or by changing the location thereof, or shall obstruct said road, highway or drains in any other manner whatsoever, or, except as provided in subsection (b) of this section, any person or persons who shall willfully or knowingly deface, damage, destroy or remove any traffic-control device, road sign, signboard, guide sign or signpost shall be deemed guilty of a misdemeanor.

(b) If any person or persons willfully or knowingly defaces, damages, destroys or removes any traffic-control device, road sign, signboard, guide sign or signpost and such action results in personal injury to or death of any person, the person or persons responsible for such action shall be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for not more than two (2) years, or by a fine of not more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment. Notice of this provision shall be placed in the manual provided by the Department of Public Safety which manual is issued for purpose of passing driving privilege.

(c) The governing body who finds any road or highway obstructed as above specified shall notify the person violating the provisions of this section, verbally or in writing, to remove such obstruction forthwith, and if such person does not remove the obstruction within ten (10) days after being notified, he shall pay the sum of Five Dollars (\$5.00) for each and every day after the tenth day such obstruction is maintained or permitted to remain, such fine to be recovered by suit brought by the governing body in any court of competent jurisdiction.

Added by Laws 1968, c. 415, § 1213, operative July 1, 1968. Amended by Laws 1993, c. 127, § 4, emerg. eff. May 4, 1993; Laws 1997, c. 133, § 570, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 413, eff. July 1, 1999.

NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 570 from July 1, 1998, to July 1, 1999.

§69-1229. Location and identification of corners within right-of-way.

The Department shall, in cooperation with the county surveyor of the county affected, locate section and quarter section corners within the right-of-way of all state highways when surveys and plans are being made for contemplated new construction or resurfacing, and re-mark such corners in the right-of-way by a suitable marker, of a design to be approved by the Department.

Added by Laws 1968, c. 415, § 1229, operative July 1, 1968. Amended by Laws 2008, c. 320, § 1, eff. Nov. 1, 2008.

§69-1230. Obliteration of corners by highway construction. Where any section or quarter section corner is obliterated, or may be obliterated, by highway construction, the Department shall witness the location of such corners by two or more well defined objects located outside of the contemplated right-of-way limits and shall note such witnesses on the highway construction plans. Laws 1968, c. 415, § 1230, operative July 1, 1968.

§69-1231. Repealed by Laws 2008, c. 320, § 3, eff. Nov. 1, 2008.

§69-1232. Applicability to counties.

The provisions of Sections 1229 and 1230 shall apply with full force and effect and in like manner to the board of county commissioners of each county in this state.

Added by Laws 1968, c. 415, § 1232, operative July 1, 1968. Amended by Laws 2008, c. 320, § 2, eff. Nov. 1, 2008.

§69-1233. Right of entry.

For the purpose of carrying into effect the provisions of Sections 1229 through 1232, it shall be lawful for all persons employed in making such re-marking of corners to enter upon and across all lands within the state; provided, however, that in so doing, no damage shall be done to private property.

Laws 1968, c. 415, § 1233, operative July 1, 1968.

§69-1234. Repealed by Laws 2002, c. 404, § 13, eff. July 1, 2002.

§69-1235. Right to purchase - Collection of pro rata share of costs.

The Highway Department shall have right to purchase right-of-way under the provisions of this act from the fund created hereby, and at such time as the right-of-way is to be utilized for construction thereon, the Department shall then proceed to replenish from the cost of said project the state's proportionate share of the purchase price paid for said right-of-way, and to collect the pro rata share required by present law from city or county governments, and any monies derived from said governments shall accrue to said fund.

Laws 1970, c. 118, § 2.

§69-1236. Sale of unneeded property.

In the event that circumstances alter the highway requirements after the Director has acquired property so that it or a portion thereof is no longer needed for highway purposes, the Director is authorized to sell the real property involved or any portion thereof in the name of the state on the relation of the Director, and shall make deposit of the proceeds of such sale in the Highway Advance Right-of-Way Acquisition and Management Fund. Provided, if any funds

have been contributed by municipal or county governments for the purchase of such property, such funds shall be returned to said municipal or county government together with any interest which such contributions have actually earned.

Laws 1970, c. 118, § 3.

§69-1237. Deposit and investment of monies.

Any monies credited to, or appropriated to, the Highway Advance Right-of-Way Acquisition and Management Fund, shall be deposited in such fund in the State Treasury. Any monies in such fund shall be invested by the State Treasurer upon direction of the State Highway Director in direct obligations of the United States of America or in certificates of deposits from banks in the State of Oklahoma acceptable as depositories by the State Treasurer, when such certificates of deposits are secured by acceptable collateral and yield as much, or more, than direct obligations of the United States of America. Any such investment shall mature in time to enable the State of Oklahoma to issue warrants against the fund for payment of indebtedness incurred for the purpose for which the Highway Advance Right-of-Way Acquisition and Management Fund is created. Any interest earned on such investments shall likewise be deposited in said fund.

Laws 1970, c. 118, § 4.

§69-1238. Approval of actions.

Any actions taken by the Director under the provisions of this act shall first be approved by the State Highway Commission.

Laws 1970, c. 118, § 5.

§69-1251. Citation.

This act may be called the "Oklahoma Junkyard and Scrap Metal Processing Facility Control Act."

Laws 1968, c. 98, § 1, emerg. eff. April 1, 1968.

§69-1252. Declarations and findings.

For the purpose of promoting the public safety, health, welfare, convenience and enjoyment of public travel, to protect the public investment in public highways, and to preserve and enhance the scenic beauty of lands bordering public highways, it is hereby declared to be in the public interest to regulate and restrict the establishment, operation, and maintenance of junkyards and scrap metal processing facilities in areas adjacent to the Interstate and Primary Systems within this state. The Legislature hereby finds and declares that junkyards and scrap metal processing facilities which do not conform to the requirements of this Act are public nuisances.

Laws 1968, c. 98, § 2, emerg. eff. April 1, 1968.

§69-1253. Definitions.

As used in this act:

(a) "Junk" means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, or junked, dismantled or wrecked automobiles, or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

(b) "Automobile graveyard" means any establishment or place of business which is maintained, used or operated for storing, keeping, buying or selling wrecked, scrapped, ruined or dismantled motor vehicles or motor vehicle parts.

(c) "Junkyard" means an establishment or place of business which is maintained, operated or used for storing, keeping, buying or selling junk, or for the maintenance or operation of an automobile graveyard, and the term shall include garbage dumps and sanitary fills.

(d) "Interstate system" means that portion of the National System of Interstate and Defense Highways located within this state, as officially designated, or as may hereafter be so designated by the Transportation Commission, and approved by the Secretary of Transportation, pursuant to the provisions of Title 23, United States Code, "Highways."

(e) "Primary system" means that portion of connected main highways as officially designated, or as may hereafter be so designated, by the Transportation Commission, and approved by the Secretary of Transportation, pursuant to the provisions of Title 23, United States Code, "Highways."

(f) "Unzoned industrial areas" means any area not zoned by state or local law, regulation or ordinance, which is occupied by one or more industrial activities, and the lands along the highway for a distance of one thousand (1,000) feet measured in each direction from the outer edges of the regularly used buildings, parking lots, storage, or processing areas of the activities, and lying parallel to the edge or pavement of the highway, and located on the same side of the highway as the principal part of said activities. Measurements shall not be from the property lines of the activities, unless said property lines coincide with the limits of the activities.

(g) "Scrap metal processing facility" means an establishment having facilities used primarily for processing iron, steel or nonferrous metals and whose principal product is such iron, steel or scrap for sale for remelting purposes only, the processor being considered a manufacturer.

(h) "Industrial activities" means those activities permitted only in industrial zones, or in less restrictive zones by the nearest zoning authority within the state, or prohibited by said authority but generally recognized as industrial by other zoning authorities within the state except that none of the following shall be considered industrial activities:

- (1) Outdoor advertising signs, displays or devices;
 - (2) Agricultural, forestry, ranching, grazing, farming and related activities, including, but not limited to, wayside fresh produce stands;
 - (3) Activities normally and regularly in operation less than three (3) months of the year;
 - (4) Transient or temporary activities;
 - (5) Activities not visible from the traffic lanes of the main traveled way;
 - (6) Activities more than three hundred (300) feet from the nearest edge of the main traveled way;
 - (7) Activities conducted in a building principally used as a residence;
 - (8) Railroad tracks, minor sidings and passenger depots;
 - (9) Strip or other open mining activities; and
 - (10) Junkyards, automobile graveyards or scrap metal processing facilities.
- (i) "Department" means the Oklahoma Department of Transportation.
 - (j) "Commission" means the Transportation Commission of the Oklahoma Department of Transportation.
 - (k) "Director" means the Director of the Oklahoma Department of Transportation.

Added by Laws 1968, c. 98, § 3, emerg. eff. April 1, 1968. Amended by Laws 1978, c. 107, § 1, emerg. eff. March 29, 1978.

§69-1254. Prohibition on operation of junkyards or facilities.

No person, firm or corporation shall establish, operate or maintain a junkyard or scrap metal processing facility, any portion of which is within one thousand (1,000) feet of the nearest edge of the right-of-way of any interstate or primary highway, except the following:

- (a) Those which are screened by natural objects, plantings, fences or other appropriate means so as not to be visible from the main traveled way of the system, or otherwise removed from sight.
 - (b) Those located within unzoned industrial areas, which areas shall be determined from actual land uses and defined by regulations to be promulgated by the Commission.
 - (c) Those located within areas which are zoned for industrial use under authority of state or local law, regulation or ordinances.
 - (d) Those which are not visible from the main traveled way of the system.
- Added by Laws 1968, c. 98, § 4, emerg. eff. April 1, 1968. Amended by Laws 1978, c. 107, § 2, emerg. eff. March 29, 1978.

§69-1254A. Removal of license tags

Any person, firm or corporation or employee of person, firm or corporation in the business of dismantling or salvaging any part or parts of junked or salvaged motor vehicles shall remove all license

tags attached to said junked or salvaged motor vehicles within ten (10) days from receipt of said vehicle.

Laws 1976, c. 93, § 1, eff. Oct. 1, 1976.

§69-1254B. Penalty

Any person in violation of Section 1 of this act shall be guilty of a misdemeanor and shall be punished by a fine of not less than One Hundred Dollars (\$100.00).

Laws 1976, c. 93, § 2, eff. Oct. 1, 1976.

§69-1255. Screening required.

Any junkyard or scrap metal processing facility lawfully in existence on the effective date of this act which is within one thousand (1,000) feet of the nearest edge of the right-of-way and visible from the main traveled way of any highway on the interstate or primary system shall be screened by the person, firm or corporation operating said junkyard or scrap metal processing facility in the manner and at locations required by the Commission. Added by Laws 1968, c. 98, § 5, emerg. eff. April 1, 1968. Amended by Laws 1978, c. 107, § 3, emerg. eff. March 29, 1978.

§69-1256. Reimbursement for expenses.

Any person, firm or corporation in existence and doing business at a specified present location at the time of passage of this act, required to provide fencing or screening by this act, shall be reimbursed all actual and necessary expenses incurred thereby upon the prior submission of a plan or scheme to be approved by the Department and thereafter the submission of an itemized claim for such expenses to the Oklahoma Department of Transportation when such claim is approved by the Commission.

Added by Laws 1968, c. 98, § 6, emerg. eff. April 1, 1968. Amended by Laws 1978, c. 107, § 4, emerg. eff. March 29, 1978.

§69-1257. Violations - Penalties.

From and after the effective date of this act, it shall be unlawful for any person, firm or corporation to construct or establish any facility which would be in violation of the terms of this act and such would be a public nuisance, and provided further, that if any such person, firm or corporation did so establish such a facility in violation hereof, no state or federal funds would be used in any manner for the purpose of screening, moving or removing said nuisance. When the Department shall determine that any junkyard or scrap metal processing facility is not fenced or screened as required by this act, the person, firm or corporation operating the junkyard or scrap metal processing facility shall be notified of such violation and the manner in which compliance with this act is required. Such notice shall be in writing and require the person,

firm or corporation operating the junkyard or scrap metal processing facility to comply with the provisions of this act within ninety (90) days from the date of such notice. Any person, firm or corporation failing to comply with the provisions of this act after the expiration of ninety (90) days from the date of such notice or the extension of such time authorized by the Department shall be guilty of a misdemeanor and upon conviction thereof shall be fined Ten Dollars (\$10.00) for each day such violation continues after the expiration of the ninety-day notice or extension thereof. Added by Laws 1968, c. 98, § 7, emerg. eff. April 1, 1968. Amended by Laws 1978, c. 107, § 5, emerg. eff. March 29, 1978.

§69-1258. violations as public nuisance - Abatement.

Violation of the provisions of this act shall constitute a public nuisance, and the district court in the county in which said junkyard or scrap metal processing facility shall be located shall issue its order requiring immediate compliance with this act and the abatement of said nuisance upon the application of the Director or his authorized representative.

Added by Laws 1968, c. 98, § 8, emerg. eff. April 1, 1968. Amended by Laws 1978, c. 107, § 6, emerg. eff. March 29, 1978.

§69-1259. Rules, regulations and policies.

The Commission is hereby empowered to prescribe reasonable rules, regulations and policies not inconsistent with this act for the implementation and administration of the junkyard control program required hereunder.

Added by Laws 1968, c. 98, § 9, emerg. eff. April 1, 1968. Amended by Laws 1978, c. 107, § 7, emerg. eff. March 29, 1978.

§69-1260. Acquisition of interest in lands by state.

When the Commission determines that the topography of the land adjoining the highway will not permit adequate screening of such junkyards or scrap metal processing facilities or the screening of such junkyards or scrap metal processing facilities would not be economically feasible, the Commission shall have the authority to acquire, by gift, purchase, exchange or condemnation, such interest, either real or personal, as may be necessary to secure the relocation, removal or disposal of the junkyards or scrap metal processing facilities and to pay the costs of relocation, removal or disposal thereof. When the Commission determines that it is in the best interest of the state, it may acquire such real or personal property interest as may be necessary to provide adequate screening of such junkyards or scrap metal processing facilities.

Added by Laws 1968, c. 98, § 10, emerg. eff. April 1, 1968. Amended by Laws 1978, c. 107, § 8, emerg. eff. March 29, 1978.

§69-1261. More restrictive provisions unaffected.

Nothing in this act shall be construed to abrogate or affect the provisions of any lawful ordinance, regulation, or resolution, which are more restrictive than the provisions of this act.

Laws 1968, c. 98, § 11, emerg. eff. April 1, 1968.

§69-1262. Agreements with federal government.

The Director is hereby authorized to enter into agreements with the United States Secretary of Transportation as provided by Title 23, United States Code, relating to the control of junkyards or scrap metal processing facilities in areas adjacent to the interstate and primary systems, and to take action in the name of the state to comply with the terms of such agreement.

Added by Laws 1968, c. 98, § 12, emerg. eff. April 1, 1968. Amended by Laws 1978, c. 107, § 9, emerg. eff. March 29, 1978.

§69-1263. Federal Funds.

The Commission may accept any allotment of funds by the United States, or any agency thereof, appropriated to carry out the purposes of federal law. In the event federal funds are not available for assistance in carrying out the provisions of the federal law, the Commission may defer the screening, removal or relocation of junkyards or scrap metal processing facilities until such time as federal funds are made available for such purposes.

Laws 1968, c. 98, § 13, emerg. eff. April 1, 1968; Laws 1978, c. 107, § 10, emerg. eff. March 29, 1978.

§69-1264. Use of funds.

The Commission is hereby authorized to use any funds appropriated to it or received by it from the State Highway Construction and Maintenance Fund for matching federal funds or for other lawful purposes of this act.

Added by Laws 1978, c. 107, § 11, emerg. eff. March 29, 1978.

§69-1271. Legislative intent - Authority of State Highway Department.

For the purpose of promoting the public safety, health, welfare, convenience and enjoyment of public travel, to protect the public investment in public highways, and to preserve and enhance the scenic beauty of lands bordering public highways, while recognizing that outdoor advertising is a legitimate use of private property, it is hereby declared to be in the public interest to control the size, number, spacing, lighting, type and location of outdoor advertising devices, as hereinafter defined, in all areas within six hundred sixty (660) feet from the edge of the right-of-way of interstate and federal-aid primary highways located within urban areas, as hereinafter defined, in the State of Oklahoma and in all areas

visible and intended to be read from the main traveled way of interstate and federal-aid primary highways located outside of urban areas in the State of Oklahoma. The Department of Transportation shall have the authority to implement and enforce this act, and may prohibit outdoor advertising devices in the control areas, and may regulate and permit certain outdoor advertising structures and devices in the control areas, within the limitations of this act and according to the standards and definitions set forth in this act. Added by Laws 1968, c. 191, § 1, emerg. eff. April 15, 1968. Amended by Laws 1978, c. 199, § 1, emerg. eff. April 14, 1978; Laws 2010, c. 107, § 2, emerg. eff. April 16, 2010; Laws 2010, c. 405, § 1, eff. July 1, 2010.

§69-1272. Application of act.

The provisions of this act apply only to the erection and maintenance of outdoor advertising signs, displays and devices located in adjacent areas within six hundred sixty (660) feet from the nearest edge of the right-of-way and which are visible and intended to be read from the main traveled way and those which are located in controlled areas beyond six hundred sixty (660) feet from the nearest edge of the right-of-way, visible and intended to be read from the main traveled way and erected with the purpose of being read from the main traveled way.

Added by Laws 1968, c. 191, § 2, emerg. eff. April 15, 1968. Amended by Laws 1972, c. 240, § 1, emerg. eff. March 28, 1972; Laws 1978, c. 199, § 2, emerg. eff. April 14, 1978; Laws 2010, c. 107, § 2, emerg. eff. April 16, 2010.

§69-1273. Definitions.

As used in this act:

(a) "Sign", "outdoor advertising" or "outdoor advertising device" means any outdoor sign, display, device, notice, figure, painting, drawing, message, placard, poster, billboard or other thing which is designed, intended or used to advertise or inform, but shall not include surface markers showing the location or route of underground utility facilities or pipelines or public telephone coin stations installed for emergency use.

(b) "Main traveled way" means the traveled way of a highway on which through traffic is carried. In the case of a divided highway, the traveled way of each of the separated roadways for traffic in opposite directions is a main traveled way. It does not include such facilities as frontage roads, turning roadways or parking areas.

(c) "To erect" and its variants means to construct, build, raise, assemble, place, affix, attach, create, paint, draw or in any other way bring into being or establish. But these shall not include any of the foregoing activities when performed as incident to the

change of advertising message or customary maintenance of the sign structure.

(d) "Unzoned commercial or industrial areas" means those areas which are not zoned by state or local law, regulation or ordinance, and on which there is located one or more permanent structures devoted to a commercial or industrial activity or on which a commercial or industrial activity is actually conducted, whether or not a permanent structure is located thereon, and the area along the highway extending outward six hundred (600) feet from and beyond the edge of such activity on both sides of the highway. Provided however, the unzoned area shall not include land on the opposite side of an interstate or dual-laned limited access primary highway from the commercial or industrial activity establishing the unzoned commercial or industrial area or land on the opposite side of other federal-aid primary highways, which land is deemed scenic by an appropriate agency of the state.

All measurements shall be from the outer edges of the regularly used buildings, parking lots, storage or processing areas of the commercial or industrial activities, not from the property lines of the activities, and shall be along or parallel to the edge of pavement of the highway. Such an area shall not include any area which is beyond six hundred sixty (660) feet from the nearest edge of the right-of-way. In unzoned commercial or industrial areas signs shall not be located:

- (1) Within three hundred (300) feet of any building used primarily as a residence, unless the owner of the building consents in writing to allow the sign to exist; or
- (2) Within five hundred (500) feet of any of the following: public park, garden, recreation area or forest preserve, church, school and officially designated historical battlefield.

All spacing considerations are determined by whether or not they exist within the adjacent or control area.

(e) "Commercial and industrial activities" means those activities, clearly visible from the main traveled way, generally recognized as commercial or industrial by zoning authorities in this state, except that none of the following shall be considered commercial or industrial:

- (1) Agricultural, forestry, ranching, grazing, farming and related activities, including, but not limited to, wayside fresh produce stands;
- (2) Outdoor advertising structures;
- (3) Transient or temporary activities;
- (4) Activities more than six hundred sixty (660) feet from the nearest edge of the right-of-way;

(5) Activities conducted in a building principally used as a residence; and

(6) Railroad tracks and minor sidings.

(f) "Official signs" means signs and notices erected and maintained by public officers or public agencies within their territorial jurisdiction and pursuant to and in accordance with direction or authorization contained in federal or state law for the purposes of carrying out an official duty or responsibility.

(g) "Informational signs" means signs containing directions or information about public places owned or operated by federal, state or local governments or their agencies, publicly or privately owned natural phenomena, historic, cultural, educational and religious sites, and areas of natural scenic beauty or naturally suited for outdoor recreation, deemed to be in the interest of the traveling public.

(h) "On-premise activities signs" means signs advertising activities conducted upon the property on which the signs are located.

(i) "On-premise sale or lease signs" means signs advertising the sale or lease of property on which they are located.

(j) "Interstate highway" means any highway at any time officially designated a part of the National System of Interstate and Defense Highways by the Department and approved by the appropriate authority of the federal government.

(k) "Primary highway" means the Federal-aid Primary System in existence on June 1, 1991, and any highway which is not on that system but is on the National Highway System.

(l) "Centerline of the highway" means a line equidistant from the edges of the median separating the main traveled ways of a divided highway, or the centerline of the main traveled way of a nondivided highway.

(m) "Adjacent area" or "control area" means the area which is adjacent to and within six hundred sixty (660) feet of the nearest edge of the right-of-way on any interstate or primary highway within urban areas, which six hundred sixty-foot distance shall be measured horizontally along a line perpendicular to, or ninety (90) degrees to, the centerline of the highway. Outside of urban areas, adjacent area or control area means the area which is visible from the main traveled way on any interstate or primary highway.

(n) "Business area" means any part of a control area which is:

- (1) Within six hundred sixty (660) feet of the nearest edge of the right-of-way and zoned for business, industrial or commercial activities under the authority of any state zoning law, or city or county zoning ordinance of this state; or
- (2) Not so zoned, but which constitutes an unzoned commercial or industrial area as herein defined.

(o) "Department" means the Department of Transportation of the State of Oklahoma.

(p) "Maintain" means to hold or keep in a state of efficiency or validity, to support or sustain, by cleaning or repairing the sign or changing the message on its face.

(q) "Visible" means capable of being seen without visual aid by a person of normal visual acuity.

(r) "License" means the privilege to do business in the State of Oklahoma having been granted by an official agency.

(s) "Permit" means the privilege to erect a sign or signs in an individual location within the State of Oklahoma having been granted by an official agency.

(t) "License fee" means the monetary consideration paid for the privilege of doing business in the State of Oklahoma.

(u) "Permit fee" means the monetary consideration paid for the privilege of erecting a sign or signs in a specific location within the State of Oklahoma.

(v) "Urban area" means an urbanized area or, in the case of an urbanized area encompassing more than one state, that part of the urbanized area in each such state, or an urban place as designated by the Bureau of the Census having a population of five thousand (5,000) or more and not within any urbanized area, within boundaries to be fixed by responsible state and local officials in cooperation with each other, subject to approval by the Secretary of Transportation. Such boundaries shall, as a minimum, encompass the entire urban place designated by the Bureau of the Census.

(w) "Relocation permit" means a permit issued pursuant to the provisions of subparagraph (d) of paragraph (3) of Section 1275 of this title. A relocation permit shall have precedence over any municipal or county restriction that interferes with the intended purpose of providing a method and opportunity to minimize the cost of acquiring legally erected outdoor advertising signs by the Department, unless, for those municipalities with a population in excess of five hundred thousand (500,000) based on the most recent census data, it is otherwise stipulated in the applicable Right-of-Way, Public Utility and Encroachment Agreement or Agreements and agreed upon by all signatory authorities. Any owner of a registered sign to be acquired shall be offered an opportunity to comment on said agreement prior to execution. This section shall not prohibit a registered sign owner from seeking just compensation through a legal proceeding.

Added by Laws 1968, c. 191, § 3, emerg. eff. April 15, 1968. Amended by Laws 1970, c. 10, § 1, emerg. eff. Feb. 10, 1970; Laws 1972, c. 240, § 2, emerg. eff. March 28, 1972; Laws 1978, c. 199, § 3, emerg. eff. April 14, 1978; Laws 2009, c. 96, § 1, emerg. eff. April 24, 2009; Laws 2014, c. 269, § 1; Laws 2015, c. 379, § 1, eff. Nov. 1, 2015; Laws 2016, c. 350, § 1, eff. Nov. 1, 2016.

§69-1274. Signs permitted in control area.

After the effective date of this act no sign shall, except as provided in Section 8, be erected or maintained in a control area, except the following:

(a) Informational and other official signs, including, but not limited to, signs pertaining to natural wonders, scenic and historical attractions, which are required or authorized by law, and which comply with regulations which shall be promulgated by the Department relative to their lighting, size, number, spacing, and such other requirements as may be appropriate to implement this act; provided, however, that such regulations shall not be inconsistent with, nor more restrictive than, such national standards as may be promulgated from time to time by the Secretary of the Department of Transportation of the United States pursuant to federal law.

(b) On-premise activities signs advertising activities conducted on the property on which they are located, including but not limited to, goods sold, stored, manufactured, processed or mined thereon; services rendered thereon; and entertainment provided thereon.

(c) On-premise sale or lease signs advertising the sale or lease of property upon which they are located.

(d) Signs in existence in business areas on the effective date of this act and signs erected within six (6) months thereafter upon property in business areas leased prior to said effective date, subject to the conditions set forth in Section 8.

(e) Signs which are to be erected in business areas and which will comply when erected with the provisions of Section 5 of this act, and after the applicable provisions of Section 7 are met. Adsded by Laws 1968, c. 191, § 4, emerg. eff. April 15, 1968.

§69-1275. Standards for signs in business area.

After April 15, 1968, signs which are to be erected in a business area shall comply with the following standards:

1. General. Signs shall not be erected or maintained which:
 - a. imitate or resemble any official traffic sign, signal or device, or
 - b. are erected or maintained upon trees or painted or drawn upon rocks or other natural features;
2. Size.
 - a. Signs shall not be erected which exceed one thousand two hundred (1,200) square feet in area, per facing, including border and trim, nor shall signs be erected which exceed twenty-five (25) feet in height nor sixty (60) feet in length, excluding apron, supports and other structural members.
 - b. The maximum size limitations shall apply to each sign facing. Two signs not exceeding six hundred (600)

square feet each may be erected in a facing, side by side or "doubledecker". Back-to-back and/or V-type signs will be permitted, and shall be treated as one structure with one thousand two hundred (1,200) square feet permitted for each, if the sign structures or facings are physically contiguous, or connected by the same structure or cross bracing, or located not more than fifteen (15) feet apart at their nearest point nor more than thirty (30) feet apart at their widest point in the case of back-to-back or V-type signs. However, nothing in this section shall be construed to allow tri-faced signs;

3. Spacing.

- a. Signs shall conform to all applicable building codes and ordinances of the municipality, county or state, whichever has jurisdiction as set forth in Section 1272 of this title, except as provided for in subparagraph d of this paragraph.
- b. Signs shall not be erected or maintained in such a manner as to obscure or otherwise physically interfere with an official traffic sign, signal or device or to obstruct or physically interfere with the driver's view of approaching, merging or intersecting traffic.
- c. Signs visible from a nonfreeway primary highway shall not be erected within the limits of an incorporated municipality less than one hundred (100) feet on the opposite side of the highway and three hundred (300) feet on the same side of the highway, and outside the limits of an incorporated municipality less than three hundred (300) feet, from another such sign, other than signs described in subsections (a), (b) and (c) of Section 1274 of this title, unless separated by a building or other obstruction in such a manner that only one display located within the minimum spacing distances set forth herein is visible from the highway at any one time; provided, however, that this shall not prevent the erection of double-faced, back-to-back, or V-type signs with a maximum of two signs per facing, as permitted by paragraph 2 of this section. Signs visible and intended to be read from interstate and freeway primary facilities shall not be erected less than one thousand (1,000) feet from another such sign on the same side of such facilities, other than signs described in subsections (a), (b) and (c) of Section 1274 of this title. Outside incorporated municipalities, signs visible and intended to be read from interstate and freeway primary facilities shall

not be erected adjacent to or within five hundred (500) feet of an interchange, intersection at grade, or rest area, on the same side of such facilities such distance to be measured along the interstate highway or freeway from the sign to the nearest point of the beginning or ending of pavement widening at the exit from or entrance to the main-traveled way. Signs may not be located within five hundred (500) feet of any of the following which are adjacent to any interstate or federal-aid primary highway: public parks; public forests; playgrounds; or cemeteries. Provided, however, the Transportation Commission shall promulgate rules pursuant to the Administrative Procedures Act governing the measurement methodology to be prospectively utilized by the Department when determining spacing between outdoor advertising signs, displays and devices and public parks, public forests, playgrounds and cemeteries. Provided further, any measurement methodology heretofore utilized by the Department, including but not limited to the straight-line method, shall be accepted by the Department without prejudice. Provided further, the Department shall be prohibited from altering a permit classification or revoking any outdoor advertising license, which was properly obtained at the time of issuance, based upon a change of internal agency policy, agency interpretation of law or promulgation of rules. Provided further, a sign location that was permitted in compliance with the spacing requirements of this section in effect prior to the effective date of this act, but which does not comply with the spacing requirements of this section as amended after the effective date of this act, shall maintain its current legal status; provided it complies with all other permitting requirements as set forth by the Transportation Commission.

- d. For the purpose of providing a method and opportunity to minimize the cost of acquiring legally erected outdoor advertising signs, the Director of the Department of Transportation shall have the option to approve the issuance of permits for outdoor advertising signs visible from a roadway subject to the regulatory control of the Department of Transportation which may be erected less than current state spacing distances from another such sign. Permits issued pursuant to this option shall be only for the purpose of providing a relocation site for a sign being taken by the state

and shall not violate spacing regulations as stipulated in the Federal State Agreement. The Department shall also issue a relocation permit if a roadway for which a legally erected permitted sign adjacent thereto is realigned; provided, however, the applicant for such relocation permit shall surrender four legally issued permits on a road realigned and the applicant shall waive any claim for compensation against the Department upon issuance of a relocation permit based on highway realignment. Provided, when the Department issues a permit pursuant to this subsection to accommodate the relocation of a structure:

- (1) if the structure to be removed is visible from a roadway subject to the regulatory control of the Department inside an incorporated area, the relocation site shall be inside the same incorporated area and shall be visible from a roadway subject to the regulatory control of the Department,
- (2) if there are not suitable relocation sites meeting the provisions of division 1 of this subparagraph and the structure to be removed is visible from a roadway subject to the regulatory control of the Department, notwithstanding the provisions of division 1 of this subparagraph, the Department may issue a permit for a relocation site outside of the incorporated area, provided the relocation site is in the same county, a contiguous county thereto or other municipality in which the improved roadway travels through granting mutual benefit from improvements, which shall be visible from a roadway subject to the regulatory control of the Department, and
- (3) all potential relocation sites must be in compliance with provisions set forth in the applicable Right-of-Way, Public Utility and Encroachment Agreement or Agreements.

Provided further, the square footage of display face on the relocated sign shall not exceed the square footage of display face of the acquired sign. The relocated sign shall maintain the same legal status and ability to upgrade as existed prior to relocation; provided it complies with all other permitting requirements set forth by the Transportation Commission and no other permits shall be required and any county or municipal authority in which a relocation permit has been issued shall promptly provide the required 9-1-1 address or

other information necessary for the delivery of utility service to a relocated sign. The Transportation Commission shall have the authority to promulgate rules necessary to implement the use of the permit option provided for in this subsection.

- e. Notwithstanding any other provision of law, the Department of Transportation shall, after determining the need to acquire property upon which outdoor advertising structures are located, have the authority to negotiate directly with the owner of the outdoor advertising structure the terms for maintaining such structures in their current position or for the relocation of such structures. Such negotiations may begin prior to the Department's initiation of formal condemnation proceedings and shall be completed prior to a jury award in a condemnation proceeding. The Department of Transportation retains its right to require the removal of the sign structure improvement effective as of the payment by the Department in the amount awarded by the court-appointed commissioners pursuant to applicable law. Nothing in this section shall be construed to prevent the owner of the land from pursuing a claim of interest in any lease existing between the landowner and the outdoor advertising structure owner, or to prevent the outdoor advertising structure owner from pursuing a claim for fair market value of the owner's interest if negotiations with the Department for a lease or structure relocation arrangement are not successful;

4. Lighting.

- a. Signs shall not be erected which contain, include, or are illuminated by any flashing, intermittent, revolving or moving light, except on-premise signs and those giving public service information such as, but not limited to, time, date, temperature, weather or news. Steadily burning lights in configuration of letters or pictures are not prohibited.
- b. Signs shall not be erected or maintained which are not effectively shielded to prevent beams or rays of light from being directed at any portion of the traveled way of any interstate or primary highway and are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle.
- c. Signs shall not be erected or maintained which shall be so illuminated that they obscure any official traffic sign, device, or signal, or imitate or may be confused with any such official traffic sign, device or signal.

- d. Provided, however, nothing in this section shall be construed to prohibit the erection or maintenance of signs which include the steady illumination of sign faces, panels or slats that rotate to different messages in a fixed position, commonly known as tri-vision faces or multiple message signs; provided, the rotation of one sign face to another is no more frequent than every eight (8) seconds and the actual rotation process is accomplished in four (4) seconds or less; and

5. Vegetation Management.

- a. For the purpose of minimizing costs to the Department for the removal, cutting, or trimming of trees or vegetation on a public right-of-way to make visible or ensure future visibility of the facing of a permitted outdoor advertising sign, the Department is authorized to establish a process for an outdoor advertising permit holder to conduct vegetation management activities within a specific area surrounding the permit holders' outdoor advertising device.
- b. The Department shall promulgate rules prescribing the scope of such vegetation management activities and any requirements it deems necessary to monitor such activities.

Added by Laws 1968, c. 191, § 5, emerg. eff. April 15, 1968. Amended by Laws 1972, c. 240, § 3, emerg. eff. March 28, 1972; Laws 1990, c. 96, § 1, emerg. eff. April 18, 1990; Laws 1995, c. 178, § 1, eff. Nov. 1, 1995; Laws 1996, c. 230, § 1, emerg. eff. May 23, 1996; Laws 1999, c. 150, § 1, emerg. eff. May 3, 1999; Laws 2001, c. 179, § 1, eff. Nov. 1, 2001; Laws 2003, c. 335, § 1, eff. July 1, 2003; Laws 2010, c. 107, § 3, emerg. eff. April 16, 2010; Laws 2010, c. 405, § 2, eff. July 1, 2010; Laws 2011, c. 346, § 1, eff. Nov. 1, 2011; Laws 2013, c. 372, § 13, eff. Nov. 1, 2013; Laws 2015, c. 379, § 2, eff. Nov. 1, 2015; Laws 2016, c. 350, § 2, eff. Nov. 1, 2016.

§69-1276. Agreements with Secretary of Transportation.

The Department on behalf of the state shall seek agreement to the provisions of Sections 4 and 5 of this act by the Secretary of Transportation on the basis of their being consistent with federal laws and customary usages and zoning principles and standards which hold and govern in this state. In the event such an agreement cannot be achieved, this legislation shall be returned to the legislative bodies of the State of Oklahoma for remedial action and resubmission to the Secretary. In the event such a new agreement cannot be achieved, the Department shall promptly institute proceedings of the kind provided for in Title 23 U.S.C.A. 131 (1) in order to obtain a judicial determination as to whether this chapter and the regulations

promulgated thereunder provide effective control of outdoor advertising as set forth therein. In such action the Department shall request that the court declared rights, status and other legal relations and declare whether the standards, criteria and definitions contained in the agreement proposed by the Department are consistent with customary use. If such agreement is held by the court in a final judgment to be invalid in whole or in part as inconsistent with customary use or is otherwise in conflict with Title 23 U.S.C.A. 131, the Department shall promptly negotiate with the Secretary of Transportation, or his successor, a new agreement or agreements which shall conform to said statute as interpreted by the court in such action.

Laws 1968, c. 191, § 6, emerg. eff. April 15, 1968.

§69-1277. Licenses and permits - Fees - Revocation.

A. The Transportation Commission is hereby authorized to enact and adopt rules and regulations for the issuance of licenses and permits and the charging and collection of permit fees for other than "on-premise" outdoor advertising structures as defined in this act.

B. The Department of Transportation shall have the authority to revoke any permit issued under Sections 1271 through 1288 of this title if the permit holder for any reason is no longer making lease payments or other agreed-upon compensation to the landowner for use of the land where the sign is located.

C. After July 1, 2014, the Department of Transportation shall have the authority to revoke a permit issued under Sections 1271 through 1288 of this title if the permit holder fails to construct a sign at the permitted site prior to the second expiration date of the permit, or the permitted site is determined by the Department to be a discontinued sign site.

Added by Laws 1968, c. 191, § 7, emerg. eff. April 15, 1968. Amended by Laws 1972, c. 240, § 4, emerg. eff. March 28, 1972; Laws 1978, c. 199, § 4, emerg. eff. April 14, 1978; Laws 1994, c. 125, § 2, eff. Sept. 1, 1994; Laws 2014, c. 269, § 2.

§69-1278. Signs becoming nonconforming - Removal - Exemptions.

A. If, after March 28, 1972, any lawfully erected outdoor advertising sign, display or device becomes nonconforming under the provisions of Section 1271 et seq. of this title, such outdoor advertising sign, display or device shall not be required to be removed but shall be reclassified as a legal nonconforming structure and allowed to remain within prescribed guidelines for such signs. Provided, however, that notwithstanding the provisions of this subsection, any such outdoor advertising sign, display or device which was erected after July 1, 1975, and located in a control area beyond six hundred sixty (660) feet from the nearest edge of the right-of-way, and which becomes nonconforming as a result of Section

1271 et seq. of this title, is subject to removal after April 14, 1978. Provided, further, signs legally erected prior to July 1, 1975, in a control area beyond six hundred sixty (660) feet of the nearest edge of the right-of-way of a controlled highway, which do not conform to the provisions of Section 1271 et seq. of this title, shall not be required to be removed before July 1, 1980.

B. The requirements herein contained pertaining to the size, lighting or spacing of signs permitted in business areas shall apply only to those signs erected subsequent to April 15, 1968, except for those signs erected within six (6) months after April 15, 1968, under a lease dated prior to April 15, 1968, and filed with the Department within thirty (30) days following April 15, 1968.

C. Directional signs, displays or devices lawfully erected prior to May 5, 1976, may be exempted from removal where the following conditions exist:

1. The signs, displays or devices provide directional information to goods and services in the interest of the traveling public;

2. The signs, displays or devices are located within a defined area with definite geographic boundaries and which functions as an economic unit;

3. The Department of Transportation determines on the basis of an economic impact study that the removal of such signs, displays or devices would work a substantial economic hardship in the defined area;

4. The Department shall establish rules and regulations for the placement of new information signs for economic hardship areas;

5. The Department reviews its economic impact study periodically and finds that continued exemption remains warranted;

6. The United States Secretary of Transportation concurs in the Department's determination that exemption of signs, displays or devices is warranted;

7. The signs, displays or devices are thirty-two (32) square feet or less in dimension and have been erected by a church organized under the provisions of Section 562 of Title 18 of the Oklahoma Statutes and is recognized by the Internal Revenue Service under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended.

Provided, further, that removal of nonconforming directional signs, displays and devices providing directional information about goods and services in the interest of the traveling public, not exempted from removal pursuant to the provisions of this subsection, shall be deferred until all other nonconforming signs have been removed from the federal-aid primary and interstate systems in this state.

Added by Laws 1968, c. 191, § 8, emerg. eff. April 15, 1968. Amended by Laws 1972, c. 240, § 5, emerg. eff. March 28, 1972; Laws 1978, c. 199, § 5, emerg. eff. April 14, 1978; Laws 1988, c. 315, § 1, emerg.

eff. July 6, 1988; Laws 2012, c. 189, § 1, eff. July 1, 2012; Laws 2012, c. 366, § 1.

§69-1279. Compensation for signs and rights taken.

The Department is directed to acquire by purchase, gift or condemnation, and shall pay just compensation upon the removal of, the outdoor advertising signs, displays and devices specified in subsections (a), (b) and (c) of this section, when and insofar as their removal is required hereunder, as follows:

(a) Those lawfully in existence on the effective date of this act.

(b) Those lawfully adjacent to any highway made a part of the interstate or primary system on or after the effective date of this act.

(c) Those lawfully erected, which later become unlawful.

(d) Such compensation shall be paid as follows;

(1) For the taking from the owner thereof the outdoor advertising device.

(2) To the owner of the land on which the outdoor advertising device is located for the right to erect and maintain outdoor advertising thereon.

Laws 1968, c. 191, § 9, emerg. eff. April 15, 1968.

§69-1280. Acquisition of outdoor advertising and property rights by Department - Condemnation.

A. Outdoor advertising and property rights pertaining thereto may be acquired by the Department of Transportation under agreement between the Department, the owner of the outdoor advertising and the owner of the land upon which the outdoor advertising is located if the outdoor advertising is lawfully in existence pursuant to Sections 1274 and 1275 of this title and located within areas prohibited to advertising by the Highway Advertising Control Act of 1968. The compensation must be based on fair market value.

B. Outdoor advertising is a trade fixture, and owners shall be awarded just and fair compensation for its taking.

C. If the Department and the owners are unable to agree upon the amount of compensation to be paid by the Department, the Department may acquire by condemnation such outdoor advertising and property rights pertaining thereto. This right of eminent domain or condemnation shall be exercised in the manner provided by law.

D. Any outdoor advertising authorized under Sections 1274 and 1275 of this title which does not conform with standards set forth in Sections 1274 and 1275 of this title except as provided in Section 1278 of this title, and any outdoor advertising prohibited by law and not subject to compensation under other terms of this section shall be a public nuisance. The Department shall give notice by certified mail to the owner of the sign and to the owner of the land upon which

the outdoor advertising is located, ordering the notified owners to cause the outdoor advertising to conform with rules relating to outdoor advertising or to remove prohibited outdoor advertising. If the owner of the sign or the landowner fails to act within ninety (90) days after mailing of the notice, the Department may, at its discretion, remove the outdoor advertising device.

E. All persons or business entities engaged in the outdoor advertising business, which includes but is not limited to, the erection, maintenance and selling of advertising space on and along the interstate and federal-aid primary highways of this state, shall, not later than October 31, 1972, furnish the Director of the Department of Transportation a written inventory of all outdoor advertising signs, displays or devices erected and being maintained by the person or entity. The inventory shall include, with respect to each such sign, not less than the following information:

1. Location and dimensions of the sign;
2. Distance from the nearest edge of the right-of-way;
3. Date erected; and
4. Name and address of the owner of the property on which the sign is located.

F. For failure to comply with the conditions set forth in subsection E of this section, the Department may declare such outdoor advertising signs, displays or devices to be a public nuisance and remove them in the manner provided by subsection D of this section.

G. Regardless of any local ordinance requiring amortization, the compensation provided in subsections A through C of this section and subsections (a) through (d) of Section 1279 of this title shall be the exclusive remedy for taking such outdoor advertising and property rights pertaining thereto. Such compensation shall also be required for the partial taking or diminishment of the value of such outdoor advertising and property right caused by any local ordinance which forces the owners of such outdoor advertising to downsize, reduce the height or width or otherwise alter legal nonconforming signs.

Added by Laws 1968, c. 191, § 10, emerg. eff. April 15, 1968.

Amended by Laws 1972, c. 240, § 6, emerg. eff. March 28, 1972; Laws 1979, c. 22, § 1; Laws 1980, c. 46, § 1 eff. Oct. 1, 1980; Laws 2001, c. 180, § 1, emerg. eff. May 2, 2001.

§69-1281. Use of funds.

The Department is authorized to use any funds appropriated to it or received by it from the state road fund for matching federal funds or for other lawful purposes of this act.

Laws 1968, c. 191, § 11, emerg. eff. April 15, 1968.

§69-1282. Violations and penalties.

Any person, firm or corporation violating the provisions of this act shall, upon conviction, be deemed guilty of a misdemeanor, and each day of violation shall be considered a separate offense. Laws 1968, c. 191, § 12, emerg. eff. April 15, 1968.

§69-1283. Federal funds.

The Department may accept any allotment of funds by the United States, or any agency thereof, appropriated to carry out the purposes of federal law. The Department shall take such steps as may be necessary from time to time to obtain from the United States, or the appropriate agency thereof, funds allotted and appropriated, pursuant to said federal law, for the purpose of paying the federal share of the just compensation to be paid to sign owners and owners of real property under the terms of federal law and this act. In the event federal funds are not available for assistance in carrying out the provisions of the federal law, the Department may defer the removal of nonconforming signs until such time as federal funds are made available for such purpose.

Laws 1968, c. 191, § 13, emerg. eff. April 15, 1968; Laws 1972, c. 240, § 7, emerg. eff. March 28, 1972.

§69-1284. Citation.

This act may be cited as the "Highway Advertising Control Act of 1972."

Laws 1968, c. 191, § 14, emerg. eff. April 15, 1968; Laws 1972, c. 240, § 8, emerg. eff. March 28, 1972.

§69-1286. Highway beautification - Repair, maintenance or change to nonconforming signs.

For the purpose of highway beautification, the Transportation Commission may adopt rules regarding the repair or maintenance of, or changes to, nonconforming advertising signs, displays or devices, as defined in Section 1278 of Title 69 of the Oklahoma Statutes, including the size, height, lighting, replacement, rebuilding, or re-erection of such structures.

Added by Laws 1998, c. 249, § 1, emerg. eff. May 26, 1998.

§69-1287. Certain signs allowed adjacent to interstate highways.

In counties that do not have county planning or zoning, signs located outside of incorporated municipalities which advertise or give directions to local outdoor recreation areas may be allowed adjacent to interstate highways if such signs are otherwise in compliance with this section and approval is given by the Director of the Department of Transportation.

Added by Laws 2003, c. 335, § 2, eff. July 1, 2003.

§69-1288. Severability of Section 1287.

If any portion of Section 2 of this act is found to be in violation of federal law, the remaining portion, to the extent possible, shall remain operative.

Added by Laws 2003, c. 335, § 3, eff. July 1, 2003.

§69-1301. Application of article to state and certain cities and counties.

The provisions of this article, except those provisions authorizing the use of special assessments, shall extend to the State of Oklahoma through the Commission, and to every city in this state having a population of two thousand (2,000) or more, according to the last preceding Federal Decennial Census, whether such city is or shall hereafter be operating under a charter form of government or under general law. The provisions of this article authorizing the use of special assessments shall extend to every county of the state having a population of forty-two thousand (42,000) or more, in which there is located a city having a population in excess of twenty-seven thousand (27,000) as shown by the last preceding Federal Decennial Census, and the provisions of this article authorizing the use of special assessments shall extend to every city in this state having a population in excess of twenty-seven thousand (27,000) as shown by the last preceding Federal Decennial Census.

Laws 1968, c. 415, § 1301, operative July 1, 1968.

§69-1302. New and existing facilities - Grade crossing eliminations.

Each governing body shall have authority to designate and establish limited access facilities as new and additional highways, or may designate any existing street or highway as a limited access facility. The governing body shall have authority to provide for the elimination of intersections at grade of limited access facilities with any highway, road, street, or alley now or hereafter existing, either by grade separation, or by closing off such other highway, road, street or alley, or by otherwise protecting such limited access facility.

Laws 1968, c. 415, § 1302, operative July 1, 1968.

§69-1303. Authority of governing bodies to cooperate.

Each governing body shall have authority to enter into agreements with any other governing body as herein defined, or with the federal government, or with the State of Oklahoma, respecting the financing, planning, establishment, improvement, maintenance or vacation of limited access facilities.

Laws 1968, c. 415, § 1303, operative July 1, 1968.

§69-1304. Cost of limited access facilities.

(a) The governing body of a city or the board of county commissioners of a county, to the extent that such governing body or

board of county commissioners shall determine that any benefit results to any property served by the limited access facility, shall have authority to:

(1) Assess the amount of the benefits against such property so served or benefited by the limited access facility;

(2) Create street improvement districts to the extent of such benefits and assess against such property benefited that portion of the cost of acquisition and construction of such limited access facility in the manner provided by this article.

(b) In the event the governing body of the city or the board of county commissioners shall find that such limited access facility does not benefit the property served by it, or that the benefits to such property do not equal the cost of acquisition or construction, or both, of such limited access facility, the city or county may pay the cost of such limited access facility in its entirety, or the amount in excess of the benefits assessed as herein provided, out of the proceeds of bonds to be issued for such acquisition or construction, or both.

(c) The city or county shall have authority to submit to the voters thereof the question of whether or not the city or county shall become indebted for the acquisition or construction of the limited access facility, and any and all bond issues for such purposes are hereby authorized to the same extent and in the same manner and with such limitations as is authorized by the Constitution for the creation of a debt in excess of the income and revenue provided for the year.

Laws 1968, c. 415, § 1304, operative July 1, 1968.

§69-1305. Local benefits.

(a) When the governing body of a city or the board of county commissioners of a county deems that local benefits accrue to any property served by such proposed limited access facility, it shall by resolution determine the amount or percentage of cost thereof to be paid for by special assessment upon the benefited property, and by resolution shall require the city or county engineer, or consulting engineer, to prepare plans, profiles, specifications and estimates of the probable cost of the improvements, including acquisition, and also including such expenses and cost as may be necessary or essential to the completion of the limited access facility. The estimate of cost shall be on a unit basis.

(b) The resolution shall also define the boundaries or extent of the district or lands to be specially assessed to pay all or that part of the cost so determined to be so assessed. The district shall be defined by stating with particularity the exterior boundaries thereof, which in no event shall be in excess of two thousand six hundred forty (2640) feet from the center line of the proposed limited access facility, to be included in the assessment district,

and which shall govern for all details as to the size and extent thereof.

(c) The engineer preparing the report shall appear at the hearing thereon and give all information to all interested parties and to the governing body of the city or the board of county commissioners. The determination by the governing body of the city or the board of county commissioners of the extent and area of the district shall be final and shall be binding for all purposes.

Laws 1968, c. 415, § 1305, operative July 1, 1968.

§69-1306. Engineering.

(a) The governing body of the city or the board of county commissioners shall have authority to contract for the services of consulting engineers to make the necessary surveys, plats, plans, profiles, specifications, estimates, furnish construction stakes and supervise construction at a cost not to exceed six percent (6%) of the total cost of construction, exclusive of acquisition, and shall provide for the payment of such engineering services as a part of the cost of the limited access facility.

(b) The engineers may also be employed to supervise and coordinate all nonconstruction work necessary to each project, such as advertising, printing, typing, appraising, assistance in the preparation of the appraisers' report, abstract work, all procedure, clerical work, acquisition of right-of-way and all other work which is necessary or essential to the completing of such limited access facility.

(c) The city or county may cause the engineering and other work provided for herein to be performed by the city or county engineer and may cause the cost thereof to be included in the cost of that part of the work financed by special assessments, on the same basis as herein provided, for consulting engineers.

(d) The term "engineer" shall include the city engineer, county engineer, or the consulting engineer, as the case may be.

Laws 1968, c. 415, § 1306, operative July 1, 1968.

§69-1307. Necessity resolution.

(a) Upon the filing of such plans and estimates with the City or county clerk, the governing body of the city or the board of county commissioners shall examine the same and if found satisfactory shall, by resolution, adopt and approve the same.

(b) The resolution shall be published in six consecutive issues of a daily newspaper or two consecutive issues of a weekly newspaper published in the county and having a general circulation in the city.

(c) The resolution so published shall provide that if the owners of more than one-half in area of the land liable to assessment shall not within fifteen (15) days after the last publication of the resolution file with the clerk of the city or county, as appropriate,

their protest in writing against such improvement, then the city or the county shall have the power to cause the improvements to be made and to contract therefor and to levy benefit assessments under the provisions of this article for the payment of all or part of the cost thereof.

(d) If the improvement shall have been protested by the owners of more than fifty percent (50%) in area of the land, the governing body of the city or the board of county commissioners shall not advertise the same again for a period of six (6) months.

Laws 1968, c. 415, § 1307, operative July 1, 1968.

§69-1308. Action to contest.

The governing body of the city or the board of county commissioners shall promptly rule on the sufficiency of any such protest. No action or suit to question the ruling on such sufficiency or to contest the action of the governing body or the Board in adopting and approving the plans, specifications or profiles shall be commenced later than fifteen (15) days after the ruling.

Laws 1968, c. 415, § 1308, operative July 1, 1968.

§69-1309. Acquisition.

To the extent that the governing body or board of county commissioners deems the acquisition of property necessary in the establishment of such limited access facility, the city or the county shall have full authority under the laws of eminent domain to acquire the real estate; provided, that to the extent that the cost of the acquisition shall be intended to be paid for by assessments in the manner provided for in this article, the city or county shall have authority to secure funds to the extent, and to the extent only, of the amount required for such acquisition by condemnation, in the manner provided in this article.

Laws 1968, c. 415, § 1309, operative July 1, 1968.

§69-1310. Resolution for ordering improvement.

(a) After the expiration of time for objection on the part of the property owners, or if insufficient protest is filed, the governing body of the city or the board of county commissioners shall adopt a resolution determining that no protest has been filed, or that such protest, if filed, was insufficient, and expressing the determination of the governing body or board to proceed with the acquisition or construction, or both, of the limited access facility.

(b) The resolution shall state that the facility will be acquired or constructed, or both, in accordance with the plans, profiles and specifications theretofore adopted therefor, and shall state the material to be used in the construction thereof.

(c) The resolution shall set forth any reasonable terms or conditions that the governing body or the board shall determine

proper with reference to letting the contract and the provisions thereof and shall provide that the contractor shall furnish, from time to time thereafter, as required by the governing body or board of county commissioners, such funds, in cash, as are by the city or county needed in its condemnation proceedings in the acquisition of the necessary sites and rights-of-way.

(d) The resolution shall provide that the contractor shall execute to the city or to the county good and sufficient bonds, in the amount to be stated in the resolution, for the faithful furnishing of such condemnation monies and also conditioned for the full and faithful execution of the work and the performance of the contract, and a further bond for the maintenance in good condition of such facility for a period of not less than five (5) years from the date of its completion.

(e) The resolution shall also require the execution of a good and sufficient bond to the State of Oklahoma conditioned on the payment of all labor and material used in the construction of the facility in the full amount of the contract price thereof.

(f) The resolution shall also direct the city or county clerk to advertise for sealed proposals for furnishing the materials and performing the work necessary in the construction of the facility. The notice for such proposals shall state the time and place where the same will be considered by the governing body or the board of county commissioners and shall be published in two consecutive Thursday issues of a daily newspaper or two consecutive issues of a weekly newspaper published in the county and of general circulation in the city or county.

Laws 1968, c. 415, § 1310, operative July 1, 1968.

§69-1311. Award of contract.

(a) At the time and place specified in the notice to contractors, the governing body or the board of county commissioners shall examine all bids received and, without unnecessary delay, award the contract to the lowest and best bidder, who will perform the work and furnish the materials which have been selected and perform all the conditions imposed by the governing body or the board, as prescribed in the resolution for work and the notice for proposals.

(b) The aggregate amount of the contract shall not exceed the aggregate estimate of cost submitted by the engineer for the improvement and, in the event of any excess in cost over the engineer's estimate, such excess shall be void and no assessments for such excess levied.

(c) In the event any acquisition of site is necessary, the award of the contract may be made before or after the time such eminent domain proceedings as may be required are completed.

(d) The governing body or board of county commissioners shall have the right to award a contract for all or a portion of such

limited access facility, or to reject any or all bids, and to readvertise for such further bids as in its judgment are desirable. Laws 1968, c. 415, § 1311, operative July 1, 1968.

§69-1312. Appeals to district court.

(a) From the action of the governing body or the board of county commissioners there shall be allowed an appeal to the district court by any person owning lands in the assessment area, upon filing a bond with sufficient penalty, not less than One Thousand Dollars (\$1,000.00), with two or more sureties to be approved by the city or county clerk, as the case may be, conditioned that the appellant will prosecute his appeal without delay and pay all costs and damages that he may be adjudged to pay in the district court.

(b) The appeal shall be taken within ten (10) days after the order awarding the contract by serving a written notice on the city clerk or county clerk, as the case may be, which notice shall set out in detail, in numbered paragraphs, the grounds on which the appellant will rely on the appeal. A copy of the notice, together with a certified transcript of the proceedings before the board, shall be immediately transmitted by the clerk to the clerk of the district court, who shall docket it as other cases and set the same for speedy trial.

(c) The remedy herein provided shall be exclusive. No action or suit to question the jurisdiction of the governing body or board of county commissioners or their action in awarding the contract, or any part of their proceedings, shall be commenced and no appeal taken after the expiration of the ten-day period herein provided.

Laws 1968, c. 415, § 1312, operative July 1, 1968.

§69-1313. Funds for acquisition.

(a) All monies required to be paid by the governing body of the board of county commissioners by reason of condemnation proceedings, and to the extent that the same are to be eventually paid by assessments levied in accordance with this article, shall be furnished by the contractor as from time to time needed in the progress of the condemnation proceedings.

(b) Upon the furnishing of any such sums there shall be delivered to the contractor by the governing body or the board of county commissioners an interim certificate, in the amount of the sum so furnished, naming the contractor as payee, dated of even date, and bearing six percent (6%) interest per annum. The certificate shall provide that it is issued in accordance with the provisions of this article, and payable only in the manner herein provided. The certificate shall be signed by the mayor or chairman of the governing body or board, as appropriate, and attested by the city or county clerk. It shall be in all respects negotiable, and shall be

conclusive evidence of the fact that the sums were so furnished by the payee for the purpose aforesaid.

(c) If through default or failure of the city or county to complete the acquisition of the necessary property or shall fail to complete the limited access facility, the owner or holder of the certificate shall then, and in that event only, be entitled to personal judgment against the city or county so issuing the certificate, which judgment may be collected as provided by law. Laws 1968, c. 415, § 1313, operative July 1, 1968.

§69-1314. Railroads and street railways to pave - Warning signals.

(a) When a railroad or railway shall occupy any portion of a limited access facility with its tracks, either running in a general direction thereto or otherwise, the governing body or the board of county commissioners or the Commission may require such railroad or railway company to pave so much of the facility as may be occupied by its track or tracks and three (3) feet on each side, and when more than one track crosses within a distance of (one hundred) 100 feet, measuring from inside rail to inside rail, the company shall grade, gutter, drain, curb, pave or otherwise improve between its tracks in the same manner as the facility itself.

(b) The Corporation Commission of the State of Oklahoma may require warning signals at grade crossings at intersections of railroad and limited access facilities and may require grade separations at intersections of railroads and limited access facilities. The determination of whether such warning signals and grade separations shall be required, the location thereof, the type thereof, and the distribution of the cost thereof shall be determined by the Corporation Commission in accordance with the provisions of 17 O.S.1961, Sections 81 to 84, inclusive. Laws 1968, c. 415, § 1314, operative July 1, 1968.

§69-1315. Appointment of appraisers.

(a) After the work covered by the contract has been completed, the engineer shall prepare and file with the city or county clerk a final, complete and accurate statement of the cost of the work covered by the contract. Such statement shall cover the engineering, appraising, advertising, and the expenses incurred, or to be incurred, by the city or county incident thereto, but shall exclude the cost of acquisition. The engineer shall file at the same time a statement of the portion thereof previously determined by the governing body or the board of county commissioners to be assessed. Upon the filing of the statements by the engineer, the governing body of the city or the board of county commissioners shall adopt and confirm the same if found to be correct.

(b) The engineer's report shall also include a proposed schedule of estimated assessments proposed to be made against each lot, tract

and parcel of land included in the district. The governing body or the board shall, by resolution, appoint commissioners to appraise and apportion for the benefits of the several lots or tracts of land, exclusive of streets and alleys, located within the assessment district. The commissioners shall consist of three disinterested freeholders of the city or county, not owners of any of the property to be assessed. Such commissioners shall be paid not to exceed Ten Dollars (\$10.00) for each day while actually employed in such service. The act of a majority of the commissioners shall have like force and effect as the act of all.

Laws 1968, c. 415, § 1315, operative July 1, 1968.

§69-1316. Report.

(a) Within five (5) days after being notified of their appointment, the commissioners shall proceed to appraise and apportion the benefits to such lots and tracts of land, exclusive of streets and alleys, as are located within the assessment district, after having taken an oath to make a full and impartial apportionment. Any error in the description of a lot, parcel or tract of land liable for assessment shall not invalidate such assessment or lien thereof.

(b) The commissioners shall use as a guide the estimated assessments theretofore prepared by the engineer, but the estimates shall not be binding upon the commissioners.

(c) The commissioners shall have full and complete authority to vary the total assessment as between the various tracts, pieces and parcels of land, depending upon their nearness or remoteness to the facility, and nearness or remoteness to points of access to the limited access facility and any other factors that to the commissioners may appear as resulting in greater benefit to one such tract or parcel of ground than another.

(d) A written report of such apportionment shall be returned and filed with the city or county clerk, within fifteen (15) days from the date of the notice to them of their appointment.

Laws 1968, c. 415, § 1316, operative July 1, 1968.

§69-1317. Hearing objections.

When the report shall have been so returned, the governing body of the city or board of county commissioners shall appoint a time for holding a session to hear any complaints or objections that may be made concerning the apportionment. Notice of such hearing shall be published by the city or county clerk in five consecutive issues of a daily newspaper or in two consecutive issues of a weekly newspaper published in the county and in general circulation in the city or county. The time fixed for the hearing shall be not less than five (5) days nor more than fifteen (15) days from the date of the last publication.

Laws 1968, c. 415, § 1317, operative July 1, 1968.

§69-1318. Correction of apportionment.

The governing body of the city or the board of county commissioners at such session, or at any adjournment thereof, shall have the power to review, modify or correct the appraisalment and apportionment, and to raise or lower the same as to any lots or parcels of land, as it shall deem just, and shall, by resolution, confirm the same as so revised and corrected. At such session any party interested may file objections in writing against the validity or amount of any proposed assessment and shall have full opportunity to be heard thereon; and any objections to the regularity of the proceedings with reference to the construction of the improvements or the validity or the amount of the assessment shall be waived unless presented at the time and in the manner herein specified.

Laws 1968, c. 415, § 1318, operative July 1, 1968.

§69-1319. Public property.

Any property which shall be owned by the city or county, or a school district, shall be treated and considered the same as the property of other owners, and such city, county, or school district within such district to be assessed shall annually provide by the levy of taxes in sufficient sum to pay the maturing assessment and interest thereon, until paid.

Laws 1968, c. 415, § 1319, operative July 1, 1968.

§69-1320. Manner of assessments.

Assessments in conformity to the appraisalment and apportionment as corrected and confirmed by the governing body of the city or the board of county commissioners shall be payable, in cash, in ten equal installments, and shall bear interest at a rate not to exceed seven percent (7%) per annum until paid, payable in each year at such time as the several installments are made payable. The governing body of the city or the board of county commissioners shall by ordinance or resolution levy assessments in accordance with the appraisalment and apportionment, as so confirmed, against the various tracts, pieces and parcels of land liable therefor, exclusive of streets and alleys. The ordinance or resolution shall provide that the owners of the property so assessed shall have the privilege of paying the amounts of their respective assessments without interest at any time within thirty (30) days from the date of the first publication of the ordinance or resolution.

Laws 1968, c. 415, § 1320, operative July 1, 1968.

§69-1321. Assessments for cost of acquisition.

(a) In the event condemnation proceedings have been instituted in connection with the construction of such limited access facility and

interim certificates have been issued by the governing body or board of county commissioners in accordance with this article, at such time as all the proceedings become final and it may thus be determined with definiteness the exact amount of money so advanced by the contractor for that purpose, the governing body or the board of county commissioners shall, by resolution, determine the exact sum, together with accrued interest, due to the owners and holders of the outstanding certificates, and shall appoint a time for holding a session to apportion such total sum, and to hear objections thereto.

(b) Notice of such hearing shall be published by the city or county clerk in five consecutive issues of a daily newspaper or in two consecutive issues of a weekly newspaper published in the county and in general circulation in the city or county. The time fixed for hearing shall not be less than five (5) days nor more than fifteen (15) days from the date of the last publication.

(c) At the time and place specified in such notice the governing body or the board of county commissioners shall apportion the amount among the tracts, pieces and parcels of land in exact ratio and pro rata to the apportionments theretofore made in accordance with this article for the cost of construction; and objections and complaints shall be limited to whether or not such apportionments are, or are not, in strict ratio or in identical proportions to such previous assessment.

(d) The apportionments shall be levied by ordinance or resolution, which shall provide that the owners of the property so assessed shall have the privilege of paying the amounts of their respective assessments without interest at any time within thirty (30) days from the date of the first publication of the ordinance or resolution.

Laws 1968, c. 415, § 1321, operative July 1, 1968.

§69-1322. Assessments - How payable.

(a) All special assessments made under the provisions of this article and each installment and interest thereon are hereby declared to be a lien against the lots, tracts and pieces of land so assessed from the date of the publication of the ordinances or the adoption of the resolution levying the same, coequal with the lien of other taxes and prior and superior to all other liens, and such lien shall continue until the same shall be fully paid, but unmatured installments shall not be deemed to be within the terms of any general covenant or warranty.

(b) As soon as each or either of the assessing ordinances or resolutions is adopted, the city or county clerk shall prepare a book which shall be known as the "limited access assessment record", in which shall be entered the description of each lot, tract or parcel of land with a blank space for entering the amount of assessment and

suitable columns for entering each installment thereof and date regarding the payments thereon.

(c) With respect to assessments made by the board of county commissioners, within fifteen (15) days after the adoption of the assessing resolution a full and complete copy thereof, together with the "limited access assessment record", shall be certified by the county clerk to the county treasurer and shall thereafter be a permanent record of his office and all collections thereunder shall be made and disbursed by the county treasurer.

Laws 1968, c. 415, § 1322, operative July 1, 1968.

§69-1323. Assessments - When payable.

(a) The first installment of such assessment, together with interest upon the whole assessment from the date of the passage of the assessing ordinance or resolution to the first of the next September, shall be due and payable on or before the 1st day of September, next succeeding the passage of the ordinance or resolution; provided, that if such assessing ordinance or resolution is not passed prior to the 1st day of July, the first installment of the assessment shall be due and payable with interest from the date of passage to the 1st day of September of the following year.

(b) In case any installment or interest is not paid when due, the unpaid installment and the unpaid interest thereon shall draw interest at the rate of twelve percent (12%) per annum from maturity until paid, except as hereinafter otherwise provided.

(c) With respect to assessments levied by any city, such assessments and interest whether collected by the city or the county treasurer shall be paid to the city treasurer, who shall keep the same in a separate special fund for the purpose of paying the bonds and interest coupons thereon issued against such assessments.

(d) With respect to assessments levied by any board of county commissioners, the same shall be collected by the county treasurer who shall keep the same in a separate special fund and shall disburse the same in the payment of bonds and interest coupons thereon issued against such assessments.

(e) After the payment of all bonds and interest thereon, any surplus remaining in the fund shall be used by the city or the board of county commissioners for the purpose of repairing or maintaining the limited access facility and for no other purpose whatsoever.

Laws 1968, c. 415, § 1323, operative July 1, 1968.

§69-1324. Bonds of issue.

(a) The governing body of the city or the board of county commissioners after the expiration of thirty (30) days from the publication of the assessing ordinance or resolution, within which period the whole of any assessment may be paid without interest, shall provide by resolution for the issuance of bonds in the

aggregate amount of such assessments then remaining unpaid bearing date of thirty (30) days after the publication of the ordinance or resolution levying the assessments, and of such denominations as the governing body of the city or board of county commissioners and the contractor shall determine. The bonds shall in no event become a liability of the city or county issuing them.

(b) The bonds shall be payable on or before October 1 next succeeding the September 1 on which the last installment of assessments shall mature, with interest at a rate not to exceed the maximum rate provided by Section 498.1 of Title 62 of the Oklahoma Statutes, payable October 1 next succeeding the due date of the first installment of assessments, and semiannually thereafter, until maturity, and ten percent (10%) per annum after maturity.

(c) The bonds shall be designated as "limited access facility bonds" and shall recite:

(1) The facility or other public places for the improvement of which they have been issued; and

(2) That they are payable from the assessments which have been levied upon the lots and tracts of land benefited by such improvement and from the accumulation of the interest and penalty provided for herein.

(d) The bonds shall be signed by the mayor of the city or the chairman of the board of county commissioners and shall be attested by the city or county clerk, and shall have an impression of the corporate seal of the city or of the county clerk thereon.

(e) The bonds and interest or coupons shall be payable at such place, either within or without the State of Oklahoma, as shall be designated thereon.

(f) Such bonds shall be registered by the clerk and treasurer or appointed agent of the city or county in a book to be provided for that purpose or as otherwise provided by Section 4 of the Registered Public Obligations Act of Oklahoma. Each bond shall bear a certificate of the registration. Upon the books or records of such clerk and treasurer or appointed agent shall be noted the name of the holder thereof and his address, and any subsequent holder.

(g) The city or county shall have the right to call in and pay such bonds or any number thereof in the following manner: Whenever there shall be sufficient funds in the hands of the city or county treasurer after the payment of all interest due and to become due within the next six (6) months, such treasurer shall on March 1 or September 1 of any year give notice by registered mail addressed to the last-registered holder of the bonds called, at the address appearing upon the registry, that there has accumulated funds sufficient to pay the designated bonds, and interest thereon to a date thirty (30) days hence from the date of such notice, and directing the presentation of such bond or bonds for payment and cancellation, and the bond or bonds will cease to bear interest after

expiration of the thirty (30) days, and upon the payment and cancellation of the bond or bonds, proper entry thereof shall be made upon the books. It shall be the duty of such city or county treasurer, upon the accumulation of sufficient funds as herein provided to pay one or more bonds, to so call and pay such bond or bonds, and, in the event of failure so to do, he shall be liable for all such damages as may result therefrom, and the provisions hereof may be enforced by appropriate proceedings in mandamus against such treasurer.

Amended by Laws 1983, c. 170, § 59, eff. July 1, 1983.

§69-1325. Delivery of bonds.

The bonds in the amount that may be necessary for such purpose shall be turned over and delivered to the contractor in payment of the amount due and payment of the cost of construction in accordance with the terms of his contract, including advertising, engineering and appraising costs. Bonds shall be issued to retire such interim certificates together with accrued interest thereon to the date of the bonds in the amount necessary for such purpose and shall be turned over and delivered to the owners or holders of such certificates in full payment and satisfaction thereof.

Laws 1968, c. 415, § 1325, operative July 1, 1968.

§69-1326. Collection of assessments.

(a) The assessments provided for and levied under the provisions of this article shall be payable in cash as the several installments become due, together with the interest thereon, to the clerk of such city or the county treasurer, as appropriate, who shall give proper receipts for such payments and credit the same upon the "limited access assessment record."

(b) The city clerk shall be required to execute a good and sufficient bond, with sureties, in an amount to be approved by the governing body, payable to the city, conditioned for the faithful performance of the duties enjoined upon him by this article as collector of the assessments.

(c) It shall be the duty of the city clerk to keep an accurate account of all such collections made by him and to pay to the city treasurer daily the amounts of the assessments collected by him. The amounts so collected and paid to the city treasurer shall constitute a separate special fund to be used and applied to the payment of such bonds and the interest thereon, as herein provided.

(d) It shall be the duty of the city clerk promptly after the date of maturity of such installment or interest and on or before the fifteenth day of September in each year to certify the installment and interest then due to the county treasurer of the county in which the city is located. All installments, together with interest, so certified to the county treasurer and all installments, together with

interest, of all assessments levied by the board of county commissioners shall be by the county treasurer placed upon the November delinquent tax list of the same year prepared by the treasurer of such county, and collected as other delinquent taxes are collected.

(e) It shall be the duty of the county treasurer to collect such installments of assessment, together with interest and penalty, as herein provided, but any taxpayer shall have the right to pay his ad valorem taxes to the county treasurer regardless of the delinquency of such assessments; and within thirty (30) days from the receipt of such delinquent assessments, interest and penalty, so certified to the city and so collected by the county treasurer, the same shall be paid by the county treasurer to the city treasurer for disbursement in accordance with the provisions of this article. Upon the receipt of installments, together with interest or penalty, or both, of those assessments levied by the board of county commissioners the county treasurer shall retain the same in a special fund for disbursement in accordance with the provisions of this article.

Laws 1968, c. 415, § 1326, operative July 1, 1968. d

§69-1327. Enforcement of assessment.

(a) The holder of any improvement bond issued under the provisions of this article shall have the right to institute, in the name of the city or county issuing such bond, an action in the district court of the county in which such property is located to foreclose the lien of such assessment whenever the assessment or any installment thereof is delinquent at least for a period of twelve (12) months. Such petition shall state generally the ownership of the bond, describe the property assessed, the nature of the improvement, the amount of the unpaid delinquent assessment and penalty thereon at the rate of twelve percent (12%) per annum, and shall pray for the foreclosure of the lien.

(b) Summons shall be issued on such petition as in other civil actions and the cause tried by the district court. Judgment may be entered thereon for the amount of such unpaid assessment or installment, together with interest thereon at the rate of twelve percent (12%) per annum from the date the assessment or installment was due and payable up to the time of the institution of such action and for the sum of six percent (6%) interest on the judgment from the time of the institution of the action until the judgment is paid.

(c) In the event the judgment, together with interest and costs, is not paid within six (6) months after the date of the rendition thereof, an order of sale shall issue by the clerk of the court, directed to the sheriff of the county, to sell the real estate in manner and form as in case of sale of real estate under execution. The judgment shall carry the costs of the action, together with the costs of the sale; and upon the payment of the judgment, the amount

thereof exclusive of such costs shall be paid to the city or county treasurer, as appropriate, and become a part of the separate, special fund to pay such outstanding bonds and interest thereon. The judgment shall provide for the sale of the real estate subject to existing general or ad valorem taxes and assessments. All owners or incumbrancers shall be made parties defendant in the suit. Upon the institution of an action to collect delinquent and unpaid assessments in any district against property liable therefor, no other or further action shall be instituted and maintained to collect such delinquent assessment against the property for the year. No statute of limitation shall commence to run until one (1) year after the maturity of the last installment of the assessment. Laws 1968, c. 415, § 1327, operative July 1, 1968.

§69-1328. Setting aside assessments - Limitations.

(a) No suit shall be sustained to set aside any assessment or to enjoin the governing body of any city or the board of county commissioners from levying or collecting any such assessment or installment thereof or interest or penalty thereon, or issuing the bonds, or providing for their payment or contesting the validity thereof on any ground, or for any reason, other than for failure of such governing body or such board to adopt and publish the resolution declaring the necessity for the improvements and publication thereof, and to give notice of the hearing on the return of the appraisers unless the suit shall be commenced not more than fifteen (15) days after the date of the last publication of the ordinance levying assessments.

(b) No suit shall be sustained after the work has been completed and accepted by the city or county except for failure to give such notice of the preliminary resolution of necessity or failure to give the notice of the hearing on such return of the appraisers.

(c) However, in the event any special assessment shall be found to be invalid or insufficient in whole or in part, for any reason whatever, the governing body or board of county commissioners may at any time in such manner provided for levying an original assessment proceed to cause a new assessment to be made and levied, which shall have like force and effect as an original assessment.

Laws 1968, c. 415, § 1328, operative July 1, 1968.

§69-1329. Accepting improvements.

Upon the completion of the improvement, the governing body of the city or the board of county commissioners shall determine whether or not such work has been completed in accordance with the plans, profiles, specifications and contract therefor, and if found to be in compliance therewith, shall accept the same; and when it is so accepted, such action shall be conclusively binding upon all persons interested and upon the Court.

Laws 1968, c. 415, § 1329, operative July 1, 1968.

§69-1330. Payment of cost of acquiring right-of-way.

Any county or city shall have authority to pay all or any part of the cost of acquiring all or any part of any right-of-way necessary for the establishment of any such "limited access facilities" out of general funds or the proceeds of bonds voted for such purpose, whether such right-of-way is within or without the corporate limits of any such city; provided such limited access facility or part thereof shall have been previously designated by the board of county commissioners and the county planning commission of such county, or by the governing body of the city and the city planning commission of the city, as the case may be, or by all the same, as a necessary part of a comprehensive plan for a system of streets or highways for the adequate movement of traffic in, out, through or around such county or city.

Laws 1969, c. 415, § 1330, operative July 1, 1968.

§69-1331. Powers of state and governing bodies.

Within their respective jurisdictions, the State of Oklahoma through the Commission, and the governing body of every city within the provisions of this article, and the board of county commissioners of each county, acting alone, or in cooperation with any federal, state, county or city agency having authority to participate in the construction or maintenance of highways, shall have authority to plan, designate, establish, regulate, vacate, alter, improve, maintain and provide limited access facilities; and may designate the whole or any part or parts thereof as parkways, or as heavy traffic highways, or may otherwise limit or specify the type of traffic entitled to use the same. For the purposes of this article, each city within the provisions of this article, and every county within the state, shall have authority to acquire property and rights-of-way for limited access facilities by gift, devise, purchase or condemnation in the same manner as may be authorized by law for the acquisition of such property or property rights for highways and streets within their respective jurisdictions. The decision by any such governing body that any such limited access facility constructed, or to be constructed, is a public utility shall be final and conclusive.

Laws 1968, c. 415, § 1331, operative July 1, 1968.

§69-1401. Use of highways, rights-of-way and easements by public utility or cable television system - Consent, terms and conditions - Definitions.

A. Any public utility, or cable television system, not otherwise authorized to do so, lawfully operating or doing business in the State of Oklahoma shall have the right to use the public roads and

highways of this state, including the right-of-way and all easements pertaining thereto, as provided for in this section.

B. The use of the public roads and highways by such public utility or cable television system shall be for the purpose of erecting poles and posts, attaching equipment, wires and fixtures thereto and laying pipes and conduits under the surface thereof. All poles, wires, fixtures, pipes and conduits shall be erected, placed, adjusted or laid and maintained only after obtaining the consent pursuant to rules promulgated by the Department of Transportation as to the state highway system, and the boards of county commissioners of the various counties as to roads and highways under their jurisdiction. Provided, however, in the event a utility or cable television system which has facilities located on private easements is included within the public right-of-way as a result of construction, reconstruction, improvement or other modification, it shall be granted prior rights, as defined below. Such utility or cable television system, which complies with the Underground Damage Prevention Act shall not be liable for damages to any other utility, which locates facilities within the area encompassed, to the extent practicable without interfering with or endangering the public in the use of its roads and highways, by the private easements of the public utility or cable television system included within the public right-of-way, as a result of the operation, maintenance or repair of such utility's or cable television system's facilities. The term "prior rights" as used in this section refers to a situation involving a utility company that was located on private easements which are later encompassed by the state's right-of-way. When a utility company is in private easements which are acquired or encompassed by the right-of-way of the Department, it is given a choice of relocating their conflicting facilities into a public right-of-way or acquiring a new private easement and relocating onto it. Either of said relocations shall be at the expense of the Department. Whenever a utility company relocates into a public right-of-way, the utility company shall have prior rights. If a subsequent relocation is required by the Department, the utility company shall be given a choice to relocate onto public easements or to relocate into a private right-of-way, and both will be at the expense of the Department. The utility shall have prior rights for any subsequent relocation requested by the Department. If a public utility or cable television system elects to relocate its facilities to a newly acquired private right-of-way, the utility shall forfeit all rights and claims in its easements to the extent such easements are now contained in the public right-of-way as a result of construction, reconstruction, improvement, or other modification. Nothing in this section shall be construed to grant the right to use the streets or other places of any municipality of this state without the consent of the municipality. Provided, further, that the boards of county

commissioners may grant to any citizen the right to lay pipes and conduits under the surface of any road or highway under their jurisdiction, subject to such rules, regulations and conditions as shall be prescribed by the board of county commissioners. Nothing in this section shall be construed to limit any rights granted by other provisions of law. All poles, wires, posts, conduits and equipment shall be erected, placed, adjusted, laid, constructed and maintained so as not to inconvenience or endanger the public in the use of its roads and highways and shall conform to all applicable provisions of the National Electrical Safety Code approved by the American National Standards Institute, in effect at the time of such erection, placement, adjustment, or construction.

Public utilities or cable television systems shall completely repair or replace any damage, injury or other change to public roads or highways or rights-of-way of this state or any county or municipality which would inconvenience or endanger the public which are caused by the erection, placement, adjustment, construction or maintenance of any public utility or cable television system poles, wires, posts, conduits or other equipment. Nothing in this act shall be interpreted to impair the right of recovery against any third party for such damage or injury.

C. The failure of any public utility or cable television system to construct or maintain its poles, wires, conduits, pipe lines and equipment upon or under such public highways in full compliance with the rules promulgated by the Department of Transportation or the board of county commissioners, including placement of its poles, wires, conduits, pipe lines and equipment, shall forfeit the right of the utility or cable television system to use the public highway or highways, and the utility or cable television system may thereupon be ousted from the use of the highway.

D. "Public utility" and "cable television systems" as used in this section and in Sections 1402 and 1403 of this title shall be defined as a person, corporation, association, limited liability company or partnership, company, or any other form of entity organized and existing or domesticated under the laws of this state, and whose users lie within the State of Oklahoma. Such terms as used in this section and Sections 1402 and 1403 of this title specifically shall not apply to persons, corporations, associations, limited liability companies or partnerships, companies, or any other form of entity which obtains status through the Corporation Commission as a public utility, but whose end users are not within the State of Oklahoma.

Added by Laws 1968, c. 415, § 1401, operative July 1, 1968. Amended by Laws 1980, c. 121, § 1; Laws 1985, c. 274, § 1, emerg. eff. July 18, 1985; Laws 2004, c. 137, § 1, emerg. eff. April 20, 2004.

§69-1402. Interference with public use by public utilities forbidden.

The rights granted pursuant to this act shall not be exercised as to interfere with the free and ordinary use of public highways or the exercise of the rights of other public utilities lawfully located on the highways. The Corporation Commission shall have authority to hear and determine all complaints and controversies involving any interference with public rights, or the right of other public service concerns in connection with the exercise of the rights and authority granted to public utilities, pursuant to this act and fix reasonable terms and conditions to be complied with by the respective parties. Proceedings on complaints pursuant to this act shall be upon notice and subject to the right of appeal as in other cases where notice and right of appeal is granted under the laws of this state and the Department of Transportation shall be given notice of any complaint filed or hearing set, and shall have the right to appear on all related issues.

Added by Laws 1968, c. 415, § 1402, operative July 1, 1968. Amended by Laws 2004, c. 137, § 2, emerg. eff. April 20, 2004.

§69-1403. Public utilities on state highways - Notice of improvement or construction of highway - Location and removal of facilities.

A. The location and removal of all telephone, telegraph, electric light and power transmission lines, poles, wires and conduits, water, sewers and all pipelines erected, constructed or in place upon, across or under any state highway shall be under the control and supervision of the Department of Transportation; and the location and removal of any facility placed under rights granted hereunder on county highways shall be under the jurisdiction of the particular board of county commissioners involved insofar as same affects the public travel or interferes with the construction and maintenance of such highway.

B. Prior to conducting the design survey for a proposed improvement, construction, or reconstruction of a highway, the authority having jurisdiction over the highway shall notify any person, firm, or corporation overseeing the operating or maintaining of any facility within the proposed project boundaries. Upon receipt of notice or from a date specified in the notice, the person, firm, or corporation shall have ten (10) days to locate and mark the facilities.

C. Whenever the authority having jurisdiction over a particular highway plans an improvement or construction or reconstruction of the highway, and before the work is started, it shall serve a written notice upon the person, firm or corporation owning or maintaining any such facility, which notice shall contain a plan or chart indicating the places on the right-of-way where the facilities may be maintained. The notice shall state the time when the work of

improving the highway is proposed to commence, and a reasonable time shall be allowed to the owner of the facility to remove and relocate its property. The effect of any change ordered by the public authority shall not be to exclude the facilities from the right-of-way of highways.

D. The removal and relocation of all the facilities located within the public right-of-way prior to the planned improvement, construction or reconstruction shall be made at the cost and expense of the owners, unless otherwise provided by law or order of the Department of Transportation, and in the event of the failure of such owners to remove the same at the time set out in the notice, they may be removed by the public authority and the cost of the removal collected from the owners, and the authority shall not be liable in any way to any person for the locating or relocating of the facilities at the places prescribed. Any corporation or association, or the officers or agents of such corporation or association, or any other person who shall erect or maintain any such lines, poles, wires, conduits, pipelines, equipment or other facilities within the right-of-way of such highways in a manner not in complete accordance with the orders of the respective public authority shall be deemed guilty of a misdemeanor.

E. The Department of Transportation may promulgate such rules as it may deem necessary for the planting of trees and shrubbery and parking along such state highways.

F. Rural water districts, nonprofit water corporations, and municipal public water systems in municipalities with a population of ten thousand (10,000) or less, according to the latest Federal Decennial Census, or their beneficial trusts shall be exempt from the payment of the costs and expenses for the removal and relocation of water and sewer pipelines and all such facilities constructed or in place in the public right-of-way when the removal and relocation of such facilities is necessary for the improvement, construction or reconstruction of any road or highway which is part of the state highway system or turnpike project as defined in subsection A of Section 501 and Section 1705 of this title. Any costs and expenses, including any unpaid on July 1, 1990, shall be paid by the public authority having jurisdiction over the particular road or highway. Added by Laws 1968, c. 415, § 1403, operative July 1, 1968. Amended by Laws 1990, c. 137, § 1, operative July 1, 1990; Laws 2004, c. 137, § 3, emerg. eff. April 20, 2004; Laws 2007, c. 63, § 1, eff. Nov. 1, 2007.

§69-1501. State Highway Construction and Maintenance Fund.

(a) All monies received by taxation or otherwise for use on the state highways of this state shall, unless otherwise provided by law, be placed in the State Treasury in a fund to be known as the State Highway Construction and Maintenance Fund. The fund shall also

consist of revenues specifically apportioned to such fund by provisions of the Oklahoma Statutes.

(b) All monies remaining in the State Highway Construction and Maintenance Fund created by 69 O.S. 1961, Section 44(d), when this Code becomes effective, and all other assets thereof, and all taxes, revenue and other funds payable to or required to be deposited in such fund under the provisions of other laws when this Code becomes effective, shall be transferred to, be deposited in and be a part of the State Highway Construction and Maintenance Fund created by this section; and the latter fund shall be liable for the payment of all outstanding obligations existing against the former fund.

(c) Of the monies deposited in the State Highway Construction and Maintenance Fund pursuant to the apportionment of Motor Fuels Tax Fees provided in Section 1 of this act, the lesser of Ten Thousand Dollars (\$10,000.00) and one and one-half percent (1 1/2%) of such monies may be used for the development and maintenance of alternative fuel corridors as defined by the Federal Highway Administration. Added by Laws 1968, c. 415, § 1501, operative July 1, 1968. Amended by Laws 2017, c. 347, § 2, eff. Nov. 1, 2017.

§69-1501.1. State Transportation Fund.

A. There is hereby created in the State Treasury a revolving fund to be designated as the "State Transportation Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of revenues apportioned to such fund by provisions of the Oklahoma Statutes imposing taxes upon various motor fuels and of such other revenues as may be provided by law.

B. All monies accruing to the credit of the State Transportation Fund are hereby appropriated and shall be used for the construction, repair and maintenance of state highways; for other transportation systems; and for such other transportation purposes as the Legislature may authorize.

Added by Laws 1989, 1st Ex. Sess., c. 1, § 5, eff. July 1, 1990. Amended by Laws 2006, 2nd Ex. Sess., c. 45, § 10, eff. July 1, 2006.

§69-1502. Authorized expenditures of funds and money.

All funds appropriated to the Department of Transportation and all funds credited to the State Highway Construction and Maintenance Fund and all funds received from the United States Government under contracts with the Federal Highway Administration are to be used and expended by the Department to pay: Legal obligations in the operation of the Department and the Commission, and in the construction and maintenance of roads and highways; the expenses of operating and maintaining the state highway system; expenses incurred in constructing, repairing, and maintaining state highways, farm-to-market roads and county highways as authorized by law; matching federal funds for the annual Federal Highway Administration

allocation to the Center for Local Government Technology at Oklahoma State University for the Federal Highway Administration Rural Technical Assistance Program, up to seventy-five percent (75%) of the amount of funding the state is required to provide; necessary and convenient items not specifically mentioned herein; salaries, wages, and lawful expenses of the members of the Commission, the Director, the Departmental employees, the attorneys and other professional help of the Department; for the purchase of office supplies, furniture, fixtures, and equipment; for the construction, maintenance, and repair of needed warehouses, garages, division headquarters, and other needed buildings; for premiums on bonds, workers' compensation insurance, public liability and property damage insurance; for the purchase of materials, tools, machinery, motor vehicles, and equipment necessary or convenient in the operation of the Department and construction and maintenance of roads and highways; for witnesses' fees, sheriffs' mileage, and publication cost in actions to appropriate right-of-way, land or materials needed in the construction or maintenance of roads and highways; any expenses which may be necessary or convenient in constructing and maintaining roads and highways and in accomplishing the purposes for which the Commission and the Department were created; for the acquisition by purchase of right-of-way and land and relocation assistance to persons displaced as a result of such acquisition; as shall be provided by commission regulations which shall not exceed in amount similar assistance provided by federal law and regulations, provided further that (1) all payments received by persons displaced by reason of this act are not to be considered as income for state income tax purposes; (2) nothing in this act shall be construed as creating in any condemnation proceeding brought under the power of eminent domain, any element of value or damage not in existence immediately prior to the date of enactment of this act; (3) all final determinations made by the Commission as to a person's eligibility for, or the amount of any benefit payable by reason of this act, shall be determinative and not subject to judicial review; any final judgment rendered by a court of competent jurisdiction in eminent domain proceedings for the taking or damaging of real or personal property for which the state is liable; for the expense of audit as provided by law and for the satisfaction of any and all lawful claims or demands of whatsoever kind or character arising out of contracts with or judgments rendered against the Commission or the State of Oklahoma as a result of the construction and maintenance of roads and highways; and other expenses authorized by law. Amended by Laws 1988, c. 289, § 17, operative July 1, 1988; Laws 1989, 1st Ex.Sess., c. 1, § 18, eff. July 1, 1990.

§69-1502.1. Death traps on highways - Expenditures to eliminate.

From and after the effective date of this act, the Oklahoma Highway Commission shall expend a sum not less than One Million Dollars (\$1,000,000.00) each fiscal year, exclusive of the highway maintenance fund, for the projects designed for widening, resurfacing and eliminating death traps on the roads and highways of Oklahoma. "Death traps", as used in this act, shall mean those conditions of the roads and highways of this state so impaired or hazardous as to constitute a threat to the safety of persons or property traveling over or upon such roads or highways.
Laws 1968, c. 276, § 1, emerg. eff. April 30, 1968.

§69-1503. Money for use on county roads - County highway fund.

(a) All monies raised for use on the county highways in each county, or apportioned to each county for road purposes, from any source, including all funds and monies derived by law, levy, taxation, or apportionment shall, unless otherwise provided by law, be placed in the county treasury in a fund to be known as the county highway fund, to be expended on order of the board of county commissioners on county highways as defined herein, or on state highways within their respective counties including the lighting thereof, if, in the judgment of the board of county commissioners, such expenditure would be just and equitable and for the best interest of the county.

(b) When state or federal funds are available for assistance in constructing county roads or bridges, the board of county commissioners of any county may place on deposit with the commission such funds from the county highway fund, special highway funds and proceeds of county bond issues as may be necessary to obtain such state or federal funds, and the commission shall have authority to accept such county funds and bond monies and to use the same for the construction of county roads or bridges in the county depositing the funds, pursuant to contract agreement with the board of county commissioners of such county; provided, that the proceeds of any county bond issue so deposited with the commission may be used by the commission only for the designated purposes for which the bonds were issued.

(c) All monies remaining in a county highway fund created by 69 O.S. 1961, Section 44(e), and all other assets thereof, and all taxes, revenue and other funds payable to or required to be deposited in such fund under the provisions of other laws, when the Oklahoma Highway Code of 1968 becomes effective, shall be transferred to, be deposited in and be a part of the county highway fund created by this section in the same county; and the latter fund shall be liable for the payment of all outstanding obligations existing against the former fund.

(d) Expenditures allowed from the county highway fund may include the removal and disposal of storm debris and dead animal carcasses from county roads and rights-of-way thereof. Added by Laws 1968, c. 415, § 1503, operative July 1, 1968. Amended by Laws 1977, c. 19, § 1, eff. May 20, 1977; Laws 2016, c. 193, § 1, eff. Nov. 1, 2016.

§69-1504. Street improvement assessments - Payment from fund authorized.

The Commission, upon the filing of a claim as hereinafter provided, may pay and discharge out of funds accruing in the State Highway Construction and Maintenance Fund any and all matured or delinquent installments of special assessments for street improvements which were levied against and constituted a lien upon any real property acquired by the Commission for any purpose at the time of the acquisition thereof, provided such assessments constitute a valid lien upon the property at the time of the payment thereof which, except for the immunity of the state from suit, could be enforced in the manner provided for the enforcement of such liens. Laws 1968, c. 415, § 1504, operative July 1, 1968.

§69-1505. Claims - Filing - Itemization - Copy of proceedings - Claims not paid when collecting officers parties to condemnation proceedings.

(a) Claims for the payment of matured or delinquent installments of special assessments by the Commission in accordance with the provisions of the preceding section shall be filed with the Commission by the treasurer of the municipality in which the property is located, or the county treasurer if the installments have been certified as delinquent.

(b) Such claims shall be itemized so as to show the installment or installments due and delinquent, the amount and date of the original assessment, the special improvement district in which the property is located, and the balance of the assessment due thereon and such other information as the Commission may require.

(c) Upon the request of the Commission, the treasurer filing the claim shall furnish the Commission with a true and correct copy of the proceedings by which the district was created and assessment levied.

(d) No claim for payment of delinquent street improvement assessments shall be paid in cases where the property was acquired by condemnation and the bondholders or the officer or officers authorized by law to collect such installments or assessments were made parties defendant and served with notice. Laws 1968, c. 415, § 1505, operative July 1, 1968.

§69-1506. Printing service change Fund.

(a) The Commission may provide a special cash fund within the Printing Services Section of the Department to be identified as the printing service change fund, which shall be available for the purpose only of making change when payments are tendered for services of such section. The printing service change fund shall be maintained at a constant daily balance of Two Hundred Dollars (\$200.00) cash on hand.

(b) All monies remaining in the Printing Service Change Fund provided for by Section 1 of Chapter 285, Oklahoma Session Laws 1965 (69 O.S. Supp. 1967, Section 92d), when this Code becomes effective shall be transferred to and be a part of the fund provided for by this section.

Laws 1968, c. 415, § 1506, operative July 1, 1968.

§69-1507. Budget estimates - Road programs.

The Department shall file budget estimates with the Director of the Office of Management and Enterprise Services in the manner prescribed and at the time required by law, for each fiscal year of the ensuing biennium following each regular session of the Legislature. Planning of road programs shall be on a fiscal year basis and shall show the estimated amount of revenue available to finance such budget from existing revenue laws.

Added by Laws 1968, c. 415, § 1507, operative July 1, 1968. Amended by Laws 2012, c. 304, § 581.

§69-1508. Reimbursement of contractors for city sales taxes paid.

The State Highway Department is hereby authorized to make reimbursement, from the State Highway Construction and Maintenance Fund in the State Treasury, to contractors who have been, or who may hereafter be, awarded construction or repair contracts for state highway projects and become subject to a city sales tax when such tax became effective following award of a contract. Any such contractor shall submit to the State Highway Department copies of invoices of taxes paid, the project number and the materials invoice that became subject to a city sales tax. The State Highway Department, after a review of the file, shall issue a voucher of payment to the contractor for the monies spent to satisfy the payment by the contractor of the city sales tax.

Laws 1968, c. 126, § 1, emerg. eff. April 4, 1968.

§69-1509. Payment for auditing accounts of State Department of Transportation.

Payment to the State Auditor and Inspector for each fiscal year, from funds accruing to the State Highway Construction and Maintenance Fund, for auditing accounts of the State Department of Transportation, shall not exceed one-tenth of one percent (1/10 of

1%) of the total warrants issued by the State Department of Transportation during the previous fiscal year. Laws 1978, c. 274, § 11, emerg. eff. May 10, 1978; Laws 1979, c. 288, § 14, emerg. eff. June 7, 1979.

§69-1510. Special maintenance projects - Performing and carrying out.

Special maintenance projects under Five Hundred Thousand Dollars (\$500,000.00) may be performed and carried out by state special maintenance crews, who may also carry out projects above said amount, if in the judgment of the Transportation Commission the same shall be in the best interests of the State of Oklahoma, except that special maintenance projects involving asphaltic material overlay may be let to contract if the same shall be in the best interests of the state in the judgment of the Commission.

Added by Laws 1978, c. 274, § 12, emerg. eff. May 10, 1978. Amended by Laws 1991, c. 258, § 11, operative July 1, 1991; Laws 2006, c. 218, § 1, emerg. eff. June 6, 2006; Laws 2014, c. 352, § 1, eff. Nov. 1, 2014.

§69-1511. Encumbering matching funds.

Except for the highway funding program set forth in this act, of the monies accruing to the State Highway Construction and Maintenance Fund and dedicated for matching federal funds and for state-aid project contracts, not less than six percent (6%) shall be allocated and encumbered in any one commissioner's district. All highway projects listed on the five-year plan for transportation facilities developed to meet present and future needs of this state shall be subject to the allocation set forth in this section.

Added by Laws 1978, c. 274, § 13, emerg. eff. May 10, 1978. Amended by Laws 1997, c. 329, § 2, eff. July 1, 1997.

§69-1512. Total expenditure limitation for fiscal year.

No obligation shall be incurred by the Department of Transportation against the State Highway Construction and Maintenance Fund during any fiscal year in excess of the total amount of monies accruing to said fund during such fiscal year. Construction contracts and purchase orders issued by the Department of Transportation, setting forth the actual or estimated cost of construction as consideration for the cost of work to be done or services, supplies and equipment to be furnished, shall constitute obligations within the meaning of this act. Monthly, bimonthly or weekly payrolls of the Department of Transportation shall constitute current charges and shall become obligations against the State Highway Construction and Maintenance Fund at the time the payrolls are filed with the Director of the Office of Management and Enterprise Services for payment.

Added by Laws 1978, c. 274, § 14, emerg. eff. May 10, 1978. Amended by Laws 2012, c. 304, § 582.

§69-1513. Application of Oklahoma Budget Law of 1947.

To prevent obligations being incurred in excess of the revenue to be collected during any fiscal year, all monies accruing to the State Highway Construction and Maintenance Fund shall be subject to the provisions of the Oklahoma Budget Law of 1947.

Added by Laws 1978, c. 274, § 15, emerg. eff. May 10, 1978.

§69-1521. Rebuilding Oklahoma Access and Driver Safety Fund.

A. There is hereby created in the State Treasury a fund to be known as the "Rebuilding Oklahoma Access and Driver Safety 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. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended each fiscal year by the Department of Transportation for the purposes authorized by subsection G of this section. Expenditures from the 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. Beginning July 1, 2019, except for an amount equivalent to the amount of revenue apportioned to the Rebuilding Oklahoma Access and Driver Safety Fund pursuant to Section 6 of Enrolled House Bill No. 1010 of the 2nd Extraordinary Session of the 56th Oklahoma Legislature and Section 1104 of Title 47 of the Oklahoma Statutes, there shall be apportioned to the funds specified in this subsection from the monies that would otherwise be apportioned to the General Revenue Fund by Section 2352 of Title 68 of the Oklahoma Statutes from the revenues derived pursuant to subsections A, B and E of Section 2355 of Title 68 of the Oklahoma Statutes amounts as follows:

1. For each fiscal year, subject to the provisions of paragraph 3 of this subsection, and, except for the amount prescribed by subparagraph a of this paragraph, subject to any reductions required by subsection F of this section, there shall be apportioned to the Rebuilding Oklahoma Access and Driver Safety Fund:

- a. for the fiscal year beginning July 1, 2011, the first Thirty-five Million Seven Hundred Thousand Dollars (\$35,700,000.00), for the fiscal year beginning July 1, 2012, the first Forty-one Million Seven Hundred Thousand Dollars (\$41,700,000.00) and for the fiscal year beginning July 1, 2013, and for each fiscal year thereafter, Fifty-nine Million Seven Hundred Thousand Dollars (\$59,700,000.00), which shall be allocated and used by the Department of Transportation first for the

purpose of making any required payments for principal, interest or other costs of borrowing with respect to the obligations issued pursuant to Section 341 of Title 73 of the Oklahoma Statutes and after any such required payment has been made then for the purposes otherwise authorized by this section, plus

- b. the total amount apportioned to the Rebuilding Oklahoma Access and Driver Safety Fund for the preceding fiscal year which, except for the amount prescribed by subparagraph a of this paragraph, shall be apportioned before any other amount is apportioned pursuant to Section 2352 of Title 68 of the Oklahoma Statutes, plus
- c. an additional incremental amount which shall not be in excess of the amount prescribed by subparagraph a of this paragraph and that is required in order for the total apportionment to the Rebuilding Oklahoma Access and Driver Safety Fund from all sources for such fiscal year to equal Five Hundred Seventy-five Million Dollars (\$575,000,000.00).

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

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

- a. the next Two Million Dollars (\$2,000,000.00) shall be apportioned to the Oklahoma Tourism and Passenger Rail Revolving Fund created pursuant to Section 325 of Title 66 of the Oklahoma Statutes to be used for capital and operating costs for the "Heartland Flyer" rail project, and
- b. the next Three Million Dollars (\$3,000,000.00) shall be apportioned to the Public Transit Revolving Fund created pursuant to Section 4031 of this title to be used for purposes authorized by law other than the purpose described by subparagraph a of this paragraph.

All amounts apportioned pursuant to this paragraph shall be divided into twelve equal amounts to be apportioned each month during the fiscal year; and

3. For each fiscal year after the first fiscal year in which the total apportionment to the Rebuilding Oklahoma Access and Driver Safety Fund as provided by paragraph 1 of this subsection and from other sources equals Five Hundred Seventy-five Million Dollars (\$575,000,000.00), an amount in addition to the amount prescribed by subparagraph a of paragraph 1 of this subsection collected pursuant

to subsections A, B and E of Section 2355 of Title 68 of the Oklahoma Statutes and apportioned pursuant to Section 2352 of Title 68 of the Oklahoma Statutes that would otherwise be apportioned to the General Revenue Fund if needed shall be apportioned to the Rebuilding Oklahoma Access and Driver Safety Fund which in conjunction with all other funds apportioned to the Rebuilding Oklahoma Access and Driver Safety Fund by law for such fiscal year shall equal Five Hundred Seventy-five Million Dollars (\$575,000,000.00). With the exception of the amount prescribed by subparagraph a of paragraph 1 of this subsection, all amounts apportioned pursuant to this paragraph shall be divided into twelve equal amounts to be apportioned each month during the fiscal year.

C. The apportionments of revenues required by subparagraphs a, b and c of paragraph 1 of subsection B of this section shall be made until the total annual apportionment from such sources in addition to the apportionments made pursuant to Section 6 of Enrolled House Bill No. 1010 of the 2nd Extraordinary Session of the 56th Oklahoma Legislature and Section 1104 of Title 47 of the Oklahoma Statutes to the Rebuilding Oklahoma Access and Driver Safety Fund equals Five Hundred Seventy-five Million Dollars (\$575,000,000.00). After such annual apportionment level is reached, the apportionment to the fund shall be governed by the provisions of paragraph 3 of subsection B of this section; provided, that in no event shall the total amount apportioned to the Rebuilding Oklahoma Access and Driver Safety Fund in any fiscal year exceed Five Hundred Seventy-five Million Dollars (\$575,000,000.00). Any amounts in excess of such limitation shall be placed to the credit of the General Revenue Fund.

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

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

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

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

1. Subparagraph a of paragraph 1 of subsection B of this section, only to the extent that the amount is not required for debt service related to the obligations authorized pursuant to Section 341 of Title 73 of the Oklahoma Statutes;

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

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

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

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

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

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

4. Matching federal funds;

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

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

7. Debt service incurred on or after July 1, 2009, with respect to obligations authorized to be issued pursuant to Section 341 of Title 73 of the Oklahoma Statutes.

H. From the monies allocated pursuant to the provisions of subparagraph a of paragraph 1 of subsection B of this section each fiscal year, the Department of Transportation shall make payments required for the payment of principal, interest and other costs related to the obligations issued by the Oklahoma Capitol Improvement

Authority as authorized by Section 341 of Title 73 of the Oklahoma Statutes and such payments shall be made by the Department each fiscal year before such monies are used for any other purpose. Added by Laws 2005, c. 444, § 1, eff. July 1, 2005. Amended by Laws 2006, 2nd Ex. Sess., c. 45, § 11, eff. July 1, 2007; Laws 2008, c. 285, § 3, eff. July 1, 2009; Laws 2010, c. 422, § 1, eff. July 1, 2010; Laws 2011, c. 323, § 1; Laws 2012, c. 346, § 1, eff. July 1, 2012; Laws 2013, c. 15, § 93, emerg. eff. April 8, 2013; Laws 2018, 2nd Ex. Sess., c. 18, § 1, eff. July 1, 2019.

NOTE: Section 4 of House Bill No. 1014, c. 18, of the 2nd Extraordinary Session of the 56th Oklahoma Legislature states that the provisions of this section shall be contingent upon the enactment of the provisions of House Bill No. 1010, c. 8, of the 2nd Extraordinary Session of the 56th Oklahoma Legislature. House Bill No. 1010 was signed by the Governor on March 29, 2018.

NOTE: Laws 2012, c. 304, § 583 repealed by Laws 2013, c. 15, § 94, emerg. eff. April 8, 2013.

§69-1600. Payment for costs of signage for naming highways and bridges.

A. The cost associated with signage related to the naming of highways and bridges on the state highway system shall be paid by the group sponsoring or requesting the sign. The provisions of this section shall not apply to the naming of highways and bridges on the state highway system designed to honor:

1. Members of the United States Armed Forces who were killed while participating in contingency operations;
2. Members of the Oklahoma Highway Patrol fallen in the performance of their duties;
3. Peace officers certified pursuant to Section 3311 of Title 70 of the Oklahoma Statutes fallen in the performance of their duties; and
4. First responders as defined by Section 1-2506.1 of Title 63 of the Oklahoma Statutes fallen in the performance of their duties.

B. As used in this section, the term "contingency operation" means a military operation that:

1. Is designated by the Secretary of Defense as an operation in which members of the armed forces are or may become involved in military actions, operations or hostilities against an enemy of the United States or against an opposing military force; or
2. Results in the call or order to, or retention on, active duty of members of the uniformed services under Section 688, 12301(a), 12302, 12304, 12304a, 12305 or 12406 of Title 10 U.S.C., Chapter 15 of Title 10 U.S.C., Section 712 of Title 14 U.S.C., or any other provision of law during a war or during a national emergency declared by the President or Congress.

C. The Department of Transportation shall promulgate rules establishing a procedure to assess and collect the cost of the signs. The assessment of cost shall include the cost of the initial erection of the sign as well as the potential replacement or reconstruction of the sign. The cost of these signs shall be based on an average of the cost of signs erected during the preceding fiscal year, as reported by the Department of Transportation.
Added by Laws 2011, c. 8, § 1, emerg. eff. April 4, 2011. Amended by Laws 2014, c. 369, § 9, eff. Nov. 1, 2014; Laws 2016, c. 257, § 1, eff. July 1, 2016; Laws 2017, c. 311, § 3, eff. Nov. 1, 2017.

§69-1600.1. Dedication in honor of those actively involved in project.

Highways, bridges, and other facilities which are part of the state highway system may be considered for dedication in honor of individuals deserving of commendation for their active involvement in the project or for outstanding service to the nation, this state, or their community. Persons proposed to be so honored shall have been deceased not less than three (3) years prior to consideration. The provisions of this section shall not apply to the naming of highways and bridges on the state highway system designed to honor members of the United States Armed Forces, members of law enforcement or firefighters fallen in the performance of their duties. The provisions of this section shall also not apply to the naming of highways and bridges on the state highway system designed to honor Medal of Honor recipients both living and deceased. Proposals for the dedication of state highway facilities should specifically state the accomplishments upon which the proposal is based.

Added by Laws 2013, c. 372, § 12, eff. Nov. 1, 2013. Amended by Laws 2015, c. 61, § 1, eff. July 1, 2015.

§69-1600.2. Choctaw Code Talkers Bridge Naming Program Act.

A. This section shall be known and may be cited as the "Choctaw Code Talkers Bridge Naming Program Act".

B. The program shall be administered by the Oklahoma Department of Transportation.

C. The following bridges are hereby designated to recognize the service, valor and dedication of the Choctaw Code Talkers of World War I and World War II:

1. The bridge located on U.S. Highway 270 over Mountain Creek west of Wister in LeFlore County shall be designated for Albert Billy, WWI Choctaw Code Talker;
2. The bridge located on State Highway 3 approximately one and three-tenths (1.3) miles east of the intersection of State Highway 3 and County Road N4495 in McCurtain County shall be designated for Mitchell Bobb, WWI Choctaw Code Talker;
3. The bridge located on State Highway 3 approximately two thousand (2,000) feet west of the town of Oleta in Pushmataha County shall be designated for Victor Brown, WWI Choctaw Code Talker;
4. The bridge located on U.S. Highway 259 approximately five and three-quarter (5.75) miles south of Smithville in McCurtain County shall be designated for Ben Carterby, WWI Choctaw Code Talker;
5. The bridge located on U.S. Highway 70 approximately six hundred (600) feet west of the intersection of U.S. Highway 70 and County Road N3770 in Bryan County shall be designated for Ben Colbert, WWI Choctaw Code Talker;
6. The bridge located on State Highway 3 over Beaver Creek east of Antlers in Pushmataha County shall be designated for George E. Davenport, WWI Choctaw Code Talker;
7. The bridge located on State Highway 3 over Dumpling Creek east of Antlers in Pushmataha County shall be designated for Joseph H. Davenport, WWI Choctaw Code Talker;
8. The bridge located on State Highway 3 over Boktuklo Creek west of Broken Bow in McCurtain County shall be designated for James M. Edwards, WWI Choctaw Code Talker;
9. The bridge located on U.S. Highway 70 over Raymond Gary Lake in Choctaw shall be designated for Tobias W. Frazier, WWI Choctaw Code Talker;
10. The bridge located on U.S. Highway 70 over Sulphur Creek at the intersection of U.S. Highway 70 and County Road E2078 in Bryan County shall be designated for Benjamin Hampton, WWI Choctaw Code Talker;
11. The bridge located on U.S. Highway 259 crossing over Eagle Fork Creek approximately one-half (0.5) mile south of Smithville in McCurtain County shall be designated for Noel Johnson, WWI Choctaw Code Talker;
12. The bridge located on State Highway 48 over Sincere Creek in eastern Pontotoc County shall be designated for Otis Leader, WWI Choctaw Code Talker;
13. The bridge located on U.S. Highway 259 over Yanubbee Creek north of Broken Bow in McCurtain County shall be designated for Solomon Bond Louis, WWI Choctaw Code Talker;
14. The bridge located on State Highway 7 over Pennington Creek in central Johnston County shall be designated for Pete Maytubby, WWI Choctaw Code Talker;

15. The bridge located on northbound State Highway 3 approximately two thousand three hundred (2,300) feet north of the State Highway 3 bridge over Little River in McCurtain County shall be designated for Jeff Nelson, WWI Choctaw Code Talker;

16. The bridge located on State Highway 98 over Horsepen Creek five and two-tenths (5.2) miles southwest of the intersection of State Highway 3 in McCurtain County shall be designated for Joseph Oklahombi, WWI Choctaw Code Talker;

17. The bridge located on southbound State Highway 3 approximately two thousand three hundred (2,300) feet north of the State Highway 3 bridge over Little River in McCurtain County shall be designated for Robert Taylor, WWI Choctaw Code Talker;

18. The bridge located on the U.S. Highway 70 Bypass over Old Highway 70 east of Durant in Bryan County shall be designated for Charles Walter Veach, WWI Choctaw Code Talker;

19. The bridge located on U.S. Highway 70 at the intersection of U.S. Highway 70 and County Road N4750 east of Broken Bow in McCurtain County shall be designated for Calvin Wilson, WWI Choctaw Code Talker;

20. The bridge located on State Highway 113 approximately one and one-quarter (1.25) miles south of the intersection of State Highway 113 and County Road E1368 in Pittsburg County shall be designated for Forrester Baker, WWII Choctaw Code Talker;

21. The bridge located on State Highway 1 approximately one thousand eight hundred (1,800) feet west of the intersection of State Highway 1 and the Indian Nation Turnpike in Pittsburg County shall be designated for Schlicht Billy, WWII Choctaw Code Talker;

22. The bridge located on State Highway 1 approximately one and six-tenths (1.6) miles west of the intersection of State Highway 1 and the Indian Nation Turnpike in Pittsburg County shall be designated for Andrew Perry, WWII Choctaw Code Talker; and

23. The bridge on State Highway 31 at the eastern municipal limits of Krebs shall be designated for Davis Pickens, WWII Choctaw Code Talker.

D. The Department shall cause suitable permanent markers bearing the names listed pursuant to subsection C of this section to be placed upon the corresponding bridges designated in subsection C of this section.

Added by Laws 2017, c. 216, § 1, eff. Nov. 1, 2017. Amended by Laws 2018, c. 307, § 4, eff. July 1, 2018.

§69-1601. Dedication of Highway No. 77 as Memorial Highway.

U. S. Highway No. 77 throughout the State of Oklahoma shall be dedicated as a Memorial Highway in honor of all Oklahomans who served in the Armed Forces of the United States in World War I and World War II, and the Department shall cause it to be appropriately marked. Laws 1968, c. 415, § 1601, operative July 1, 1968.

§69-1602. Designation of bridge on State Highway No. 51 as The Robert S. Kerr Bridge.

The bridge on State Highway No. 51 across the Verdigris River between Wagoner and Coweta, in Wagoner County, shall be known as "The Robert S. Kerr Bridge" as an expression of appreciation of the entire state, and the Department shall cause suitable markers to be maintained on the bridge bearing such name and designation to memorialize the service and contributions of the Honorable Robert S. Kerr.

Laws 1968, c. 415, § 1602, operative July 1, 1968.

§69-1603. Designation of Interstate Highway as The Raymond Gary Expressway.

The four-lane interstate highway extending from the intersection of the Kansas Turnpike, Kansas state line, through Oklahoma to the Texas state line, and connecting with the Texas interstate highway system, shall be known as "The Raymond Gary Expressway" as a lasting testimonial to the leadership, industry and signal achievements of the Honorable Raymond Gary.

Laws 1968, c. 415, § 1603, operative July 1, 1968.

§69-1604. Designation of U. S. Highway No. 281 as the American Legion Memorial Highway.

The portion of U.S. Highway No. 281 which transverses the State of Oklahoma, shall be known as "The American Legion Memorial Highway" and the Department shall cause it to be appropriately marked as such.

Laws 1968, c. 415, § 1604, operative July 1, 1968.

§69-1605. Designation of State Highway No. 117 in Creek County as The Heber Finch Highway.

The part of State Highway No. 117 In Creek County from Sapulpa to its intersection with U.S. Highway No. 75, shall be known as "The Heber Finch Highway", and the Department shall cause it to be appropriately marked to memorialize the service of the Honorable Heber Finch.

Laws 1968, c. 415, § 1605, operative July 1, 1968.

§69-1606. Designation of Sallisaw Bridge as The Ed McDonald Bridge.

The "Sallisaw" bridge on U. S. Highway No. 59 over the Arkansas River, south of Sallisaw, shall be known as "The Ed McDonald Bridge", and the Department shall cause it to be appropriately marked to memorialize the public service and contributions of the Honorable Ed McDonald.

Laws 1968, c. 415, § 1606, operative July 1, 1968.

§69-1607. Designation of State Highway No. 2 in Latimer County as the Jim Cook Highway.

The part of State Highway No. 2 from Wilburton to the Haskell County line shall be known as "The Jim Cook Highway" and the Department shall cause it to be appropriately marked to memorialize the services of the Honorable Jim Cook.

Laws 1968, c. 415, § 1607, operative July 1, 1968.

§69-1608. Designation of part of State Highway No. 47 in Roger Mills County as The S. S. McColgin Highway.

State Highway No. 47 in Roger Mills county, from the Texas line eastward to Cheyenne, and thence northward to Roll, shall be known as "The S. S. McColgin Highway", as a memorial to the outstanding public career of the Honorable S. S. McColgin, and the Department shall cause it to be appropriately marked as such.

Laws 1968, c. 415, § 1608, operative July 1, 1968.

§69-1609. Designation of part of State Highway No. 47 in Roger Mills County as The Jodie S. Moad Highway.

State Highway No. 47 in Roger Mills County from Roll eastward to the Dewey County line shall be known as "The Jodie S. Moad Highway", as a tribute to the outstanding public service of the Honorable Jodie S. Moad, and the Department shall cause it to be appropriately marked as such.

Laws 1968, c. 415, § 1609, operative July 1, 1968.

§69-1610. Designation of bridge across Red River as The D. I. McCullough Bridge.

The bridge across the Red River, between Harris, Oklahoma, and DeKalb, Texas, shall be known as "The D. I. McCullough Bridge", as an expression of appreciation of the people of the State of Oklahoma for a life of dedication to public service, and the Department shall cause it to be appropriately marked to memorialize the services and contributions of the Honorable D. I. McCullough.

Laws 1968, c. 415, § 1610, operative July 1, 1968.

§69-1611. Designation of State Highway No. 22 across Blue River as The Cowboy Pink Williams Bridge.

State Highway No. 22 across Blue River in Bryan County, shall be known as "The Cowboy Pink Williams Bridge", as an indication of the appreciation of the members of the Legislature and the citizens of Oklahoma for the services rendered to the state by the Honorable Cowboy Pink Williams; and the Department shall cause suitable markers to be placed on the bridge bearing such name and stating "To memorialize the services and contributions of the Honorable Cowboy Pink Williams".

Laws 1968, c. 415, § 1611, operative July 1, 1968.

§69-1612. Designation of bridge between Purcell and Lexington on U. S. Highway 77 as the James C. Nance Bridge.

The bridge between Purcell and Lexington, on U. S. Highway 77, shall be known as "The James C. Nance Bridge", and the Department shall cause suitable permanent markers to be placed upon the bridge bearing such name and an appropriate designation to memorialize the public services and contributions of the Honorable James C. Nance. Laws 1968, c. 415, § 1612, operative July 1, 1968.

§69-1613. Designation of portion of Highway No. 88 - Markers.

That the portion of State Highway No. 88 beginning at its juncture with U.S. Highway No. 169 and ending at the Will Rogers Memorial, near Lake Oologah, be designated and known as the "Coo-wee-scoo-wee Parkway", and the Department of Highways is directed to cause suitable markers to be erected, identifying the said Parkway as such.

Laws 1967, S.J.R. No.23, p. 717, § 1.

§69-1614. Designation of Northwest Quadrant, Ada.

State Highway 12, Northwest Quadrant, Ada, Pontotoc County, Oklahoma (Bypass System), beginning at the junction of State Highways 3 and 99, north of Ada, and extending southeasterly to the junction of State Highway 12, is hereby designated "The J. A. Richardson Loop." The State Highway Department shall cause suitable permanent markers to be placed upon said highway bearing said name and an appropriate designation to memorialize the public services and contributions of J. A. Richardson.

Laws 1968, S.J.R. No. 68, p. 815, §§ 1, 2, emerg. eff. April 15, 1968.

§69-1615. Designation of bridge over Kiamichi River on State Highway 93 in Choctaw County as The Carl Albert Bridge.

That the bridge over the Kiamichi River on State Highway No. 93 in Choctaw County be and hereby is designated "The Carl Albert Bridge" in appreciation for and in recognition of the many public contributions of the Honorable Carl Albert, Speaker of the House of Representatives of the Congress of the United States, to the Third Congressional District, the State of Oklahoma, and the nation.

Laws 1973, H.J.R. No.1022, p. 543, § 1, emerg. eff. March 27, 1973.

§69-1616. Designation of U.S. Highway No. 69-A, south of Pryor as The Lyndon Baines Johnson Memorial Highway.

That U. S. Highway No. 69-A, south of Pryor, Oklahoma, which leads to the Mid-America Industrial Complex, be and hereby is designated "The Lyndon Baines Johnson Memorial Highway" in commemoration of the visit by President Johnson on August 26, 1966,

to dedicate the Mid-America Industrial Complex, and in tribute to the life and memory of a dedicated public servant, neighbor and friend. Laws 1974, S.J.R. No.9, p. 715, § 1, emerg. eff. April 11, 1974.

§69-1617. Designation of bridge east of Allen as the "Hugh M. Sandlin Bridge" - Plaques.

The bridge now under construction east of Allen, Oklahoma, be and is hereby officially designated as the "Hugh M. Sandlin Bridge" as a lasting testimonial to the leadership and industry of Representative Hugh M. Sandlin in achieving the construction of said bridge; and the State Highway Director, consistent with any requirements of the State Highway Commission, is instructed to have affixed to said bridge appropriate plaques visible from each end of the bridge indicating that it is the "Hugh M. Sandlin Bridge." Laws 1975, H.J.R. No.1011, p. 736, § 1.

§69-1618. Designation of bridge south of Seminole as the "John Quimby Wilson Bridge."

The bridge across the Wewoka Creek, located south of Seminole on Highways 3 and 99, be and is hereby named "The John Quimby Wilson Bridge" in appreciation for and recognition of the outstanding service of John Quimby Wilson to this state in the construction of roads. Laws 1977, p. 989, S.J.R.No.9, § 1.

§69-1619. Veterans Memorial Highway - Perryman Memorial Highway - Colonel John L. Hillman Parkway - Designation.

A. State Highway 99 from the Kansas border extending through Pawhuska, Drumright, Prague, Seminole, Ada, and Tishomingo to Lake Texoma shall be designated the "Veterans Memorial Highway" in honor of all veterans who have served this country in times of war and peace. The Oklahoma Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing said name and an appropriate designation to memorialize the veterans of this country.

B. U.S. Highway 75, from I-44 to the southern city limits of Glenpool, shall be designated the "Perryman Memorial Highway". The Oklahoma Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing such name.

C. U.S. Highway 75 from the southern city limits of Glenpool through Okmulgee to Henryetta shall be designated the "Colonel John L. Hillman Parkway" in honor of one of Oklahoma's most outstanding military veterans and former Commander of the 279th Infantry Regiment. The Oklahoma Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing said name.

Added by Laws 1989, c. 93, § 2, eff. Nov. 1, 1989. Amended by Laws 1997, S.J.R. No. 8, § 1, emerg. eff. April 7, 1997.

§69-1620. U.S. Highway 12 - Designation as scenic highway - Markers.

U.S. Highway 412 from its new alignment west of the Locust Grove area east to Flint Creek shall be designated "Scenic U.S. Highway 412". The Oklahoma Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing said name.

Added by Laws 1993, c. 32, § 1, eff. Sept. 1, 1993.

§69-1621. Sequoyah Memorial Highway - Designation.

State Highway 101 beginning at State Highway 59 and extending to the intersection of State Highway 101 and State Highway 64B shall be designated the "Sequoyah Memorial Highway" as a lasting memorial to the great Cherokee genius who gave an entire nation a written language with his invention of the Cherokee Syllabary that was adopted by his tribe in 1821. The Oklahoma Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing said name.

Added by Laws 1994, c. 20, § 1, eff. Sept. 1, 1994.

§69-1622. Designation of portion of Interstate Highway No. 40 as the Roger Miller Memorial Highway.

Interstate Highway 40-Business from westbound exit number 11 on Interstate Highway 40 west near Erick to State Highway 30 shall be designated the "Roger Miller Memorial Highway" as a lasting tribute to the "King of the Road" Roger Miller, a favorite son from Erick. The Oklahoma Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing said name.

Added by Laws 1994, c. 102, § 1, eff. Sept. 1, 1994.

§69-1623. Designation of State Highway No. 99, Pontotoc County, as the Hugh Warren Memorial Highway.

State Highway 99 in Pontotoc County shall be designated the "Hugh Warren Memorial Highway" as a lasting memorial to the outstanding leadership and public service of Hugh Warren, former Chairman of the Oklahoma Turnpike Authority. The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing said name.

Added by Laws 1994, c. 102, § 2, eff. Sept. 1, 1994.

§69-1624. Designation of portion of State Highway 20 as the Carl Belew Memorial Highway.

State Highway 20 from Salina to approximately one (1) mile west of Salina shall be designated the "Carl Belew Memorial Highway" as a lasting memorial to the great songwriter from Salina. The Oklahoma Department of Transportation shall cause suitable permanent markers

to be placed upon the highway bearing said name and designating Salina as the birthplace of Carl Belew.

Added by Laws 1995, c. 43, § 1, eff. Nov. 1, 1995.

§69-1625. Designation of portion of State Highway 101 in Sequoyah County as the Thomas D. Peace Memorial Highway.

State Highway 101 in Sequoyah County from Highway 64B to the Arkansas state line shall be designated as the "Thomas D. Peace Memorial Highway" as a lasting memorial to the outstanding leadership and public service of Thomas D. Peace, former Commissioner of Health. The Oklahoma Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing the name.

Added by Laws 1995, c. 62, § 1, eff. Nov. 1, 1995.

§69-1626. Designation of portions of U.S. Highway 62 and State Highways 82 and 10 as the POW-MIA Memorial Highway.

U.S. Highway 62 and State Highways 82 and 10 from the junction of U.S. Highway 62 and State Highways 82 and 10 north to the Bertha Parker Bypass junction located south of the city of Tahlequah in Cherokee County shall be designated as the "POW-MIA Memorial Highway" as a lasting memorial and remembrance of the sacrifice made by America's service men and women. The Oklahoma Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing the name.

Added by Laws 1995, c. 62, § 2, eff. Nov. 1, 1995.

§69-1627. Designation of portion of State Highway 74 as the John N. Happy Camp Memorial Highway.

State Highway 74 within the borders of Garfield County shall be designated the "John N. Happy Camp Memorial Highway" in respect for this joyous practitioner of representative government. The Oklahoma Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing his name.

Added by Laws 1996, S.J.R. No. 35, § 1, eff. July 1, 1996.

§69-1628. Designation of portion of Highway 51 as the 42nd "Rainbow" Infantry Division Memorial Highway.

Highway 51, starting from the Oklahoma-Texas state line, 13.0 miles west of Arnett, extending east across the state to the Oklahoma-Arkansas state line 9.0 miles south and east of Stilwell, a total distance of approximately 350.0 miles, not including that area designated as the "Jim Thorpe Memorial Highway" or that area designated as the "Broken Arrow Expressway", shall be designated the "42nd 'Rainbow' Infantry Division Memorial Highway". The Oklahoma Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing the name.

Added by Laws 1998, c. 83, § 1, eff. July 1, 1998. Amended by Laws 1999, c. 218, § 2, eff. Nov. 1, 1999.

§69-1629. Veterans Memorial Highways.

Interstate Highway 40 westbound from the Interstate Highway 35 and Interstate Highway 40 intersection to the state line shall be designated as the "Korean War Veterans Memorial Highway/Purple Heart Trail".

Interstate Highway 40 eastbound from where it intersects with Interstate Highway 44 to the state line shall be designated as the "Vietnam Veterans Memorial Highway/Purple Heart Trail".

Interstate Highway 35 southbound from the Interstate Highway 35 and Interstate Highway 40 intersection to the state line shall be designated as the "World War I Veterans Memorial Highway".

Interstate Highway 35 northbound from the Interstate Highway 35 and Interstate Highway 40 intersection to the state line shall be designated as the "World War II Veterans Memorial Highway".

Such names shall serve as an expression of the appreciation of the entire State of Oklahoma and to memorialize the men and women who served in the wars. The Department of Transportation shall cause suitable permanent markers to be placed and maintained on the highways bearing such names. Any portion of a highway in this state which is currently designated as a "Veterans Memorial Highway" shall not be renamed without legislative approval.

Added by Laws 1998, c. 337, § 1, emerg. eff. June 3, 1998. Amended by Laws 2000, c. 42, § 1, emerg. eff. April 10, 2000; Laws 2003, c. 116, § 1, emerg. eff. April 21, 2003; Laws 2004, c. 412, § 11, emerg. eff. June 3, 2004.

§69-1630. Veterans Memorial Highways - Highways previously designated.

Any previously designated portions of Interstate Highway 35 or Interstate Highway 40 shall not be affected by Section 1 of this act. Added by Laws 1998, c. 337, § 2, emerg. eff. June 3, 1998.

§69-1631. Designation of bridge across north fork of the Red River as Victor Wickersham Memorial Bridge.

The bridge across the north fork of the Red River, between the Greer and Kiowa county line on State Highway 44 shall be known as the "Victor Wickersham Memorial Bridge", and the Department of Transportation shall cause it to be appropriately marked to memorialize the services and contributions of the Honorable Representative Victor Wickersham.

Added by Laws 1999, c. 6, § 1, emerg. eff. Mar. 24, 1999.

§69-1632. Designation of State Highway 51 between Broken Arrow and Coweta as Dr. William R. Bright Bypass.

State Highway 51 between Broken Arrow and Coweta shall be designated the "Dr. William R. Bright Bypass". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing such name.

Added by Laws 1999, S.J.R. 21, § 1, eff March 24, 1999.

NOTE: Editorially renumbered from § 1631 of this title to avoid a duplication in numbering.

§69-1633. Designation of portion of State Highway 51 as Broken Arrow Expressway.

State Highway 51, starting at the intersection of State Highway 51 and State Highway 75 in Tulsa County extending to the city limits of Coweta in Wagoner County shall be designated as the "Broken Arrow Expressway". The Oklahoma Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing the name.

Added by Laws 1999, c. 218, § 1, eff. Nov. 1, 1999.

NOTE: Editorially renumbered from § 1631 of this title to avoid a duplication in numbering.

§69-1634. Mountain Gateway - Senator Larry Dickerson Memorial Highway.

A. U.S. Highway 59 south of Interstate 40 in Sequoyah County, U.S. Highway 271, U.S. Highway 59, and U.S. Highway 259 within the boundaries of LeFlore County shall be designated as the "Mountain Gateway" in an attempt to increase tourism in Eastern Oklahoma by promoting mountains as a tourist attraction in that part of the state. The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing such name.

B. Notwithstanding the name designation pursuant to subsection A of this section, U.S. Highway 59 south of Interstate 40 in Sequoyah County, U.S. Highway 271, and U.S. Highway 59 to Poteau shall also be designated as the "Senator Larry Dickerson Memorial Highway". The Department of Transportation shall cause additional suitable permanent markers to be placed upon the highway bearing such name.

Added by Laws 1999, c. 148, § 1, emerg. eff. May 3, 1999. Amended by Laws 2002, c. 205, § 1, emerg. eff. May 6, 2002.

NOTE: Editorially renumbered from § 1633 of Title 69 to avoid a duplication in numbering.

§69-1635. Cliff Bogle Memorial Highway - Designation of portion of State Highway 82.

State Highway 82, starting at the intersection of State Highway 82 and State Highway 20 in Mayes County extending approximately 15.0 miles to the intersection of State Highway 82 and U.S. Highway 66 in Craig County shall be designated as the "Cliff Bogle Memorial Highway". The Oklahoma Department of Transportation shall cause

suitable permanent markers to be placed upon the highway bearing the name.

Added by Laws 2000, c. 120, § 1, eff. Nov. 1, 2000.

§69-1636. Clara Luper Corridor - Designation of portion of State Highway 107.

State Highway 107, starting at the intersection of State Highway 107 and Interstate 235 extending approximately two and one-half (2.5) miles to the intersection of State Highway 107 and Interstate 35 shall be designated as the "Clara Luper Corridor". The Oklahoma Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing the name.

Added by Laws 2000, c. 63, § 1, eff. Nov. 1, 2000.

§69-1637. Sam Fields Memorial Highway - Designation of portion of State Highway 127.

State Highway 127, starting at the intersection of State Highway 127 and State Highway 20 near Jay extending approximately thirteen (13.0) miles to the intersection of State Highway 127 and State Highway 10, shall be designated as the "Sam Fields Memorial Highway". The Oklahoma Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing the name.

Added by Laws 2000, c. 87, § 1, eff. Nov. 1, 2000.

§69-1638. Sparland Rose Memorial Bridge.

Beginning at approximately one (1.0) mile east of Airport Road at Little Deep Creek, Payne Lake Road, and the Farmrail Railroad (Heated Bridge Deck), on Interstate 40 east of Weatherford, Oklahoma, shall be designated as the "Sparland Rose Memorial Bridge".

Added by Laws 2000, c. 180, § 3, eff. Nov. 1, 2000.

§69-1639. Cheyenne Heritage Trail - Informational highway signage.

The Department of Transportation shall erect informational highway signage designed or approved by the Oklahoma Tourism and Recreation Department to direct visitors to sites of significant historical interest along the Cheyenne Heritage Trail.

Added by Laws 2000, c. 180, § 4, eff. Nov. 1, 2000.

§69-1640. Marjorie and Maria Tallchief Highway - Designation of portion of State Highway 18.

State Highway 18 northbound from Fairfax, Oklahoma, to where it intersects with State Highway 60 in Osage County shall be designated "Marjorie and Maria Tallchief Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing said name.

Added by Laws 2000, c. 67, § 1, eff. Nov. 1, 2000.

§69-1641. Senator Frank Mahan Highway - Designation of portion of State Highway 18.

State Highway 18 southbound from Fairfax, Oklahoma, to where it intersects with State Highway 20 in Osage County shall be designated "Senator Frank Mahan Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing said name.

Added by Laws 2000, c. 67, § 2, eff. Nov. 1, 2000.

§69-1642. J.M. Bailey Highway.

State Highway 9, beginning at the intersection of State Highway 9 and U.S. Highway 69 in McIntosh County, extending west approximately two (2) miles shall be designated as the "J.M. Bailey Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing the name.

Added by Laws 2001, c. 271, § 1, eff. Nov. 1, 2001.

§69-1643. Sailboat Bridge.

The bridge that crosses over Grand Lake on U.S. Highway 59 in Delaware County shall be designated as "Sailboat Bridge". The Department of Transportation shall cause suitable permanent markers to be placed at the north and south ends of the bridge.

Added by Laws 2001, c. 271, § 2, eff. Nov. 1, 2001.

§69-1644. Colonel Harold D. Pinney, U.S. Army Highway - Clarence F. "Chink" Douglas, Lawman Highway.

From one hundred (100) yards south of the Business 69 Highway exit on U.S. Highway 69 in Eufaula, Oklahoma, on the northbound lane shall be named the "Colonel Harold D. Pinney, U.S. Army Highway" and from one hundred (100) yards north of the hospital exit on U.S. Highway 69 in Eufaula, Oklahoma, on the southbound lane shall be named the "Clarence F. 'Chink' Douglas, Lawman Highway". The Department of Transportation shall cause permanent markers to be placed upon the highway bearing their names.

Added by Laws 2002, c. 205, § 2, emerg. eff. May 6, 2002.

§69-1645. Mennonite Bridge.

The bridge located on State Highway 81 approximately one and six-tenths (1.6) miles south of the junction of State Highway 81 and State Highway 3 shall be known as the "Mennonite Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge.

Added by Laws 2002, c. 205, § 3, emerg. eff. May 6, 2002.

§69-1646. McIntosh County Korean Veterans Memorial Highway.

U.S. Highway 69, from south of I-40 to the South Canadian River, shall be designated as the "McIntosh County Korean Veterans Memorial

Highway" to honor those persons from McIntosh County that served our country in the Korean Conflict. The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing such name.

Added by Laws 2002, c. 205, § 4, emerg. eff. May 6, 2002.

§69-1647. Jake Eaton Bridge.

The bridge that crosses Eaton Creek on State Highway 82 approximately one and one-third (1 1/3) miles south of the intersection of State Highway 82 and State Highway 31 in Haskell County shall be designated as the "Jake Eaton Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge.

Added by Laws 2002, c. 205, § 5, emerg. eff. May 6, 2002.

§69-1648. Pearl Harbor/USS Oklahoma Memorial Highway - Renaming of Keystone Expressway as Sand Springs Expressway.

A. State Highway 77H, from where it intersects with State Highway 9 in Cleveland County, north to where it intersects with Interstate Highway 240 in Oklahoma County, shall be designated as the "Pearl Harbor/USS Oklahoma Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing such name.

B. Any portion of Interstate Highway 412/64 in Tulsa County that is currently designated as the Keystone Expressway shall be renamed as the Sand Springs Expressway. The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing such name.

Added by Laws 2003, c. 83, § 1, emerg. eff. April 15, 2003.

§69-1650. Southeastern Mountain Gateway.

State Highway 3 within the boundaries of Tom, Oklahoma, and the Community of Tom, Oklahoma, in McCurtain County shall be designated as the "Southeastern Mountain Gateway" in an attempt to increase tourism in Southern Oklahoma by promoting mountains as a tourist attraction in that part of the state. The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing the name.

Added by Laws 2003, c. 68, § 1, emerg. eff. April 10, 2003.

§69-1651. Trooper Chris Van Krevelen Memorial Highway.

From where U.S. Highway 412 intersects with State Highway 74 in Garfield County, west to where the highway intersects with State Highway 58 in Enid, Oklahoma, shall be designated as "Trooper Chris Van Krevelen Memorial Highway". The Department of Transportation shall place suitable permanent markers on the highway bearing the name.

Added by Laws 2003, c. 141, § 1, emerg. eff. April 28, 2003.

§69-1652. Doc Scantlen Bridge.

The bridge located on State Highway 82 near Stigler, Oklahoma, shall be designated as "Doc Scantlen Bridge" in appreciation for and in recognition of the many outstanding contributions to those around him. The Department of Transportation shall cause suitable permanent markers to be placed at the north and south ends of the bridge.

Added by Laws 2004, c. 48, § 1, eff. Nov. 1, 2004.

§69-1653. Helen Cole Memorial Highway.

Interstate 35 between Interstate 240 and Indian Hills Road shall be designated as the "Helen Cole Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing her name.

Added by Laws 2004, c. 481, § 2, emerg. eff. June 7, 2004.

§69-1655. Keith Leftwich Memorial Loop.

Interstate Highway 240 between Interstate 35 and Interstate 44 in Oklahoma County, Oklahoma, shall be designated as the "Keith Leftwich Memorial Loop". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing his name.

Added by Laws 2004, c. 481, § 1, emerg. eff. June 7, 2004.

§69-1658. Hoppy Lockhart Welcome Center.

The Welcome Center located at Sallisaw, Oklahoma, near mile marker 314, shall be designated as the "Hoppy Lockhart Welcome Center". The Department of Transportation shall cause suitable permanent markers to be placed at the facility bearing the name.

Added by Laws 2004, c. 135, § 1, emerg. eff. April 20, 2004.

§69-1659. Matthew Evans/Jeffery Rominger Memorial Parkway.

Interstate Highway 40 from where it intersects with Interstate Highway 35, eastbound to where it intersects with Interstate Highway 44 shall be designated as the "Matthew Evans/Jeffery Rominger Memorial Parkway". The Department of Transportation shall cause suitable permanent markers to be placed on the parkway bearing their names.

Added by Laws 2004, c. 412, § 1, emerg. eff. June 3, 2004.

§69-1660. David "Rocky" Eales Memorial Parkway.

State Highway 1 from where it intersects with the Indian Nation Turnpike, east to where it intersects with U.S. Highway 69 shall be designated as the "David 'Rocky' Eales Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing his name.

Added by Laws 2004, c. 412, § 2, emerg. eff. June 3, 2004.

§69-1661. Vernon Glenn Memorial Parkway.

State Highway 2 in Vinita, Oklahoma, in Craig County shall be designated as the "Vernon Glenn Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing his name.

Added by Laws 2004, c. 412, § 3, emerg. eff. June 3, 2004.

§69-1662. Sid Cookerly Memorial Parkway.

State Highway 77, from where it intersects with State Highway 11 in Kay County, north to Newkirk, Oklahoma, shall be designated as the "Sid Cookerly Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing his name.

Added by Laws 2004, c. 412, § 4, emerg. eff. June 3, 2004.

§69-1663. Tom Puckett Memorial Parkway.

State Highway 7 from where it intersects with Interstate Highway 44 eastbound to where it intersects with State Highway 65 shall be designated as the "Tom Puckett Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing his name.

Added by Laws 2004, c. 412, § 5, emerg. eff. June 3, 2004.

§69-1664. John C. Blaylock Memorial Parkway.

State Highway 75, extending north for five (5) miles from the South Canadian River Bridge at Calvin, Oklahoma, shall be designated as the "John C. Blaylock Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing his name.

Added by Laws 2004, c. 412, § 6, emerg. eff. June 3, 2004.

§69-1665. Dr. Robert E. Cowling Memorial Parkway.

State Highway 99 Interchange extending five (5) miles north from Ada, Oklahoma, shall be designated as the "Dr. Robert E. Cowling Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing his name.

Added by Laws 2004, c. 412, § 7, emerg. eff. June 3, 2004.

§69-1666. Troy Leathers Memorial Parkway.

State Highway 99 from the intersection of State Highway 66 near Stroud, Oklahoma, south to the Sac and Fox Tribal Company shall be designated as the "Troy Leathers Memorial Highway". The Department of Transportation shall cause suitable permanent markings to be placed upon the highway bearing said name.

Added by Laws 2004, c. 412, § 8, emerg. eff. June 3, 2004.

§69-1667. William Ross Stewart Memorial Parkway.

State Highway 270 between Krebs and Hartshome, Oklahoma, shall be designated as the "William Ross Stewart Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing his name.

Added by Laws 2004, c. 412, § 9, emerg. eff. June 3, 2004.

§69-1668. Billy Fairl Morgan Memorial Parkway.

State Highway 270 between Southeast 29th Street and State Highway 62 in Harrah, Oklahoma, shall be designated as the "Billy Fairl Morgan Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing his name.

Added by Laws 2004, c. 412, § 10, emerg. eff. June 3, 2004.

§69-1669. Jody Latimer Memorial Parkway.

State Highway 65 from where it intersects with State Highway 53 in Cotton County, south to Temple, Oklahoma, shall be designated as the "Jody Latimer Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing his name.

Added by Laws 2004, c. 412, § 12, emerg. eff. June 3, 2004.

§69-1670. W.R. "Dick" Stubbs Memorial Parkway.

State Highway 75 from Trudgeon road to Junction 266 in Henryetta, Oklahoma, shall be designated as the "W.R. 'Dick' Stubbs Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing his name.

Added by Laws 2004, c. 412, § 13, emerg. eff. June 3, 2004.

§69-1671. Perrier Bridge.

The bridge across Bird Creek, north of Skiatook, Oklahoma, which is located on State Highway 11, shall be designated as the "Perrier Bridge". The Department of Transportation shall cause suitable permanent markings to be placed upon the bridge bearing said name.

Added by Laws 2004, c. 412, § 14, emerg. eff. June 3, 2004.

§69-1672. Dr. Ernest L. Holloway Highway.

State Highway 33 beginning one-half mile from the east end of the Cimarron River Bridge extending to where State Highway 33 intersects with State Highway 105 in Guthrie shall be designated as the "Dr. Ernest L. Holloway Highway". The Oklahoma Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing his name.

Added by Laws 2004, c. 412, § 15, emerg. eff. June 3, 2004.

§69-1673. Repealed by Laws 2013, c. 270, § 24, eff. July 1, 2013.

§69-1674. Mannford Expressway.

State Highway 51, from a point one mile east of its intersection with State Highway 151, also known as the "Keystone Dam Road", west to its intersection with State Highway 48 in Mannford, Oklahoma, shall be designated as the "Mannford Expressway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing the designation.

Added by Laws 2005, c. 474, § 1, emerg. eff. June 9, 2005.

§69-1675. Joe M. Morgan Memorial Bridge.

The bridge that crosses the Washita River on U.S. Highway 183 near Clinton, Oklahoma in Custer County shall be designated as the "Joe M. Morgan Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2005, c. 474, § 2, emerg. eff. June 9, 2005.

§69-1676. Oklahoma Technology Corridor.

The portion of State Highway 9 between Interstate 35 and S.E. 36th Street in the City of Norman shall be designated as the "Oklahoma Technology Corridor". The Department of Transportation shall cause suitable permanent markers to be placed upon the portion of highway bearing that designation.

Added by Laws 2005, c. 474, § 3, emerg. eff. June 9, 2005.

§69-1677. Randy Littlefield Memorial Highway.

State Highway 20 from the junction of State Highway 10 and U.S. Highway 59 east of Jay, Oklahoma, up to the Missouri state line, shall be designated the "Randy Littlefield Memorial Highway". The Department of Transportation shall cause suitable permanent markers be placed upon the highway bearing that name.

Added by Laws 2005, c. 51, § 1, eff. Nov. 1, 2005.

NOTE: Editorially renumbered from § 1674 of this title to avoid duplication in numbering.

§69-1678. Harrah Road - Billy Fairl Morgan Memorial Highway.

No section of State Highway 270 extending between N.E. 23rd Street to the municipal limits of McLoud, Oklahoma, shall be named or renamed, except as provided in this section. The section of highway on State Highway 270 extending from Harrah, Oklahoma, between N.E. 23rd Street to S.E. 29th Street shall be designated as "Harrah Road". The section of highway on State Highway 270 extending from where the newly designated "Harrah Road" intersects with S.E. 29th Street to the McLoud municipal limits shall be designated as the "Billy Fairl

Morgan Memorial Highway". Any existing name on the section of highway between N.E. 23rd Street and the municipal limits of McCloud shall be removed. The Department of Transportation shall cause suitable permanent markers to be placed on the section of highway between S.E. 29th Street and the municipal limits of McCloud bearing the name "Billy Fairl Morgan Memorial Highway".

Added by Laws 2005, c. 51, § 2, eff. Nov. 1, 2005.

NOTE: Editorially renumbered from § 1675 of this title to avoid duplication in numbering.

§69-1679. Scott Vincent Memorial Highway.

State Highway 31, beginning at the western municipal limits of Bokoshe and extending to the junction with State Highway 59, shall be designated as the "Scott Vincent Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2005, c. 151, § 1, eff. Nov. 1, 2005.

NOTE: Editorially renumbered from § 1675 to avoid a duplication in numbering.

§69-1680. Rider Daugherty Memorial Bridge.

The bridge crossing Little Lee Creek, which is located on State Highway 101, shall be designated as the "Rider Daugherty Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2005, c. 157, § 1, eff. Nov. 1, 2005.

NOTE: Editorially renumbered from § 1674 of this title to avoid duplication in numbering.

§69-1681. 2nd Lt. Luke James Memorial Highway.

The section of State Highway 54 extending from the municipal limits of Optima to the Kansas state line shall be designated as the "2nd Lt. Luke James Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon that section of highway bearing that name.

Added by Laws 2005, c. 157, § 2, eff. Nov. 1, 2005. Amended by Laws 2007, c. 271, § 1, eff. Nov. 1, 2007.

NOTE: Editorially renumbered from § 1675 of this title to avoid duplication in numbering.

§69-1682. Jack Begley Memorial Highway.

The section of State Highway 54 that extends from the Texas state line, near Texhoma, to the municipal limits of Optima shall be designated as the "Jack Begley Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on that section of highway bearing that name.

Added by Laws 2005, c. 157, § 3, eff. Nov. 1, 2005.

NOTE: Editorially renumbered from § 1676 of this title to avoid duplication in numbering.

§69-1683. Lyle Rymer Highway.

State Highway 64 in Roland, Oklahoma, between PawPaw Road and Cottonwood Road shall be designated as the "Lyle Rymer Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2005, c. 157, § 4, eff. Nov. 1, 2005.

NOTE: Editorially renumbered from § 1677 of this title to avoid duplication in numbering.

§69-1684. Bobby Green Memorial Expressway.

The Duncan bypass shall be designated as the "Bobby Green Memorial Expressway". The Department of Transportation shall cause suitable permanent markers to be placed upon the bypass bearing that name.

Added by Laws 2005, c. 157, § 5, eff. Nov. 1, 2005.

NOTE: Editorially renumbered from § 1678 of this title to avoid duplication in numbering.

§69-1685. Veterans Memorial Highway.

State Highway 81 between Duncan and Comanche shall be designated as the "Veterans Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2005, c. 157, § 6, eff. Nov. 1, 2005.

NOTE: Editorially renumbered from § 1679 of this title to avoid duplication in numbering.

§69-1686. Navy Petty Officer Third Class Doyle W. Bollinger, Jr., Overpass.

The bypass over U.S. Highway 59, located on U.S. Highway 59 Business, shall be designated as the "Navy Petty Officer Third Class Doyle W. Bollinger, Jr., Overpass". The Department of Transportation shall cause suitable permanent markers to be placed upon the section of highway bearing that name.

Added by Laws 2005, c. 157, § 7, eff. Nov. 1, 2005.

NOTE: Editorially renumbered from § 1680 of this title to avoid duplication in numbering.

§69-1687. Private First Class Curtis Herman Bullard Memorial Bridge.

The bridge on State Highway 270 south of Wister, Oklahoma, shall be designated the "Private First Class Curtis Herman Bullard Memorial Bridge". Private Bullard was born October 12, 1945, and was killed in action in Pleiku Province, Vietnam, on June 20, 1966. The

Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2006, c. 152, § 4, eff. July 1, 2006.

§69-1688. Senator Larry Dickerson Memorial Bridge.

The bridge on Highway 59, crossing the Arkansas River at Kerr Lock and Dam, shall be designated the "Senator Larry Dickerson Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2006, c. 152, § 5, eff. July 1, 2006.

§69-1689. Destry Horton Memorial Highway.

U.S. Highway 81 Business, extending through Rush Springs shall be designated as the Destry Horton Memorial Highway. The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2006, c. 152, § 6, eff. July 1, 2006.

§69-1690. Judy Davis Memorial Highway.

State Highway 9, beginning at Sunset Corner west of Spiro, Oklahoma, extending east to the Poteau River bridge shall be designated as the Judy Davis Memorial Highway. The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2006, c. 152, § 7, eff. July 1, 2006.

§69-1691. W.R. Shaver Memorial Highway.

The portion of State Highway 62 that extends within the municipal limits of Boley, Oklahoma, in Okfuskee County shall be designated as the "W.R. Shaver Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2006, c. 152, § 8, eff. July 1, 2006.

§69-1692. Medicine Park Trail.

The portion of State Highway 49 between Interstate 44 and the Wichita Mountains Wildlife Refuge shall be designated as the "Medicine Park Trail". The Department of Transportation shall cause suitable permanent markers to be placed upon the portion of highway bearing that designation.

Added by Laws 2006, c. 150, § 1, eff. Nov. 1, 2006.

NOTE: Editorially renumbered from § 1687 of this title to avoid duplication in numbering.

§69-1693. Newt Sexton Memorial Bridge.

The bridge across the Cimarron River, north of Coyle, Oklahoma, which is located on State Highway 33, shall be designated as the "Newt Sexton Memorial Bridge". The Department of Transportation shall cause suitable permanent markers be placed upon the bridge bearing that name.

Added by Laws 2006, c. 150, § 2, eff. Nov. 1, 2006.

NOTE: Editorially renumbered from § 1688 of this title to avoid duplication in numbering.

§69-1694. Judy Davis Memorial Highway.

State Highways 271 and 9, beginning in Spiro to the Poteau River Bridge, north of Pocola shall be designated the "Judy Davis Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2006, c. 150, § 3, eff. Nov. 1, 2006.

NOTE: Editorially renumbered from § 1689 of this title to avoid duplication in numbering.

§69-1695. Historic Platt National Parkway.

The portion of State Highway 7 beginning at the Chickasaw Trail, near Davis, Oklahoma, and extending east to the intersection at State Highway 177 shall be designated as the "Historic Platt National Parkway". The Department of Transportation shall cause suitable permanent markers to be placed upon the section of highway bearing that name.

Added by Laws 2006, c. 150, § 4, eff. Nov. 1, 2006.

NOTE: Editorially renumbered from § 1690 of this title to avoid duplication in numbering.

§69-1696. T.A. Olivo Memorial Bridge.

The bridge that crosses the Baker's Branch Creek on State Highway 1, east of Allen, Oklahoma, shall be designated as the "T.A. Olivo Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2006, c. 150, § 5, eff. Nov. 1, 2006.

NOTE: Editorially renumbered from § 1691 of this title to avoid duplication in numbering.

§69-1697. David Gray Memorial Bridge.

The bridge that crosses the Muddy Boggy Creek on State Highway 48, south of Allen, Oklahoma, shall be designated as the "David Gray Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2006, c. 150, § 6, eff. Nov. 1, 2006.

NOTE: Editorially renumbered from § 1692 of this title to avoid duplication in numbering.

§69-1698. Agent Choc Ericsson Memorial Highway.

United States Highway 270 extending southeast of the City of Woodward from the junction of State Highway 34 to the Indian Creek Bridge shall be designated as the "Agent Choc Ericsson Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name. Added by Laws 2006, c. 275, § 6, emerg. eff. June 7, 2006.

NOTE: Editorially renumbered from § 1693 of this title to avoid duplication in numbering.

§69-1698.1. USMC Sgt. James R. Graham, III, Memorial Highway.

State Highway 51 beginning at the intersection of State Highway 51 and 141st Street in Coweta and extending east to the Muskogee Turnpike shall be designated as the "USMC Sgt. James R. Graham, III, Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2006, c. 275, § 7, emerg. eff. June 7, 2006.

NOTE: Editorially renumbered from § 1694 of this title to avoid duplication in numbering.

§69-1698.2. James E. and Rose H. Benson Memorial Highway.

The east and west lanes of State Highway 64 extending from the intersection of County Road 300 to the intersection of County Road 350 west of Alva, Oklahoma, shall be designated as the "James E. and Rose H. Benson Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name. In addition, the cemetery located north of the intersection of County Road 350 and State Highway 64 known as "Star Cemetery", which is the final resting place of the Bensons and other settlers of the area shall also have a sign with the name "Star Cemetery" placed on the right-of-way at the intersection indicating the location of the cemetery.

Added by Laws 2006, c. 275, § 8, emerg. eff. June 7, 2006.

NOTE: Editorially renumbered from § 1695 of this title to avoid duplication in numbering.

§69-1698.3. Representative Elmer Maddux Highway.

State Highway 412 from the intersection of State Highway 50 in Mooreland, east to Orienta shall be designated as the "Representative Elmer Maddux Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name:

Added by Laws 2006, c. 275, § 9, emerg. eff. June 7, 2006.

NOTE: Editorially renumbered from § 1696 of this title to avoid duplication in numbering.

§69-1698.4. Rex Lee Brown Memorial Highway.

State Highway 51B beginning at the junction with 429th East Avenue in Porter, Oklahoma, and extending to the junction with 484th East Avenue in Porter, Oklahoma, shall be designated as the "Rex Lee Brown Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2007, c. 26, § 1, eff. Nov. 1, 2007.

§69-1698.5. Freedom Freeway.

Interstate 40, one-half (1/2) mile east of the Interstate 40 - Interstate 35 junction, also known as Scott Street/Reno Avenue, Exit 154, east to Harrah/Newalla Road, Exit 172; ending at Exit 172, shall be designated as the "Freedom Freeway" in the east and west directions. The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2007, c. 101, § 1, eff. Nov. 1, 2007.

§69-1698.6. Disabled American Veterans Highway.

The Broken Arrow Expressway, from the eastern edge of Tulsa County Highway 51 west to 145th East Avenue in Broken Arrow, shall be designated as the "Disabled American Veterans Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2007, c. 101, § 2, eff. Nov. 1, 2007.

§69-1698.7. Colonel Albert Hill Highway.

State Highway 69 from the Shawnee Bypass to Okmulgee Street in Muskogee shall be designated as the "Colonel Albert Hill Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2007, c. 150, § 1, emerg. eff. May 18, 2007.

§69-1698.8. 929th Troop Carrier Group honorary highway.

The Muskogee Turnpike from the Shawnee Bypass to Peak Boulevard shall be designated to honor the 929th Troop Carrier Group of the United States Air Force Reserve and the Alton M. Ashworth United States Army Reserve Center. The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing those names.

Added by Laws 2007, c. 150, § 2, emerg. eff. May 18, 2007.

§69-1698.9. Danny Martinez Memorial Highway.

The portion where State Highways 270 and 271 are one common merged highway in Wister, Oklahoma, and extending approximately five (5) miles directly west of Wister, Oklahoma, shall be designated as the "Danny Martinez Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2007, c. 150, § 3, emerg. eff. May 18, 2007.

§69-1698.10. Sergeant Buddy Hughie honorary highway.

The overpass located where State Highways 59 and 271 meet at the north end of the Poteau Bypass in Poteau, Oklahoma, shall be designated to honor Sergeant Buddy Hughie. The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2007, c. 150, § 4, emerg. eff. May 18, 2007.

§69-1698.11. PFC John Reece, Jr., Medal of Honor/Purple Heart Memorial Highway.

State Highway 20 between the municipal limits of Pryor and Salina shall be designated as the "PFC John Reece, Jr., Medal of Honor/Purple Heart Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2007, c. 150, § 5, emerg. eff. May 18, 2007.

§69-1698.12. Senator Byron Dacus Memorial Highway.

State Highway 54 beginning at the junction with State Highway 152 and extending to the junction with State Highway 62 shall be designated as the "Senator Byron Dacus Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2007, c. 271, § 2, eff. Nov. 1, 2007.

§69-1698.13. Donald J. Gott Memorial Highway.

The portion of U.S. Highway 60 between Arnett, Oklahoma, and Harmon, Oklahoma, shall be designated as the "Donald J. Gott Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2007, c. 271, § 3, eff. Nov. 1, 2007.

§69-1698.14. Harley Leaird Memorial Bridge.

The bridge across Clear Boggy Creek, which is located on State Highway 31, approximately 3.2 miles east of the intersection of State Highway 31 and State Highway 48 shall be designated as the "Harley Leaird Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2007, c. 271, § 4, eff. Nov. 1, 2007.

§69-1698.15. Joseph Sevier Memorial Bridge.

The bridge located on State Highway 31, approximately 2.8 miles east of the intersection of State Highway 31 and State Highway 48 shall be designated as the "Joseph Sevier Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2007, c. 271, § 5, eff. Nov. 1, 2007.

§69-1698.16. Lonnie Duke Memorial Bridge.

The bridge located on State Highway 31, approximately 2.5 miles east of the intersection of State Highway 31 and State Highway 48 shall be designated as the "Lonnie Duke Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2007, c. 271, § 6, eff. Nov. 1, 2007.

§69-1698.17. Spc. Joshua Pearce Memorial Highway.

The section of State Highway 136 extending north from the junction of State Highway 136 and State Highway 3 to the Kansas state line shall be designated as the "Spc. Joshua Pearce Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon that section of highway bearing that name.

Added by Laws 2007, c. 271, § 7, eff. Nov. 1, 2007.

§69-1698.18. Staff Sergeant Billy M. Castleberry Memorial Highway.

U.S. Highway 177, where it passes through Johnston County, shall be designated as the "Staff Sergeant Billy M. Castleberry Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2008, c. 25, § 1, emerg. eff. April 11, 2008.

§69-1698.19. PFC Glen W. Page Memorial Bridge.

The bridge across Salt Creek, currently known as the "salt creek" bridge, located on State Highway 31 south of Ashland, Oklahoma, shall be designated as the "PFC Glen W. Page Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2008, c. 25, § 2, emerg. eff. April 11, 2008.

§69-1698.20. Pvt. Everett C. (Bud) Ward Memorial Bridge.

The bridge located where State Highway 31 crosses Keel Creek northeast of Coalgate, Oklahoma, and near Cairo, Oklahoma, shall be designated as the "Pvt. Everett C. (Bud) Ward Memorial Bridge". The

Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2008, c. 25, § 3, emerg. eff. April 11, 2008.

§69-1698.21. OHP Lt. Pat Grimes Memorial Bridge.

The bridge located where State Highway 97 crosses the Arkansas River in Sand Springs, Oklahoma, shall be designated as the "OHP Lt. Pat Grimes Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2008, c. 25, § 4, emerg. eff. April 11, 2008.

§69-1698.22. P.O.W./M.I.A. Memorial Bridge.

The bridge located where U.S. Highway 60 crosses the Arkansas River in Ponca City, Oklahoma, shall be designated as the "P.O.W./M.I.A. Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2008, c. 25, § 5, emerg. eff. April 11, 2008.

§69-1698.23. PFC Danny Leo Evans Memorial Bridge.

The bridge located where State Highway 7 crosses the western portion of Clear Boggy Creek in Atoka County shall be designated as the "PFC Danny Leo Evans Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2008, c. 25, § 6, emerg. eff. April 11, 2008.

§69-1698.24. SPC4 Benny Joe Lewis Memorial Bridge.

The bridge located where State Highway 7 crosses the eastern portion of Clear Boggy Creek in Atoka County shall be designated as the "SPC4 Benny Joe Lewis Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2008, c. 25, § 7, emerg. eff. April 11, 2008.

§69-1698.25. Cpl Kelly Downing, USMC, Memorial Highway.

The section of State Highway 251A in Wagoner County extending from the junction of State Highway 251A and State Highway 16 east to Cherokee County shall be designated as the "Cpl Kelly Downing, USMC, Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name. The Department shall make reference on the permanent markers that Cpl Kelly Downing, USMC, was awarded the Silver Star Medal.

Added by Laws 2008, c. 25, § 8, emerg. eff. April 11, 2008. Amended by Laws 2016, c. 239, § 1, eff. Nov. 1, 2016.

§69-1698.26. Oklahoma Panhandle Vietnam Veterans Memorial Highway.

The section of U.S. Highway 83 in Beaver County extending from the Kansas state line to the Texas state line shall be designated as the "Oklahoma Panhandle Vietnam Veterans Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2008, c. 25, § 9, emerg. eff. April 11, 2008.

§69-1698.27. Cpl. Bryan J. Scripsick Memorial Bridge.

The "Washita River Bridge" located on U.S. Highway 77 in Garvin County shall be known as the "Cpl. Bryan J. Scripsick Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2008, c. 25, § 10, emerg. eff. April 11, 2008.

§69-1698.28. Veterans Memorial Highway.

U.S. Highway 69 from South 760 county road extending north to South 690 county road in Wagoner County shall be designated as "Veterans Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2008, c. 25, § 11, emerg. eff. April 11, 2008.

§69-1698.29. A.C. Hamlin Parkway.

The section of Interstate 35 extending from Waterloo Road to Charter Oak Road shall be designated as the "A.C. Hamlin Parkway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2008, c. 25, § 12, emerg. eff. April 11, 2008.

§69-1698.30. SGT Jonathan Paul Dragus Memorial Highway.

The section of State Highway 3 extending from Interstate 44 to Pennsylvania Avenue in Oklahoma City, Oklahoma shall be designated as the "SGT Jonathan Paul Dragus Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2008, c. 25, § 13, emerg. eff. April 11, 2008.

§69-1698.31. Ronald Glenn Bridge.

The "Cedar Creek Bridge" which is located approximately 4 miles south of Hodgen, Oklahoma on State Highway 59 in Le Flore County shall be known as the "Ronald Glenn Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2008, c. 25, § 14, emerg. eff. April 11, 2008.

§69-1698.32. Duty Rowe Scenic Route 115.

The section of State Highway 115 between the junctions of State Highway 49 and State Highway 19 in Comanche and Kiowa Counties shall be designated the "Duty Rowe Scenic Route 115". The Department of Transportation shall cause suitable markers to be placed upon that section of highway bearing that name.

Added by Laws 2008, c. 157, § 1, emerg. eff. May 12, 2008.

§69-1698.33. John Adams and Arlie Harrill Memorial Bridges.

The four new bridges on State Highway 32 west of the City of Marietta in Love County crossing the Walnut Bayou shall be designated as the "John Adams and Arlie Harrill Memorial Bridges". The Department of Transportation shall cause suitable permanent markers to be placed upon those bridges bearing those names.

Added by Laws 2008, c. 157, § 2, emerg. eff. May 12, 2008.

§69-1698.34. Private First Class Cody Montana Carver, U.S. Army 3rd Infantry Division Memorial Bridge.

The bridge on State Highway 62 south of Haskell, Oklahoma, shall be designated the "Private First Class Cody Montana Carver, U.S. Army 3rd Infantry Division Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2008, c. 157, § 3, emerg. eff. May 12, 2008.

§69-1698.35. Representative Jim L. Barker, Speaker of the Oklahoma House of Representatives Memorial Highway.

The section of State Highway 64 between Muskogee and Keefeton shall be designated the "Representative Jim L. Barker, Speaker of the Oklahoma House of Representatives Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2008, c. 157, § 4, emerg. eff. May 12, 2008.

§69-1698.36. U.S. Army Staff Sergeant Ruben Rivers Highway.

The section of State Highway 9 from Skagg City Road east to the intersection of State Highway 9-A in Pottawatomie County shall be designated the "U.S. Army Staff Sergeant Ruben Rivers Highway". SSG Ruben Rivers was killed in action during World War II on November 19, 1944. He was posthumously awarded the Medal of Honor for his heroic efforts as a member of the 761st Tank Battalion, the first African-American armored unit to serve in combat. In addition to the Medal of Honor, Staff Sergeant Rivers was awarded the Silver Star for previous action with his battalion. The Department of Transportation shall cause suitable markers to be placed upon that section of highway bearing that name.

Added by Laws 2008, c. 157, § 5, emerg. eff. May 12, 2008.

§69-1698.37. SPC Ross Hunter Duncan Memorial Highway.

The section of Interstate 35 from State Highway 64 (Fir Street) south to State Highway 51 shall be designated the "SPC Ross Hunter Duncan Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2008, c. 157, § 6, emerg. eff. May 12, 2008.

§69-1698.38. OHP Lt. J.C. Burris Memorial Highway.

The section of State Highway 105 from I-35 east to the Lincoln County line shall be designated the "OHP Lt. J.C. Burris Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2008, c. 157, § 7, emerg. eff. May 12, 2008.

§69-1698.39. Zach D. Taylor, Jr. Memorial Interchange.

The interchange of Interstate 235 and North 36th street in Oklahoma City, Oklahoma, shall be designated the "Zach D. Taylor, Jr. Memorial Interchange". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2008, c. 157, § 8, emerg. eff. May 12, 2008.

§69-1698.40. Richard L. Huddleston Memorial Bridge.

The new bridge on State Highway 74 south of Oklahoma County Line crossing the Bloody Rush Creek shall be designated the "Richard L. Huddleston Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon that bridge bearing that name.

Added by Laws 2008, c. 310, § 2, emerg. eff. June 2, 2008.

§69-1698.41. U.S. Army Staff Sergeant Billie Hall Memorial Highway.

State Highway 151 in Tulsa County from State Highway 51 north to the intersection of U.S. Highway 64 shall be designated the "U.S. Army Staff Sergeant Billie Hall Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2008, c. 310, § 3, emerg. eff. June 2, 2008.

§69-1698.42. Representative Ron Langmacher Bridge.

The bridge crossing over the Washita River on State Highway 9, approximately two (2) miles east of Carnegie, shall be designated the "Representative Ron Langmacher Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2008, c. 310, § 4, emerg. eff. June 2, 2008.

§69-1698.43. State Representative Terry Hyman Memorial Highway.

The portion of State Highway 32 from Interstate 35 west to the Jefferson County Line shall be designated as the "State Representative Terry Hyman Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2009, c. 150, § 1, emerg. eff. May 11, 2009.

NOTE: Laws 2009, c. 60, § 1 repealed by Laws 2010, c. 2, § 72, emerg. eff. March 3, 2010.

§69-1698.44. CWO2 Steven Shephard Memorial Highway.

A portion of Interstate 35, beginning at mile marker 100 extending south to Purcell, Oklahoma, shall be designated as the "CWO2 Steven Shephard Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2009, c. 112, § 1, emerg. eff. April 27, 2009.

§69-1698.45. M/SGT Ura M. Horton Memorial Bridge

The bridge in Pontotoc County on State Highway 48 approximately five (5) miles south of Allen, Oklahoma, shall be designated as the "M/SGT Ura M. Horton Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2009, c. 150, § 3, emerg. eff. May 11, 2009.

§69-1698.46. TSGT Jason Norton Memorial Bridge.

The bridge that crosses the Neosho River on State Highway 125 at Riverview Park in Miami, Oklahoma, shall be designated the "TSGT Jason Norton Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2009, c. 150, § 4, emerg. eff. May 11, 2009.

§69-1698.47. Commissioner Jimmie Primrose Memorial Bridge.

The bridge in Murray County that crosses the Washita River on State Highway 7 between Interstate 35 and Davis, Oklahoma, shall be designated the "Commissioner Jimmie Primrose Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2009, c. 150, § 5, emerg. eff. May 11, 2009.

§69-1698.48. SSGT Larry S. Pierce Memorial Highway.

The portion of U.S. Highway 270 between Seminole, Oklahoma, and Wewoka, Oklahoma, shall be designated as the "SSGT Larry S. Pierce Memorial Highway". The Department of Transportation shall cause

suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2009, c. 150, § 6, emerg. eff. May 11, 2009.

§69-1698.49. Sheriff Jerry Beall and Police Chief Joe Rowden Memorial Highway.

The portion of State Highway 51 in Payne County that is between the junctions of State Highway 108 with State Highway 51 shall be designated as the "Sheriff Jerry Beall and Police Chief Joe Rowden Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2009, c. 150, § 7, emerg. eff. May 11, 2009.

§69-1698.50. Mazzebeth Turner Memorial Highway.

The portion of State Highway 77 in Murray County that is between the junctions of State Highway 77 and Interstate 35 at exits 51 and 47 shall be designated as the "Mazzebeth Turner Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2009, c. 150, § 8, emerg. eff. May 11, 2009.

§69-1698.51. U.S. Army 509th Engineer Company Memorial Bridge.

The bridge in Oklahoma County on State Highway 4 approximately one (1) mile north of the junction of State Highway 4 with State Highway 3 shall be designated as the "U.S. Army 509th Engineer Company Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2009, c. 150, § 9, emerg. eff. May 11, 2009.

§69-1698.52. U.S. Army Staff Sgt. Brandon W. Farley Memorial Highway.

The portion of State Highway 3 east of Idabel to Tom shall be designated as the "U.S. Army Staff Sgt. Brandon W. Farley Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2009, c. 150, § 10, emerg. eff. May 11, 2009.

§69-1698.53. Charles "Choppy" Parker Memorial Bridge.

The bridge on State Highway 11 in Alfalfa County crossing the Salt Fork River shall be designated as the "Charles 'Choppy' Parker Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2009, c. 150, § 11, emerg. eff. May 11, 2009.

§69-1698.54. Leon Sherrer Highway.

The Business portion where State Highways 69 and 75 are one common merged highway in Bryan County from the intersection of Waldon Drive and State Highway 69 north to Alabama Street in Durant, shall be designated the "Leon Sherrer Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2009, c. 150, § 12, emerg. eff. May 11, 2009.

§69-1698.55. Deputy Sheriff Dustin Duncan Memorial Bridge.

The bridge on State Highway 112 crossing the Poteau River in LeFlore County shall be designated as the "Deputy Sheriff Dustin Duncan Memorial Bridge" and the Department of Transportation shall cause suitable permanent markers to be placed on that bridge.

Added by Laws 2009, c. 150, § 13, emerg. eff. May 11, 2009.

§69-1698.56. U.S. Army, 2nd Lieutenant Fred Sonaggera Memorial Bridge.

The bridge on State Highway 128 east of Heavener in LeFlore County shall be designated as the "U.S. Army, 2nd Lieutenant Fred Sonaggera Memorial Bridge" and the Department of Transportation shall cause suitable permanent markers to be placed on that bridge.

Added by Laws 2009, c. 150, § 14, emerg. eff. May 11, 2009.

§69-1698.57. Carsyn Kay Hackler Memorial Highway.

The portion of State Highway 63 from Kiowa, Oklahoma, extending east approximately three (3) miles to Pittsburg, Oklahoma, shall be designated as the "Carsyn Kay Hackler Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2009, c. 150, § 2, emerg. eff. May 11, 2009.

NOTE: Editorially renumbered from § 1698.44 of this title to avoid duplication in numbering.

§69-1698.58. SSG Chris Hake Memorial Highway.

The portion of U.S. Highway 81 from the Enid, Oklahoma, city limits extending north to the junction with U.S. Highway 64 shall be designated as the "SSG Chris Hake Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2009, c. 231, § 4, eff. July 1, 2009.

NOTE: Editorially renumbered from § 1698.45 of this title to avoid duplication in numbering.

§69-1698.59. Trooper David Nalley Memorial Highway.

The portion of State Highway 6 from the junction of State Highway 6 and U.S. Highway 283 extending west to the junction of State

Highway 6 and State Highway 152 shall be designated as the "Trooper David Nalley Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2009, c. 231, § 5, eff. July 1, 2009.

NOTE: Editorially renumbered from § 1698.46 of this title to avoid duplication in numbering.

§69-1698.60. Don Bowser Memorial Highway.

State Highway 76 from 10th Street in Blanchard south to U.S. Highway 62 shall be designated the "Don Bowser Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2010, c. 100, § 1, emerg. eff. April 13, 2010.

§69-1698.61. Don R. Dunn Memorial Highway.

That portion of State Highway 81 in Chickasha from Choctaw Avenue to Grand Avenue shall be designated as the "Don R. Dunn Memorial Highway" and the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2010, c. 101, § 1.

NOTE: Editorially renumbered from Title 69, § 1698.60 to avoid a duplication in numbering.

§69-1698.62. Veterans Memorial Highway - SFC Tony K. Burris Memorial Highway.

A. Except as provided in subsection B of this section, the portion of U.S. Highway 62 beginning and ending with the city limits of Blanchard shall be designated as the "Veterans Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

B. The portion of U.S. Highway 62 in Blanchard extending northeast from the intersection with State Highway 76 to the intersection with State Highway 9 shall be designated as the "SFC Tony K. Burris Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2010, c. 104, § 1, emerg. eff. April 15, 2010. Amended by Laws 2016, c. 239, § 2, eff. Nov. 1, 2016.

NOTE: Editorially renumbered from § 1698.60 of this title to avoid duplication in numbering.

§69-1698.63. U.S. Navy Captain Steven L. Farley Memorial Interchange.

The interchange on US Highway 77 (Broadway Extension) crossing Memorial Road in Oklahoma County shall be designated the "U.S. Navy Captain Steven L. Farley Memorial Interchange". The Department of

Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2010, c. 156, § 1, eff. Nov. 1, 2010.

NOTE: Editorially renumbered from Title 69, § 1698.62 to avoid a duplication in numbering.

§69-1698.64. Officer Larry W. Cantrell and Mr. Charles L. Cantrell Memorial Highway.

The portion of State Highway 66 in Sapulpa from the intersection of 96th Street (Hilton Road) to 100th Street shall be designated the "Officer Larry W. Cantrell and Mr. Charles L. Cantrell Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing their names.

Added by Laws 2010, c. 158, § 1, emerg. eff. April 20, 2010.

NOTE: Editorially renumbered from Title 69, § 1698.61 to avoid a duplication in numbering.

§69-1698.65. Billy B. Walkabout Memorial Highway.

The section of Interstate 40 extending from the junction of Interstate 40 and Interstate 235 east to Eastern Avenue in Oklahoma County shall be designated as the "Billy B. Walkabout Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2010, c. 177, § 1.

NOTE: Editorially renumbered from § 1968.61 of this title to avoid duplication in numbering.

§69-1698.66. Fern Holland Memorial Highway.

That portion of State Highway 25 from the junction of State Highway 25 and U.S. Highway 59 extending west to the Ottawa County line shall be designated as the "Fern Holland Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2010, c. 180, § 1, eff. Nov. 1, 2010.

NOTE: Editorially renumbered from § 1698.60 of this title to avoid duplication in numbering.

§69-1698.67. Tommy Azlin Memorial Highway.

That portion of U.S. Highway 59 South of Heavener from the Poteau River Bridge extending south to the Hodgen city limits shall be designated as the "Tommy Azlin Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2010, c. 180, § 2, eff. Nov. 1, 2010.

NOTE: Editorially renumbered from § 1698.61 of this title to avoid duplication in numbering.

§69-1698.68. Joe Hemphill Memorial Bridge.

The bridge crossing Polk Creek on the Poteau Bypass shall be designated the "Joe Hemphill Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2010, c. 180, § 3, eff. Nov. 1, 2010.

NOTE: Editorially renumbered from § 1698.62 of this title to avoid duplication in numbering.

§69-1698.69. F.L. Holton Memorial Bridge.

The bridge crossing McMurtry Creek on the Poteau Bypass shall be designated the "F.L. Holton Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2010, c. 180, § 4, eff. Nov. 1, 2010.

NOTE: Editorially renumbered from § 1698.63 of this title to avoid duplication in numbering.

§69-1698.70. State Representative Tim Pope Memorial Bridge.

The bridge on State Highway 4 that crosses the Canadian River between Mustang and Tuttle shall be designated the "State Representative Tim Pope Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2010, c. 180, § 5, eff. Nov. 1, 2010.

NOTE: Editorially renumbered from § 1698.64 of this title to avoid duplication in numbering.

§69-1698.71. USMC Cpl. Jeremy D. Allbaugh Memorial Highway.

The portion of State Highway 11 in Blackwell between Interstate 35 and 13th Street shall be designated as the "USMC Cpl. Jeremy D. Allbaugh Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2010, c. 180, § 6, eff. Nov. 1, 2010.

NOTE: Editorially renumbered from § 1698.65 of this title to avoid duplication in numbering.

§69-1698.72. Corporal Michael Eyre Thompson Memorial Highway.

The portion of United States Highway 70 from the Bryan/Marshall county line extending west to the intersection of United States Highway 377 within the City of Madill limits shall be designated as the "Corporal Michael Eyre Thompson Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2010, c. 187, § 1, eff. Nov. 1, 2010.

NOTE: Editorially renumbered from Title 69, § 1698.60 to avoid a duplication in numbering.

§69-1698.73. Sergeant Clint E. Williams Memorial Highway.

The portion of United States Highway 377 from the City of Madill limits south to the Oklahoma state line shall be designated as the "Sergeant Clint E. Williams Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2010, c. 187, § 2, eff. Nov. 1, 2010.

NOTE: Editorially renumbered from Title 69, § 1698.61 to avoid a duplication in numbering.

§69-1698.74. Chief Warrant Officer Brady Rudolf Memorial Highway.

The portion of United States Highway 70 from the Bryan/Marshall county line east to the City of Durant limits shall be designated as the "Chief Warrant Officer Brady Rudolf Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2010, c. 187, § 3, eff. Nov. 1, 2010.

NOTE: Editorially renumbered from Title 69, § 1698.62 to avoid a duplication in numbering.

§69-1698.75. Three Hero Highway: Honoring and In Memory of District Attorney Mitchell D. Sperry, Sheriff Harvey Burkhart and Representative Terry Hyman.

The portion of Scenic 77/County Line Road in Carter County from the junction of Scenic 77/County Line Road and State Highway 77 extending east to the junction of Scenic 77/County Line Road and State Highway 77S shall be designated as the "Three Hero Highway: Honoring and In Memory of District Attorney Mitchell D. Sperry, Sheriff Harvey Burkhart and Representative Terry Hyman". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2010, c. 187, § 4, eff. Nov. 1, 2010.

NOTE: Editorially renumbered from Title 69, § 1698.63 to avoid a duplication in numbering.

§69-1698.76. Master Sergeant Houston K. Blackburn Memorial Highway.

That portion of State Highway 7 from the Atoka city limits extending west to the Johnston County line shall be designated as the "Master Sergeant Houston K. Blackburn Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2010, c. 232, § 1, emerg. eff. May 10, 2010.

NOTE: Editorially renumbered from § 1698.60 of this title to avoid duplication in numbering.

§69-1698.77. PFC Lonnie D. Loyd, Jr. Memorial Highway.

That portion of State Highway 48 from the junction of State Highway 48 and State Highway 7 extending north to the Johnston County line shall be designated as the "PFC Lonnie D. Loyd, Jr. Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name. Added by Laws 2010, c. 232, § 2, emerg. eff. May 10, 2010.

NOTE: Editorially renumbered from § 1698.61 of this title to avoid duplication in numbering.

§69-1698.78. George Freas Memorial Bridge.

The bridge on State Highway 31 approximately four (4) miles southwest of Ashland in Coal County shall be designated the "George Freas Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2010, c. 232, § 3, emerg. eff. May 10, 2010.

NOTE: Editorially renumbered from § 1698.62 of this title to avoid duplication in numbering.

§69-1698.79. Fallen Heroes Memorial Bridge.

The bridge crossing Bull Creek on East State Highway 60 approximately one (1) mile east of the junction of East State Highway 60 and State Highway 2 in Craig County shall be designated the "Fallen Heroes Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2010, c. 232, § 4, emerg. eff. May 10, 2010.

NOTE: Editorially renumbered from § 1698.63 of this title to avoid duplication in numbering.

§69-1698.80. 95th Division Memorial Highway.

That portion of Interstate 44 located in Comanche County from the junction of Interstate 44 and State Highway 7 extending north to mile marker 46 shall be designated as the "95th Division Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2010, c. 232, § 5, emerg. eff. May 10, 2010.

NOTE: Editorially renumbered from § 1698.64 of this title to avoid duplication in numbering.

§69-1698.81. E.A. Woods Memorial Highway.

The portion of State Highway 46 from the junction of State Highway 46 and State Highway 15 extending south to the junction of State Highway 46 and the Sharon-Shattuck Road shall be designated as the "E.A. Woods Memorial Highway". The Department of Transportation

shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2010, c. 232, § 6, emerg. eff. May 10, 2010.

NOTE: Editorially renumbered from § 1698.65 of this title to avoid duplication in numbering.

§69-1698.82. Representative Opio Toure Memorial Highway.

The portion of Interstate 35 in Oklahoma City between Northeast 23rd Street and Interstate 40 shall be designated as the "Representative Opio Toure Memorial Highway". The Department of Transportation shall place suitable permanent markers on the highway bearing that name.

Added by Laws 2010, c. 232, § 7, emerg. eff. May 10, 2010.

NOTE: Editorially renumbered from § 1698.66 of this title to avoid duplication in numbering.

§69-1698.83. USMC Cpl. Jeremy D. Allbaugh Memorial Highway.

The portion of State Highway 11 in Blackwell between Interstate 35 and 13th Street shall be designated as the "USMC Cpl. Jeremy D. Allbaugh Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2010, c. 232, § 8, emerg. eff. May 10, 2010.

NOTE: Editorially renumbered from § 1698.67 of this title to avoid duplication in numbering.

§69-1698.84. James W. Summerlin Memorial Highway.

The portion of State Highway 88 between Inola and Claremore shall be designated the "James W. Summerlin Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2010, c. 232, § 9, emerg. eff. May 10, 2010.

NOTE: Editorially renumbered from § 1698.68 of this title to avoid duplication in numbering.

§69-1698.85. Walter Merrick Memorial Highway.

The portion of State Highway 66 from the I-40 loop at exit 25 to 4th Street in Sayre shall be designated as the "Walter Merrick Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2010, c. 232, § 10, emerg. eff. May 10, 2010.

NOTE: Editorially renumbered from § 1698.69 of this title to avoid duplication in numbering.

§69-1698.86. Raymond Mallouf Memorial Highway.

The portion of State Highway 152 from the I-40 loop at exit 23 to 3rd Street in Sayre shall be designated as the "Raymond Mallouf Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2010, c. 232, § 11, emerg. eff. May 10, 2010.

NOTE: Editorially renumbered from § 1698.70 of this title to avoid duplication in numbering.

§69-1698.87. Frank Drew Memorial Bridge.

The bridge on United States Highway 81 crossing the Canadian River between Union City and Minco shall be designated the "Frank Drew Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2010, c. 232, § 12, emerg. eff. May 10, 2010.

NOTE: Editorially renumbered from § 1698.71 of this title to avoid duplication in numbering.

§69-1698.88. Dr. D.P. Richardson, M.D. Memorial Highway.

The portion of United States Highway 81 beginning and ending with the city limits of Union City shall be designated as the "Dr. D.P. Richardson, M.D. Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2010, c. 232, § 13, emerg. eff. May 10, 2010.

NOTE: Editorially renumbered from § 1698.72 of this title to avoid duplication in numbering.

§69-1698.89. E.F. (Doc) Coker Bridge.

The bridge on State Highway 63, crossing Ti Creek, in Pittsburg County shall be designated the "E.F. (Doc) Coker Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2010, c. 232, § 14, emerg. eff. May 10, 2010.

NOTE: Editorially renumbered from § 1698.73 of this title to avoid duplication in numbering.

§69-1698.90. Tribal Elder Parrish Williams Memorial Highway.

That portion of State Highway 177 from White Eagle Road extending south to Eagles Nest Road shall be designated as "Tribal Elder Parrish Williams Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2010, c. 235, § 1, eff. Nov. 1, 2010.

NOTE: Editorially renumbered from § 1698.74 of this title to avoid duplication in numbering.

§69-1698.91. Dr. Martin Luther King, Jr. Memorial Parkway.

That portion of U.S. Highway 77 from the junction of U.S. Highway 77 and South Avenue in Ponca City extending south to the junction of U.S. Highway 77 and East Harding Road shall be designated as "Dr. Martin Luther King, Jr. Memorial Parkway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2010, c. 235, § 2, eff. Nov. 1, 2010.

NOTE: Editorially renumbered from § 1698.75 of this title to avoid duplication in numbering.

§69-1698.92. Marcus Eugene Mills Memorial Bridge.

The bridge on State Highway 3E approximately one and one-half (1.5) miles south of Bowlegs shall be designated as the "Marcus Eugene Mills Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2010, c. 235, § 3, eff. Nov. 1, 2010.

NOTE: Editorially renumbered from § 1698.76 of this title to avoid duplication in numbering.

§69-1698.93. Bass Reeves Memorial Bridge.

The bridge over the Arkansas River on United States Highway 62 within the limits of the City of Muskogee shall be designated as the "Bass Reeves Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2011, c. 149, § 1, emerg. eff. May 2, 2011.

§69-1698.94. President George W. Bush Bridge.

The southbound bridge on US 277/US 281 crossing the Red River shall be designated as the "President George W. Bush Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the highways bearing that name.

Added by Laws 2011, c. 151, § 1.

NOTE: Editorially renumbered from Title 69, Section 1698.93 to avoid a duplication in numbering.

§69-1698.95. Jerry Lasker Memorial Interchange.

The interchange of Interstate Highway 44 crossing Harvard Avenue in Tulsa County shall be designated as the "Jerry Lasker Memorial Interchange". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2011, c. 220, § 1, emerg. eff. May 11, 2011.

NOTE: Editorially renumbered from Title 69, Section 1698.93 to avoid a duplication in numbering.

§69-1698.96. Vietnam War Veterans Memorial Bridge.

The bridge over Salt Creek on State Highway 51 in Mannford shall be designated as the "Vietnam War Veterans Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2011, c. 220, § 2, emerg. eff. May 11, 2011.

NOTE: Editorially renumbered from Title 69, Section 1698.94 to avoid a duplication in numbering.

§69-1698.97. Lecia Swain-Ross Memorial Bridge.

The bridge located on N.E. 16th Street crossing over Interstate 35 in Oklahoma City shall be designated as the "Lecia Swain-Ross Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2011, c. 220, § 3, emerg. eff. May 11, 2011.

NOTE: Editorially renumbered from Title 69, Section 1698.95 to avoid a duplication in numbering.

§69-1698.98. C.E. Pittman Memorial Bridge.

The bridge located on N.E. 4th Street crossing over Interstate 35 in Oklahoma City shall be designated as the "C.E. Pittman Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2011, c. 220, § 4, emerg. eff. May 11, 2011.

NOTE: Editorially renumbered from Title 69, Section 1698.96 to avoid a duplication in numbering.

§69-1698.99. Samuel R. Henderson Memorial Bridge.

The bridge crossing the Washita River on State Highway 74 north of Maysville shall be designated as the "Samuel R. Henderson Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2011, c. 343, § 1, emerg. eff. May 25, 2011.

NOTE: Editorially renumbered from Title 69, Section 1698.93 to avoid a duplication in numbering.

§69-1698.100. PFC A.T. Howell Memorial Bridge.

The bridge crossing Leader Creek on State Highway 3 in Coal County shall be designated as the "PFC A.T. Howell Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2011, c. 343, § 2, emerg. eff. May 25, 2011.

NOTE: Editorially renumbered from Title 69, Section 1698.94 to avoid a duplication in numbering.

§69-1698.101. SSGT Billy Elliot Memorial Highway.

The portion of U.S. Highway 59 extending from the Poteau River Bridge to the Heavener city limits shall be designated as the "SSGT Billy Elliott Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2011, c. 343, § 3, emerg. eff. May 25, 2011.

NOTE: Editorially renumbered from Title 69, Section 1698.95 to avoid a duplication in numbering.

§69-1698.102. SSG John R. Bush Memorial Bridge.

The bridge crossing Sandy Creek on State Highway 99 in Pontotoc County shall be designated as the "SSG John R. Bush Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2011, c. 343, § 4, emerg. eff. May 25, 2011.

NOTE: Editorially renumbered from Title 69, Section 1698.96 to avoid a duplication in numbering.

§69-1698.103. Harold Bell Memorial Bridge.

The bridge crossing Hudson Avenue on Interstate 244 in Tulsa shall be designated as the "Harold Bell Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2011, c. 343, § 5, emerg. eff. May 25, 2011.

NOTE: Editorially renumbered from Title 69, Section 1698.97 to avoid a duplication in numbering.

§69-1698.104. Larry Wade Memorial Highway.

The section of State Highway 6 in Beckham County from the intersection of State Highway 6 and I-40 south to the intersection of State Highway 6 and State Highway 152 shall be designated as the "Larry Wade Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2011, c. 343, § 6, emerg. eff. May 25, 2011.

NOTE: Editorially renumbered from Title 69, Section 1698.98 to avoid a duplication in numbering.

§69-1698.105. USAF Maj. Aubrey Eugene Stowers, Jr. Memorial Bridge.

The bridge located approximately three (3) miles west of Sentinel on State Highway 55 in Washita County shall be designated as the "USAF Maj. Aubrey Eugene Stowers, Jr. Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2011, c. 343, § 7, emerg. eff. May 25, 2011.

NOTE: Editorially renumbered from Title 69, Section 1698.99 to avoid a duplication in numbering.

§69-1698.106. Honorable Hannah Diggs Atkins, Secretary of State, Memorial Highway.

The portion of Interstate 35 in Oklahoma City from Northeast 23rd Street extending north to the junction of Interstate 35 and Interstate 44 shall be designated as the "Honorable Hannah Diggs Atkins, Secretary of State, Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2011, c. 343, § 8, emerg. eff. May 25, 2011.

NOTE: Editorially renumbered from Title 69, Section 1698.100 to avoid a duplication in numbering.

§69-1698.107. Major Scott Hagerty USAR Memorial Highway.

The section of State Highway 177 from the intersection of State Highway 33 in Perkins north to the Stillwater municipal limits shall be designated as "Major Scott Hagerty USAR Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2011, c. 246, § 1, eff. Nov. 1, 2011.

NOTE: Editorially renumbered from Title 69, Section 1698.94 to avoid a duplication in numbering.

§69-1698.108. Dr. Walter S. Mason, Jr. Memorial Highway.

The portion of Interstate 40 between mile markers 65 and 66 in Custer County shall be designated as the "Dr. Walter S. Mason, Jr. Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2011, c. 246, § 2, eff. Nov. 1, 2011.

NOTE: Editorially renumbered from Title 69, Section 1698.97 to avoid a duplication in numbering.

§69-1698.109. Chief Warrant Officer Gordon Spangler Memorial Highway.

The portion of State Highway 19 in Grady County extending from the intersection of State Highway 19 and State Highway 81 east to the Little Washita River Bridge shall be designated as the "Chief Warrant Officer Gordon Spangler Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2011, c. 246, § 3, eff. Nov. 1, 2011.

NOTE: Editorially renumbered from Title 69, Section 1698.98 to avoid a duplication in numbering.

§69-1698.110. Cpl. Joshua Jerold Ware Memorial Highway.

The portion of State Highway 64 in Sequoyah County extending from the Roland city limits east to the Oklahoma-Arkansas state line shall be designated as the "Cpl. Joshua Jerold Ware Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2011, c. 246, § 4, eff. Nov. 1, 2011.

NOTE: Editorially renumbered from Title 69, Section 1698.99 to avoid a duplication in numbering.

§69-1698.111. Historic Route 66 Bike Trail.

State Highway 66 shall be designated as the "Historic Route 66 Bike Trail". The cost associated with signage required by this section shall be provided from private sources and shall include the cost of the initial erection of signs as well as the cost of potential replacement or reconstruction of signs. Upon receiving adequate funding from private sources and after a shoulder lane has been provided, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name. Contingent upon the availability of funds, the Department shall provide a shoulder lane designated for use by bicycle traffic on the Historic Route 66 Bike Trail.

Added by Laws 2011, c. 217, § 1, eff. Nov. 1, 2011.

NOTE: Editorially renumbered from § 1698.94 of this title to avoid duplication in numbering.

§69-1698.112. SSGT Chaz Allen Highway.

The portion of State Highway 22 from the junction of State Highway 22 and State Highway 1 extending east to the intersection of State Highway 22 and northbound U.S. Highway 377 shall be designated as the "SSGT Chaz Allen Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 94, § 1, emerg. eff. April 18, 2012.

§69-1698.113. Spec 4 Randy Derrick Memorial Bridge.

The bridge crossing Coal Creek on State Highway 3 in Coal County shall be designated as the "Spec 4 Randy Derrick Memorial Bridge". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2012, c. 94, § 2, emerg. eff. April 18, 2012.

§69-1698.114. SPC Jordan M. Morris Memorial Highway.

The portion of State Highway 108 from the junction of State Highway 108 and State Highway 51 extending to the junction of State

Highway 108 and State Highway 33 shall be designated as the "SPC Jordan M. Morris Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 94, § 3, emerg. eff. April 18, 2012.

§69-1698.115. SPC Joshua D. Sheppard-Young Memorial Highway.

The portion of State Highway 71 from the intersection of State Highway 71 and State Highway 9 extending approximately nine (9) miles to the intersection of State Highway 71 and State Highway 31 shall be designated as the "SPC Joshua D. Sheppard-Young Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 94, § 4, emerg. eff. April 18, 2012.

§69-1698.116. 1LT David Timothy Wright II Memorial Highway.

The two-mile section of State Highway 37 in Moore, Oklahoma, from the junction of State Highway 37 and Eastern Avenue extending east to the junction of State Highway 37 and Sunnyslane Road shall be designated as the "1LT David Timothy Wright II Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 94, § 5, emerg. eff. April 18, 2012.

§69-1698.117. U.S. Border Patrol Chief Donald R. Coppock Memorial Highway.

The portion of State Highway 11 from the junction of State Highway 11 and U.S. Highway 64 extending east to the junction of State Highway 11 and State Highway 38 shall be designated as the "U.S. Border Patrol Chief Donald R. Coppock Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 305, § 1, eff. July 1, 2012.

§69-1698.118. Coach Ray Troutt Memorial Highway.

The portion of State Highway 58 from the junction of State Highway 58 and State Highway 45 extending north to the junction of State Highway 58 and U.S. Highway 64 shall be designated as the "Coach Ray Troutt Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 305, § 2, eff. July 1, 2012.

§69-1698.119. Senator David Myers Memorial Highway.

The portion of State Highway 11 from the junction of State Highway 11 and U.S. Highway 77 extending east to Kaw City, Oklahoma, shall be designated as the "Senator David Myers Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 305, § 3, eff. July 1, 2012.

§69-1698.120. Veldo M. Goins Memorial Bridge.

The bridge crossing Grand Lake on U.S. Highway 59 in Delaware County between Copeland, Oklahoma, and Grove, Oklahoma, shall be designated as the "Veldo M. Goins Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed at the north and south ends of the bridge bearing that name.

Added by Laws 2012, c. 305, § 4, eff. July 1, 2012.

§69-1698.121. Paul Harvey Memorial Expressway.

The portion of U.S. Highway 75 from the junction of U.S. Highway 75 and U.S. Highway 412 extending south to the junction of U.S. Highway 75 and U.S. Highway 64 shall be designated as the "Paul Harvey Memorial Expressway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 305, § 5, eff. July 1, 2012.

§69-1698.122. Representative Rusty Farley Memorial Highway.

The portion of U.S. Highway 70 from Broken Bow, Oklahoma, extending south to Idabel, Oklahoma, shall be designated as the "Representative Rusty Farley Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 305, § 6, eff. July 1, 2012.

§69-1698.123. Wesley and Maxine Nixon Bridge.

The bridge crossing State Highway 50 north of Freedom, Oklahoma, near the intersection of State Highway 50 and U.S. Highway 64 shall be designated as the "Wesley and Maxine Nixon Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2012, c. 305, § 7, eff. July 1, 2012.

§69-1698.124. Charles Davis Memorial Highway.

The portion of State Highway 125 from the junction of State Highway 125 and State Highway 85A extending south to where State Highway 125 terminates on Monkey Island shall be designated as the "Charles Davis Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 305, § 8, eff. July 1, 2012.

§69-1698.125. Dr. James E. and Representative Mina M. Hibdon Memorial Highway.

The portion of Interstate 35 from the junction of Interstate 35 and Indian Hills Road extending south to junction of Interstate 35 and State Highway 9 West shall be designated as the "Dr. James E. and Representative Mina M. Hibdon Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 305, § 9, eff. July 1, 2012.

§69-1698.126. Bill W. Burgess Jr. Highway.

The portion of Interstate 44 from the point one (1) mile north of the intersection of Interstate 44 and U.S. Highway 62 extending south to the intersection of Interstate 44 and State Highway 7 shall be designated as the "Bill W. Burgess Jr. Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 305, § 10, eff. July 1, 2012.

§69-1698.127. Major Brice Clayton Coleman Memorial Highway.

The portion of State Highway 48 in Creek County from the junction of State Highway 48 and West 251st Street South extending south to the junction of State Highway 48 and East 950 Road shall be designated as the "Major Brice Clayton Coleman Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 305, § 11, eff. July 1, 2012.

§69-1698.128. Senator Ralph J. Choate Memorial Highway.

The portion of United States Highway 81 located within the municipal limits of the City of Hennessey shall be designated as "Senator Ralph J. Choate Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2012, c. 305, § 12, eff. July 1, 2012.

§69-1698.129. Trooper William McClendon Memorial Highway.

The portion of U.S. Highway 75 beginning at the junction of U.S. Highway 75 and West 201st Street South extending south to Okmulgee, Oklahoma, shall be designated as the "Trooper William McClendon Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 305, § 13, eff. July 1, 2012.

§69-1698.130. Jimmy Harrel Highway.

The portion of State Highway 34 from the Dewey County and Custer County line extending northward to the Canadian River shall be designated as "Jimmy Harrel Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 305, § 14, eff. July 1, 2012.

§69-1698.131. Deputy Mike Roberts and Deputy Tim Lowry Memorial Highway.

The portion of State Highway 39 extending from the municipal limits of the City of Asher to the municipal limits of the City of Konawa shall be designated as the "Deputy Mike Roberts and Deputy Tim Lowry Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 305, § 15, eff. July 1, 2012.

§69-1698.132. Senator Robert Milacek Memorial Bridge.

The bridge over an unnamed creek at Meadow Lake Park on U.S. Highway 81, south of the municipal limits of Enid shall be designated as "Senator Robert Milacek Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2012, c. 305, § 16, eff. July 1, 2012.

§69-1698.133. Gordon Roesler Memorial Bridge.

The bridge over Black Bear Creek on U.S. Highway 77, north of the municipal limits of Perry shall be designated as "Gordon Roesler Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2012, c. 305, § 17, eff. July 1, 2012.

§69-1698.134. Chappelle Family Memorial Highway.

The section of State Highway 75 from Interstate 244 north to 56th Street North within the Tulsa municipal limits shall be designated as "Chappelle Family Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2012, c. 305, § 18, eff. July 1, 2012.

§69-1698.135. Aaron Harrison Scott Memorial Bridge.

The bridge over the Kiamichi River on U.S. Highway 271 located one mile south of the municipal limits of Clayton shall be designated as the "Aaron Harrison Scott Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2012, c. 305, § 19, eff. July 1, 2012.

§69-1698.136. Representative Sue Tibbs Memorial Highway.

The portion of U.S. Highway 169 from the junction of U.S. Highway 169 and State Highway 51 extending north the junction of U.S. Highway 169 and Interstate 44 in Tulsa, Oklahoma, shall be designated as the "Representative Sue Tibbs Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 305, § 20, eff. July 1, 2012.

§69-1698.137. 1LT David Timothy Wright II Memorial Highway.

The two-mile section of State Highway 37 in Moore, Oklahoma, from the junction of State Highway 37 and Eastern Avenue extending east to the junction of State Highway 37 and Sunnyslane Road shall be designated as the "1LT David Timothy Wright II Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 309, § 21, eff. July 1, 2012.

§69-1698.138. Senator Gilmer Capps Highway.

The portion of U.S. Highway 183 from the junction of U.S. Highway 183 and U.S. Highway 62 extending south to Frederick, Oklahoma, shall be designated as the "Senator Gilmer Capps Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2012, c. 309, § 22, eff. July 1, 2012.

§69-1698.139. Sergeant Schuyler B. Patch Memorial Highway.

The section of U.S. Highway 169 from 86th Street North to 96th Street North shall be designated as the "Sergeant Schuyler B. Patch Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2012, c. 309, § 1, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.117 to avoid a duplication in numbering.

§69-1698.140. Sergeant Andrew R. Looney Memorial Highway.

The section of U.S. Highway 169 from 96th Street North to 106th Street North shall be designated as the "Sergeant Andrew R. Looney Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2012, c. 309, § 2, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.118 to avoid a duplication in numbering.

§69-1698.141. Specialist Christopher D. Horton Memorial Highway.

The section of U.S. Highway 169 from 106th Street North to 116th Street North shall be designated as the "Specialist Christopher D. Horton Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2012, c. 309, § 3, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.119 to avoid a duplication in numbering.

§69-1698.142. Sgt. Anthony Del Mar Peterson Memorial Highway.

The section of U.S. Highway 169 from 76th Street North to 86th Street North shall be designated as the "Sgt. Anthony Del Mar Peterson Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2012, c. 309, § 4, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.120 to avoid a duplication in numbering.

§69-1698.143. Captain David "JP" Thompson Memorial Highway.

The section of U.S. Highway 64 from Hooker, Oklahoma, extending east to Turpin, Oklahoma, shall be designated as the "Captain David "JP" Thompson Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2012, c. 309, § 5, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.121 to avoid a duplication in numbering.

§69-1698.144. Barbara S. Swineford Highway.

The section of U.S. Highway 283 from Laverne, Oklahoma, extending north to the intersection of U.S. Highway 283 and U.S. Highway 64 shall be designated as the "Barbara S. Swineford Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2012, c. 309, § 6, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.122 to avoid a duplication in numbering.

§69-1698.145. Merle D. Swineford Highway.

The section of U.S. Highway 283 from Laverne, Oklahoma, extending south to the intersection of U.S. Highway 283 and U.S. Highway 412 shall be designated as the "Merle D. Swineford Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2012, c. 309, § 7, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.123 to avoid a duplication in numbering.

§69-1698.146. Sergeant Bucky Eisenberger Memorial Highway.

The section of highway from the junction of State Highway 99 and State Highway 11 extending south to the Wynona municipal limits shall be designated as the "Sergeant Bucky Eisenberger Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2012, c. 309, § 8, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.124 to avoid a duplication in numbering.

§69-1698.147. Pamela Cleveland Argo Memorial Bridge.

The bridge over the Canadian River on State Highway 2 north of Whitefield, Oklahoma, shall be designated as the "Pamela Cleveland Argo Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2012, c. 309, § 9, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.125 to avoid a duplication in numbering.

§69-1698.148. Specialist Jordan Morris Memorial Highway.

The section of highway from the junction of State Highway 108 and State Highway 51 extending south to the Ripley municipal limits shall be designated as the "Specialist Jordan Morris Memorial Highway".

The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2012, c. 309, § 10, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.126 to avoid a duplication in numbering.

§69-1698.149. Arthur and Gladys Baker Memorial Bridge.

The bridge over Big Lee Creek on State Highway 101 southwest of Short shall be designated as the "Arthur and Gladys Baker Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2012, c. 309, § 11, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.127 to avoid a duplication in numbering.

§69-1698.150. Sergeant Vincent L. C. Owens Memorial Bridge.

The bridge over the Poteau River on State Highway 9 west of Pocola shall be designated as the "Sergeant Vincent L. C. Owens Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2012, c. 309, § 12, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.128 to avoid a duplication in numbering.

§69-1698.151. Cheppelle Family Memorial Highway.

The section of State Highway 75 from Interstate 244 north to 56th Street North within the Tulsa municipal limits shall be designated as the "Chappelle Family Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2012, c. 309, § 13, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.129 to avoid a duplication in numbering.

§69-1698.152. Lt. Colonel Warren Pingleton Memorial Bridge.

The bridge over Brushy Creek on State Highway 63 southwest of Haileyville shall be designated as the "Lt. Colonel Warren Pingleton Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2012, c. 309, § 14, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.130 to avoid a duplication in numbering.

§69-1698.153. Major Bill Morgan Memorial Bridge.

The bridge over Brushy Creek on U.S. Highway 270 northwest of Haileyville shall be designated as the "Major Bill Morgan Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge. Added by Laws 2012, c. 309, § 15, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.131 to avoid a duplication in numbering.

§69-1698.154. Ronnie Sumpster, Sonny Harris and Rhonda Howard Memorial Bridge.

The bridge over the Little Fourche Maline Creek on U.S. Highway 270 east of the municipal limits of Panola shall be designated as the "Ronnie Sumpster, Sonny Harris and Rhonda Howard Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing those names to be placed on the bridge. Added by Laws 2012, c. 309, § 16, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.132 to avoid a duplication in numbering.

§69-1698.155. Specialist Micheal Phillips Memorial Highway.

The section of Interstate 35 beginning at the northern municipal limit of Ardmore and extending to the southern municipal limit of Ardmore shall be designated as the "Specialist Micheal Phillips Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2012, c. 309, § 17, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.133 to avoid a duplication in numbering.

§69-1698.156. Aaron Harrison Scott Memorial Bridge.

The bridge over the Kiamichi River on U.S. Highway 271 located one (1) mile south of the municipal limits of Clayton shall be designated as the "Aaron Harrison Scott Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2012, c. 309, § 18, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.134 to avoid a duplication in numbering.

§69-1698.157. Corporal Jared Shoemaker Memorial Bridge.

The bridge over East 81st Street on U.S. Highway 169 within the municipal limits of Tulsa shall be designated as the "Corporal Jared Shoemaker Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2012, c. 309, § 19, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.135 to avoid a duplication in numbering.

§69-1698.158. Braggs Veterans Memorial Highway.

The section of State Highway 10 beginning one (1) mile north of the municipal limits of Braggs and extending one (1) mile south past the southern municipal boundary of Braggs shall be designated as the "Braggs Veterans Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2012, c. 309, § 20, eff. July 1, 2012.

NOTE: Editorially renumbered from Title 69, § 1698.136 to avoid a duplication in numbering.

§69-1698.159. Historic Chisholm Trail Bike Route.

State Highway 81 from the Kansas border to the Texas border shall be designated as the "Historic Chisholm Trail Bike Route". The cost associated with signage required by this section shall be provided from private sources and shall include the cost of the initial erection of signs as well as the cost of potential replacement or reconstruction of signs. Upon receiving adequate funding from private sources and after a shoulder lane has been provided, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name. Contingent upon the availability of funds, the Department shall provide a shoulder lane designated for use by bicycle traffic on the Historic Chisholm Trail Bike Route.

Added by Laws 2013, c. 24, § 1, eff. Nov. 1, 2013.

§69-1698.160. Maestro Kenneth Kilgore Memorial Bridge.

The bridge located on Interstate 44 near the junction of Interstate 44 and N. Kelley Avenue in Oklahoma City shall be designated as the "Maestro Kenneth Kilgore Memorial Bridge". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2013, c. 270, § 1, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.159 of this title to avoid a duplication in numbering.

§69-1698.161. LCpl Hatak-Yuka-Keyu Martin Yearby USMC Memorial Bridge.

The bridge over Hickory Creek on U.S. Highway 77 between Oswalt Road and Campbell Road in Love County shall be designated the "LCpl Hatak-Yuka-Keyu Martin Yearby USMC Memorial Bridge". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of

Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2013, c. 270, § 2, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.160 of this title to avoid a duplication in numbering.

§69-1698.162. Wayne Crusoe Memorial Highway.

The portion of U.S. Highway 70 from the municipal limits of Idabel to the municipal limits of Garvin shall be designated as the "Wayne Crusoe Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2013, c. 270, § 3, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.161 of this title to avoid a duplication in numbering.

§69-1698.163. Director Steven Stokes Memorial Highway.

The portion of Interstate 35 beginning approximately two (2) miles north of the intersection of Interstate 35 and State Highway 19 extending approximately two (2) miles to the south of the intersection of Interstate 35 and State Highway 29 shall be designated as the "Director Steven Stokes Memorial Highway".

Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2013, c. 270, § 4, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.162 of this title to avoid a duplication in numbering.

§69-1698.164. Milton Irwin Memorial Bridge.

The bridge over Big Creek on State Highway 1 between Calvin and Atwood in Hughes County shall be designated as the "Milton Irwin Memorial Bridge". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2013, c. 270, § 5, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.163 of this title to avoid a duplication in numbering.

§69-1698.165. Senator Ed Berrong Memorial Highway.

The portion of Interstate 40 between exit number 79 and exit number 82 shall be designated as the "Senator Ed Berrong Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2013, c. 270, § 6, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.164 of this title to avoid a duplication in numbering.

§69-1698.166. Great Western Cattle Trail.

The portion of Interstate 40 between mile marker 45 and mile marker 55 shall be designated as the "Great Western Cattle Trail". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2013, c. 270, § 7, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.165 of this title to avoid a duplication in numbering.

§69-1698.167. Sergeant Bret Daniel Eisenhower Memorial Highway.

The portion of State Highway 59 from the intersection of State Highway 59 and State Highway 177 extending to the municipal limits of St. Louis shall be designated as the "Sergeant Bret Daniel Eisenhower Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2013, c. 270, § 8, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.166 of this title to avoid a duplication in numbering.

§69-1698.168. Larry Tomlinson Memorial Bridge.

The new bridge where U.S. Highway 177 crosses Dugout Creek approximately one mile south of Perkins shall be designated as the "Larry Tomlinson Memorial Bridge". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2013, c. 270, § 9, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.167 of this title to avoid a duplication in numbering.

§69-1698.169. Phil Tomlinson Bridge.

The new bridge where U.S. Highway 177 crosses the Cimarron River approximately one-half (1/2) mile south of Perkins shall be designated as the "Phil Tomlinson Bridge". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2013, c. 270, § 10, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.168 of this title to avoid a duplication in numbering.

§69-1698.170. WWI Choctaw Code Talkers Highway.

The portion of State Highway 3 between Antlers and Broken Bow shall be designated as the "WWI Choctaw Code Talkers Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2013, c. 270, § 11, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.169 of this title to avoid a duplication in numbering.

§69-1698.171. Repealed by Laws 2014, c. 369, § 10, eff. Nov. 1, 2014.

§69-1698.172. PFC Albert E. Schwab, Medal of Honor Memorial Highway.

The portion of State Highway 11 between the intersection of State Highway 11 and Interstate 244 and the intersection of State Highway 11 and U.S. Highway 75 shall be designated as the "PFC Albert E. Schwab, Medal of Honor Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2013, c. 270, § 13, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.171 of this title to avoid a duplication in numbering.

§69-1698.173. Rev. W.T. "Tommy" Roberts Memorial Bridge.

The bridge where U.S. Highway 169 crosses Bird Creek between 56th and 66th Streets North shall be designated as the "Rev. W.T. "Tommy" Roberts Memorial Bridge". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2013, c. 270, § 14, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.172 of this title to avoid a duplication in numbering.

§69-1698.174. Mayor Jon Gumerson Memorial Bridge.

The bridge over Cottonwood Creek on State Highway 33 in the City of Guthrie, Logan County shall be designated the "Mayor Jon Gumerson Memorial Bridge". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2013, c. 270, § 15, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.173 of this title to avoid a duplication in numbering.

§69-1698.175. Bobby D. "Dirt Dobber" Smith Memorial Bridge.

The bridge where State Highway 113 crosses Rock Creek approximately three and one-half (3 1/2) miles south of the intersection of State Highway 113 and County Road 1280 in Pittsburg County shall be designated as the "Bobby D. "Dirt Dobber" Smith Memorial Bridge". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department Of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2013, c. 270, § 16, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.174 of this title to avoid a duplication in numbering.

§69-1698.176. Ret. Air Force Major General Albert Lee Logan Highway.

The portion of State Highway 1 from the municipal limits of Ravia to the municipal limits of Mannsville shall be designated as the "Ret. Air Force Major General Albert Lee Logan Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department Of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2013, c. 270, § 17, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.175 of this title to avoid a duplication in numbering.

§69-1698.177. Veteran's Memorial Highway.

The portion of U.S. Highway 62 from Willey Road to the western municipal limits of Fort Gibson, Oklahoma, shall be designated as the "Veteran's Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2013, c. 270, § 18, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.176 of this title to avoid a duplication in numbering.

§69-1698.178. Cost of Freedom Memorial Bridge.

The bridge over Snake Creek on State Highway 9 just west of the municipal limits of Stigler shall be designated as the "Cost of Freedom Memorial Bridge". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2013, c. 270, § 19, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.177 of this title to avoid a duplication in numbering.

§69-1698.179. Coach Rick Gandy Memorial Highway.

The portion of U.S. 70 from the intersection of Wildflower Road and U.S. 70 in Carter County westbound to the eastern municipal limit of the city of Ringling shall be designated as the "Coach Rick Gandy Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department Of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2013, c. 270, § 20, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.178 of this title to avoid a duplication in numbering.

§69-1698.180. Tribal Officer Defford Thomas Oyebi, Jr. Memorial Highway.

The portion of U.S. Highway 177 between Yearling Road and Windmill Road in Noble County shall be designated as the "Tribal Officer Defford Thomas Oyebi, Jr. Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2013, c. 270, § 21, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.179 of this title to avoid a duplication in numbering.

§69-1698.181. Edna Hennessee Memorial Highway.

The portion of State Highway 58 from the intersection of State Highway 49 and extending north approximately two-tenths (.2) of a mile past NW Meers Porter Hill Road in Comanche County shall be designated as the "Edna Hennessee Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2013, c. 270, § 22, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.180 of this title to avoid a duplication in numbering.

§69-1698.182. Colonel Aaron C. "Burley" Burleson Memorial Highway.

The portion of State Highway 62 beginning at County Road 206 and extending east to County Road 210 in Jackson County shall be designated as the "Colonel Aaron C. "Burley" Burleson Memorial Highway". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2013, c. 270, § 23, eff. July 1, 2013.

NOTE: Editorially renumbered from § 1698.181 of this title to avoid a duplication in numbering.

§69-1698.183. Bill Swisher Memorial Highway.

The section of Interstate 40 beginning at Morgan Road and extending east to the Oklahoma County line shall be designated as the "Bill Swisher Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2013, c. 372, § 1, eff. Nov. 1, 2013.

NOTE: Editorially renumbered from Title 69, § 1698.159 to avoid a duplication in numbering.

§69-1698.184. Specialist Dylan Johnson Memorial Bridge.

The bridge over Polecat Creek on U.S. Highway 75 within the municipal limits of Jenks shall be designated as the "Specialist Dylan Johnson Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2013, c. 372, § 2, eff. Nov. 1, 2013.

NOTE: Editorially renumbered from Title 69, § 1698.160 to avoid a duplication in numbering.

§69-1698.185. SGT First Class David Clinton Fisher Memorial Highway.

The portion of State Highway 16 from the intersection of State Highway 18 and West 221st Street extending to the intersection of State Highway 16 and South 401st West Avenue in Creek County shall be designated as the "SGT First Class David Clinton Fisher Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed upon the highway.

Added by Laws 2013, c. 372, § 3, eff. Nov. 1, 2013.

NOTE: Editorially renumbered from Title 69, § 1698.161 to avoid a duplication in numbering.

§69-1698.186. Private First Class John Bennie Laskey Memorial Bridge.

The southernmost bridge on State Highway 66 crossing Sand Creek north of Bristow shall be designated as the "Private First Class John Bennie Laskey Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed upon the bridge.

Added by Laws 2013, c. 372, § 4, eff. Nov. 1, 2013.

NOTE: Editorially renumbered from Title 69, § 1698.162 to avoid a duplication in numbering.

§69-1698.187. Wayne Crusoe Memorial Highway.

The section of U.S. Highway 70 beginning at the municipal limits of Garvin and extending southeast to the municipal limits of Idabel shall be designated as the "Wayne Crusoe Memorial Highway". The

Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2013, c. 372, § 5, eff. Nov. 1, 2013.

NOTE: Editorially renumbered from Title 69, § 1698.163 to avoid a duplication in numbering.

§69-1698.188. Wayman Tisdale Memorial Highway.

The section of State Highway 11 beginning at the Gilcrease Expressway and extending north to the municipal limits of Tulsa shall be designated as the "Wayman Tisdale Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2013, c. 372, § 6, eff. Nov. 1, 2013.

NOTE: Editorially renumbered from Title 69, § 1698.164 to avoid a duplication in numbering.

§69-1698.189. Sergeant Bret Isenhower Memorial Highway.

The section of State Highway 59 beginning at US 177 and extending east to the municipal limits of St. Louis shall be designated as the "Sergeant Bret Isenhower Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2013, c. 372, § 7, eff. Nov. 1, 2013.

NOTE: Editorially renumbered from Title 69, § 1698.165 to avoid a duplication in numbering.

§69-1698.190. Pikey's Crossing Memorial Highway.

The section of State Highway 4 beginning at State Highway 37 and extending north to the South Canadian River shall be designated as the "Pikey's Crossing Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2013, c. 372, § 8, eff. Nov. 1, 2013.

NOTE: Editorially renumbered from Title 69, § 1698.166 to avoid a duplication in numbering.

§69-1698.191. Petty Officer Tony Randolph Memorial Highway.

The section of US Highway 75 beginning just east of Dewey Bartlett Road and extending east one mile within the Henryetta municipal limits shall be designated as "Petty Officer Tony Randolph Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2013, c. 372, § 9, eff. Nov. 1, 2013.

NOTE: Editorially renumbered from Title 69, § 1698.167 to avoid a duplication in numbering.

§69-1698.192. Specialist Howard Lee Jones Memorial Bridge.

The bridge over Clear Boggy Creek on State Highway 48 south of the municipal limits of Tupelo shall be designated as the "Specialist Howard Lee Jones Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2013, c. 372, § 10, eff. Nov. 1, 2013.

NOTE: Editorially renumbered from Title 69, § 1698.168 to avoid a duplication in numbering.

§69-1698.193. OHP Captain Pete Norwood Memorial Highway.

The section of US Highway 62 between the municipal limits of Anadarko and the municipal limits of Verden shall be designated as the "OHP Captain Pete Norwood Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2013, c. 372, § 11, eff. Nov. 1, 2013.

NOTE: Editorially renumbered from Title 69, § 1698.169 to avoid a duplication in numbering.

§69-1698.194. President Ronald Reagan Memorial Highway.

The portion of U.S. Highway 81 from the junction of U.S. Highway 81 and Starlite Drive extending north to the junction of U.S. Highway 81 and County Road E780 shall be designated as the "President Ronald Reagan Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2014, c. 268, § 1, eff. Nov. 1, 2014.

§69-1698.195. Charles "Chub" Shaw Memorial Highway.

The portion of U.S. Highway 60 from the junction of U.S. Highway 60 and County Road N2090 extending west to the junction of U.S. Highway 60 and County Road N2070 shall be designated as the "Charles "Chub" Shaw Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2014, c. 268, § 2, eff. Nov. 1, 2014.

§69-1698.196. 2nd Lt. Joe Lee Cunningham Memorial Highway.

The section of State Highway 70B from the southern municipal limits of Kingston extending southerly to the junction of State Highway 70B and Apple Street shall be designated as the "2nd Lt. Joe Lee Cunningham Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2014, c. 268, § 3, eff. Nov. 1, 2014.

§69-1698.197. Fire Chief Nolan Schmidt Memorial Highway.

The portion of State Highway 58 between the junction of State Highway 58 and Interstate 40 extending north to the junction of State Highway 58 and County Road N2450 shall be designated as the "Fire Chief Nolan Schmidt Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing that name.

Added by Laws 2014, c. 268, § 4, eff. Nov. 1, 2014. Amended by Laws 2015, c. 240, § 1, eff. Nov. 1, 2015.

§69-1698.198. Sheriff Frank Phillips Memorial Bridge.

The bridge located on State Highway 18 crossing the Cimarron River north of Cushing shall be designated as the "Sheriff Frank Phillips Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2014, c. 268, § 5, eff. Nov. 1, 2014.

§69-1698.199. Airman Kamenski D. Watson Memorial Bridge.

The bridge located on Interstate 35 over NW/NE 27th Street in Cleveland County shall be designated as the "Airman Kamenski D. Watson Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2014, c. 268, § 6, eff. Nov. 1, 2014.

§69-1698.200. Wayne Chandler, Sr., Memorial Bridge.

The bridge located on Interstate 35 over NE 50th Street in Oklahoma County shall be designated as the "Wayne Chandler, Sr., Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2014, c. 268, § 7, eff. Nov. 1, 2014.

§69-1698.201. Warrior Highway.

The portion of State Highway 113 from Coal Creek Bridge on State Highway 113 extending to approximately five-tenths (0.5) of a mile east of the junction of State Highway 113 and County Road N4090 shall be designated "Warrior Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2014, c. 268, § 8, eff. Nov. 1, 2014.

§69-1698.202. Veterans Memorial Highway.

The portion of State Highway 9 East starting at the junction of U.S. Highway 69 and State Highway 9 East in Eufaula and extending eastward four (4) miles shall be designated as the "Veterans Memorial

Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway. Added by Laws 2014, c. 268, § 9, eff. Nov. 1, 2014.

§69-1698.203. Ethel Hedgement Lyle Memorial Highway.

The portion of State Highway 9 beginning at the southern municipal boundary of Eufaula and extending one (1) mile south shall be designated as the "Ethel Hedgement Lyle Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2014, c. 268, § 10, eff. Nov. 1, 2014.

§69-1698.204. J.C. Malcom Memorial Bridge.

The bridge over Buggy Creek on State Highway 37 south of the municipal limits of Minco shall be designated as the "J.C. Malcom Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2014, c. 268, § 11, eff. Nov. 1, 2014.

§69-1698.205. LCpl Lamont N. Wilson Memorial Highway.

The section of Interstate 44 beginning at mile marker 42 and extending north to mile marker 44 within Comanche County shall be designated as the "LCpl Lamont N. Wilson Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2014, c. 369, § 1, eff. Nov. 1, 2014.

NOTE: Editorially renumbered from Title 69, § 1698.194 to avoid a duplication in numbering.

§69-1698.206. Lance Corporal Jonathan Stroud Memorial Highway.

The section of State Highway 74 beginning at the intersection of West Waterloo Road and extending north to the intersection of State Highway 74F shall be designated as the "Lance Corporal Jonathan Stroud Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2014, c. 369, § 2, eff. Nov. 1, 2014.

NOTE: Editorially renumbered from Title 69, § 1698.195 to avoid a duplication in numbering.

§69-1698.207. Captain Kyle King Memorial Highway.

The section of U.S. Highway 64 beginning at the municipal limits of Perry and extending east to the municipal limits of Morrison shall be designated as the "Captain Kyle King Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2014, c. 369, § 3, eff. Nov. 1, 2014.

NOTE: Editorially renumbered from Title 69, § 1698.196 to avoid a duplication in numbering.

§69-1698.208. PFC Philip F. Gaines Memorial Bridge.

The bridge over the Washita River on State Highway 53 northeast of the municipal limits of Ardmore shall be designated as the "PFC Philip F. Gaines Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2014, c. 369, § 4, eff. Nov. 1, 2014.

NOTE: Editorially renumbered from Title 69, § 1698.197 to avoid a duplication in numbering.

§69-1698.209. First Lieutenant S.W. "Dub" George Memorial Bridge.

The bridge over Lake Eufaula on State Highway 9A between the municipal limits of Canadian and Longtown shall be designated as the "First Lieutenant S.W. "Dub" George Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2014, c. 369, § 5, eff. Nov. 1, 2014.

NOTE: Editorially renumbered from Title 69, § 1698.198 to avoid a duplication in numbering.

§69-1698.210. Army Ranger Staff Sgt. Vinson Bryon "Trinity" Adkinson III Memorial Highway.

The section of State Highway 7 beginning at the intersection of State Highway 65 in Comanche County and extending eastward to the intersection of U.S. Highway 81 in Stephens County shall be designated as the "Army Ranger Staff Sgt. Vinson Bryon "Trinity" Adkinson, III Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2014, c. 369, § 6, eff. Nov. 1, 2014.

NOTE: Editorially renumbered from Title 69, § 1698.199 to avoid a duplication in numbering.

§69-1698.211. Specialist Joshua M. "Bubba" Seals Memorial Bridge.

The bridge where U.S. Highway 69 crosses the Arkansas River at the Wagoner and Muskogee county line shall be designated as the "Specialist Joshua M. "Bubba" Seals Memorial Bridge". Pursuant to the provisions of Title 69 of the Oklahoma Statutes, the Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2014, c. 369, § 7, eff. Nov. 1, 2014.

NOTE: Editorially renumbered from Title 69, § 1698.200 to avoid a duplication in numbering.

§69-1698.212. Captain Frederick F. Henry Medal of Honor Memorial Highway.

The section of State Highway 82 beginning at the southern municipal limit of Vian and extending north to the municipal limit of Vian shall be designated as the "Captain Frederick F. Henry Medal of Honor Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2014, c. 369, § 8, eff. Nov. 1, 2014.

NOTE: Editorially renumbered from Title 69, § 1698.201 to avoid a duplication in numbering.

§69-1698.213. Representative W.D. "Bill" Bradley Memorial Highway.

The intersection of U.S. Highway 70 and U.S. Highway 81 in Jefferson County and the section of U.S. Highway 70 beginning at the intersection and extending east seven (7) miles shall be designated as the "Representative W.D. "Bill" Bradley Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highways.

Added by Laws 2015, c. 61, § 2, eff. July 1, 2015.

§69-1698.214. Sgt. Daniel M. Eshbaugh Memorial Highway.

The section of State Highway 9 within the municipal limits of Norman beginning at the intersection of State Highway 9 and 120th Avenue SE and extending west to the intersection of State Highway 9 and 84th Avenue SE shall be designated as the "Sgt. Daniel M. Eshbaugh Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2015, c. 61, § 3, eff. July 1, 2015.

§69-1698.215. Medal of Honor Recipient CSM Benny G. Adkins Highway

The section of U.S. Highway 81 in Jefferson County from the junction of U.S. Highway 81 and U.S. Highway 70 extending north and then northeast to the municipal limits of Addington shall be designated as the "Medal of Honor Recipient CSM Bennie G. Adkins Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2015, c. 61, § 4, eff. July 1, 2015. Amended by Laws 2016, c. 380, § 1, eff. July 1, 2016.

§69-1698.216. Captain George Green Memorial Highway.

The section of State Highway 97 within the municipal limits of Sapulpa from the junction of State Highway 97 and State Highway 33 extending north to the junction of State Highway 97 and State Highway 166 shall be designated as the "Captain George Green Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2015, c. 61, § 5, eff. July 1, 2015.

§69-1698.217. SSG Travis Tompkins Memorial Highway.

The section of State Highway 65 beginning at the intersection of State Highway 7 in Comanche County and extending northward two (2) miles shall be designated as the "SSG Travis Tompkins Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2015, c. 240, § 6, eff. Nov. 1, 2015.

§69-1698.218. SPC Charles Jirtle Memorial Highway.

The section of State Highway 65 beginning at the intersection of State Highway 7 in Comanche County and extending southward two (2) miles shall be designated as the "SPC Charles Jirtle Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2015, c. 240, § 7, eff. Nov. 1, 2015.

§69-1698.219. 1st Lt. Brandon Landrum Memorial Highway.

The section of State Highway 65 beginning at the intersection of NE Cache Road in Comanche County and extending northward and eastward for a total of two (2) miles shall be designated as the "1st Lt. Brandon Landrum Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2015, c. 240, § 8, eff. Nov. 1, 2015.

§69-1698.220. PFC Ernest Ray Taylor Memorial Bridge.

The bridge located on State Highway 55 approximately two hundred fifty (250) feet west of the municipal limits of Sentinel shall be designated as the "PFC Ernest Ray Taylor Memorial Bridge". The

Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.
Added by Laws 2015, c. 240, § 9, eff. Nov. 1, 2015.

§69-1698.221. PFC Jon Ross Townsend Memorial Highway.

The section of State Highway 88 in Rogers County from the junction of State Highway 88 and E 450 Road extending north to the junction of State Highway 88 and E 440 Road shall be designated as the "PFC Jon Ross Townsend Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2015, c. 240, § 10, eff. Nov. 1, 2015.

§69-1698.222. SSG James "Bevo" Olivo Memorial Bridge.

The bridge located on State Highway 270 in Hughes County approximately five-tenths (0.5) of a mile west of the junction of State Highway 270 and State Highway 48 shall be designated as the "SSG James "Bevo" Olivo Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2015, c. 240, § 11, eff. Nov. 1, 2015.

§69-1698.223. Bill Milroy Memorial Bridge.

The bridge located on State Highway 56 in Okmulgee County approximately one and one-half (1.5) miles west of the junction of State Highway 56 and S. Madison Avenue in Okmulgee shall be designated as the "Bill Milroy Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2015, c. 240, § 12, eff. Nov. 1, 2015. Amended by Laws 2018, c. 246, § 11, eff. Nov. 1, 2018.

§69-1698.224. Trooper Nicholas Dees Memorial Highway.

The section of Interstate 40 from mile marker 190 in Pottawatomie County to mile marker 200 in Seminole County shall be designated as the "Trooper Nicholas Dees Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2015, c. 240, § 13, eff. Nov. 1, 2015.

§69-1698.225. Cpl. Mickey R. Alexander Memorial Bridge.

The bridge over Wolf Creek on U.S. Highway 270 southeast of the municipal limits of Fort Supply shall be designated as the "Cpl. Mickey R. Alexander Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2015, c. 240, § 14, eff. Nov. 1, 2015.

§69-1698.226. Ret. Army MSGT Woodrow T. Cox - WWII POW - Memorial Highway.

The section of State Highway 78 beginning at the municipal limits of Tishomingo and extending east to the junction of State Highway 78 and County Road N3590 in Johnston County shall be designated as the "Ret. Army MSGT Woodrow T. Cox - WWII POW - Memorial Highway". The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.

Added by Laws 2015, c. 240, § 15, eff. Nov. 1, 2015.

§69-1698.227. Weatherford Veterans Memorial Drive.

The portion of State Highway 54 from the junction of State Highway 54 and County Road E1020 extending southeast to the junction of State Highway 54 and 7th Street in Weatherford, Oklahoma, shall be designated as the "Weatherford Veterans Memorial Drive". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2015, c. 240, § 2, eff. Nov. 1, 2015.

NOTE: Editorially renumbered from § 1698.213 of this title to avoid duplication in numbering.

§69-1698.228. President George H.W. Bush Highway.

The portion of U.S. Highway 81 from five-tenths (0.5) of a mile north of the junction of U.S. Highway 81 and County Road E0760 extending north to five-tenths (0.5) of a mile south of the junction of U.S. Highway 81 and County Road E0720 shall be designated as the "President George H.W. Bush Highway". The Department of Transportation shall cause suitable markers bearing that name to be placed on the highway.

Added by Laws 2015, c. 240, § 3, eff. Nov. 1, 2015.

NOTE: Editorially renumbered from § 1698.214 of this title to avoid duplication in numbering.

§69-1698.229. President George W. Bush Highway.

The portion of U.S. Highway 81 from five-tenths (0.5) of a mile north of the junction of U.S. Highway 81 and County Road E0700 extending north to five-tenths (0.5) of a mile south of the junction of U.S. Highway 81 and County Road E0650 shall be designated as the "President George W. Bush Highway". The Department of Transportation shall cause suitable markers bearing that name to be placed on the highway.

Added by Laws 2015, c. 240, § 4, eff. Nov. 1, 2015.

NOTE: Editorially renumbered from § 1698.215 of this title to avoid duplication in numbering.

§69-1698.230. 49 Waiters Club Memorial Bridge.

The bridge where U.S. Highway 62 crosses the North Canadian River in Oklahoma County shall be designated as the "49 Waiters Club Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2015, c. 240, § 5, eff. Nov. 1, 2015.

NOTE: Editorially renumbered from § 1698.216 of this title to avoid duplication in numbering.

§69-1698.231. J. Cooper West Memorial Highway

The section of Interstate 40 Business extending west from the Beckham County Line to one-quarter (1/4) of a mile west of the Interstate 40 and State Highway 34 Interchange shall be designated as the "J. Cooper West Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2016, c. 380, § 2, eff. July 1, 2016.

§69-1698.232. Washita County Undersheriff Brian Beck Memorial Highway

The section of Old U.S. Highway 66 in Washita County beginning at the western municipal limits of Canute extending one and one-half (1 1/2) miles west shall be designated as the "Washita County Undersheriff Brian Beck Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2016, c. 380, § 3, eff. July 1, 2016.

§69-1698.233. Monte John Tucker Memorial Highway

The section of State Highway 58 in Alfalfa County beginning one (1) mile east of the intersection of State Highway 58 and State Highway 11 extending east to the eastern municipal limits of Byron, Oklahoma, shall be designated as the "Monte John Tucker Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2016, c. 380, § 4, eff. July 1, 2016.

§69-1698.234. 1st Lt Robert E. Trigalet, USMC, Memorial Highway.

The portion of State Highway 16 beginning at the junction of State Highway 16 and State Highway 48 in Creek County extending east to the junction of State Highway 16 and S 329th W Avenue in Creek County shall be designated as the "1st Lt Robert E. Trigalet, USMC, Memorial Highway". The Department of Transportation shall cause suitable markers bearing that name to be placed on the highway.

Added by Laws 2016, c. 239, § 6, eff. Nov. 1, 2016.

§69-1698.235. Army T/Sgt. Yancy B. Kite, KIA WWII, Memorial Highway.

The section of State Highway 78 in Johnston County beginning at the junction of State Highway 78 and County Road N3590 extending east to the western city limits of Milburn shall be designated as the "Army T/Sgt. Yancy B. Kite, KIA WWII, Memorial Highway". The Department of Transportation shall cause suitable markers bearing that name to be placed on the highway.
Added by Laws 2016, c. 239, § 7, eff. Nov. 1, 2016.

§69-1698.236. Meteorologist Gary England Bridge

The bridge over the North Canadian River on U.S. Highway 60 north of Seiling, Oklahoma, shall be designated as the "Meteorologist Gary England Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.
Added by Laws 2016, c. 380, § 5, eff. July 1, 2016.

§69-1698.237. President Dwight D. Eisenhower Memorial Highway.

The portion of U.S. Highway 81 beginning at the junction of U.S. Highway 81 and 192nd Street NE in Canadian County extending south to the junction of U.S. Highway 81 and Memorial Road in Canadian County shall be designated as the "President Dwight D. Eisenhower Memorial Highway". The Department of Transportation shall cause suitable markers bearing that name to be placed on the highway.
Added by Laws 2016, c. 239, § 3, eff. Nov. 1, 2016.

NOTE: Editorially renumbered from § 1698.231 of this title to avoid duplication in numbering.

§69-1698.238. Cullison Memorial Highway.

The portion of State Highway 11 beginning at the junction of State Highway 11 and East 36th Street North in Tulsa County extending north to the junction of State Highway 11 and East 96th Street North in Tulsa County shall be designated as the "Cullison Memorial Highway". The Department of Transportation shall cause suitable markers bearing that name to be placed on the highway.
Added by Laws 2016, c. 239, § 4, eff. Nov. 1, 2016.

NOTE: Editorially renumbered from § 1698.232 of this title to avoid duplication in numbering.

§69-1698.239. Dr. Herbert Rowland Memorial Bridge.

The bridge crossing the Kiamichi River on State Highway 271 north of Antlers shall be designated as the "Dr. Herbert Rowland Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.
Added by Laws 2016, c. 239, § 5, eff. Nov. 1, 2016.

NOTE: Editorially renumbered from §1698.233 of this title to avoid duplication in numbering.

§69-1698.240. Air Force TSgt Eugene S. Bell, MD, POW WWII, Memorial Bridge.

The bridge crossing the Washita River in Johnston County on State Highway 99 shall be designated as the "Air Force TSgt Eugene S. Bell, MD, POW WWII, Memorial Bridge". The Department of Transportation shall cause suitable markers bearing that name to be placed on the bridge.

Added by Laws 2016, c. 239, § 8, eff. Nov. 1, 2016.

NOTE: Editorially renumbered from § 1698.236 of this title to avoid duplication in numbering.

§69-1698.241. MSG Joshua Wheeler, U.S. Army, Memorial Highway.

The portion of U.S. Highway 64 beginning at the junction of U.S. Highway 64 and State Highway 64B in Sequoyah County extending east to the junction of U.S. Highway 64 and County Road N4760 in Sequoyah County shall be designated as the "MSG Joshua Wheeler, U.S. Army, Memorial Highway". The Department of Transportation shall cause suitable markers bearing that name to be placed on the highway.

Added by Laws 2016, c. 239, § 9, eff. Nov. 1, 2016. Amended by Laws 2018, c. 59, § 1, emerg. eff. April 23, 2018.

NOTE: Editorially renumbered from § 1698.237 of this title to avoid duplication in numbering.

§69-1698.242. J.R. Proctor Memorial Highway.

The portion of State Highway 20 in Collinsville beginning at the junction of State Highway 20 and U.S. Highway 169 extending west to the junction of State Highway 20 and 5th Street shall be designated as the "J.R. Proctor Memorial Highway". The Department of Transportation shall cause suitable markers bearing that name to be placed on the highway.

Added by Laws 2016, c. 239, § 10, eff. Nov. 1, 2016.

NOTE: Editorially renumbered from § 1698.238 of this title to avoid duplication in numbering.

§69-1698.243. United States Submarine Veterans Memorial Highway.

The portion of State Highway 20 in Owasso beginning at the junction of State Highway 20 and 145th E Avenue extending west to the junction of State Highway 20 and U.S. Highway 169 shall be designated as the "United States Submarine Veterans Memorial Highway". The Department of Transportation shall cause suitable markers bearing that name to be placed on the highway.

Added by Laws 2016, c. 239, § 11, eff. Nov. 1, 2016.

NOTE: Editorially renumbered from § 1698.239 of this title to avoid duplication in numbering.

§69-1698.244. Army PVT Paul Gilbert, KIA WWII, Memorial Highway.

The section of U.S. Highway 377 in Johnston County beginning at the northern most junction with State Highway 7 in Johnston County extending north to the Johnston County line shall be designated as the "Army PVT Paul Gilbert, KIA WWII, Memorial Highway". The Department of Transportation shall cause suitable markers bearing that name to be placed on the highway.

Added by Laws 2016, c. 239, § 12, eff. Nov. 1, 2016.

NOTE: Editorially renumbered from § 1698.240 of this title to avoid duplication in numbering.

§69-1698.245. CW2 Randy Lee Billings Memorial Highway.

The portion of U.S. Highway 59 Bypass beginning at the junction of U.S Highway 59 Bypass and U.S. Highway 59 extending south to the intersection of U.S. Highway 59 Bypass and E Pleasant Valley Road shall be designated as the "CW2 Randy Lee Billings Memorial Highway". The Department of Transportation shall cause suitable markers bearing that name to be placed on the highway.

Added by Laws 2016, c. 239, § 13, eff. Nov. 1, 2016.

NOTE: Editorially renumbered from § 1698.241 of this title to avoid duplication in numbering.

§69-1698.246. Lance Corporal Anthony Grundy Memorial Highway.

The portion of Interstate 40 beginning at the west municipal limits of Henryetta and extending east approximately three (3) miles to the junction of Interstate 40 and the Indian Nation Turnpike shall be designated as the "Lance Corporal Anthony Grundy Memorial Highway". The Department of Transportation shall cause suitable markers bearing that name to be placed on the highway.

Added by Laws 2016, c. 239, § 14, eff. Nov. 1, 2016.

NOTE: Editorially renumbered from § 1698.242 of this title to avoid duplication in numbering.

§69-1698.247. Lt. Kenneth Strang Memorial Bridge.

The bridge crossing Okmulgee Creek on U.S. Highway 75 south of the municipal limits of Okmulgee shall be designated as the "Lt. Kenneth Strang Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed on the bridge bearing that name.

Added by Laws 2016, c. 239, § 15, eff. Nov. 1, 2016.

NOTE: Editorially renumbered from § 1698.243 of this title to avoid duplication in numbering.

§69-1698.248. Jack Schmiedel Memorial Bridge.

The State Highway 74 interchange bridge over NW 150th Street in Oklahoma County shall be designated as the "Jack Schmiedel Memorial Bridge". The Department of Transportation shall cause suitable permanent markers to be placed upon the bridge bearing that name.

Added by Laws 2016, c. 239, § 16, eff. Nov. 1, 2016.

NOTE: Editorially renumbered from § 1698.244 of this title to avoid duplication in numbering.

§69-1698.249. Trail Of Tears Historic Bike Route.

From the Cherokee Nation Capitol Building, along U.S. Highway 62 from the City of Tahlequah to the Arkansas border shall be designated as the "Trail Of Tears Historic Bike Route". The cost associated with signage required by this section shall be provided from private sources and shall include the cost of the initial erection of signs as well as the cost of potential replacement or reconstruction of signs. Upon receiving adequate funding from private sources and after a shoulder lane has been provided, the Department of Transportation shall cause suitable permanent markers to be placed upon the highway bearing the name "Trail Of Tears Historic Bike Route". Contingent upon the availability of funds, the Department shall provide a shoulder lane designated for use by bicycle traffic on the Trail Of Tears Historic Bike Route.

Added by Laws 2016, c. 52, § 1, eff. Nov. 1, 2016.

NOTE: Editorially renumbered from § 1698.231 of this title to avoid duplication in numbering.

§69-1698.250. Jennifer Lea Briggs and Heather Wilson Memorial Highway.

The portion of State Highway 33 in Payne County beginning at the Cimarron River in southwest Payne County and extending east to the junction of State Highway 33 and U.S. Highway 177 shall be designated as the "Jennifer Lea Briggs and Heather Wilson Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2017, c. 216, § 2, eff. Nov. 1, 2017.

§69-1698.251. Keith Alan Copeland Memorial Bridge.

The bridge over Interstate 35 on Historic Route 66 in northern Oklahoma County shall be designated as the "Keith Alan Copeland Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2017, c. 216, § 3, eff. Nov. 1, 2017.

§69-1698.252. CPL Eldon Ervin Memorial Bridge.

The bridge crossing over the BNSF Railroad on U.S. Highway 60 located approximately one and one-half (1.5) miles east of Wyandotte in Ottawa County shall be designated as the "CPL Eldon Ervin Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2017, c. 216, § 4, eff. Nov. 1, 2017.

§69-1698.253. James Everett Clark III Memorial Bridge.

The bridge located on Interstate Highway 40 crossing S.E. 29th Street in Midwest City shall be designated as the "James Everett Clark III Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2017, c. 216, § 5, eff. Nov. 1, 2017.

§69-1698.254. Col Noble A. Miller, USAF - WWII, Korea and Vietnam, Memorial Highway.

The portion of State Highway 31 in Pittsburg County beginning at the intersection of State Highway 31 and 9th Street in McAlester extending east approximately four and one-half (4.5) miles to the intersection of State Highway 31 and Adamson Road shall be designated as the "Col Noble A. Miller, USAF - WWII, Korea and Vietnam, Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2017, c. 216, § 6, eff. Nov. 1, 2017.

§69-1698.255. SSG Jack Morgan Memorial Bridge.

The bridge crossing over the Arkansas River on State Highway 99 on the border between Osage and Pawnee Counties shall be designated as the "SSG Jack Morgan Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2017, c. 216, § 7, eff. Nov. 1, 2017.

§69-1698.256. Lt. Lowry Douglas Durlington Memorial Highway.

The portion of U.S. Highway 377 in Johnston County beginning north of Tishomingo at the intersection of U.S. Highway 377 and Golf Course Road extending south four thousand (4,000) feet shall be designated as the "Lt. Lowry Douglas Durlington Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2017, c. 216, § 8, eff. Nov. 1, 2017.

§69-1698.257. SPC Sonny Gene Sampler Memorial Highway.

The portion of U.S. Highway 62 in Lawton beginning at the intersection of U.S. Highway 62 and NW 82nd Street extending east to the intersection of U.S. Highway 62 and Interstate 44 shall be designated as the "SPC Sonny Gene Sampler Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2017, c. 216, § 9, eff. Nov. 1, 2017.

§69-1698.258. Officer Nathan B. Graves Memorial Highway.

The portion of State Highway 99 in Lincoln County beginning at the northern county border extending southward to the intersection of State Highway 99 and State Highway 66 shall be designated as the "Officer Nathan B. Graves Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2017, c. 216, § 10, eff. Nov. 1, 2017.

§69-1698.259. Pearl Harbor Survivors: CBM Doyle E. Winters, BM1c Jerry E. Roop, S2c Donald G. Loe and AM1 J.D. Barnes Memorial Highway.

The portion of U.S. Highway 59 in LeFlore County beginning at the intersection of U.S. Highway 59 and State Highway 128 in Heavener extending north two (2) miles shall be designated as the "Pearl Harbor Survivors: CBM Doyle E. Winters, BM1c Jerry E. Roop, S2c Donald G. Loe and AM1 J.D. Barnes Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2017, c. 216, § 11, eff. Nov. 1, 2017. Amended by Laws 2018, c. 246, § 12, eff. Nov. 1, 2018.

§69-1698.260. RM3 Bill Lester Driver, US Navy, Memorial Bridge, WWII Veteran.

The bridge over Elk Creek on State Highway 44 approximately two and one-half (2.5) miles south of the municipal limits of Sentinel shall be designated as the "RM3 Bill Lester Driver, US Navy, Memorial Bridge, WWII Veteran". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2017, c. 216, § 12, eff. Nov. 1, 2017.

§69-1698.261. LCPL Trevor A. Roberts Memorial Highway.

The section of Interstate 44 from Southwest 119th Street extending south to Southwest 149th Street within the municipal limits of Oklahoma City shall be designated as the "LCPL Trevor A. Roberts Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2017, c. 301, § 1, eff. Nov. 1, 2017.

NOTE: Editorially renumbered from § 1698.250 of this title to avoid duplication in numbering.

§69-1698.262. HM3 (FMF) Eric "Doc" Warren Memorial Highway.

The portion of Interstate 40 in Pottawatomie County beginning at mile marker 184 and extending east to mile marker 186 shall be designated as the "HM3 (FMF) Eric "Doc" Warren Memorial Highway".

The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.
Added by Laws 2017, c. 216, § 13, eff. Nov. 1, 2017.

§69-1698.263. Representative David Brumbaugh Memorial Highway.

Notwithstanding any other section of statute and due to the untimely and sudden passing of State Representative David Brumbaugh, a proud and dedicated leader for House District 76 and a distinguished and decorated veteran of the United States Army who is worthy of such recognition, the bridge over North Aspen Avenue on the Broken Arrow Expressway shall be designated as the "Representative David Brumbaugh Memorial Bridge" as soon as practical after the effective date of this legislation. The Department of Transportation is hereby directed to cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2017, c. 301, § 2, eff. Nov. 1, 2017.

NOTE: Editorially renumbered from § 1698.251 of this title to avoid duplication in numbering.

§69-1698.264. Bobby Joe Cudd Memorial Highway.

The section of State Highway 15 beginning from the municipal limits of Woodward and extending west to the municipal limits of Fargo shall be designated as the "Bobby Joe Cudd Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2017, c. 311, § 1, eff. Nov. 1, 2017.

NOTE: Editorially renumbered from § 1698.250 of this title to avoid duplication in numbering.

§69-1698.265. Officer Justin Terney Memorial Highway.

The portion of U.S. Highway 177 in Pottawatomie County beginning at the intersection of U.S. Highway 177 and Benson Park Road extending southward to the intersection of U.S. Highway 177 and Tucker Road shall be designated as the "Officer Justin Terney Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2017, c. 311, § 2, eff. Nov. 1, 2017.

NOTE: Editorially renumbered from § 1698.251 of this title to avoid duplication in numbering.

§69-1698.266. Deputy Sheriff David Wade Memorial Highway.

The portion of U.S. Highway 77 located in Logan County beginning at the municipal limits on the south side of Mulhall and extending southward to the municipal limits on the north side of Guthrie shall be designated as the "Deputy Sheriff David Wade Memorial Highway".

The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2017, c. 311, § 4, eff. Nov. 1, 2017.

NOTE: Editorially renumbered from § 1698.252 of this title to avoid duplication in numbering.

§69-1698.267. CPL Wilfred Flores Jr. Memorial Bridge.

The bridge over Medicine Bluff Creek on Interstate 44 located approximately two and one-half (2 1/2) miles north of U.S. Highway 62 West shall be designated as the "CPL Wilfred Flores Jr. Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2017, c. 357, § 1, eff. Nov. 1, 2017.

NOTE: Editorially renumbered from § 1698.250 of this title to avoid duplication in numbering.

§69-1698.268. SPC Cody Levi Cookson Memorial Bridge.

The bridge over Ross Lake on U.S. Highway 62 in Muskogee County shall be designated as the "SPC Cody Levi Cookson Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2017, c. 357, § 2, eff. Nov. 1, 2017.

NOTE: Editorially renumbered from § 1698.251 of this title to avoid duplication in numbering.

§69-1698.269. Silver Star Recipient Captain John Lee Prichard Memorial Bridge.

The bridge on U.S. Highway 77 over Northeast 122nd Street within the municipal limits of Oklahoma City shall be designated as the "Silver Star Recipient Captain John Lee Prichard Memorial Bridge".

The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2018, c. 307, § 1, eff. July 1, 2018.

§69-1698.270. Technical Sergeant Allen Chandler, Jr. Memorial Highway.

The route along US-277 beginning at the H.E. Bailey Turnpike overpass extending north two and one-half (2.5) miles to the intersection of King Road in Comanche County shall be designated as the "Technical Sergeant Allen Chandler, Jr. Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2018, c. 307, § 2, eff. July 1, 2018.

§69-1698.271. SSG Christopher Michael Hake Memorial Bridge.

The bridge on Interstate 40 over the North Fork Red River near the town of Sayre in Beckham County shall be designated as the "SSG

Christopher Michael Hake Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2018, c. 307, § 3, eff. July 1, 2018. Amended by Laws 2019, c. 369, § 9, eff. Nov. 1, 2019.

§69-1698.272. Robert B. Robison Memorial Highway.

The portion of SH-66 in Rogers County beginning at the intersection of County Road S4110 extending north to the intersection of Fisher Road in the Town of Verdigris shall be designated as the "Robert B. Robison Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2018, c. 56, § 1, eff. Nov. 1, 2018.

NOTE: Editorially renumbered from § 1698.269 of this title to avoid duplication in numbering.

§69-1698.273. Sergeant Jeffrey Lee Drake Memorial Highway.

The portion of State Highway 169 beginning at the intersection of U.S. 266 and extending south to the intersection of East 36th Street North within the municipal limits of Tulsa shall be designated as the "Sergeant Jeffrey Lee Drake Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2018, c. 56, § 2, eff. Nov. 1, 2018.

NOTE: Editorially renumbered from § 1698.270 of this title to avoid duplication in numbering.

§69-1698.274. SSGT Jason R. Hendrex Memorial Bridge.

The bridge over Caney Creek on U.S. Highway 169, located 1.9 miles north of SH-20 in Rogers County, shall be designated as the "SSGT Jason R. Hendrex Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2018, c. 56, § 3, eff. Nov. 1, 2018.

NOTE: Editorially renumbered from § 1698.271 of this title to avoid duplication in numbering.

§69-1698.275. James Robert "Bob" Kalsu Memorial Highway.

The section of Interstate Highway 44 between SW 104th Street and SW 119th Street in Cleveland County shall be designated as the "James Robert "Bob" Kalsu Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2018, c. 56, § 4, eff. Nov. 1, 2018.

NOTE: Editorially renumbered from § 1698.272 of this title to avoid duplication in numbering.

§69-1698.276. Nancy Randolph Davis Memorial Highway.

The section of Interstate 35 in Payne County beginning one mile north of the intersection with State Highway 51 and extending south for two miles shall be designated as the "Nancy Randolph Davis Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2018, c. 56, § 5, eff. Nov. 1, 2018.

NOTE: Editorially renumbered from § 1698.273 of this title to avoid duplication in numbering.

§69-1698.277. Chief Jon Hansen Memorial Bridge.

The bridge located on Interstate Highway 235 crossing N.E. 23rd Street in Oklahoma City shall be designated as the "Chief Jon Hansen Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2018, c. 246, § 1, eff. Nov. 1, 2018.

NOTE: Editorially renumbered from § 1698.269 of this title to avoid duplication in numbering.

§69-1698.278. Veterans Memorial Bridge.

The bridge located on State Highway 66 crossing Pryor Creek approximately three-tenths (0.3) miles east of Chelsea in Rogers County shall be designated as the "Veterans Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2018, c. 246, § 2, eff. Nov. 1, 2018.

NOTE: Editorially renumbered from § 1698.272 of this title to avoid duplication in numbering.

§69-1698.279. Deputy Sheriff Douglas Hanna Memorial Bridge.

The bridge located on State Highway 44 over South Elk Creek approximately three and two-tenths (3.2) miles north of State Highway 9 in Kiowa County shall be designated as the "Deputy Sheriff Douglas Hanna Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2018, c. 246, § 3, eff. Nov. 1, 2018.

NOTE: Editorially renumbered from § 1698.273 of this title to avoid duplication in numbering.

§69-1698.280. Michael "Mike" Dale Russell Memorial Bridge.

The bridge located on U.S. Highway 412A crossing over U.S. Highway 412 in Delaware County shall be designated as the "Michael "Mike" Dale Russell Memorial Bridge". The Department of

Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2018, c. 246, § 4, eff. Nov. 1, 2018.

NOTE: Editorially renumbered from § 1698.274 of this title to avoid duplication in numbering.

§69-1698.281. Tuskegee Airman 2nd Lt Faythe McGinnis Memorial Highway.

The portion of U.S. Highway 69 beginning at the junction of U.S. Highway 69 and W. Shawnee Street in Muskogee County extending north to the junction of U.S. Highway 69 and W. Fern Mountain Road in Muskogee County shall be designated as the "Tuskegee Airman 2nd Lt Faythe McGinnis Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2018, c. 246, § 5, eff. Nov. 1, 2018. Amended by Laws 2019, c. 369, § 15, eff. Nov. 1, 2019.

NOTE: Editorially renumbered from § 1698.275 of this title to avoid duplication in numbering.

§69-1698.282. PFC Jackie Lindell Elston Memorial Bridge.

The bridge located on State Highway 183 crossing Calvary Creek south of New Cordell in Washita County shall be designated as the "PFC Jackie Lindell Elston Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2018, c. 246, § 6, eff. Nov. 1, 2018.

NOTE: Editorially renumbered from § 1698.277 of this title to avoid duplication in numbering.

§69-1698.283. Trooper Houston F. "Pappy" Summers Memorial Bridge.

The bridge located on U.S. Highway 412 approximately one-half (0.5) mile west of N2820 Road in Garfield County shall be designated as the "Trooper Houston F. "Pappy" Summers Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2018, c. 246, § 7, eff. Nov. 1, 2018.

NOTE: Editorially renumbered from § 1698.278 of this title to avoid duplication in numbering.

§69-1698.284. LCpl Geoffrey Fisher, USMC Memorial Bridge.

The bridge located on U.S. Highway 69 crossing U.S. Highway 64E in Muskogee County shall be designated as the "LCpl Geoffrey Fisher, USMC Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2018, c. 246, § 8, eff. Nov. 1, 2018.

NOTE: Editorially renumbered from § 1698.280 of this title to avoid duplication in numbering.

§69-1698.285. Veterans' Memorial Bridge.

The bridge located on U.S. Highway 81 crossing over West Chestnut Avenue within the municipal limits of Enid in Garfield County shall be designated as the "Veterans' Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2018, c. 246, § 9, eff. Nov. 1, 2018.

NOTE: Editorially renumbered from § 1698.281 of this title to avoid duplication in numbering.

§69-1698.286. Eugene Woodrow Wicker Memorial Highway.

The portion of State Highway 72 beginning at the junction of State Highway 51 and State Highway 72 extending south to the junction of State Highway 72 and East 151st Street South in the municipal limits of Coweta in Wagoner County shall be designated as the "Eugene Woodrow Wicker Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2018, c. 246, § 10, eff. Nov. 1, 2018.

NOTE: Editorially renumbered from § 1698.282 of this title to avoid duplication in numbering.

§69-1698.287. Deputy Sheriff Michael Dee Pace Memorial Bridge.

The bridge over Choctaw Road on U.S. Highway 69 in Bryan County shall be designated as the "Deputy Sheriff Michael Dee Pace Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 369, § 1, eff. Nov. 1, 2019.

§69-1698.288. Landon L. Endres Memorial Interchange.

The interchange of Interstate 40 and Cimarron Road in Canadian County shall be designated as the "Landon L. Endres Memorial Interchange". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 369, § 2, eff. Nov. 1, 2019.

§69-1698.289. Paul Henry Carr Memorial Bridge.

The bridge over U.S. Highway 266 on U.S. Highway 69 within the municipal limits of Checotah shall be designated as the "Paul Henry Carr Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 369, § 3, eff. Nov. 1, 2019.

§69-1698.290. Trooper Leon H. Brown Memorial Highway.

The section of U.S. Highway 77 beginning at the south edge of the municipal limits of Marietta extending southwesterly to the northern municipal limits of Thackerville in Love County shall be designated as the "Trooper Leon H. Brown Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 369, § 4, eff. Nov. 1, 2019.

§69-1698.291. 1LT Damon Leehan Memorial Bridge.

The bridge over Interstate 35 on 4th Street within the municipal limits of Moore shall be designated as the "1LT Damon Leehan Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 369, § 5, eff. Nov. 1, 2019.

§69-1698.292. Deputy Sean Cookson Memorial Highway.

The portion of State Highway 82 beginning at the junction of State Highway 82 and West Gideon Road in Cherokee County extending southeast to the junction of State Highway 82 and North Elm Grove Road in Cherokee County shall be designated as the "Deputy Sean Cookson Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 369, § 6, eff. Nov. 1, 2019.

§69-1698.293. Senator E. Melvin Porter Memorial Bridge.

The bridge over Martin Luther King Avenue on Interstate 44 within the municipal limits of Oklahoma City shall be designated as the "Senator E. Melvin Porter Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 369, § 7, eff. Nov. 1, 2019.

§69-1698.294. Deputy Sheriff Clifford Phillip Payne Memorial Highway.

The section of State Highway 54 beginning at the Custer County - Washita County line extending southerly to the intersection with State Highway 54B in Washita County shall be designated as the "Deputy Sheriff Clifford Phillip Payne Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 369, § 8, eff. Nov. 1, 2019.

§69-1698.295. Undersheriff Monty Johnson Memorial Highway.

The section of State Highway 18 beginning at Lone Chimney Road extending north to the intersection with State Highway 64 in Pawnee

County shall be designated as the "Undersheriff Monty Johnson Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 369, § 10, eff. Nov. 1, 2019.

§69-1698.296. Councilwoman Avalon Reese Memorial Highway.

The section of U.S. Highway 64 Business beginning at West 23rd Street South extending north to the intersection of West Southside Blvd. in the City of Muskogee in Muskogee County shall be designated as the "Councilwoman Avalon Reese Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 369, § 11, eff. Nov. 1, 2019.

§69-1698.297. Private First Class George Henry Taylor Memorial Bridge.

The bridge over Big Creek on State Highway 10 located 1.8 miles east of the Craig County line shall be designated as the "Private First Class George Henry Taylor Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the bridge.

Added by Laws 2019, c. 369, § 12, eff. Nov. 1, 2019.

§69-1698.298. City Marshal Jefferson Davis "J.D." Graham Memorial Highway.

The section of State Highway 5 beginning at the intersection of South Boundary Avenue and extending south and easterly to the intersection of N2680 County Road in Cotton County shall be designated as the "City Marshal Jefferson Davis "J.D." Graham Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 369, § 13, eff. Nov. 1, 2019.

§69-1698.299. Sheriff Horace H. "Bill" Dyer Memorial Highway.

The section of State Highway 5 west of the municipal limits of Temple beginning on the west side of State Highway 65 South and extending west to the intersection of N2640 County Road in Cotton County shall be designated as the "Sheriff Horace H. "Bill" Dyer Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 369, § 14, eff. Nov. 1, 2019.

§69-1698.300. Gold Star Families Memorial Highway.

The section of U.S. Highway 277 beginning on the west side of the H.E. Bailey Turnpike and extending west to the intersection of U.S. Highway 62 in Comanche County shall be designated as the "Gold Star Families Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 399, § 1, eff. Nov. 1, 2019.

NOTE: Editorially renumbered from § 1698.287 of this title to avoid duplication in numbering.

§69-1698.301. Randy Peterson Memorial Highway.

The section of U.S. Highway 69B beginning at the intersection of Foley Avenue and extending north to the intersection of Selmon Road within the municipal limits of Eufaula shall be designated as the "Randy Peterson Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 399, § 2, eff. Nov. 1, 2019.

NOTE: Editorially renumbered from § 1698.288 of this title to avoid duplication in numbering.

§69-1698.302. Sgt. Michael A. Crawford Memorial Highway.

The section of U.S. Highway 266 beginning at the intersection with U.S. Highway 75 and extending east to the eastern municipal limit of Dewar within Okmulgee County shall be designated as the "Sgt. Michael A. Crawford Memorial Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 399, § 3, eff. Nov. 1, 2019.

NOTE: Editorially renumbered from § 1698.289 of this title to avoid duplication in numbering.

§69-1698.303. Sgt. Jason McCluskey Memorial Bridge.

The bridge over U.S. Highway 69 on U.S. Highway 270 within the municipal limits of McAlester shall be designated as the "Sgt. Jason McCluskey Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 399, § 4, eff. Nov. 1, 2019.

NOTE: Editorially renumbered from § 1698.290 of this title to avoid duplication in numbering.

§69-1698.304. Lt. Heath Meyer #64 Memorial Highway.

The portion of Interstate 35 in the area one (1) mile north and one (1) mile south of North 27th Street within the municipal limits of Moore shall be designated as the "Lt. Heath Meyer #64 Memorial

Highway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway. Added by Laws 2019, c. 399, § 5, eff. Nov. 1, 2019.

NOTE: Editorially renumbered from § 1698.291 of this title to avoid duplication in numbering.

§69-1698.305. Thelma "Chincie" Ross WWII Chickasaw Code Talker Memorial Bridge.

The bridge located on State Highway 37 one-half (0.5) mile west of the Stillwater Central Railroad crossing in the town of Tuttle in Grady County shall be designated as the "Thelma "Chincie" Ross WWII Chickasaw Code Talker Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 399, § 6, eff. Nov. 1, 2019.

NOTE: Editorially renumbered from § 1698.292 of this title to avoid duplication in numbering.

§69-1698.306. Sgt. Maj. Christopher Nelms Memorial Bridge.

The bridge over the Washita River on U.S. Highway 77 located approximately one (1) mile west of Wynnewood in Garvin County shall be designated as the "Sgt. Maj. Christopher Nelms Memorial Bridge". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 399, § 7, eff. Nov. 1, 2019.

NOTE: Editorially renumbered from § 1698.293 of this title to avoid duplication in numbering.

§69-1698.307. Comanche Code Talker Trailway.

The section of State Highway 5 beginning at the intersection of U.S. Highway 277 in Cotton County then extending east to the intersection of North 7th Street in Walters shall be designated as the "Comanche Code Talker Trailway". The Department of Transportation shall cause suitable permanent markers bearing that name to be placed on the highway.

Added by Laws 2019, c. 399, § 8, eff. Nov. 1, 2019.

NOTE: Editorially renumbered from § 1698.294 of this title to avoid duplication in numbering.

§69-1701. Purpose - Authority to construct, maintain, repair and operate projects.

In order to facilitate vehicular traffic throughout the state and remove the present handicaps and hazards on the congested highways in the state, and to provide for the construction of modern express highways embodying reasonable safety devices including ample shoulder widths, long sight distances, the bypassing of cities and towns, and grade separations at intersecting highways and railroads, the

Oklahoma Turnpike Authority, as created in Section 1703 of this title, is hereby authorized and empowered to construct, maintain, repair, and operate turnpike projects as defined in Section 1704 of this title, at such locations as shall be approved by the Transportation Commission, and to issue turnpike revenue bonds of the Authority payable solely from revenues to pay the cost of such projects. The Authority is further authorized and empowered to develop and market alternative uses of the Oklahoma Turnpike Authority Electronic Toll Collection System, and construct, maintain, repair, and operate inter-modal transportation transfer facilities and infrastructure relating thereto, including, without limitation, warehouses and utility facilities and intercity rail transit projects as it shall determine to be feasible and economically sound. Added by Laws 1968, c. 415, § 1701, operative July 1, 1968. Amended by Laws 1997, c. 282, § 1, emerg. eff. May 27, 1997; Laws 1999, c. 341, § 4, eff. Nov. 1, 1999; Laws 2003, c. 206, § 1, emerg. eff. May 12, 2003; Laws 2005, c. 68, § 1, Nov. 1, 2005.

§69-1702. Bonds not obligations of state or subdivisions - Payable from revenues - Statement to be contained in bonds.

Turnpike revenue bonds issued under the provisions on this article shall not at any time be deemed to constitute a debt of the state or of any political subdivision thereof or a pledge of the faith and credit of the state or of any such political subdivision, but such bonds shall be payable solely from the funds herein provided therefor from revenues. Such turnpike revenue bonds shall contain on the face thereof a statement to the effect that neither the State nor the Authority shall be obligated to pay the same or the interest thereon except from the revenues of the project or projects for which they are issued and that neither the faith and credit nor the taxing power of the state or any political subdivision thereof is pledged, or may hereafter be pledged, to the payment of the principal of or the interest on such bonds.

Laws 1968, c. 415, § 1702, operative July 1, 1968.

§69-1703. Oklahoma Turnpike Authority created - Liabilities - Members - Officers - Surety bonds - Reimbursement.

A. There is hereby created a body corporate and politic to be known as the "Oklahoma Turnpike Authority" and by that name the Authority may sue and be sued, and plead and be impleaded. The Authority is hereby constituted an instrumentality of the state, and the exercise by the Authority of the powers conferred by this act in the construction, operation, and maintenance of turnpike projects shall be deemed and held to be an essential governmental function of the state with all the attributes thereof. Provided, however, the Turnpike Authority is authorized to carry and shall carry liability insurance to the same extent and in the same manner as the

Transportation Commission, and in addition thereto it shall be subject to the workers' compensation laws of the state the same as a private construction project.

B. The Oklahoma Turnpike Authority shall consist of the Governor, who shall be a member ex officio, and six (6) members to be appointed by the Governor, by and with the consent of the Senate. The appointive members shall be residents of the state, and shall have been qualified electors therein for a period of at least one (1) year next preceding their appointment. One appointive member shall be appointed from each of six districts of the state, such districts to include the area as follows:

District 1. Oklahoma, Canadian, Cleveland, McClain and Garvin Counties.

District 2. Washington, Nowata, Craig, Ottawa, Rogers, Mayes, Delaware, Wagoner, Cherokee, Adair, Okmulgee, Osage, Muskogee, Sequoyah, McIntosh and Haskell Counties.

District 3. Coal, Logan, Payne, Lincoln, Creek, Okfuskee, Pottawatomie, Seminole, Hughes and Pontotoc Counties.

District 4. Kay, Pawnee, Garfield, Noble, Tulsa, Woods, Woodward, Major, Alfalfa and Grant Counties.

District 5. Cimarron, Grady, Texas, Beaver, Harper, Ellis, Roger Mills, Dewey, Custer, Caddo, Washita, Beckham, Harmon, Stephens, Jefferson, Greer, Kiowa, Jackson, Tillman, Comanche, Cotton, Kingfisher and Blaine Counties.

District 6. Carter, Love, Murray, Johnston, Marshall, Atoka, Bryan, Pittsburg, Latimer, Le Flore, Pushmataha, Choctaw and McCurtain Counties.

The members of the Authority appointed shall continue in office for terms expiring as follows: District 1, July 1, 1968; District 2, July 1, 1971; District 3, July 1, 1972; District 4, July 1, 1973; District 5, July 1, 1974; District 6, July 1, 1975. Provided, that appointive members serving on the Oklahoma Turnpike Authority created by 69 O.S. 1961, Section 653, when this act becomes effective shall continue to serve as members of the Oklahoma Turnpike Authority created by this section, for the terms for which they were appointed, unless sooner removed by the Governor. The successor of each appointive member shall be appointed for a term of eight (8) years, except that any person appointed to fill a vacancy shall be appointed to serve only for the unexpired term, and a member of the Authority shall be eligible for reappointment. Each appointed member of the Authority before entering upon the duties of office shall take an oath as provided by Section 1 of Article XV of the Constitution of the State of Oklahoma. Any appointive member of the Authority may be removed by the Governor at any time with or without cause.

C. The Authority shall elect one of the appointed members as chairperson and another as vice-chairperson, and shall also elect a Secretary and Treasurer. A majority of the members of the Authority

shall constitute a quorum and the vote of a majority of the members shall be necessary for any action taken by the Authority. No vacancy in the membership of the Authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the Authority.

D. Before the issuance of any turnpike revenue bonds under the provisions of this act, each appointed member of the Authority shall execute a surety bond in the penal sum of Twenty-five Thousand Dollars (\$25,000.00) and the secretary and treasurer shall execute a surety bond in the penal sum of One Hundred Thousand Dollars (\$100,000.00), each such surety bond to be conditioned upon the faithful performance of the duties of the office, to be executed by a surety company authorized to transact business in the State of Oklahoma as surety and to be approved by the Governor and filed in the office of the Secretary of State.

E. The members of the Authority shall not be entitled to compensation for their services, but each member shall be reimbursed for actual expenses necessarily incurred in the performance of the duties of such member. All expenses incurred in carrying out the provisions of this act shall be payable solely from funds provided under the authority of this act and no liability or obligation shall be incurred by the Authority hereunder beyond the extent to which monies shall have been provided under the authority of this act.

F. Whenever the terms "Oklahoma Transportation Authority", "Transportation Authority" or "Authority", when used in reference to the Oklahoma Turnpike Authority, appear in the Oklahoma Statutes, such terms shall mean the Oklahoma Turnpike Authority.

Added by Laws 1968, c. 415, § 1703, operative July 1, 1968. Amended by Laws 1999, c. 341, § 5, eff. Nov. 1, 1999; Laws 2005, c. 68, § 2, eff. Nov. 1, 2005.

§69-1704. Definitions - Concession contracts or leases.

As used in this article, the following words and terms shall have the following meanings, unless the context shall indicate another or different meaning or intent:

1. "Authority" means the Oklahoma Turnpike Authority, created by Section 1703 of this title, or, if such Authority shall be abolished, the board, body, or commission succeeding to the principal functions thereof or to whom the powers given by this article to the Authority shall be given by law;

2. "Project" or "turnpike project" means any express highways, superhighways, or motorways, wayports, aviation transfer centers or aviation hubs constructed under the provisions of this article by the Authority, and shall embrace all bridges, tunnels, overpasses, underpasses, interchanges, entrance plazas, approaches, free access roads, bridges, and road construction, toll houses, service stations, and administration, storage and other buildings which the Authority

may deem necessary for the operation of such turnpike, together with all property, rights, easements and interests which may be acquired by the Authority for the construction or the operation of such turnpike. The Authority may contract or lease concessions for gas stations, garages, restaurants, parking facilities and other services for all or any portion of any turnpike project or projects;

3. "Cost", as applied to a turnpike project, shall embrace the cost of construction, the cost of the acquisition of all land, rights-of-way, property, rights, easements and interests acquired by the Authority for such construction, the cost of all machinery and equipment, financing charges, provision for working capital, interest prior to, during, and after construction and a reserve for interest in such amounts as the Authority shall determine, cost of traffic estimates and of engineering and legal expenses, plans, specifications, surveys, estimates of cost, and of revenues, other expenses necessary or incident to determining the feasibility or practicability of constructing any such project, administrative expense, and such other expense as may be necessary or incident to the construction of the project, the financing of such construction, and the placing of the project in operation. Any obligation or expense incurred by the Transportation Commission with the approval of the Authority for traffic surveys, borings, preparation of plans and specifications, and other engineering services in connection with the financing and construction of a project shall be regarded as a part of the cost of such project and shall be reimbursed to the state out of the proceeds of the turnpike revenue bonds hereafter authorized. However, the Transportation Commission shall not incur obligations or expenses totaling more than One Thousand Five Hundred Dollars (\$1,500.00) per turnpike mile. Provided further, however, that an additional sum not to exceed One Thousand Dollars (\$1,000.00) per turnpike mile may be expended for updating reports prior to financing; and

4. "Owner" means and includes all individuals, copartnerships, associations, or corporations having any title or interest in any property, rights, easements, and interests authorized to be acquired by this article.

Added by Laws 1968, c. 415, § 1704, operative July 1, 1968. Amended by Laws 1991, c. 183, § 1, emerg. eff. May 13, 1991; Laws 1999, c. 341, § 6, eff. Nov. 1, 1999; Laws 2004, c. 304, § 1, emerg. eff. May 17, 2004; Laws 2005, c. 68, § 3, eff. Nov. 1, 2005.

§69-1705. Authority - Powers and duties.

The Oklahoma Turnpike Authority is hereby authorized and empowered:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(10) A turnpike or any part or parts thereof beginning in the vicinity of Duncan extending east to the vicinity of the City of

Davis, and extending in a northeasterly direction, by way of the vicinity of the City of Ada, to a connection in the vicinity of Henryetta or in the vicinity of the intersection of State Highway 48 and Interstate 40; and a turnpike or any part or parts thereof from the vicinity of Snyder extending north to the vicinity of Woodward.

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

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

(13) A turnpike (The Industrial Parkway) or any part or parts thereof beginning at a point on the Oklahoma-Kansas state boundary line between the point where U.S. Highway 66 intersects the boundary line and the northeast corner of Oklahoma and ending by means of a connection or connections with Shreveport, Louisiana, and Houston, Texas, in southeastern Oklahoma and at no point to exceed thirty (30) miles west of the Missouri or Arkansas border.

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

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

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

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

(18) A tollgate on the Turner Turnpike in the vicinity of Wellston, Oklahoma, from any monies available to the Authority.

(19) A tollgate on the Muskogee Turnpike in the vicinity of Brushy Mountain, Oklahoma, and in the vicinity of Elm Grove, Oklahoma, from any monies available to the Authority.

(20) All or any part of an Oklahoma City Outer Loop expressway system beginning in the vicinity of I-35 and the Turner Turnpike and extending west into Canadian County and then south to I-40; and then

south and east to I-35 in the vicinity of Moore and Norman; and then extending east and north to I-40 east of Tinker Field; and then extending north to the Turner Turnpike to complete the Outer Loop.

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

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

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

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

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

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

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

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

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

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

(31) An on- and off-ramp or any parts thereof at Fletcher, Oklahoma, in the vicinity of the Interstate 44 and State Highway 277 intersection. Any existing on- or off-ramp or any parts thereof in

the vicinity of Fletcher, Oklahoma, shall not be removed and shall be maintained pursuant to Section 1701 et seq. of this title.

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

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

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

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

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

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

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

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

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

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

Any common carrier having authority at the time of opening any turnpike project to operate upon a highway approximately paralleling the turnpike project shall be granted without further showing authority to operate over the turnpike project to all municipalities

which such carrier is serving at the time the turnpike project is opened to traffic. But nothing herein shall be construed as granting any new operation rights to any common carriers.

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

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

(j) To designate, except as is provided for herein, the location, and establish, limit and control such points of ingress to and egress from each turnpike project as may be necessary or desirable in the judgment of the Authority to insure the proper operation and maintenance of such project, and to prohibit entrance to such project from any point or points not so designated.

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

(l) To receive and accept from any federal agency grants for or in aid of the construction of any turnpike project, provided, the acceptance of such grants will not reduce the amount of federal aid for the construction, repair, or maintenance of farm-to-market roads and other highways and bridges in this state; and to receive and accept aid or contributions from any source of either money, property, labor, or other things of value, to be held, used, and applied only for the purposes for which such grants and contributions may be made.

(m) To adopt such rules, and to do any and all things necessary to comply with rules, regulations, or requirements of the Bureau of Public Roads, Multistate Economic Development Regional Commission, as defined in Sections 1151 through 1153, inclusive, of Title 74 of the

Oklahoma Statutes, Ozarka Region Commission or any other federal agency administering any law enacted by the Congress of the United States to aid or encourage the construction of highways.

(n) To do all things necessary or convenient to carry out the powers expressly granted in Sections 1701 through 1734 of this title. The design standards for all paving shall comply with the design standards of the American Association of State Highway and Transportation Officials as modified by the Oklahoma Department of Transportation. All contracts for construction work on turnpike projects shall be let to the lowest responsible bidder, or bidders, after notice by publication in a newspaper published in the county where the work is to be done in two consecutive weekly issues of the newspaper. In all cases where more than eight (8) miles of construction is let at the same time and is not an advertisement for a surface-treatment-only project, such advertisement shall provide for bids on sections of the turnpike not to exceed eight (8) miles. If the project advertised is a surface-treatment-only project of more than twenty (20) miles of road, the advertisement shall provide for bids on sections of the road no longer than twenty (20) miles, as well as bids on the project as a whole. Subject to the following restrictions and limitations, the Authority shall, when contracting for construction work, divide such work into paving projects, bridge projects, including underpasses and overpasses, and earthmoving or miscellaneous projects, according to the type of work to be done. Each project shall be let under a separate contract or contracts and no contract or project shall include more than one of such types of construction work. Each contract for construction work shall contain a provision that ninety percent (90%) of all labor employed on the project shall be residents of Oklahoma. However, contracts for bridges may include earthwork and structures for the approaches thereto.

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

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

Violation of this provision shall constitute a felony punishable by incarceration in the State Penitentiary for a term not to exceed five (5) years or a fine of not less than Five Hundred Dollars (\$500.00) and not more than Five Thousand Dollars (\$5,000.00), or both such imprisonment and fine.

(p) In the event of a national emergency, the Authority, subject to any vested rights or claims, may enter into contracts with the

federal government or any authorized agency thereof to allow the federal government or agency thereof to use such turnpikes partly or exclusively during the existence of such emergency, provided, that the federal government agrees in such contract to pay, during the term of such contract, an amount sufficient, when added to any tolls collected, to meet all operating and maintenance expenses, interest payments, and the minimum sinking fund and reserve requirements of the trust agreement for the turnpike covered by the contract.

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

Added by Laws 1968, c. 415, § 1705, operative July 1, 1968. Amended by Laws 1973, c. 225, § 1, operative Oct. 1, 1973; Laws 1977, c. 18, § 1, emerg. eff. April 7, 1977; Laws 1978, c. 195, § 1; Laws 1979, c. 222, § 1; Laws 1982, c. 272, § 1, operative Oct. 1, 1982; Laws 1986, c. 289, § 1, emerg. eff. June 25, 1986; Laws 1987, c. 215, § 1, operative July 1, 1987; Laws 1989, c. 352, § 8, operative July 1, 1989; Laws 1990, c. 337, § 18; Laws 1992, c. 196, § 1, eff. Sept. 1, 1992; Laws 1992, c. 373, § 16, eff. July 1, 1992; Laws 1993, c. 303, § 3; Laws 1997, c. 133, § 571, eff. July 1, 1999; Laws 1998, c. 346, § 3, emerg. eff. June 5, 1998; Laws 1998, 1st Ex.Sess., c. 2, § 21, emerg. eff. June 19, 1998; Laws 1999, 1st Ex.Sess., c. 5, § 414, eff. July 1, 1999; Laws 2000, c. 6, § 17, emerg. eff. March 20, 2000; Laws 2000, c. 270, § 1, eff. Nov. 1, 2000; Laws 2001, c. 5, § 47, emerg. eff. March 21, 2001; Laws 2002, c. 181, § 1, eff. July 1, 2002; Laws 2003, c. 3, § 74, emerg. eff. March 19, 2003; Laws 2004, c. 90, § 1, emerg. eff. April 14, 2004; Laws 2005, c. 152, § 1, emerg. eff. May 9, 2005; Laws 2005, c. 474, § 4, emerg. eff. June 9, 2005; Laws 2006, c. 16, § 76, emerg. eff. March 29, 2006; Laws 2006, c. 150, § 7, eff. Nov. 1, 2006; Laws 2008, c. 145, § 1, emerg. eff. May 9, 2008; Laws 2010, c. 137, § 1, emerg. eff. April 19, 2010; Laws 2013, c. 282, § 1, eff. July 1, 2013.

NOTE: Laws 1989, c. 337, § 1 repealed by Laws 1990, c. 337, § 26. Laws 1992, c. 84, § 1 repealed by Laws 1992, c. 373, § 22, eff. July 1, 1992. Laws 1999, c. 341, § 7 repealed by Laws 2000, c. 6, § 33, emerg. eff. March 20, 2000. Laws 2000, c. 108, § 1 repealed by Laws 2001, c. 5, § 48, emerg. eff. March 21, 2001. Laws 2002, c. 146, § 1 repealed by Laws 2003, c. 3, § 75, emerg. eff. March 19, 2003. Laws 2005, c. 68, § 4 repealed by Laws 2006, c. 16, § 77, emerg. eff. March 29, 2006.

NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 571 from July 1, 1998, to July 1, 1999.

§69-1705.1. Beginning and ending point of authorized turnpikes.

When a turnpike has been authorized by law to begin at a point and end at a point, it is hereby authorized to begin in the vicinity

of said point and end in the vicinity of such other point as described.

Laws 1968, c. 280, § 2, emerg. eff. May 2, 1968; Laws 1973, c. 225, § 2, operative Oct. 1, 1973.

§69-1705.2. Restaurants and dump stations.

The Oklahoma Turnpike Authority and Transportation Commission are hereby directed to cause a reasonable number of public restroom facilities and dump stations for recreational motor vehicles to be installed along both sides of the turnpikes and interstate highways in this state which will be accessible to motorists utilizing such turnpikes and highways at reasonable periodic intervals.

Laws 1979, S.J.R.No.17, § 1.

§69-1705.3. Repealed by Laws 2004, c. 328, § 3, eff. July 1, 2004.

§69-1705.5. Tollgate - Feasibility study.

The Oklahoma Turnpike Authority shall conduct a feasibility study concerning the construction of a tollgate with both an entry and exit ramp in the vicinity of the intersection of State Highway 33 and the Turner Turnpike in Creek County if construction on such a tollgate has not begun on or before October 1, 1987.

Added by Laws 1986, c. 289, § 7, emerg. eff. June 25, 1986.

§69-1705.6. Luther interchange.

The Oklahoma Turnpike Authority shall be authorized to construct and it is the intent of the Legislature that they do construct, by December 31, 1994, an interchange with a tollgate and full entry and exit ramps in the vicinity of Luther on the turnpike in Oklahoma County, provided that all right-of-way, grading, base preparation, drainage and structures other than tollgates and paving, are constructed without cost to the Authority and ownership thereof transferred to the Authority upon completion thereof. Such construction shall be in accordance with the most recent edition of the geometric design standards of the American Association of State Highway and Transportation Officials (AASHTO). The Authority shall issue a progress report on the Luther interchange by December 31, 1992, to the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

Added by Laws 1992, c. 372, § 1, eff. Sept. 1, 1992.

§69-1706. Grade separations - Vacation, relocation, and reconstruction of streets and highways - Entry on lands, waters and premises - Use of state lands.

A. The Oklahoma Turnpike Authority may and it shall be its duty to construct grade separations at intersections of any turnpike project with state and federal highways, and to change and adjust the

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

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

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

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

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

Added by Laws 1968, c. 415, § 1706, operative July 1, 1968. Amended by Laws 1997, c. 282, § 2, emerg. eff. May 27, 1997; Laws 2004, c. 419, § 3, eff. Nov. 1, 2004; Laws 2005, c. 68, § 5, eff. Nov. 1, 2005.

§69-1707. Acquisition of lands and interests therein.

The Oklahoma Turnpike Authority is hereby authorized and empowered to acquire by purchase, or condemnation, land or such interest therein as in its discretion may be necessary for the purpose of establishing, constructing, maintaining and operating turnpike projects or relocation thereof, and facilities necessary and incident thereto, or necessary in the restoration of public or private property damaged or destroyed, including borrow areas, detours, channel changes, concession areas, public or private access roads, and deposits of rock, gravel, sand and other road building material for use in turnpike construction and maintenance, upon such terms and at such price as may be considered by it to be reasonable and can be agreed upon between the Authority and the owner thereof, and to take title thereto in the name of the Authority, provided, that such right and title shall be limited to the surface rights only and shall not include oil or other mineral rights. Groundwater rights may be severed from surface rights, upon the written request of the owner of land to be acquired; however, an owner of groundwater rights shall not have a right of access to the Authority's acquired surface rights. No person may construct, maintain or operate any water well, drilling equipment or lines on or under the surface acquired by the Authority without express written approval of the Authority.

Added by Laws 1968, c. 415, § 1707, operative July 1, 1968. Amended by Laws 2018, c. 50, § 1, eff. Nov. 1, 2018.

§69-1708. Condemnation proceedings.

(a) Except in instances where there are nonresident owners, unknown heirs, imperfect titles, and owners whose whereabouts cannot be ascertained with reasonable diligence, the Authority shall give the owner an opportunity to sell the necessary land or interests therein to the Authority before resort to condemnation may be had.

(b) The Authority may condemn such lands or interests therein in the following manner:

(1) The district judge of the county in which the real property may be situated, upon petition of either party, and after ten (10) days' notice to the opposite party, either by personal service or by leaving a copy thereof at his usual place of residence with some member of his family over fifteen (15) years of age, or, in the case of nonresidents, unknown heirs, or other persons whose whereabouts

cannot be ascertained, by publication in two issues of a weekly newspaper in general circulation in the county (the ten-day period to begin with the first publication), shall direct the sheriff of the county to summons three disinterested freeholders, to be selected by the judge as commissioners, and who shall not be interested in a like question. The commissioners shall be sworn to perform their duties impartially and justly; and they shall inspect the real property and consider the just compensation to which the owner is entitled, and they shall forthwith make report in writing to the clerk of the court, setting forth the quantity, boundaries and just compensation for the property taken, and amount of injury done to the property, either directly or indirectly, which they assess to the owner; which report must be filed and recorded by the clerk, and a certified copy thereof may be transmitted to the county clerk of the county where the land lies, to be by him filed and recorded (without further acknowledgment of proof) in the same manner and with like force and effect as is provided for the recording of deeds. Procedure for service by publication as authorized herein shall be the same as provided by law for service by publication in civil actions, except summons need not be issued and served, and except as otherwise provided herein. Within ten (10) days after the report of commissioners is filed, the court clerk shall forward to the attorney of record for the condemnor, the attorney of record for each condemnee, and to all unrepresented condemnees a copy of the commissioners' report and a notice stating the time limits for filing an exception or demand for jury trial. This notice shall be on a form prepared by the court administrator, which shall be approved by the Supreme Court, and shall be distributed to all clerks of the district court by said court administrator. If a party has been served by publication, the clerk shall forward a copy of the report of commissioners and notice of time limits for filing an exception or demand for jury trial to the last-known mailing address, if any, and shall cause a copy of the notice of time limits to be published in one issue of a newspaper qualified to publish legal notices, as defined in Section 106 of Title 25 of the Oklahoma Statutes. After issuing the notices provided herein, the court clerk shall endorse on the notice form filed in the case the date and that a copy of the report together with the notice was mailed to each party or his attorney of record, or the date the notice was published in compliance with the provisions hereof.

(2) Immediately upon payment to the clerk of the court for the use of the owner the sum so assessed and reported to him as aforesaid, the Authority shall thereby be authorized to enter upon the condemned premises, and remove and dispose of any obstructions thereon, by sale or otherwise. If the landowner shall refuse to deliver up possession to the Authority, the court shall issue an

order to the sheriff of the county to place the Authority in possession thereof.

(3) The report of commissioners may be reviewed by the district court, on written exceptions filed by either party in the clerk's office within thirty (30) days after the filing of such report, and the court, after hearing had, shall make such order therein as right and justice may require, either by confirmation, rejection or by ordering a new appraisement on good cause shown. Provided, that in the event a new appraisement is ordered, the Authority shall have the continuing right of possession obtained under the first appraisal, unless and until its right to condemn has finally been determined otherwise; or either party may within sixty (60) days after the filing of such report file with the clerk a written demand for a trial by jury, in which case the amount of damages shall be assessed by a jury, and the trial shall be conducted and judgment entered in the same manner as civil actions in the district court. No owner upon whom proper service by publication has been had as provided in this article shall be let in to defend after expiration of time for appeal or review of the report of commissioners, as above provided, has elapsed. Provided, that if, after the filing of exceptions to the report of commissioners as herein provided, the Authority shall fail to establish its right to condemn the premises, or any part thereof, the landowner shall be restored to possession of the premises, or part thereof, and the Authority shall pay him for any damages sustained through the occupation by the Authority, and if the damages cannot be determined by amicable settlement they shall be determined by jury trial in the same proceedings. The time limits for filing an exception and demand for jury trial shall be calculated from the date the report of commissioners is filed in the case. On failure of the court clerk to give notice within the time prescribed in paragraph (b) of this section, the court, on application of any party, may extend the time for filing an exception to the report, or a demand for trial by jury for a period not to exceed twenty (20) days from the date the application is heard.

(4) Either party aggrieved may appeal to the Supreme Court from the decision of the district court on exception to the report of commissioners, or jury trial; but such review or appeal shall not delay the prosecution of the work on such turnpike project over the premises in question if the award of commissioners, or jury, as the case may be, has been deposited with the clerk for the owner. The Authority shall in all cases pay the cost and expenses of the first assessment. And in case of review or appeal, a certified copy of the final order or judgment shall be transmitted by the clerk of the court, duly certified, to the proper county clerk, to be by him filed and recorded as hereinabove provided for the recording of the report, and with like effect.

(c) Where an estate is being probated, or a minor or incompetent person has a legal guardian, the administrator or executor of such estate, or the guardian of such minor or incompetent person, shall have authority to execute all instruments of conveyance provided for in this article on behalf of the estate, minor or incompetent person without other proceedings than approval by the judge of the district court endorsed on the instrument of conveyance.

(d) "Just compensation", as used in this section, shall mean the value of the property taken, and in addition, any injury to any part of the property not taken. Any special and direct benefits to the part of the property not taken may be offset only against any injury to the property not taken. If only a part of a tract is taken, just compensation shall be ascertained by determining the difference between the fair market value of the whole tract immediately before the taking and the fair market value of that portion left remaining immediately after the taking.

Laws 1968, c. 415, § 1708, operative July 1, 1968; Laws 1971, c. 44, § 1, eff. Oct. 1, 1971; Laws 1991, c. 175, § 4, emerg. eff. May 8, 1991.

§69-1709. Turnpike revenue bonds.

A. The Authority may provide by resolution, at one time or from time to time, for the issuance of turnpike revenue bonds of the Authority for the purpose of paying all or any part of the cost of any one or more turnpike projects. The Authority, when it finds that it would be economical and beneficial to do so, may combine two or more, or any part thereof, or all of its proposed projects into one unit and consider the same as one project to the same extent and with like effect as if the same were a single project. The principal of and the interest on the bonds shall be payable solely from the funds provided for such payment. The bonds of each issue shall be dated, shall bear interest at such rate or rates not exceeding the limitations pertaining to public trust indebtedness from time to time expressed in subsection E of Section 176 of Title 60 of the Oklahoma Statutes, shall mature at such time or times not exceeding forty (40) years from their date or dates, as may be determined by the Authority, and may be made redeemable before maturity at the option of the Authority at such price or prices and pursuant to such terms and conditions as may be fixed by the Authority prior to the issuance of the bonds. The Authority shall determine the form of the bonds, including any interest coupons to be attached thereto, and the manner of execution of the bonds, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the state. If any officer whose signature or facsimile of whose signature appears on any bonds or coupons shall cease to be said officer before the delivery of the bonds, the

signature or the facsimile shall nevertheless be valid and sufficient for all purposes the same as if the person had remained in office until such delivery. All bonds issued pursuant to the provisions of this article shall have all the qualities and incidents of negotiable instruments subject to the negotiable instruments law of this state. The bonds may be issued in coupon or in registered form, or both, as the Authority may determine, and provisions may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The Authority may sell the bonds in such amounts and in such manner, either at public or private sale, and for such price, as it may determine to be in the best interest of this state, but in no event at a discount in excess of that from time to time expressed in said subsection E of Section 176 of Title 60 of the Oklahoma Statutes.

B. The proceeds of the bonds of each issue shall be used solely for the payment of the cost of the turnpike project for which such bonds have been issued, and shall be disbursed in such manner and pursuant to such restrictions, if any, as the Authority may provide in the resolution authorizing the issuance of such bonds or in the trust agreement securing the same. If the proceeds of the bonds of any issue, by error of estimates or otherwise, shall be less than such cost, additional bonds may in like manner be issued to provide the amount of such deficit, and, unless otherwise provided for in the resolution authorizing the issuance of such bonds or in the trust agreement securing the same, shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued. If the proceeds of the bonds of any issue shall exceed such cost, the surplus shall be deposited to the credit of the sinking fund for such bonds, or shall be used by the Authority in implementing any other power expressly granted to the Authority in this article.

C. Prior to the preparation of definitive bonds, the Authority, subject to like restrictions, may issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The Authority may also provide for the replacement of any bonds which have become mutilated or were destroyed or lost. Bonds may be issued pursuant to the provisions of this article without obtaining the consent of any department, division, commission, board, bureau, or agency of this state, and without any other proceedings or the occurrence of any other conditions or things than those proceedings, conditions, or things that are specifically required by this article.

D. The Authority is hereby authorized to provide that the bonds:

1. Be made payable from time to time on demand or tender for purchase by the owner provided a credit facility supports such bonds,

unless the Authority specifically determines that a credit facility is not required;

2. Be additionally supported by a credit facility;

3. Be made subject to redemption prior to maturity, with or without premium, on such notice and at such time or times and with such redemption provisions as may be determined by the Authority or with such variations as may be permitted in connection with a par formula;

4. Bear interest at a rate or rates that may vary as permitted pursuant to a par formula and for such period or periods of time, all as may be determined by the Authority; and

5. Be made the subject of a remarketing agreement whereby an attempt is made to remarket the bonds to new purchasers prior to their presentment for payment to the provider of the credit facility or to the Authority.

No credit facility, repayment agreement, par formula or remarketing agreement shall become effective without the approval of the Authority.

E. As used in this section, the following terms shall have the following meanings:

1. "Credit facility" means an agreement entered into by the Authority with any bank, savings and loan association or other banking institution; an insurance company, reinsurance company, surety company, or other insurance institution; a corporation, investment banker or other investment institution; or any other financial institution providing for prompt payment of all or any part of the principal, whether at maturity, presentment for purchase, redemption or acceleration, redemption premium, if any, and interest on any bonds payable on demand or tender by the owner issued in accordance with this section, in consideration of the Authority's agreeing to repay the provider of such credit facility in accordance with the terms and provisions of such repayment agreement; provided, that any such repayment agreement shall provide that the obligation of the Authority thereunder shall have only such sources of payment as are permitted for the payment of the bonds issued under this article; and

2. "Par formula" means any provision or formula adopted by the Authority to provide for the adjustment, from time to time, of the interest rate or rates borne by any such bonds so that the purchase price of such bonds in the open market would be as close to par as possible.

F. Nothing in any law heretofore enacted or enacted at the present session of the Legislature shall be deemed to limit or restrict the right of the Authority to issue bonds or other obligations the interest income, in whole or in part, on which is subject, directly or indirectly, to federal income taxation.

G. The Authority may enter into transactions utilizing derivative products, and other financial products intended to hedge interest rate risk, including any option to enter into or terminate any of them, that the Authority deems to be necessary or desirable in connection with any bonds issued prior to, at the same time as, or after entering into such arrangement and containing terms and provisions, and may be with such parties, as determined by the Authority. Provided, any action taken by the Authority pursuant to this subsection must first be approved by the Oklahoma State Bond Advisor and the Council of Bond Oversight pursuant to the provisions of the Oklahoma Bond Oversight and Reform Act.

Added by Laws 1968, c. 415, § 1709, operative July 1, 1968. Amended by Laws 1969, c. 62, § 1, emerg. eff. March 5, 1969; Laws 1971, c. 136, § 1, emerg. eff. May 11, 1971; Laws 1977, c. 18, § 2, emerg. eff. April 7, 1977; Laws 1984, c. 266, § 1; Laws 1986, c. 289, § 2, emerg. eff. June 25, 1986; Laws 2006, c. 24, § 1, emerg. eff. April 10, 2006.

§69-1710. Securing bonds by trust agreement.

In the discretion of the Authority any bonds issued under the provisions of this article may be secured by a trust agreement by and between the Authority and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the state. Such trust agreement may pledge or assign the tolls and other revenues to be received from the project constructed by the use of the proceeds of the bonds, but shall not convey or mortgage any turnpike project or any part thereof. Such trust agreement or resolution providing for the issuance of such bonds may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the Authority in relation to the acquisition of property and the construction, improvement, maintenance, repair, operation and insurance of the turnpike project in connection with which such bonds shall have been authorized, and the custody, safeguarding and application of all monies, and provisions for the employment of consulting engineers in connection with the construction or operation of such turnpike project or projects. It shall be lawful for any bank or trust company incorporated under the laws of the state which may act as depository of the proceeds of bonds or of revenues to furnish such indemnifying bonds or to pledge such securities as may be required by the Authority. Any such trust agreement may set forth the rights and remedies of the bondholders and of the trustee, and may restrict the individual right of action by bondholders as is customary in trust agreements or trust indentures securing bonds and debentures of corporations. In addition to the foregoing any such trust agreement may contain such other provisions as the Authority

may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust agreement may be treated as a part of the cost of the operation of the turnpike project or projects.

Laws 1968, c. 415, § 1710, operative July 1, 1968.

§69-1711. Tolls - Contracts for use of portions of project - Rents and charges - Use of revenues - Sinking funds - Regulation of motor carriers.

The 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 contract with any person, partnership, association or corporation desiring the use of any part thereof, including the right-of-way adjoining the paved portion, for placing thereon telephone, telegraph, electric light or power lines, gas stations, garages, stores, hotels, restaurants and advertising signs, or for any other purpose except for tracks for railroad or railway use, and to fix the terms, conditions, rents and rates of charges for such use. Such tolls, subject to the other restrictions hereof, shall be so fixed and adjusted in respect of the aggregate of tolls from the turnpike project or projects in connection with which the bonds of any issue shall have been issued as to provide a fund sufficient with other revenues, if any, to pay (a) the cost of maintaining, repairing, and operating such turnpike project or projects, and (b) the principal of and the interest of such bonds as the same shall become due and payable, and to create reserves for such purposes. The tolls and all other revenues derived from the turnpike project or projects in connection with which the bonds of any issue shall have been issued, except such part thereof as may be necessary to pay such cost of maintenance, repair, and operation and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of such bonds or in the trust agreement securing the same shall be set aside at such regular intervals as may be provided in such resolution or such trust agreement in a sinking fund which is hereby pledged to, and charged with, the payment of (a) the interest upon such bonds as such interest shall fall due, (b) the principal of such bonds as the same shall fall due, (c) the necessary charges of paying agents for paying principal and interest, and (d) the redemption price or the purchase price of bonds retired by call or purchase as therein provided, which are a charge against such fund. The use and disposition of monies to the credit of such sinking fund shall be subject to the provisions of

the resolution authorizing the issuance of such bonds or of such trust agreement. Except as may otherwise be provided in such resolution or such trust agreement, such sinking fund shall be a fund for all such bonds without distinction or priority of one over another. The monies in the sinking fund, less such reserve as may be provided in such resolution or trust agreement, if not used within a reasonable time for the purchase of bonds for cancellation as above provided, shall be applied to the redemption of bonds at the redemption price then applicable. Any person who leases, rents, or acquires control of any gas station, garage, store, hotel, or restaurant must have been a resident of, or been doing business in, Oklahoma for the past five (5) years. Notwithstanding anything else herein contained to the contrary, the Corporation Commission of the State of Oklahoma shall exercise the jurisdiction now or hereafter vested in it to regulate and control the operation of motor carriers of passengers and freight, using or desiring to use any turnpike project, in the manner and to the extent that it regulates or controls such carriers using the highways of the state. The Authority shall not discriminate against any group or class or individual member thereof in fixing the amount of toll, rents, or charge for the use of the turnpike project.
Laws 1968, c. 415, § 1711, operative July 1, 1968.

§69-1712. Monies deemed trust funds.

All monies received pursuant to the authority of this article, whether as proceeds from the sale of bonds or as revenues, shall be deemed to be trust funds, to be held and applied solely as provided in this article. The resolution authorizing the bonds of any issue or the trust agreement securing such bonds shall provide that any officer to whom, or any bank or trust company to which, such money shall be paid shall act as trustee of such monies and shall hold and apply the same for the purposes hereof, subject to such regulations as this article and such resolution or trust agreement may provide.
Added by Laws 1968, c. 415, § 1712, operative July 1, 1968.

§69-1713. Rights and remedies of bondholders and trustee.

Any holder of bonds issued under the provisions of this article or any of the coupons appertaining thereto, and the trustee under the trust agreement, except to the extent the rights herein given may be restricted by such trust agreement, may, either at law or in equity, by suit, action, mandamus or other proceeding protect and enforce any and all rights under the laws of the state or granted hereunder or under such trust agreement or the resolution authorizing the issuance of such bonds, and may enforce and compel the performance of all duties required by this article or by such trust agreement or resolution to be performed by the Authority or by any officer thereof, including the fixing, charging and collecting of tolls.

Added by Laws 1968, c. 415, § 1713, operative July 1, 1968.

§69-1714. Exemptions from taxation - Leased property subject to taxation.

The exercise of the powers granted by this article will be in all respects for the benefit of the people of the state, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions, and as the operation and maintenance of turnpike projects by the Authority will constitute the performance of essential governmental functions, the Authority shall not be required to pay any taxes or assessments upon any turnpike project or any property acquired or used by the Authority under the provisions of this article or upon the income therefrom, and the bonds issued under the provisions of this article, their transfer and the income therefrom (including any profit made on the sale thereof) shall at all times be free from taxation within the state. The Authority is hereby limited in its power to acquire property to the acquisition of property which is necessary to the construction and operation of the turnpike. And all property, both real and personal, belonging to the Authority that is leased for concessions, such as filling stations and restaurants, shall be subject to taxation, the same as other privately owned property.

Added by Laws 1968, c. 415, § 1714, operative July 1, 1968.

§69-1715. Investments in bonds.

Bonds issued under the provisions of this article are hereby made securities in which all public officers and public bodies, agencies, and instrumentalities of the state and its political subdivisions, all banks, trust companies, trust and loan associations, investment companies, and others carrying on a banking business, and all insurance companies and insurance associations, and others carrying on an insurance business, may legally and properly invest funds including capital in their control or belonging to them.

Added by Laws 1968, c. 415, § 1715, operative July 1, 1968.

§69-1716. Maintenance and repair of projects - Employees - Damage or destruction of private property - Lease of real property to Authority by subdivisions and agencies.

(a) Each turnpike project when constructed and opened to traffic shall be maintained and kept in good condition and repair by the Authority. Each such turnpike project shall also be policed and operated by such force of police, toll-takers and other operating employees as the Authority may in its discretion employ. All private property damaged or destroyed in carrying out the powers granted by this article shall be restored or repaired and placed in its original condition as nearly as practicable or adequate compensation made therefor out of funds provided under the Authority of this article.

(b) All counties, municipalities and other political subdivisions and all public agencies and commissions of the State of Oklahoma, notwithstanding any contrary provision of law, are hereby authorized and empowered to lease, lend, grant or convey to the Authority at its request upon such terms and conditions as the proper authorities of such counties, municipalities, other political subdivisions or public agencies and commissions of the state may deem reasonable and fair and without the necessity for any advertisement, order of court or other action or formality, other than the regular and formal action of the authorities concerned, any real property which may be necessary or convenient to the effectuation of the authorized purposes of the Authority, including public roads and other real property already devoted to public use.

Added by Laws 1968, c. 415, § 1716, operative July 1, 1968.

§69-1717. Project to become part of state highway system - Continuation of tolls until bonds are paid.

When all bonds issued under the provisions of this article and the interest thereon shall have been paid or a sufficient amount for the payment of all such bonds and the interest thereon to the maturity thereof shall have been set aside in trust for the benefit of the bondholders, such projects, if then in good condition and repair to the satisfaction of the Commission, shall become part of the state highway system and shall thereafter be maintained by the Commission free of tolls. Provided, that when all bonds for any turnpike project and the interest thereon shall have been paid or such provision for payment made, prior to payment of the bonds and interest on any other project or projects, such project shall continue to be operated as a toll facility at toll rates not less than the lowest rate being charged on any project, until all bonds issued by the Authority and the interest thereon shall have been paid or such provisions for payment made. The revenues of such paid-out projects shall be used and applied by the Authority in paying the obligations or depositing in the sinking fund of such other turnpike projects in the following order: (a) To any project or projects in default on interest: (b) to any project or projects in default on principal; (c) to any project or projects having insufficient reserves or sinking fund under its trust agreement. If all such other projects have sufficient reserves then the revenues from such paid-out project shall be prorated between such other projects on the basis of the outstanding bonds of each project. If two or more projects fall within any of the above categories, then the revenues shall be prorated between them on the basis of the outstanding bonds of each project.

Added by Laws 1968, c. 415, § 1717, operative July 1, 1968.

§69-1717.1. Transfer of project to state highway system.

No turnpike project shall be transferred from the Oklahoma Turnpike Authority to the state highway system except as follows:

1. Pursuant to the applicable provisions of Section 1717 of this title; or

2. Pursuant to the approval of the transfer by the Legislature as expressed in a concurrent resolution.

Added by Laws 2003, c. 206, § 2, emerg. eff. May 12, 2003. Amended by Laws 2005, c. 68, § 6, eff. Nov. 1, 2005.

§69-1718. Judicial determination of validity of bonds.

The Authority is authorized in its discretion to file an application with the Supreme Court of Oklahoma for the approval of any bonds to be issued hereunder, and exclusive original jurisdiction is hereby conferred upon the Supreme Court to hear and determine each such application. It shall be the duty of the Court to give such applications precedence over the other business of the Court and to consider and pass upon the applications and any protests which may be filed thereto as speedily as possible. Notice of the hearing on each application shall be given by a notice published in a newspaper of general circulation in the state that on a day named the Authority will ask the Court to hear its application and approve the bonds. Such notice shall inform all persons interested that they may file protests against the issuance of the bonds and be present at the hearing and contest the legality thereof. Such notice shall be published one time not less than ten (10) days prior to the date named for the hearing and the hearing may be adjourned from time to time in the discretion of the Court. If the Court shall be satisfied that the bonds have been properly authorized in accordance with this article and that when issued, they will constitute valid obligations in accordance with their terms, the Court shall render its written opinion approving the bonds and shall fix the time within which a petition for rehearing may be filed. The decision of the Court shall be a judicial determination of the validity of the bonds, shall be conclusive as to the Authority, its officers and agents, and thereafter the bonds so approved and the revenues pledged to their payment shall be incontestable in any court in the State of Oklahoma. Added by Laws 1968, c. 415, § 1718, operative July 1, 1968.

§69-1719. Refunding bonds.

(a) The Authority is hereby authorized to provide by resolution for the issuance of turnpike revenue refunding bonds of the Authority for the purpose of refunding any bonds then outstanding which shall have been issued under the provisions of this article including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds, and, if the Authority shall so determine, for the additional purpose of constructing improvements, extensions, or enlargements of the

turnpike project or projects in connection with which the bonds to be refunded shall have been issued. The Authority is further authorized to provide for the issuance of its turnpike revenue bonds for the combined purpose of (a) refunding any bonds then outstanding which shall have been issued under the provisions of this article, including the payment of any redemption premium thereon and any interest accrued, or to accrue to the date of redemption of such bonds, and (b) paying all or any part of the cost of any additional turnpike project or projects as authorized by this article. The issuance of such bonds, the maturities and other details thereof, the rights of the holders thereof, and the rights, duties, and obligations of the Authority in respect of the same, shall be governed by the provisions of this article insofar as the same may be applicable.

(b) Bonds may be issued by the Authority under the provisions of this section at any time prior to the maturity or maturities or the date selected for the redemption of the bonds being refunded thereby. Pending the application of the proceeds of such refunding bonds, with any other available funds, to the payment of the principal, accrued interest, and any redemption premium of the bonds being refunded, and if so provided or permitted in the resolution authorizing the issuance of such refunding bonds or in the trust agreement securing the same, to the payment of any interest on such refunding bonds, and any expenses in connection with such refunding, such proceeds may be invested in direct obligations of, or obligations the principal of and the interest on which are unconditionally guaranteed by, the United States of America which shall mature or which shall be subject to redemption by the holder thereof at the option of such holder, not later than the respective dates when the proceeds, together with the interest accruing thereon, will be required for the purposes intended, or, in lieu of such investments, all or any part of such proceeds may be placed in interest bearing time deposits or other similar arrangements may be made with regard thereto which will assure that such proceeds, together with the interest accruing thereon, will be available when required for the purposes intended. Added by Laws 1968, c. 415, § 1719, operative July 1, 1968. Amended by Laws 1986, c. 289, § 3, emerg. eff. June 25, 1986.

§69-1720. Annual report by Authority.

The authority shall make and submit to the Governor, within ninety (90) days of the close of the Authority's fiscal year, a full report showing anticipated projects, projects under construction and projects in operation, and the financial condition of the Authority and the sinking fund of each separate project, and such other information as the Governor shall require. The annual financial statements must be audited and filed in accordance with the

requirements set forth for financial statement audits in Section 212A of Title 74 of the Oklahoma Statutes.

Added by Laws 1968, c. 415, § 1720, operative July 1, 1968. Amended by Laws 1986, c. 289, § 4, emerg. eff. June 25, 1986; Laws 1996, c. 290, § 12, eff. July 1, 1996.

§69-1721. Law deemed supplemental and additional.

This article shall be deemed to provide an additional and alternative method for the doing of the things authorized thereby, and shall be regarded as supplemental and additional to powers conferred by other laws, and shall not be regarded as in derogation of any powers now existing; provided, however, that the issuance of turnpike revenue bonds or turnpike revenue refunding bonds under the provisions of this article need not comply with the requirements of any other law applicable to the issuance of bonds.

Added by Laws 1968, c. 415, § 1721, operative July 1, 1968.

§69-1722. Location and removal of certain public utilities - Condemnation of railroad property or right-of-way - Exemption from payment of costs and expenses.

A. The location and removal of all telephone, telegraph, fiber optic, electric light and power transmission lines, poles, cables, wires and conduits, sewers and all pipelines erected, constructed or in place upon, across or under any turnpike shall be under the control and supervision of the Oklahoma Turnpike Authority, insofar as same affects the public travel or interferes with the construction and maintenance of such turnpike. Whenever the Authority plans a turnpike project or improvement or construction or reconstruction thereof, and before such work is started, it shall serve a written notice upon the person, firm, or corporation owning or maintaining any such facility, which notice shall contain a plan or chart indicating the places on the right-of-way where such facilities may be maintained. The notice shall state the time when the work of constructing or improving such turnpike is proposed to commence, and a reasonable time shall be allowed to the owner of the facility to remove and relocate its property; provided, however, that the effect of any change ordered by the Authority shall not be to exclude the facilities from the turnpike right-of-way. The removal and relocation of all such facilities shall be made at the cost and expense of the owners thereof, unless otherwise provided by law or the Authority, and in no event shall such relocation result in a taking of the owner's property rights without just compensation as provided in Section 1708 of this title. The removal and relocation of all such facilities shall be made at the cost and expense of the owners thereof, unless otherwise provided by law or the Authority, and in the event of the failure of such owners to remove the same at the time set out in the notice, the facilities may be removed by the

Authority and the cost thereof collected from such owners, and the Authority shall not be liable in any way to any person for the locating or relocating of such facilities at the places prescribed. Any corporation or association, or the officers or agents of such corporation or association, or any other person who shall erect or maintain any such lines, poles, cables, wires and conduits, sewers, pipelines, equipment or other facilities within the right-of-way of any turnpike in a manner not in complete accordance with the requirements of the Authority shall be deemed guilty of a misdemeanor.

B. With respect to any railroad property or right-of-way, any powers of condemnation may be exercised to acquire only an easement interest therein which shall be located either sufficiently far above or sufficiently far below the grade of any railroad track or tracks upon such railroad property so that neither the proposed project nor any part thereof, including any bridges, abutments, columns, supporting structures and appurtenances, nor any traffic upon it shall interfere in any manner with the use, operation or maintenance of the trains, tracks, works or appurtenances or other property of the railroad nor endanger the movement of the trains or traffic upon the tracks of the railroad. Prior to the institution of condemnation proceedings for such easement over or under such railroad property or right-of-way, plans and specifications of the proposed project showing compliance with the above-mentioned above or below grade requirements and showing sufficient and safe plans and specifications for such overhead or undergrade structure and appurtenance shall be submitted to the railroad for examination and approval. If the railroad fails or refuses within thirty (30) days to approve the plans and specifications so submitted, the matter shall be submitted to the Corporation Commission whose decision, arrived at after due consideration in accordance with its usual procedure, shall be final as to the sufficiency and safety of such plans and specifications and as to such elevations or distances above or below the grade. Such overhead or undergrade structure and appurtenances shall be constructed only in accordance with such plans and specifications and in accordance with such elevations or distances above or below the tracks so approved by the railroad or the Corporation Commission as the case may be. A copy of the plans and specifications approved by the railroad or the Corporation Commission shall be filed as an exhibit with the petition for condemnation.

C. Rural water districts, nonprofit water corporations and municipal public water systems in municipalities with a population of ten thousand (10,000) or less, according to the latest Federal Decennial Census, or their beneficial trusts shall be exempt from the payment of the costs and expenses for the removal and relocation of water and sewer pipelines and all such facilities constructed or in place in the public right-of-way when the removal and relocation of

such facilities is necessary for the improvement, construction or reconstruction of any turnpike. Such costs and expenses, including any unpaid on the effective date of this act, shall be paid by the public authority having jurisdiction over the particular turnpike. Added by Laws 1968, c. 415, § 1722, operative July 1, 1968. Amended by Laws 1997, c. 282, § 3, emerg. eff. May 27, 1997; Laws 1998, c. 206, § 2, eff. Nov. 1, 1998.

§69-1722.1. Turnpike rights-of-way - Removal of obstructions.

A. The rights-of-way acquired by the Oklahoma Turnpike Authority shall be held inviolate for turnpike and Authority purposes, and no physical or functional encroachments or uses shall be permitted within such rights-of-way.

B. It shall be unlawful for any person to construct, maintain or operate any gasoline pump, oil, gas or water drilling rig, line or structure, tank battery or other equipment or structure used in the collection, processing or transportation of hydrocarbons or other minerals, driveway canopy, building, sign, fence, post, or any thing or structure on or overhanging any right-of-way, or upon or overhanging any turnpike, and the construction or maintaining of any such thing or structure on or overhanging any turnpike shall constitute a public nuisance, which may be summarily abated by the Authority or its trustees, officers, agents, servants and employees in the manner provided in subsection D of this section.

C. This section shall not apply to the lawful use of such rights-of-way for the erection and operation of facilities of a public utility as provided in Section 1722 of Title 69 of the Oklahoma Statutes nor to the use of such rights-of-way with the express consent of the Authority.

D. The Authority, its trustees, officers, agents, servants and employees shall have authority to physically remove any such gasoline pump, oil, gas or water drilling rig, line or structure, tank battery or other equipment or structure used in the collection, processing or transportation of hydrocarbons or other minerals, driveway canopy, building, sign, fence, post, thing or structure. If the owner of any such gasoline pump, oil, gas or water drilling rig, line or structure, tank battery or other equipment or structure used in the collection, processing or transportation of hydrocarbons or other minerals, driveway canopy, building, sign, fence, post, thing or structure fails to remove the same within a reasonable time after written demand for the removal thereof has been made upon such owner by registered mail or personal service, the Authority, its trustees, its officers, agents, servants and employees may physically tear down and remove such gasoline pump, oil, gas or water drilling rig, line or structure, tank battery or other equipment or structure used in the collection, processing or transportation of hydrocarbons or other

minerals, driveway canopy, building, sign, fence, post, thing or structure.

Added by Laws 1998, c. 346, § 1, emerg. eff. June 5, 1998.

§69-1723. Oklahoma Turnpikes - Designation.

The system of turnpikes, together with all sections and extensions thereof, constructed and to be constructed in the State of Oklahoma are hereby officially designated as the "Oklahoma Turnpikes".

Added by Laws 1968, c. 415, § 1723, operative July 1, 1968.

§69-1724. Turner section.

That part of the Oklahoma Turnpikes from Oklahoma City to Tulsa is hereby officially designated the "Turner" section of the Oklahoma Turnpikes.

Added by Laws 1968, c. 415, § 1724, operative July 1, 1968.

§69-1725. Will Rogers section.

The turnpike extension constructed from Tulsa northeast is hereby officially designated as the "Will Rogers" section of the Oklahoma Turnpikes.

Added by Laws 1968, c. 415, § 1725, operative July 1, 1968.

§69-1726. Indian Nation Turnpike.

That portion of the Oklahoma Turnpikes from the vicinity of Henryetta to the vicinity of Hugo is hereby officially designated as "The Indian Nation Turnpike".

Added by Laws 1968, c. 415, § 1726, operative July 1, 1968.

§69-1727. Apportionment of motor fuel taxes on fuels consumed on turnpikes - Limitations.

(a) Until all bonds of the Authority and the interest thereon are paid in full, the Oklahoma Tax Commission shall each month determine an amount equal to the motor fuel excise taxes computed on ninety-seven and one-half percent (97 1/2%) of the total gallonage of all fuels consumed, during the calendar month in which the tax being apportioned accrued, on all Oklahoma turnpike projects and apportion a sum equal to such amount from all gasoline tax collections as follows: Ninety-seven percent (97%) of such amount to the Authority and three percent (3%) to the General Revenue Fund of the State Treasury, after which apportionment all other apportionments of motor fuel excise taxes shall be made as provided for by law. Such apportionments shall be deducted exclusively from those funds which would otherwise be apportioned to the Department or Commission for expenditure on state highways, without affecting the amounts presently apportioned to the various municipalities, counties, or for county roads.

(b) If at the time of any monthly apportionment required herein:

(1) there shall be a balance in the trust fund created by Section 1730 of this Code, equal to one and one-half (1 1/2) times the maximum amount of principal, including any sinking fund or amortization requirements, and interest payable in any fiscal year, beginning July 1, and ending on June 30, thereafter, on account of all turnpike revenue and turnpike revenue refunding bonds of the Authority issued pursuant to the provisions of this article prior to May 1, 1992, and then outstanding, or

(2) if no such bonds are outstanding, the Oklahoma Tax Commission shall apportion to the trust fund the amount referred to in subsection (a) of this section so long as any turnpike revenue and turnpike revenue refunding bonds issued after May 1, 1992, continue to be outstanding. Thereafter, the Oklahoma Tax Commission shall apportion the amount referred to in subsection (a) of this section as provided for by law.

(c) In addition to those sums collected and disbursed in subsections (a) and (b) of this section, the Oklahoma Tax Commission shall in each fiscal year determine an amount equal to the motor fuel excise taxes computed on ninety-seven and one-half percent (97 1/2%) of the total gallonage of all fuels consumed, during the fiscal year in which the tax being apportioned accrued on the Industrial Parkway, and, after making the apportionments set out in subsections (a) and (b) of this section, apportion a sum equal to said amount from all gasoline tax collections as follows: Ninety-seven percent (97%) to the Oklahoma Turnpike Authority, and three percent (3%) to the General Revenue Fund of the State Treasury, after which apportionment all other apportionments of motor fuel excise taxes shall be made according to existing or subsequently enacted apportionment laws, provided that in no event shall the total of the apportionments made pursuant to subsections (a), (b) and (c) of this section exceed the motor fuel tax earned on all of the Oklahoma turnpikes.

Laws 1968, c. 415, § 1727, operative July 1, 1968; Laws 1971, c. 282, § 1, emerg. eff. June 17, 1971; Laws 1986, c. 223, § 50, operative July 1, 1986; Laws 1986, c. 289, § 5, emerg. eff. June 25, 1986; Laws 1989, c. 353, § 6, emerg. eff. June 3, 1989; Laws 1992, c. 191, § 1, emerg. eff. May 11, 1992.

§69-1728. Minimum payments for engineering and legal services.

It is hereby declared to be the intent of the Legislature, and the Authority is therefor directed, to hold payments for engineering and legal services to the barest minimum, and it is further the intent of the Legislature that in regard to bonds hereafter issued, so far as possible, the service of the chief engineer of the Authority to be utilized as the consulting engineer and the service of the Attorney General be utilized as legal counsel for the Authority. The Authority is hereby directed to submit to the Governor

and the Legislature a complete detailed and itemized annual report of all sums, expended for engineering and legal services, showing the amounts of and to whom paid. Such report shall be submitted within thirty (30) days after the convening of the Legislature for general sessions.

Added by Laws 1968, c. 415, § 1728, operative July 1, 1968.

§69-1729. Determination of amount of fuel consumed on turnpikes. In determining the amount of motor fuel consumed on the Oklahoma turnpike projects each month, the Oklahoma Tax Commission shall divide the total miles traveled on the turnpikes by passenger automobiles, single unit trucks, and combination trucks and buses as certified each month by the Authority, by the average number of miles per gallon of motor fuel consumed by each of those classes of motor vehicles. For the purpose of this section and the following section, the Oklahoma Tax Commission shall use the following rates for motor fuel consumed on the Oklahoma Turnpikes:

Passenger Automobiles	15 miles per gallon
Single Unit Trucks	10 miles per gallon
Combination Trucks and Buses	5 miles per gallon

Added by Laws 1968, c. 415, § 1729, operative July 1, 1968.

§69-1730. Trust fund - Motor fuel tax revenues subject to expenditure and pledge.

(a) Motor fuel taxes on fuels consumed on Oklahoma Turnpikes and apportioned to the Authority are declared to be revenues of the Oklahoma Turnpikes, since they are derived directly from the operation of such turnpikes, and are subject to pledge by the Authority in the same manner as tolls and other revenues of the turnpikes may be pledged, as security for turnpike revenue bonds hereafter issued. The Authority shall segregate and hold such motor fuel excise taxes apportioned to it and all funds heretofore or hereafter accumulated in the trust fund in trust for the uses and purposes herein provided.

(b) The deposits in such trust fund may be expended or pledged by the Authority, as it may deem proper, either in whole or in part, for making up any deficiency in the monies available to meet interest and principal requirements on all turnpike revenue bonds and turnpike revenue refunding bonds of the Authority issued pursuant to the provisions of this article and then outstanding, and for such purpose it may vest in the holders of any such bonds a contract right to the continuance of those apportionments to the Authority provided in Section 1727 of this Code but subject to the limitations therein (provided, that no such pledge or vesting of such contract right shall be deemed to restrict in any way the state's power to change the rate of the motor fuel tax levy or to repeal such levy) and for the payment of necessary expenses in the financing of additional

turnpikes. Any such expenditure or pledge shall be subject to any prior pledge of any portion of the funds in, or to be deposited to, the trust fund. Provided, that any funds expended as permitted herein shall, upon payment of all interest and principal of all bonds issued hereunder, and before delivery of any turnpike to the Department, be replaced in the trust fund by the Authority, and upon completion of such reimbursement, the trust fund shall terminate and the balance in the trust fund shall be delivered to the Department.

(c) The motor fuel tax revenues derived under the provisions of subsection (c) of Section 1727 of this Code shall be pledged and used exclusively to meet and retire interest and principal requirements on turnpike bonds issued for the construction of any turnpike or turnpikes authorized by this article.

(d) (1) Beginning July 1, 1984, and on July 1 of each year thereafter, any funds in the trust fund not expended or pledged or to be expended or pledged by the Authority on account of all turnpike revenue and turnpike revenue refunding bonds of the Authority issued pursuant to the provisions of this article prior to May 1, 1992, and then outstanding also may be expended or pledged to any turnpike revenue bonds or turnpike revenue refunding bonds of the Authority issued after May 1, 1992. If before July 1, 1988, the Authority issues any turnpike revenue refunding bonds and funds are transferred to the Department as a result of the issuance of such refunding bonds, then the Department shall within ninety (90) days transfer an amount equal to the proceeds of such refunding bonds, up to a maximum of Twenty Million Dollars (\$20,000,000.00), to the Pension Systems Reserve Fund for the then current fiscal year.

(2) Beginning the later of July 1, 1992, or upon the issuance of turnpike revenue refunding bonds by the Authority, and in each fiscal year thereafter, on the first day of each calendar month, from the amounts apportioned and to be apportioned to the trust fund pursuant to Section 1727 of this Code, so long as bonds issued prior to May 1, 1992, are outstanding, the first Three Million Dollars (\$3,000,000.00) of such amounts apportioned will be used, if necessary, to maintain a balance of one and one-half (1 1/2) times the maximum amount of principal, including any sinking fund or amortization requirements, and interest payable in any fiscal year for bonds issued prior to May 1, 1992. All motor fuel excise taxes apportioned to the trust fund not used to maintain the balance of one and one-half (1 1/2) times the maximum amount of principal, including any sinking fund or amortization requirements, and interest payable in any fiscal year, if any, for bonds issued prior to May 1, 1992, shall be available to pay principal, including any sinking fund or amortization requirements, and interest payable in any fiscal year on bonds of the Authority issued after May 1, 1992, to the extent monies are not otherwise available to the Authority for such purpose. If such motor fuel excise taxes apportioned to the trust fund are not

necessary in such month to meet the pro rata monthly requirements for payment of principal, including any sinking fund or amortization requirements, and interest for that month for bonds issued after May 1, 1992, such motor fuel excise taxes shall be paid over to the Department. The monies in such fund may be expended or pledged by the Authority, as it may deem proper, either in whole or in part, for making up any deficiency in the monies available to meet interest and principal requirements on all turnpike revenue bonds and turnpike revenue refunding bonds of the Authority issued pursuant to the provisions of this article after May 1, 1992, and then outstanding, and for such purpose it may vest in the holders of any such bonds a contract right to the continuance of those apportionments to the Authority provided in Section 1727 of this Code but subject to the limitations therein (provided, that no such pledge or vesting of such contract right shall be deemed to restrict in any way the state's power to change the rate of the motor fuel tax levy or to repeal such levy). Any such expenditure or pledge shall be subject to any prior pledge of any portion of the funds in, or to be deposited to, the trust fund. Provided, that any funds expended as permitted herein shall, upon payment of all interest and principal of all bonds issued hereunder, and before delivery of any turnpike to the Department, be replaced in the trust fund by the Authority, and upon completion of such reimbursement, the trust fund shall terminate and the balance in the trust fund shall be delivered to the Department. The indenture, trust agreement or supplemental trust agreement pursuant to which any turnpike revenue bonds or turnpike revenue refunding bonds are issued after May 1, 1992, shall provide that the Authority utilize all available revenues, operating reserves, Turnpike trust fund balances, and provide revenues from all other sources available to the Authority for the payment of principal, including any sinking fund or amortization requirements and interest on such bonds, as provided in any supplemental trust agreement executed prior to December 1, 1992, before using motor fuel excise taxes apportioned to the trust fund under this subsection.

(e) The Authority is hereby authorized to invest all or part of such trust fund in:

(1) Any bonds or other obligations which as to principal and interest constitute direct obligations of, or are unconditionally guaranteed by, the United States of America, including obligations of any of the federal agencies set forth in paragraph 2 of this subsection to the extent unconditionally guaranteed by the United States of America; and

(2) Bonds, debentures, or other evidences of indebtedness issued or guaranteed by any agency or corporation which has been or may hereafter be created pursuant to an Act of Congress as an agency or instrumentality of the United States of America.

Laws 1968, c. 415, § 1730, operative July 1, 1968; Laws 1984, c. 239, § 14, operative July 1, 1984; Laws 1986, c. 289, § 6, emerg. eff. June 25, 1986; Laws 1992, c. 191, § 2, emerg. eff. May 11, 1992.

§69-1731. Letting of contracts for turnpike construction.

All contracts for the construction of turnpikes shall be let by the Authority to the lowest responsible bidder, or bidders, after notice by publication in the same manner as provided in Section 1101 of this Code, provided, the Authority may reject all bids and readvertise the same. Furthermore, the Authority shall retain five percent (5%) of the total amount of money due under contract with the Authority for payment of taxes and providing of workers' compensation insurance as provided in Section 1103 of this Code.

Added by Laws 1968, c. 415, § 1731, operative July 1, 1968. Amended by Laws 1989, c. 352, § 9, operative July 1, 1989.

§69-1732. Legislative power to alter or amend construction or location.

The Legislature, notwithstanding any agreement or contract entered into by the Authority, may repeal, alter, or amend the authorization for the construction, or description of the route or location of any turnpike or turnpikes, or portion or portions thereof, for which bonds have not been sold at the time of such legislative action.

Added by Laws 1968, c. 415, § 1732, operative July 1, 1968.

§69-1733. Prohibition on construction or financing under public trusts provisions.

No turnpikes or state highways except toll urban expressways shall ever be constructed or financed under the terms of 60 O.S. 1961, Sections 176 - 180, inclusive.

Added by Laws 1968, c. 415, § 1733, operative July 1, 1968.

§69-1734. Contractors - Solicitation by employees to procure insurance or surety bonds.

No officer, consultant, agent, or employee of the Authority and no person acting or purporting to act on behalf thereof shall, with respect to any contract, require the contractor or any subcontractor to make application to or to obtain or procure any of the surety bonds and any other type of insurance specified in connection with such contract, or specified by any law, from a particular insurance or surety company, agent, or broker. This section shall not, however, prevent the exercise, by such officer or employee, on behalf of the Authority, of the right to approve the form, sufficiency, or manner of execution of the surety bonds or other type of insurance contracts furnished by the insurance or surety company selected by the contractor or subcontractor to underwrite the bonds, or other

types of insurance contracts. Any provisions in any invitation for bids, or in any of the contract documents, in conflict herewith are hereby declared to be contrary to the public policy of this state. A violation of this section shall constitute a misdemeanor. Added by Laws 1968, c. 415, § 1734, operative July 1, 1968.

§69-1735. On-the-job employee safety program.

It is the intent of the Legislature that the promotion of safety in the workplace is a legitimate public purpose. In order to establish a public employee benefit program to encourage safety in the workplace, the Oklahoma Turnpike Authority is hereby directed to establish an on-the-job employee safety program which encourages work unit safety and reduces lost productivity and compensation costs. In order to promote job safety in work units with exceptional safety records, the Oklahoma Turnpike Authority is authorized to expend from monies available in the Oklahoma Turnpike Authority General Fund so much thereof as may be necessary for the purpose of recognition awards for presentation to the members of work units or individual employees with exceptional safety records. Recognition awards shall consist of distinctive wearing apparel, service pins, U.S. Savings Bonds, or other appropriate awards, the value of which shall not exceed Two Hundred Dollars (\$200.00) per employee, which recognize the safety achievement of the work unit or individual employees. Added by Laws 1998, c. 72, § 1, eff. Nov. 1, 1998. Amended by Laws 2008, c. 145, § 2, emerg. eff. May 9, 2008.

§69-1736. Honor the Fallen Revolving Fund.

There is hereby created in the State Treasury a revolving fund for the Oklahoma Turnpike Authority to be designated the "Honor the Fallen Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies deposited to the credit of the fund by law. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Oklahoma Turnpike Authority for the purpose of repaying turnpike tolls for the funeral procession of any member of the United States Armed Forces, including the National Guard or Armed Forces Reserve, who is either killed in the line of duty in a combat zone or dies of wounds inflicted in a combat zone and who, at the time of death, was a resident of this state. Expenditures from the 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.

Added by Laws 2011, c. 208, § 9, eff. Nov. 1, 2011. Amended by Laws 2012, c. 304, § 584.

§69-1801. Penalties for misdemeanor.

(a) It is a misdemeanor for any person to violate any of the provisions of this Code unless such violation is by this Code or other law of this state declared to be a felony.

(b) Every person convicted of a misdemeanor for a violation of any of the provisions of this Code for which another penalty is not provided in this Code shall upon conviction be punished by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00), or by imprisonment for not more than ten (10) days, or by both such fine and imprisonment.

Added by Laws 1968, c. 415, § 1801, operative July 1, 1968.

§69-1802. Penalty for felony.

Any person who is convicted of a violation of any of the provisions of this Code herein or by the laws of this state declared to constitute a felony, and for which another penalty is not provided in this Code, shall be punished by imprisonment for not less than one (1) year nor more than five (5) years, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

Added by Laws 1968, c. 415, § 1802, operative July 1, 1968. Amended by Laws 1997, c. 133, § 572, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 415, eff. July 1, 1999.

NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 572 from July 1, 1998, to July 1, 1999.

§69-1901. Liberal interpretation.

The provisions of this Code, being necessary for the welfare of the state and its inhabitants, shall be liberally construed to effect the purposes and objects hereof.

Added by Laws 1968, c. 415, § 1901, operative July 1, 1968.

§69-1902. Effect of heading.

Article and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning or intent of the provisions of any article or section hereof.

Added by Laws 1968, c. 415, § 1902, operative July 1, 1968.

§69-1903. Agreements to construct, improve, repair or maintain city streets.

A. The Department of Transportation may by agreement with the governing board of a city, incorporated town or other municipality having a population less than five thousand (5,000), construct, improve, repair or maintain any of the streets of such city, town or municipality.

B. A county and a municipality or any two or more counties or municipalities may contract with each other to construct, improve, repair or maintain any of the roads, streets or highways of the other

parties to the contract. No party to the contract shall be liable for the acts or omissions of the other parties or for failure to inspect or supervise the performance of the other parties.

Added by Laws 1968, c. 415, § 1903, operative July 1, 1968. Amended by Laws 1982, c. 123, § 2, emerg. eff. April 9, 1982; Laws 1987, c. 221, § 1, eff. Nov. 1, 1987.

§69-1904. Short title.

This act shall be known and may be cited as the Oklahoma Highway Code of 1968.

Added by Laws 1968, c. 415, § 1904, operative July 1, 1968.

§69-1910. Agreements to repair streets or bridges within real estate development.

The board of county commissioners of any county, after determining that a life-threatening situation exists due to a natural disaster, may enter into agreements for the repair of any public street or bridge within a real estate development as defined in Section 851 of Title 60 of the Oklahoma Statutes, with the owners association formed within the real estate development as provided for in Section 852 of Title 60 of the Oklahoma Statutes, regardless of whether the real estate development exists within or outside the limits of a city, town, or municipality. Such an agreement shall be entered into only when the owners association has sufficient funds escrowed to pay all of the costs for said repairs at the time of the agreement.

Added by Laws 1984, c. 90, § 1, eff. Nov. 1, 1984.

§69-1911. Transfer of Chickasaw Turnpike to Department of Transportation.

The Department of Transportation may accept the transfer of all or part of the roadway and any appurtenances thereto known as the Chickasaw Turnpike.

Added by Laws 2003, c. 206, § 3, emerg. eff. May 12, 2003; Amended by Laws 2006, c. 118, § 1, emerg. eff. May 4, 2006.

§69-1912. Road and highway mapping system.

With monies made available, the Department of Transportation shall create and maintain an on-line, updateable, real-time and interactive mapping system for the road and highway systems for this state. The Department shall promulgate rules that will provide for accessing the mapping system information. The Department shall submit an annual report to the Speaker of the House of Representatives and the President Pro Tempore of the Senate on the progress for the design and implementation of the mapping system until the system is operational.

Added by Laws 2006, 2nd Ex. Sess., c. 45, § 12, eff. July 1, 2006.

§69-1951. Short title.

This act shall be known and may be cited as the "Oklahoma Highway Construction Materials Technician Registration Act".

Added by Laws 1999, c. 219, § 1, eff. July 1, 1999.

§69-1952. Definitions.

For the purposes of the Oklahoma Highway Construction Materials Technician Registration Act:

1. "Authority" means the Oklahoma Turnpike Authority;

2. "Board" means the Highway Construction Materials Technician Certification Board;

3. "Construction materials technician" means a person uniquely qualified by education, specialized training and documented field experience and who possesses certification issued by the Board to take samples and conduct tests of materials used in the construction of highways and bridges;

4. "Department" means the Department of Transportation;

5. "Program Director" means the person designated by the Director of the Department of Transportation to administer the training and examination activities of the Oklahoma Highway Construction Materials Technician Registration Act; and

6. "Registration" means a certificate issued pursuant to the Oklahoma Highway Construction Materials Technician Registration Act.
Added by Laws 1999, c. 219, § 2, eff. July 1, 1999.

§69-1953. Highway Construction Materials Technician Certification Board - Membership.

A. There is hereby created the Highway Construction Materials Technician Certification Board which shall consist of eleven (11) members to be appointed by the Governor as follows:

1. The chair and three members may be appointed from a list of nine persons submitted by the Director of the Department of Transportation;

2. One member may be appointed from a list of three persons submitted by the Director of the Oklahoma Turnpike Authority;

3. One member may be appointed from a list of three persons submitted by the Association of County Commissioners of Oklahoma;

4. Two members may be appointed from a list of six persons submitted by the Association of Oklahoma General Contractors;

5. One member may be appointed from a list of three persons submitted by the Oklahoma Asphalt Pavement Association;

6. One member may be appointed from a list of three persons submitted by the Oklahoma Chapter of the American Concrete Pavement Association; and

7. One member may be appointed from a list of three persons submitted by the Federal Highway Administration.

B. The chair and all other Board members appointed in subsection A of this section shall serve three-year terms and shall serve at the pleasure of the Governor. Members may be appointed for subsequent three-year terms.

C. The Board shall select from its membership a vice-chair and other officers as needed to serve one-year terms. The chair or vice-chair shall preside at all meetings.

D. A majority of Board members shall constitute a quorum to transact official business.

E. The Board shall meet quarterly. In addition, the Board shall meet when called by the chair or the vice-chair in the absence of the chair.

F. Beginning with the appointments due to expire in 2008, the Governor shall implement a system of staggered terms of office for the appointed members so that no more than four members' terms shall expire in any year. Following the initial staggered terms, all subsequent appointments shall be for three-year terms.

Added by Laws 1999, c. 219, § 3, eff. July 1, 1999; Amended by Laws 2006, c. 64, § 1, eff. Nov. 1, 2006.

§69-1954. Highway Construction Materials Technician Certification Board - Promulgation of rules.

The Highway Construction Materials Technician Certification Board shall be authorized to promulgate rules governing the training of construction inspectors, first line construction supervisors, and others not seeking registration as a materials technician, and the examination and registration of highway construction materials technicians and the defining of categories and limitations for such registration and providing requirements for the renewal of registration.

Added by Laws 1999, c. 219, § 4, eff. July 1, 1999. Amended by Laws 2007, c. 33, § 1, emerg. eff. April 18, 2007.

§69-1955. Highway Construction Materials Technician Certification Board - Power and duties.

Pursuant to the Oklahoma Highway Construction Materials Technician Registration Act, the Board shall have the power and duty to:

1. Provide policy and administrative guidance to the Program Director in the administration and development of training and examination of applicants for registration pursuant to this act;
 2. Approve the registration of applicants pursuant to this act;
 3. Suspend or revoke the certificate of registration of any registrant pursuant to this act;
 4. Hear appeals and adjudicate disputes pursuant to this act;
- and

5. Have such other powers and duties as are necessary to implement this act.

Added by Laws 1999, c. 219, § 5, eff. July 1, 1999.

§69-1956. Certificate of registration as technician.

A. Applicants for a certificate of registration as a highway construction materials technician may be approved for registration by the Board upon compliance with the following:

1. Satisfy the Program Director that the applicant has sufficient education and experience and skills to pass the prescribed examination;

2. Pass an examination prescribed by the Board demonstrating knowledge and understanding of the principles of construction materials sampling and testing;

3. Demonstrate the required procedures in accordance with the established standards;

4. Not be subject to debarment or suspension in this state, by an agency of another state, or by an agency of the federal government; and

5. Pay applicable examination and registration fees.

B. Upon compliance with subsection A of this section, the Board shall issue a certificate of registration as a registered highway construction materials technician. The area of specialization, if any, shall be designated on the certification.

Added by Laws 1999, c. 219, § 6, eff. July 1, 1999.

§69-1957. Examinations.

A. Examinations shall be uniform and practical in nature and shall be sufficiently strict to test the qualifications and fitness of the applicant for registration. Examinations shall be in part in writing and in part practical demonstration of the ability of the applicant to perform the prescribed test procedures.

B. Any applicant initially failing to pass the written examination shall be given one opportunity to take another examination within thirty (30) days from the date of the failure notification letter. There shall be no additional fee charged for the reexamination.

C. Any applicant initially failing to demonstrate the ability to successfully perform a test may be allowed one retest of procedures at the convenience of the evaluator prior to completion of the examination.

D. Failure to pass the written examination within the above thirty-day period or to demonstrate the ability to successfully perform all of the required tests within the examination period shall be considered as failing the entire examination.

Added by Laws 1999, c. 219, § 7, eff. July 1, 1999.

§69-1958. Expiration of certification - Continuous training requirements.

A. Certification shall be valid for five (5) years from the date of original certification or subsequent recertification.

B. Substantive changes in test procedures may require retraining or recertification prior to expiration of a certification. The Highway Construction Materials Technician Certification Board shall provide, by rule, the requirements of continuing training. To facilitate notification of changes, it shall be the responsibility of the certified technician to keep a current address on file with the Board. Failure to do so shall relieve the Board of the responsibility for contacting the certified technician for any reason, including notification of retraining and recertification course schedules.

Added by Laws 1999, c. 219, § 8, eff. July 1, 1999.

§69-1959. Issuance of certificate - Conditions.

A. The Highway Construction Materials Technician Certification Board shall issue a certificate as a highway construction materials technician to any person who:

1. Has been certified by the Board as having a current valid registration in good standing issued by another entity with registration requirements similar to but not less than those provided in the Oklahoma Highway Construction Materials Technician Registration Act; and

2. Has paid the registration fee and otherwise complied with the provisions of the Oklahoma Highway Construction Materials Technician Registration Act.

B. Such registration shall be subject to the condition that the other entity agrees to issue a similar certificate of registration to the holder of a registration pursuant to the Oklahoma Highway Construction Materials Technician Registration Act under substantially the same conditions.

C. All registrations shall be nontransferable. It shall be a misdemeanor punishable by a fine of up to One Thousand Dollars (\$1,000.00) for any person registered pursuant to the provisions of the Oklahoma Highway Construction Materials Technician Registration Act to loan or allow the use of such registration by any other person and for any person to use the registration of another person registered under the provisions of this act.

Added by Laws 1999, c. 219, § 9, eff. July 1, 1999.

§69-1960. Use of technician title.

Only a person who has qualified as a registered construction materials technician and who holds a valid current registration certificate for use in this state shall have the right and privilege of using the title Registered Highway Construction Materials

Technician and to use the abbreviation RHCMT after the name of such person. Any person who violates the provisions of this section, upon conviction, shall be guilty of a misdemeanor punishable by a fine of up to One Thousand Dollars (\$1,000.00).

Added by Laws 1999, c. 219, § 10, eff. July 1, 1999.

§69-1961. Revocation or suspension of certificate.

A. The Highway Construction Materials Technician Certification Board shall have the power to revoke or suspend the certificate of registration of any registrant pursuant to this section.

B. The Board shall revoke, suspend, or not renew any registration for:

1. Fraud or deceit in obtaining a registration;
2. Making a material misstatement in the application for a registration or the renewal of a registration;
3. Loaning or illegally using a registration;
4. Demonstrating incompetence by gross negligence or misconduct in the duties of a registered highway construction materials technician;
5. Commission of an act or aiding in the commission of an act which would be grounds for debarment or suspension of a company or individual under the Administrative Procedures Act; or
6. Violating any provisions of the Oklahoma Highway Construction Materials Technician Registration Act, or any rule or order prescribed by the Board.

Added by Laws 1999, c. 219, § 11, eff. July 1, 1999.

§69-1962. Independence of Board from Department of Transportation - Fees.

A. It is the intent of the Legislature that the Highway Construction Materials Technician Certification Board created pursuant to the provisions of the Oklahoma Highway Construction Materials Technician Registration Act shall be independent of, but shall receive administrative and financial support from, the Department of Transportation.

B. Fees collected pursuant to the provisions of the Oklahoma Highway Construction Materials Technician Registration Act shall be determined by the Board pursuant to Article I of the Administrative Procedures Act. All such fees collected shall be deposited in the Highway Construction Materials Technician Certification Board Revolving Fund.

Added by Laws 1999, c. 219, § 12, eff. July 1, 1999.

§69-1963. Highway Construction Materials Technician Certification Board Revolving Fund.

There is hereby created in the State Treasury a revolving fund to be designated the "Highway Construction Materials Technician

Certification Board Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the Board for deposit in the fund. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Board for the purpose of conducting training and examination and the execution of the powers and duties of the Board as set forth in this act. Expenditures from the 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. Added by Laws 1999, c. 219, § 13, eff. July 1, 1999. Amended by Laws 2012, c. 304, § 585.

§69-1964. Liability of Board and Board members.

No actions or other legal proceedings for damages shall be instituted against the Highway Construction Materials Technician Certification Board or against any Board member or others acting under the direction of the Board for any act done in good faith and in the performance of any power granted under this act or for any neglect or default in the performance or exercise in good faith of any such duty or power.

Added by Laws 1999, c. 219, § 14, eff. July 1, 1999.

§69-2001. Legislative findings and intent - Funding.

A. The Legislature finds that the highway infrastructure in this state is vital to the health, safety, and welfare of the traveling public and to the economic development in this state. The Legislature also finds that the highway infrastructure should be continually improved and expanded in order to meet the general public's desire for a safe and convenient highway system. Based on these findings, it is the intent of the Legislature to expend and equitably distribute approximately Seven Hundred Million Dollars (\$700,000,000.00), plus any additional expenditures approved pursuant to subsection F of this section, to construct new highways and improve existing highways over a five-year period as set forth in this act.

B. To properly fund the construction and improvement of the highway system in this state, it is the intent of the Legislature to appropriate Fifty Million Dollars (\$50,000,000.00) from the Constitutional Reserve Fund each year for the first two (2) years and Fifty-two Million Five Hundred Fifty Thousand Dollars (\$52,550,000.00) from the Constitutional Reserve Fund each year for the next two (2) years for the purposes of highway construction and improvement subject to the declaration of an emergency pursuant to the provisions of Section 23 of Article X of the Constitution of the State of Oklahoma. In addition to the appropriation of Fifty Million Dollars (\$50,000,000.00) from the Constitutional Reserve Fund in the

second year of this program, it is the intent of the Legislature to appropriate an additional Ten Million Dollars (\$10,000,000.00) in the second year of this program from the Constitutional Reserve Fund to be divided equally between Oklahoma and Tulsa Counties to further fund highway construction and improvement projects as set forth in this act.

C. In addition to the funding specified in subsection A of this section, the Legislature shall appropriate Thirty-four Million Nine Hundred Thousand Dollars (\$34,900,000.00) in the first year and Forty Million Dollars (\$40,000,000.00) in each of the next four (4) years, and other sufficient monies to the Oklahoma Department of Transportation to be deposited in the State Highway Construction and Maintenance Fund for the construction and improvement of the highway system in this state.

D. In addition to the funding specified in subsections B and C of this section, the Oklahoma Capitol Improvement Authority shall be authorized to issue bonds, other negotiable instruments or other evidences of indebtedness in the principal amount sufficient to generate Three Hundred Million Dollars (\$300,000,000.00) in proceeds available to fund the construction and improvements to the highway system as set forth in this act.

E. For purposes of this act, and despite any provision to the contrary as set forth in Section 1511 of this title, each State Transportation Commission district in this state shall receive equitable funding as follows:

1. Not more than twenty percent (20%) of the funding pursuant to this act shall be allocated to each of State Transportation Commission Districts 4 and 8. The percentage reflected in this paragraph shall not include the additional Ten Million Dollars (\$10,000,000.00) appropriated from the Constitutional Reserve Fund as set forth in subsection B of this section; and

2. Not less than ten percent (10%) of the total funding pursuant to this act shall be allocated to each of the remaining six (6) transportation districts.

Only those highway projects set forth in Section 2002 of this title shall be eligible for funding pursuant to this act. Any excess funds from a particular highway project shall only be expended for other highway projects within the same transportation district. It is the intent of the Legislature that highway projects listed on the five-year plan for transportation facilities developed to meet present and future needs of this state shall continue to be funded as provided by current law. In addition, the Department of Transportation shall be required to construct, improve, maintain, and repair all highway projects listed on the five-year plan as such plan exists on May 28, 1997, except for normal highway programming adjustments, to the extent possible consistent with the funds provided by law for such highway projects. The Department of Transportation may issue Grant

Anticipation Notes for projects of economic significance. Such bond issue or issues shall be subject to the unanimous approval of the Contingency Review Board.

F. 1. In addition to the provisions of this section, it is the intent of the Legislature to reexamine in fiscal year 2000 the status of the highway infrastructure as well as the highway construction and improvement projects as set forth in Section 2002 of this title. Based on such reexamination, it is the intent of the Legislature to expend additional monies, amounting to approximately Three Hundred Million Dollars (\$300,000,000.00) to continue the construction of new highways and improve existing highways as set forth in this subsection.

2. In order for any additional monies to be expended as provided in this subsection, the Oklahoma Capitol Improvement Authority shall be authorized to issue bonds, other negotiable instruments or other evidences of indebtedness in a principal amount sufficient to generate One Hundred Fifty Million Dollars (\$150,000,000.00) in proceeds available to fund the construction and improvement of the highway system as set forth in this act. The terms and conditions of such issue shall be in accordance with the provisions of Section 168.6 of Title 73 of the Oklahoma Statutes.

3. In addition to the funding specified in paragraph 2 of this subsection, the Legislature shall authorize an appropriation in an amount not to exceed One Hundred Fifty Million Dollars (\$150,000,000.00) from the Constitutional Reserve Fund, subject to the declaration of an emergency pursuant to the provisions of Section 23 of Article X of the Constitution of the State of Oklahoma, the General Revenue Fund, or the State Transportation Fund, or a combination of each.

4. For purposes of this subsection, each State Transportation Commission district in this state shall receive equitable funding as follows:

- a. not more than twenty percent (20%) of the funding pursuant to this subsection shall be allocated to each of State Transportation Commission Districts 4 and 8,
- b. not less than ten percent (10%) of the funding pursuant to this subsection shall be allocated to each of the remaining six transportation districts, and
- c. any excess funds from a particular highway improvement or highway improvements shall only be expended for other highway improvements within the same transportation district.

5. The additional funding as allocated by subparagraphs a and b of paragraph 4 of this subsection may be used for the completion of existing highway projects as set forth in subsection A of Section 2002 of this title, any highway projects or the continuation of existing highway projects as set forth in subsection B of Section

2002 of this title, or any other highway improvements within such transportation districts to which the funds were allocated pursuant to this subsection.

G. Of the total funding allocated under this section to State Transportation Commission District 4, sixty-seven percent (67%) of such funds are allocated exclusively to Oklahoma County. Of the total funding allocated under this section to State Transportation Commission District 8, fifty-eight and eight-tenths percent (58.8%) of such funds are allocated exclusively to Tulsa County.

Added by Laws 1997, c. 329, § 1, eff. July 1, 1997. Amended by Laws 2000, c. 401, § 1, eff. July 1, 2000.

§69-2002. Authorized highway and bridge projects.

A. The Oklahoma Department of Transportation, in accordance with Section 2001 of this title and based on the funding as set forth in Section 2001 of this title and Section 168.6 of Title 73 of the Oklahoma Statutes, is hereby authorized to construct, improve, maintain, and repair all or any part of the following highway and bridge projects to the greatest extent possible consistent with the allocation of funds provided by this act as apportioned to each transportation district pursuant to this act:

1. In State Transportation Commission District 1:
 - a. highway improvement for U.S. Highway 59 between Westville and Watts,
 - b. bridge improvement for 14 Mile Creek Bridge on State Highway 82,
 - c. highway improvement for State Highway 82 from the vicinity of Tahlequah extending north to the vicinity of Locust Grove,
 - d. highway improvement for U.S. Highway 64 from the vicinity of Warner extending north in the vicinity of Muskogee,
 - e. intersection modifications and highway improvement for U.S. Highway 62 and Country Club Road and U.S. Highway 62 and State Highway 16,
 - f. highway improvement for ramps in the vicinity of State Highway 165 and Hancock-Peak,
 - g. highway improvement for State Highway 10 in the vicinity of Braggs Mountain,
 - h. highway improvement for State Highway 80 between South Street and Poplar Street in the City of Ft. Gibson,
 - i. intersection improvement at intersection of Country Club Road and Chandler in the City of Muskogee,
 - j. highway improvement for State Highway 9 extending east of Stigler,

- k. highway improvement for U.S. Highway 59 extending north to the vicinity of State Highway 141, including a bridge improvement over the Arkansas River,
 - l. highway improvement for State Highway 51 from the vicinity of Wagoner extending west to the vicinity of Muskogee Turnpike, including a bridge improvement over the Verdigris River,
 - m. highway improvement for U.S. Highway 75 from the vicinity of Okmulgee County 6th Street extending north to the vicinity of State Highway 56 Loop,
 - n. highway improvement for U.S. Highway 266 from the vicinity of U.S. Highway 75 extending east to vicinity of Dewar, and
 - o. highway improvement for State Highway 51 for the Northwest Tahlequah Bypass;
2. In State Transportation Commission District 2:
- a. reconstruct approximately eight (8) miles of U.S. Highway 270 from the vicinity of Panola to the vicinity of Red Oak in Latimer County,
 - b. highway improvement on State Highway 1/63 in Latimer County,
 - c. highway improvement on U.S. Highway 70 from the vicinity of Idabel to the junction with State Highway 98 in McCurtain County,
 - d. highway improvement for approximately three (3) miles on State Highway 31 from the vicinity of U.S. Highway 270 to the vicinity of the Indian Nation Turnpike in Pittsburg County,
 - e. bridge improvement at Sandy Creek on U.S. Highway 270 in Pittsburg County,
 - f. highway improvement on U.S. Highway 70 in Choctaw County from the vicinity of the Bryan County line to the junction of U.S. Highway 271,
 - g. highway improvement covering approximately three (3) miles on State Highway 144 in Pushmataha County,
 - h. highway improvement covering approximately ten (10) miles on U.S. Highway 70 from the vicinity of Lake Texoma to the vicinity of Durant in Bryan County,
 - i. highway improvement covering approximately seven (7) miles on State Highway 3 from the vicinity of Atoka east to the vicinity of Lane in Atoka County,
 - j. highway improvement on U.S. Highway 70 from the vicinity of Madill to the Bryan County line in Marshall County, and
 - k. highway improvement for the Poteau Bypass;
3. In State Transportation Commission District 3:

- a. highway improvement covering approximately one (1) mile on Chautauqua street in the City of Norman from State Highway 9 to one (1) mile north,
- b. highway improvement on Tecumseh Road in the City of Norman from U.S. Highway 77 east to East 24th Avenue, covering approximately four (4) miles,
- c. highway improvement on State Highway 99 covering approximately nineteen (19) miles from the vicinity of Prague to the vicinity of Stroud,
- d. highway improvement on State Highway 3W, for approximately fifteen (15) miles from the vicinity of Ada to the vicinity of Asher,
- e. highway improvement on State Highway 19 for approximately one (1) mile west of State Highway 3W,
- f. highway improvement for approximately one (1) mile of Federal Street in the City of Shawnee,
- g. highway improvement for approximately one (1) mile in the vicinity of Shawnee Mall,
- h. signal improvement at the intersection of Union and MacArthur in the City of Shawnee,
- i. signal improvement at the intersection of 10th Street and Harrison in the City of Shawnee,
- j. highway improvement for approximately two (2) miles of State Highway 18 from State Highway 9 to the vicinity of Benson Park,
- k. highway improvement for approximately three (3) miles of State Highway 102 from the vicinity of Interstate 40 to the vicinity of McCloud,
- l. highway improvement for approximately six (6) miles of State Highway 59B from U.S. Highway 177 to State Highway 102,
- m. highway improvement for approximately ten (10) miles of State Highway 27 from State Highway 9 to the vicinity of Okemah,
- n. highway improvement for approximately eight (8) miles of U.S. Highway 75 from the vicinity of Horntown to the vicinity of Wetumka,
- o. highway improvement for approximately nine (9) miles of State Highway 19 from the vicinity of U.S. Highway 177 west to the vicinity of State Highway 133,
- p. highway improvement for approximately ten (10) miles of State Highway 19 from the vicinity of Lindsay to the vicinity of Maysville,
- q. highway improvement for approximately twelve (12) miles of State Highway 1/7 from the vicinity of Mill Creek to the vicinity of Ravia,

- r. highway improvement for approximately one (1) mile of State Highway 56 from the vicinity of U.S. Highway 270 to the vicinity of State Highway 59,
 - s. highway improvement for approximately one (1) mile of State Highway 56 from the vicinity of State Highway 59 to the vicinity of U.S. Highway 270B, and
 - t. highway improvement for U.S. Highway 270 for ramps to State Highway 59;
4. In State Transportation Commission District 4:
- a. highway improvement on U.S. Highway 270 from the vicinity of Harrah to the vicinity of South East 29th Street,
 - b. highway improvement to open a south access road on Interstate 40 between the vicinity of Vickie Road and the vicinity of Sooner Road,
 - c. highway improvement for Interstate 235 between 36th Street and Interstate 235 and Interstate 44 junction,
 - d. highway improvement for exit ramp on Interstate 40 westbound in the vicinity of Rose State College Communication Center,
 - e. highway improvement to extend State Highway 3 west from the vicinity of Kingfisher,
 - f. reconstruction of 23rd Street interchange with Interstate 35 and highway improvement to 23rd Street from Interstate 35 east to Sooner Road,
 - g. reconstruction of Interstate 44 from the vicinity of Interstate 240 to the vicinity of Southwest 44th Street,
 - h. highway improvement for U.S. Highway 177 from the vicinity of Interstate 35 to the vicinity of the Kansas state line,
 - i. interchange improvements at junction of State Highway 11 and Interstate 35,
 - j. highway improvement for U.S. Highway 177 from the vicinity of Ponca City to the vicinity of the Cimarron Turnpike,
 - k. highway improvement for Interstate 35 access road for west side Interstate 35 from the vicinity of State Highway 164 north to vicinity of U.S. Highway 64 in Noble County,
 - l. highway improvement for State Highway 33 from the vicinity of Interstate 35 to the vicinity of Coyle,
 - m. highway improvement for State Highway 51 from vicinity of Stillwater extending east to the vicinity of State Highway 108 in Payne County,
 - n. highway improvement for U.S. Highway 77, also known as the Broadway Extension, from the vicinity of Northwest

- 63rd Street extending north to the vicinity of the City of Edmond,
 - o. highway improvement for State Highway 74 from the vicinity of the Logan County line to the vicinity of Edmond Road, and
 - p. highway improvement for the Interstate 40 and Czech Hall Road interchange in Canadian County;
5. In State Transportation Commission District 5:
- a. highway improvement on U.S. Highway 183 from approximately one (1) mile south of the Washita County line extending approximately four (4) miles to the vicinity of Interstate 40,
 - b. highway improvement for approximately two (2) miles on the Interstate 40 north frontage road in vicinity of Weatherford from Washington Street to the vicinity of Lyle Road,
 - c. highway improvement project on U.S. Highway 183 from vicinity of Cordell extending north approximately ten (10) miles to approximately one (1) mile south of the Custer County line,
 - d. highway improvement project on State Highway 6 in the vicinity of Blair north approximately ten (10) miles to approximately three (3) miles north of U.S. Highway 283,
 - e. highway improvement project on State Highway 6 from junction of State Highway 6 and State Highway 152 extending south approximately six (6) miles to the vicinity of State Highway 55,
 - f. highway improvement project on State Highway 51A from the junction of State Highway 8 and State Highway 8A extending northwest approximately five (5) miles to the junction of State Highway 8 and State Highway 51A,
 - g. bridge improvements on State Highway 33 between Watonga and the Kingfisher County line,
 - h. highway improvement project on U.S. Highway 183 from the vicinity of Manitou extending north approximately nine (9) miles to the vicinity of U.S. Highway 62, and
 - i. highway improvement project on U.S. Highway 183 from the vicinity of Manitou extending approximately to the vicinity of Frederick;
6. In State Transportation Commission District 6:
- a. highway improvement for U.S. Highway 60 and State Highway 51 within the city limits of Arnett,
 - b. highway improvement for approximately twenty-five (25) miles of U.S. Highway 412 from the vicinity of U.S. Highway 281 to the vicinity of U.S. Highway 60,

- c. highway improvement for approximately twenty (20) miles of U.S. Highway 54 from the vicinity of Texhoma to the vicinity of Guymon,
 - d. highway improvement for U.S. Highway 54 from the vicinity of Optima to approximately four (4) miles north of Optima, and
 - e. right-of-way purchases for future improvement to U.S. Highway 270/183 from the vicinity of Woodward to approximately ten (10) miles south of Woodward;
7. In State Transportation Commission District 7:
- a. highway improvement on 6-Mile Line from the vicinity of State Highway 37 extending south approximately five (5) miles to the vicinity of Interstate 44 in Grady County,
 - b. highway improvement on State Highway 19 in the vicinity of Chickasha extending east approximately ten (10) miles,
 - c. highway improvement on State Highway 9 in the vicinity of Carnegie extending east approximately eight (8) miles to the vicinity of Fort Cobb in Caddo County,
 - d. city street and intersection improvement at junction of U.S. Highway 62 and Petri Road within the city limits of Anadarko,
 - e. highway improvement on U.S. Highway 277 from the vicinity of Cyril extending east approximately four (4) miles to the vicinity of Cement,
 - f. highway improvement on U.S. Highway 62 from junction of State Highway 17 and Porter Hill south to the vicinity of junction of U.S. Highway 62 and Interstate 44,
 - g. highway improvement on the Duncan Bypass, beginning at State Highway 7, approximately two (2) miles west of U.S. Highway 81 and extending south to connect with State Highway 7 East junction in the vicinity of Duncan together with connecting roads,
 - h. highway improvement on U.S. Highway 70 from the vicinity of Ardmore extending east approximately ten (10) miles to the vicinity of the Marshall County line,
 - i. highway improvement on U.S. Highway 177 from State Highway 7 East junction in the City of Sulphur extending north approximately ten (10) miles to the vicinity of State Highway 29,
 - j. highway improvement on U.S. Highway 70 from the vicinity of Waurika to the vicinity of Ringling,
 - k. street improvement in vicinity of 2600 block of Southwest Lee Boulevard within the City of Lawton, and
 - l. highway improvement on U.S. Highway 70 within the City of Lone Grove; and
8. In State Transportation Commission District 8:

- a. highway improvement project on U.S. Highway 169 from the vicinity of Rogers County line extending north approximately eight (8) miles to the vicinity of the junction of U.S. Highway 60 and U.S. Highway 169,
- b. highway improvement project on State Highway 88 from the vicinity of the junction of State Highway 66 and State Highway 88 to the vicinity of Rogers University,
- c. highway improvement on State Highway 266 from the vicinity of the junction of State Highway 66 and State Highway 266 to the vicinity of Will Rogers Turnpike,
- d. highway improvement on Gilcrease Expressway from the vicinity of the Osage Expressway extending to the vicinity of U.S. Highway 75,
- e. highway improvement on State Highway 48 from State Highway 16 extending south approximately seven (7) miles,
- f. highway improvement on U.S. Highway 169 from the vicinity of Interstate 44 south approximately eight (8) miles to the vicinity of 91st Street,
- g. right of way and relocation on Gilcrease Expressway from the vicinity of Interstate 44 to the vicinity of Osage Expressway,
- h. highway improvement on State Highway 66 from the vicinity of Chelsea extending south approximately five (5) miles,
- i. intersection modification at the junction of State Highway 2 and Hospital Road in the City of Vinita,
- j. highway improvement on State Highway 2 to approximately two (2) miles north of Vinita,
- k. highway improvement on approximately two (2) miles of U.S. Highway 59 in the vicinity of the City of Jay and the junction of State Highway 20 and U.S. Highway 59,
- l. highway improvement on U.S. Highway 59 from the vicinity of Grove extending south approximately ten (10) miles to the vicinity of Jay,
- m. highway improvement on U.S. Highway 60 from the vicinity of Bartlesville extending east approximately four (4) miles to the vicinity of Nowata County line,
- n. highway improvement on U.S. Highway 60 from the vicinity of Bartlesville extending west approximately five (5) miles,
- o. highway improvement on U.S. Highway 64 from the vicinity of Cleveland extending west approximately two (2) miles to the vicinity of Tarlton Road,
- p. highway improvement on U.S. Highway 69 for approximately two (2) miles in the vicinity of the junction of State Highway 69 and State Highway 20,

- q. highway improvement on State Highway 125 from the vicinity of Miami extending south approximately ten (10) miles to the vicinity of Fairland,
- r. highway improvement for approximately two (2) miles on State Highway 67 from the vicinity of Kiefer to the vicinity of U.S. Highway 75,
- s. intersection modification on State Highway 66 at the junction of State Highway 66 and Frankhoma Road,
- t. highway improvement on the Broken Arrow Expressway,
- u. bridge construction on State Highway 11 on Bird Creek bridge in the vicinity of Barnsdall, and
- v. highway improvement for State Highway 75 from the vicinity of Interstate 44 extending south for approximately five (5) miles.

B. The Department of Transportation, in accordance with Section 2001 of this title and based on the funding as set forth in subsection F of Section 2001 of this title and Section 168.6 of Title 73 of the Oklahoma Statutes, is hereby authorized to complete the projects set forth in subsection A of this section, or to construct, improve, maintain, and repair all or any part of the following highway and bridge projects to the greatest extent possible consistent with the allocation of funds as apportioned to each transportation district as provided in subsection F of Section 2001 of this title:

- 1. In State Transportation Commission District 1:
 - a. highway improvement for U.S. Highway 59 north from Westville extending approximately six (6) miles to Ballard Creek,
 - b. highway improvement on State Highway 51 beginning in the vicinity of the Verdigris River extending east,
 - c. highway improvement on State Highway 51 beginning at the junction of U.S. Highway 69 extending east to the junction of State Highway 16 in Wagoner,
 - d. highway improvement on State Highway 72 beginning at Pecan Street in the city of Coweta extending north to the junction of State Highway 51,
 - e. highway improvement on State Highway 51 beginning at the junction of State Highway 72 in the city of Coweta extending east approximately one (1) mile,
 - f. highway improvement on State Highway 51 from the junction of State Highway 16 in the city of Wagoner extending east,
 - g. highway improvement on U.S. Highway 69 beginning north of the Muskogee Turnpike extending north,
 - h. traffic signal installation on State Highway 165 near on and off ramps and Chandler Street in the city of Muskogee,

- i. traffic signal modification at junction of U.S. Highway 64B and Southside Boulevard in the city of Muskogee,
- j. highway improvement on State Highway 10 approximately five (5) miles south of U.S. Highway 62 extending south to Braggs Mountain in Muskogee County,
- k. signalization and intersection modifications and additional improvements on U.S. Highway 69 at West Okmulgee Street and Broadway Street in the city of Muskogee,
- l. highway improvement on State Highway 52 beginning at Morris extending north approximately nine (9) miles to State Highway 16,
- m. highway improvement on U.S. Highway 62 east of Morris extending approximately six (6) miles,
- n. highway improvement on State Highway 51 Spur adding parallel lanes for four lane divided highway on Northwest Tahlequah Bypass,
- o. highway improvement on U.S. Highway 266 at the junction with U.S. Highway 69,
- p. highway improvement on U.S. Highway 266 beginning at old U.S. Highway 69 extending east to Muskogee County line,
- q. highway improvement on U.S. Highway 64 beginning at Interstate 40 extending east approximately five (5) miles to the Arkansas River bridge,
- r. bridge improvement on State Highway 141 approximately four (4) miles east of junction of U.S. Highway 59,
- s. highway improvement on State Highway 82 beginning at Vian and extending north to State Highway 100,
- t. flashing signal installation on State Highway 51 at Taylor's Ferry east of Wagoner,
- u. traffic signal improvements on State Highway 51 in Wagoner,
- v. highway improvements on State Highway 16 in Okay,
- w. highway lighting improvement on State Highway 51 bridge over Fort Gibson Lake,
- x. highway improvement on State Highway 16 west of U.S. Highway 75,
- y. highway improvement on U.S. Highway 266 east of Dewar, and
- z. bridge improvement on U.S. Highway 266 approximately six (6) miles east of the Okmulgee County line in McIntosh County,
- aa. highway improvement on State Highway 31 in Haskell County from the junction of State Highway 2 extending 18.89 miles east to the LeFlore County Line,

- bb. highway improvement on State Highway 82 in Haskell County from the junction of State Highway 9 extending 10.99 miles south to the junction of State Highway 31, and
 - cc. highway improvement on State Highway 9 in Haskell County from the Pittsburgh County line extending 4.65 miles east to the junction of State Highway 71;
2. In State Transportation Commission District 2:
- a. highway improvement covering approximately seven (7) miles on State Highway 3 from the vicinity of Atoka east to the vicinity of Lane in Atoka County,
 - b. highway improvements on U.S. Highway 70 from the vicinity of Lake Texoma to the east side of Bryan County,
 - c. highway improvement covering approximately seven (7) miles on U.S. Highway 70 from the vicinity of Idabel to the junction with State Highway 98 in McCurtain County,
 - d. highway improvement for the Poteau Bypass,
 - e. highway improvement on U.S. Highway 70 from the vicinity of Hugo to the vicinity of Valliant,
 - f. completion of highway improvement on U.S. Highway 270 from the vicinity of Panola to the vicinity of Red Oak in Latimer County,
 - g. highway improvement on State Highway 63 between Kiowa and Haileyville in Pittsburg County,
 - h. highway improvement to upgrade and connect the north and south ends of 3rd Street in Madill to present U.S. Highway 70 in Marshall County and including approximately two (2) miles of 3rd Street in the state highway system,
 - i. highway improvement from U.S. Highway 270 to Bakers Road in McAlester, and
 - j. highway improvement on local road from Crowder extending southeast to Blocker;
3. In State Transportation Commission District 3:
- a. highway improvement on State Highway 59B from U.S. Highway 177 to State Highway 102,
 - b. highway improvement on State Highway 27 from the junction of State Highway 9 extending north to Okemah,
 - c. highway improvement on State Highway 19 from Lindsay extending approximately ten (10) miles to Maysville,
 - d. highway improvement on Tecumseh Road in the city of Norman from U.S. Highway 77 extending east to 24th Avenue in the city of Norman,
 - e. highway improvement of State Highway 99 covering approximately nineteen (19) miles from the vicinity of Prague to the vicinity of Stroud,

- f. highway improvement on State Highway 3W, extending approximately fifteen (15) miles from the vicinity of Ada to the vicinity of Asher,
 - g. highway improvement on Highland Street from Kickapoo Street to Bryan Street in Shawnee,
 - h. highway improvement on U.S. Highway 270B from U.S. Highway 270 extending east approximately one (1) mile,
 - i. highway improvement on State Highway 9 from Interstate 35 extending west to U.S. Highway 62,
 - j. highway improvement on State Highway 270 from McLoud to the Oklahoma County line,
 - k. right-of-way acquisition and highway improvement on State Highway 99 from Tishomingo extending south to Madill,
 - l. highway improvement on State Highway 3 East and Kickapoo Street from Interstate 40 to 45th Street in Shawnee,
 - m. highway improvements on old State Highway 18 from State Highway 9 to Benson Park Street in Tecumseh, and
 - n. highway improvement on MacArthur Street from Kethley Boulevard to U.S. Highway 177 in Shawnee;
4. In State Transportation Commission District 4:
- a. highway improvement to 23rd Street or U.S. Highway 62 from Interstate 35 east to Air Depot Boulevard, including a bridge improvement on U.S. Highway 62 in the vicinity of Air Depot Boulevard,
 - b. highway improvement for Interstate 240 from Interstate 40 to Interstate 44 including on and off ramps and service roads,
 - c. highway improvement on U.S. Highway 270 from the vicinity of Harrah Road to the vicinity of the Pottawatomie County line,
 - d. highway improvement on Harrah Road from Southeast 29th Street to Interstate 40,
 - e. highway improvement on State Highway 33 from the vicinity of Interstate 35 to the vicinity of Coyle,
 - f. highway improvement for U.S. Highway 77, also known as the Broadway Extension, from the vicinity of Northwest 63rd Street extending north to the vicinity of Edmond,
 - g. a sound barrier and bridge and drainage improvements on Interstate 40 between Bryant and Sooner Road in Del City,
 - h. a sound barrier on Interstate 44 between Northwest 23rd Street and Northwest 30th Street,
 - i. highway improvement on U.S. Highway 77 from Newkirk to the Kansas state line,

- j. highway improvement on county road from Marland to Red Rock,
 - k. highway improvement on State Highway 33 one (1) mile east of Cushing at Norfolk Road, and
 - l. highway improvement on U.S. Highway 177 from Stillwater south to State Highway 33;
5. In State Transportation Commission District 5:
- a. highway improvement on U.S. Highway 183 from the vicinity of Manitou extending approximately seven (7) miles to the vicinity of Frederick,
 - b. highway improvement on U.S. Highway 283 from approximately one (1) mile south of Altus and extending south approximately five (5) miles,
 - c. bridge improvement on State Highway 44 approximately three (3) miles north of State Highway 9,
 - d. right-of-way on U.S. Highway 183 between Interstate 40 and Interstate 40B in Clinton,
 - e. highway improvement to add left-turn lane on State Highway 33 at Fay, and to add left-turn lanes on State Highway 54 at Section lines East/West 88, East/West 95, and East/West 100 in Custer County,
 - f. highway improvement on State Highway 34 beginning in vicinity south of State Highway 47 extending approximately seven (7) miles south,
 - g. drainage improvements on State Highway 44 in Burns Flat, and
 - h. intersection modifications at junction of U.S. Highway 60 and State Highway 34 in the vicinity of Vici;
6. In State Transportation Commission District 6:
- a. highway improvement on U.S. Highway 412 extending approximately twenty-five (25) miles from the vicinity of U.S. Highway 281 to the vicinity of U.S. Highway 60,
 - b. highway improvements on U.S. Highway 54 extending approximately twenty (20) miles from the vicinity of Texhoma to the vicinity of Guymon,
 - c. highway improvement on U.S. Highway 183 approximately one-half (1/2) mile south of junction of U.S. Highway 64 extending south approximately four (4) miles,
 - d. right-of-way project on U.S. Highway 54 from approximately five (5) miles north of Optima extending north to the Kansas state line,
 - e. highway improvement on U.S. Highway 270/State Highway 3 from the vicinity of Woodward extending southeast approximately five (5) miles, and
 - f. highway improvement on U.S. Highway 64 from junction of State Highway 8 extending east approximately six (6) miles to State Highway 58;

7. In State Transportation Commission District 7:
 - a. highway improvement on U.S. Highway 177 south of Sulphur extending to the Murray County line,
 - b. highway improvement on U.S. Highway 70 in vicinity of Mud Creek to the vicinity of Ringling,
 - c. right-of-way acquisition and access road to the Duncan South Industrial Park,
 - d. highway improvement on Rogers Lane and Flower Mound corridor in the city of Lawton,
 - e. highway improvement on U.S. Highway 70 from the vicinity of Ardmore extending east approximately ten (10) miles to the vicinity of the Marshall County line,
 - f. highway improvement on U.S. Highway 62 from junction of State Highway 17 and Porter Hill south to the vicinity of junction of U.S. Highway 62 and Interstate 44,
 - g. highway improvement of Interstate 44 from vicinity of State Highway 49 to vicinity of Medicine Bluff Creek,
 - h. highway improvement on 6-Mile Line from the vicinity of State Highway 37 extending south approximately five (5) miles to the vicinity of Interstate 44 in Grady County,
 - i. bridge improvement on Corum Bridge, and
 - j. highway improvement on State Highway 9 in the vicinity of Carnegie extending east approximately eight (8) miles to the vicinity of Fort Cobb in Caddo County;
8. In State Transportation Commission District 8:
 - a. highway improvement or right-of-way on the West Gilcrease Expressway from the vicinity of L.L. Tisdale to the vicinity of Interstate 44,
 - b. highway improvement for the North Gilcrease Expressway from the vicinity of L. L. Tisdale to the vicinity of U.S. Highway 75,
 - c. highway improvement on U.S. Highway 2 from Hospital Road extending north approximately one (1) mile,
 - d. highway improvement and traffic signal on State Highway 82 from Salina extending north to the vicinity of Spavinaw,
 - e. highway improvement on State Highway 266 at interchange of Interstate 44,
 - f. highway improvement on U.S. Highway 64 east of Pawnee,
 - g. highway improvement on State Highway 67 from the vicinity of Kiefer to the vicinity of U.S. Highway 75,
 - h. bridge improvement on 81st Street over Interstate 44 and signalization at State Highway 66 in Sapulpa,
 - i. highway improvement on State Highway 66 from approximately two (2) miles south of Chelsea extending south approximately two (2) miles,

- j. intersection improvement at the junction of State Highways 82 and 28 in Langley,
- k. highway improvement on State Highway 66 from the north edge of Kellyville extending south seven (7) miles,
- l. highway improvement on U.S. Highway 60 approximately three (3) miles west of Bartlesville extending west approximately one and one-half (1 1/2) miles,
- m. highway improvement on State Highway 10 extending east from Grove to junction of State Highway 25,
- n. highway improvement on State Highway 125 from Fairland extending north approximately two (2) miles,
- o. planned improvements for State Highway 88 between State Highway 66 in Claremore and Inola and the intersection of U.S. Highway 412 at Inola, the four-laning of such highway, and
- p. improvements on State Highway 28 from the intersection of Interstate 44 east to the intersection of U.S. Highway 69.

C. Any project listed in this section may be expanded if federal monies become available for such project. The Oklahoma Department of Transportation may utilize any funds dedicated for a particular project pursuant to this act to obtain additional federal funds for such project.

Added by Laws 1997, c. 329, § 3, eff. July 1, 1997. Amended by Laws 2000, c. 401, § 2, eff. July 1, 2000; Laws 2000, 1st Ex.Sess., c. 7, § 2, eff. July 1, 2000.

§69-2003. Funding.

In order to maximize the funds available for the construction, improvement, and maintenance of the highway and bridge projects set forth in Section 2002 of Title 69 of the Oklahoma Statutes, the Oklahoma Department of Transportation may utilize funds dedicated to a highway or bridge project to obtain additional federal matching funds for any bridge project for which such federal matching funds are available. If federal matching funds are available for the construction of all or part of a bridge project, the Department of Transportation may give priority to the construction of all or part of the bridge project, despite any description of such project to the contrary, in order to obtain the federal matching funds. Any remaining funds for such project may be used for the purchase of right-of-way and relocation expenses.

Added by Laws 1998, c. 346, § 2, emerg. eff. June 5, 1998.

§69-2004. Annual lease of Highway 44 by Transportation Commission - Amount and funding of lease payments.

A. In order to avoid the expenditure of funds for the currently planned construction of four lanes parallel to the Will Rogers

Turnpike near Claremore, the Oklahoma Transportation Commission shall enter into a lease with the Oklahoma Transportation Authority for the Transportation Commission to lease, on an annual basis, that part of the Will Rogers Turnpike also known as Interstate Highway 44, from its beginning near the interchange with U.S. Highway 412 and State Highway 66 at Catoosa and extending northeast to the current interchange with State Highway 20 south of Claremore.

B. The lease between the Transportation Commission and the Transportation Authority shall be an annual lease renewable by agreement of the parties for a period of fifty (50) years. The annual lease payment shall be based on the net revenue which would have accrued to the Transportation Authority from tolls on the leased portion of the turnpike. No funds available for expenditure pursuant to Section 2001 of Title 69 of the Oklahoma Statutes shall be used for this purpose.

C. The lease payments referred to in this section shall come exclusively from the Oklahoma Department of Transportation monies identified in the existing five-year plan for State Highway 20 running parallel to the Will Rogers Turnpike.
Added by Laws 2000, c. 401, § 3, eff. July 1, 2000.

§69-3001. Authorization to construct toll expressways by means of public trusts.

Any county or combination of cities, counties or towns, by resolution of their governing boards, may jointly create a public trust for the purpose of planning, financing, constructing, maintaining and operating a toll expressway upon the locations now or hereafter authorized by Section 1705 of Title 69, Oklahoma Statutes, and the state, or any county, municipality, political or governmental subdivision or governmental agency of the state or any combination thereof may be the beneficiary of such trust; provided that no funds of said beneficiary derived from sources other than the trust property, or the operation thereof, shall be charged with or expended for the execution of said trust, except by express action of the legislative authority of the beneficiary first had. The officers or any other governmental agencies or authorities having the custody, management or control of any property, real or personal or both, of the beneficiary of such trust, or of such a proposed trust, which property shall be needful for the execution of the trust purposes, hereby are authorized and empowered to lease such property for said purposes, after the acceptance of the beneficial interest therein by the beneficiary as hereafter provided, or conditioned upon such acceptance.

Added by Laws 1971, c. 333, § 1, emerg. eff. June 16, 1971.

§69-3002. Power of condemnation.

A public trust created under the terms of this act shall have the power to condemn property in like manner as railroad companies for purposes consistent with the intent of this act. Provided that before any action for condemnation shall be instituted by such public trust, there shall have been a contract entered into for the construction of the toll expressway and a performance bond shall have been posted with the trustees in an amount equal to the estimated cost of labor and materials, and the trustees shall investigate and be assured on reasonable evidence that the contractor or such other party who is to participate in all or a portion of the cost of acquiring rights-of-way is financially able and has committed in writing to the payment for a portion or all of the estimated cost of acquisition of necessary rights-of-way.

Added by Laws 1971, c. 333, § 2, emerg. eff. June 16, 1971.

§69-3003. Financing - Trustees - Construction contract.

No road shall be financed or constructed under the terms of this act, except such access roads or connecting roads which are incidental to some authorized facility, unless the trust indenture, the financing provisions, the selection of the trustees and the construction contract shall conform with the following provisions:

1. The contractor shall be paid in bonds issued by the trust, which shall constitute complete compensation for the performance of the contract with the trust in accordance with the terms and conditions thereof.

2. The plans and specifications for the project must be at least equal to minimum standards of the State Highway Department for the State of Oklahoma or the Oklahoma Turnpike Authority for like facilities and subject to reasonable approval of engineer to be designated by the trust.

3. Before any right-of-way is acquired, excluding any interest acquired in a right-of-way by option, or any condemnation action is commenced for the purpose of acquiring right-of-way, the contractor shall first have filed a payment and performance bond with the trust, in an amount as provided in the construction contract, but not less than the total estimated cost of actual construction.

4. The trustees of any trust which has the power, under the terms of this act and of its trust indenture, to contract for the construction and financing of any toll expressway shall be selected as follows:

- a. The governing body of each participating municipality shall designate one person and shall submit such person's name in writing to the principal district judge presiding over the territory of such participating municipality. If such person is approved by such judge or if the judge takes no action within thirty (30) days from the date such name was submitted

to him, such person, upon taking the oath, shall become a trustee.

- b. When the appointment of a member of the board of trustees by each participating municipality has been completed, such members shall meet and elect a temporary chairman, and shall notify the Governor of the State of Oklahoma by registered mail of:
 - (1) Existence of the trust;
 - (2) The names of the participating municipalities; and
 - (3) The name of the member of the board appointed by each participating municipality, and shall request that the Governor appoint within thirty (30) days a like number of trustees, less one. If the Governor fails to make any or all of such appointments, the trustees shall fill such vacancies by a nomination by any member of the board of trustees and the approving vote of a majority of the trustees.
- c. When all vacancies have been filled, the trustees shall elect a permanent chairman who shall serve for the longest term provided for in the trust indenture. All other members shall draw lots for staggered terms.
- d. Subsequent vacancies shall be filled by action of the surviving trustees for the unexpired term thereof.
- e. Subsequent appointments shall be made in the manner provided above.

5. The construction contract shall provide for reimbursement to the trust for an amount equal to the cost of engineering, including inspection, subject to such reasonable limits as the parties may agree to, or, the trust must have a prior commitment that the cost of such inspection or any portion thereof shall be borne by one or more of the participating municipalities, or the state, as established by a written agreement between the trust and such municipalities or the state.

6. The construction contract shall make provisions for the providing of maintenance when the facility is completed and open to the public. Such maintenance cost may be borne or shared in any lawful manner that the trust, contractor and participating municipality may agree upon. Until the trust bonds are retired, any surplus revenues shall be deposited in a special fund for the purpose of providing maintenance for the facility until the fund is of sufficient size that such surplus revenues may be prudently diverted to other lawful purposes within the discretion of the board of trustees.

7. The construction contract shall set a maximum and a minimum for the toll to be collected from the traveling public on such toll expressway for each separate class of vehicles and shall set forth

the formula by which the actual toll shall be set, which shall be effective until all the bonds issued for the payment of the project shall have been retired, unless changed by an agreement of such trust and a majority of the registered bondholders.

Added by Laws 1971, c. 333, § 3, emerg. eff. June 16, 1971.

§69-3004. Connecting or feeder roads or streets.

If, in the opinion of the board of trustees of such public trust, and of the contractor, that it would be economically wise to improve or construct connecting or feeder streets or roads to the toll expressway, even though such connecting streets or roads would be free roads, then in such event, the trust shall have the authority to let contracts for the construction of such connecting or feeder roads or streets under the following conditions:

1. The consent of the governing body, having jurisdiction over such street or road is first obtained.

2. Such portion of the contract price or the work to be performed as the trust agrees to pay or to perform shall be paid in revenue bonds, if such construction is part of the original construction of the toll expressway, or, from surplus revenues in excess of the maintenance fund requirements, or in such manner as may be lawful and proper.

3. The trust shall be empowered to enter into contracts with any county or municipality in whose jurisdiction such connecting or feeder roads or streets are located, for the sharing of the work or costs in the improvement or construction of such roads or streets. The trust may do such things as are necessary and practical to qualify the construction and the project for any available federal matching fund programs.

4. In any project for the construction or improvement of connecting or feeder roads or streets and for which federal matching funds have been applied for or approved, the contractor shall have the right to agree with the governing body for the performance of a portion of the work if such governing body is properly qualified and equipped, and to compensate such governing body for the work performed, but failure of the governing body to properly perform shall not relieve the contractor from its obligation to build in accordance with the terms of the contract and the plans and specifications, even though it may be entitled to compensation for such failure of performance from such governing body.

5. For such portions of the work to be assumed by any governing body in the construction or improvement of any connecting or feeder roads, the governing body shall be subject to the laws applicable to it when contracting for like work on its roads or streets.

Added by Laws 1971, c. 333, § 4, emerg. eff. June 16, 1971.

§69-3005. Counties as trust beneficiaries.

Each of the counties in which a part of such toll expressway will be located may be a trust beneficiary to the extent of the portion of such expressway which is to be located within such county.
Added by Laws 1971, c. 333, § 5, emerg. eff. June 16, 1971.

§69-3006. Consent of governing body.

The trustees shall negotiate a contract or contracts to accomplish the purposes enumerated in Section 1 of this act; however, prior to entering into a construction contract, it will be necessary for the board of trustees of such trust to obtain the consent of the governing body of any county, city or town of more than one thousand (1,000) population, according to the last preceding Federal Decennial Census, in which such expressway or any part thereof may be located.
Added by Laws 1971, c. 333, § 6, emerg. eff. June 16, 1971.

§69-3007. Personal injury or property damage - Liability.

Neither this trust nor any county, beneficiary or municipality within the boundaries of which such expressway may be located shall be liable for personal injury or property damage resulting from the operations of such expressway, or the failure to properly maintain or repair such expressway; provided that the trust or municipality may comply with and be covered by Sections 1751 through 1766 of Title 11, Oklahoma Statutes.

Added by Laws 1971, c. 333, § 7, emerg. eff. June 16, 1971.

§69-3008. Connections or crossings with state or county highways or streets.

The trustees of any public trust constructing a toll expressway shall have authority to make any necessary connections with, or crossings, at grade level or otherwise, with any existing state or county highway or street and to temporarily occupy or close public rights-of-way as may be necessary for the public safety during construction of any such toll expressway. Necessary easements and rights-of-way over, under and across public or private property may be acquired by any participating municipality or beneficiary of such trust by the exercise of its power of eminent domain in the manner now or hereafter provided by law for condemnation of lands by a county or city, as the case may be, for highway or street purposes, and any interest so acquired may be leased to the trustees.

Added by Laws 1971, c. 333, § 8, emerg. eff. June 16, 1971.

§69-3009. Closing of existing streets or highways.

No existing improved street or highway shall be closed by reason of the construction and operation of such toll expressway, except such temporary closing as may be required for the safety of the public during construction, maintenance or repair, without the express consent of the governing body of any city, county or state

agency having jurisdiction over such street or highway. All connections with streets or highways shall meet the normal safety requirements established by the city, county or state agency having jurisdiction over such connecting street or highway.
Added by Laws 1971, c. 333, § 9, emerg. eff. June 16, 1971.

§69-3010. Applicability of sections 11-1401 through 11-1405 of Title 47 - Municipal ordinances.

The provisions of Sections 11-1401 through 11-1405 inclusive of Title 47 of the Oklahoma Statutes are hereby made applicable to and enforceable on any toll expressway as provided for in this act and the words "Oklahoma Turnpike Authority" wherever they appear in said Sections 11-1401 through 11-1405, inclusive, for the purpose of this act only, shall be construed to mean the trustees of the public trust operating any such toll expressway; provided, that where a toll expressway is located wholly within the corporate limits of a city, the said trustees may contract with the governing body of such city for the policing of such expressway and if such contract is entered into, the traffic ordinances and regulations of such city shall be applicable to and enforceable on such expressway.
Added by Laws 1971, c. 333, § 10, emerg. eff. June 16, 1971.

§69-3011. "Toll Expressway" and "municipality" defined.

For the purposes of this act, the term "Toll Expressway" is defined to mean any toll urban or rural expressway or expressways which may consist of separate sections or segments separated by intervening highway or street connections, and which may be laid out wholly or partially within the corporate limits of any incorporated city, and the cost of construction of which has or is to be paid for by revenue bonds issued by a public trust. For the purposes of this act, the word "municipality" includes a city, county or town.
Added by Laws 1971, c. 333, § 11, emerg. eff. June 16, 1971.

§69-3012. Judicial determination of validity of bonds.

The provisions of Section 1718 of Title 69 of the Oklahoma Statutes are hereby made applicable to this act and the trustees of any public trust proposing to lay out, construct, operate or maintain any such toll expressway shall be entitled to have a judicial determination of the validity of the bonds and any other legal questions relating to the proceedings, the purpose of which is to cause the construction of a toll expressway in the same manner as provided in such act for the Oklahoma Turnpike Authority.
Added by Laws 1971, c. 333, § 12, emerg. eff. June 16, 1971.

§69-3013. Disclosure concerning expenditures.

The trustees of any trust created under this act shall make complete public disclosure of all transactions concerning

expenditures for engineering fees, legal fees, financing fees and discounts in an annual report filed with the Oklahoma Turnpike Authority.

Added by Laws 1971, c. 333, § 13, emerg. eff. June 16, 1971.

§69-3014. Jurisdiction of district court.

The district court shall have original jurisdiction to require accounting by trustees, to surcharge trustees, to supervise the administration of the trust where necessary because of mismanagement by trustees, and such further jurisdiction as may be provided by the Oklahoma Trust Act.

Added by Laws 1971, c. 333, § 14, emerg. eff. June 16, 1971.

§69-3015. Surplus revenues.

Annually, within sixty (60) days after the close of each fiscal year of any public trust which shall have issued bonds for the construction, operation and/or maintenance of a toll expressway, the trustees of such trust shall pay to the State Treasurer all funds which are not required to be used for other purposes under the terms of the instrument creating the trust and any bond indenture executed in connection with such expressway project, and in such event, such surplus revenue may be appropriated by the Legislature for the benefit of schools or public highways or both.

Added by Laws 1971, c. 333, § 15, emerg. eff. June 16, 1971.

§69-3016. Purpose - Counties of 500,000 or more exempt.

The purpose of this act is to permit necessary highways to be constructed, operated and maintained without the expenditure of any city, county or state tax funds, and to thus enable cities and counties and the State Highway Department to conserve available funds for the construction and maintenance of streets and highways that may not be financed under the terms of this act. Provided, however, the provisions of this act shall not apply to public trusts created or to be created for the purpose of financing, constructing, operating and maintaining toll expressways in counties having a population of five hundred thousand (500,000) or more, according to the latest Federal Decennial Census.

Added by Laws 1971, c. 333, § 16, emerg. eff. June 16, 1971.

§69-3017. Apportionments.

Until all bonds and the interest thereon are paid in full upon any toll expressway project undertaken by any trust under the provisions of this act, the Oklahoma Tax Commission shall each month determine an amount equal to the motor fuel excise taxes computed on ninety-seven and one-half percent (97 1/2%) of the total gallonage of all fuels consumed on such toll expressway, during the calendar month in which the tax being apportioned accrued, and apportion a sum equal

to such amount from all gasoline tax collections as follows: Ninety-seven percent (97%) of such amount to such trust and three percent (3%) to the General Revenue Fund of the State Treasury. Provided, however, that the apportionments herein remitted shall apply only to such trust that issues bonds in connection with the construction of a toll expressway project beginning in or near the City of Tulsa and the Port of Catoosa and extending in a northwesterly direction to a point in or near Ponca City, or at a point on the Kansas-Oklahoma state boundary line, which said toll expressway shall be called "Northwest Passage", or to a turnpike or any parts thereof beginning in the vicinity of the City of Davis and extending in a northeasterly direction, by way of the vicinity of the City of Ada, to a connection in the vicinity of Henryetta or in the vicinity of the intersection of State Highway 48 and Interstate 40.
Added by Laws 1971, c. 333, § 17, emerg. eff. June 16, 1971.

§69-3018. Determination of fuel consumption.

In determining the amount of motor fuel consumed each month, the Oklahoma Tax Commission shall divide the total miles traveled on the toll expressways by passenger automobiles, single unit trucks, and combination trucks and buses as certified each month by the trust, by the average number of miles per gallon of motor fuel consumed by each of those classes of motor vehicles. For the purpose of this section, the Oklahoma Tax Commission shall use the following rates for motor fuel consumed:

Passenger Automobiles.....	15 miles per gallon
Single Unit Trucks.....	10 miles per gallon
Combination Trucks and Buses.....	5 miles per gallon.

Added by Laws 1971, c. 333, § 18, emerg. eff. June 16, 1971.

§69-3019. Financial interest - Penalties.

No trustee or employee of any public trust shall have a direct or indirect financial interest in any contract, subcontract, purchase, sale or other transaction in connection with any toll expressway project undertaken by such trust. Violation of this section shall be deemed cause for removal from office or employment of such trustee or employee. In addition, such violation shall constitute a misdemeanor and upon conviction thereof, shall be punishable by a fine not exceeding One Thousand Dollars (\$1,000.00) or imprisonment not exceeding one (1) year, or both such fine and imprisonment.

Added by Laws 1971, c. 333, § 19, emerg. eff. June 16, 1971.

§69-3020. Provisions exclusive - Repeal of conflicting laws.

The powers, duties and restraints granted to or placed on municipalities by this act or the trustees of any trust created under the terms of this act are exclusive of and unaffected by the provisions of Section 1733, Title 69 of the Oklahoma Statutes;

Sections 1 through 52, Title 61 of the Oklahoma Statutes; and Sections 176 through 180.3, Title 60 of the Oklahoma Statutes; and in addition thereto all other acts or parts of acts in conflict with this act are hereby repealed only to the extent of such conflict and for the purpose of the applicability of this act.

Added by Laws 1971, c. 333, § 20, emerg. eff. June 16, 1971.

§69-4001. Policy.

It is hereby declared to be the policy of the State of Oklahoma that safe, adequate and efficient transportation facilities at reasonable cost to the people are essential to the economic growth of the state and the well-being of its people. The planning and development of such facilities shall be coordinated by a State Department of Transportation with overall responsibility for balanced transportation policy and planning. It shall not be the policy of the state to interfere with or hamper in any way the development of local transportation systems or projects to serve the peculiar needs of local communities.

Added by Laws 1976, c. 218, § 1.

§69-4002. Department of Transportation and the Transportation Commission - Creation.

There is hereby created in the Executive Branch of Government the Department of Transportation and the Transportation Commission. The Department shall function under the direct control and supervision of the Commission as a part of the executive branch of state government in carrying out the transportation policies, plans and programs of this state. In accord with appropriations made by the Legislature and grants of funds from federal, state, regional, local or private agencies, the Department shall, acting by or through the Director or his duly authorized officer or employee, have the power and it shall be its duty:

1. To coordinate and develop for the State of Oklahoma a comprehensive transportation plan to meet present and future needs for adequate, safe and efficient transportation facilities at reasonable cost to the people.

2. To coordinate the development and operation of such transportation facilities in the state including, but not limited to, highways, public transportation, railroad, marine and waterways and aeronautics.

3. To develop, periodically revise and maintain a comprehensive state master plan for transportation facilities.

4. To develop measurable objectives and goals designed to carry out the master plan for transportation and report progress in achievement of objectives and goals to the Governor and Legislature as part of the annual budget submission.

5. To make such studies and analyses of transportation problems as may be requested by the Governor or Legislature relative to any aspect of transportation in the state.

6. To exercise and perform such functions, powers and duties as may be from time to time conferred or imposed by law, including all the functions, powers and duties assigned and transferred to the Department of Transportation by this act.

7. To apply for, accept and receive and be the administrator for and in behalf of the state agencies, boards and commissions of all federal or other monies now or hereafter available for purposes of transportation or which would further the intent and specific purposes of this act. This paragraph shall not apply to the Oklahoma Corporation Commission insofar as federal funds for transportation regulatory purposes are concerned. Provided further, nothing in this act shall be construed to limit the authority of any town, city, county, regional authority, port authority or airport authority to apply for, accept, receive and be the administrator of all federal funds or other monies now or hereafter available to such subdivisions of government for the purpose of transportation or any other local matter. The provisions of this act shall not apply to funds available for projects for providing transportation services to meet special needs of elderly and handicapped persons under Section 16 (b), (2) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C.A., Section 1612 (b), (2)), or to programs administered by the Department of Institutions, Social and Rehabilitative Services for transportation services to elderly and handicapped persons.

8. To cooperate with local governments in the planning and development of transportation-related activities, and encourage state and federally funded plans and programs at the local level consistent with the goals and objectives of the state master plan for transportation.

9. To evaluate and encourage the development and use of public transportation in Oklahoma where such use will contribute to a reduction in traffic congestion, public convenience, air quality, or energy conservation. To administer financial assistance programs for public transportation services, facilities and equipment, using state and/or federal funds for administrative activities, and to pass through to public, private enterprise and/or private nonprofit entities those federal, local and/or private funds intended for the purpose of meeting public transportation capital and operating needs, excluding those federal, local and/or private funds intended for the purpose of meeting the capital and operating needs of fixed route, regularly scheduled public transportation services operating within cities of greater than three hundred thousand (300,000) population according to the latest Federal Decennial Census. To ensure, through positive actions, that private enterprise providers of public transportation are involved in all levels of public transportation

planning efforts, in both metropolitan and nonmetropolitan areas, and are given the opportunity to provide public transportation services, by contract or other means which provide a reasonable return, wherever such services are now or will be provided utilizing federal, state or local public funds. Exceptions to this requirement that private enterprise provide such services may be made only where:

- a. a county does not have an existing private enterprise public transportation operator which could provide such services,
- b. the existing private enterprise public transportation operator declines to provide such service, or
- c. the organization seeking to secure or provide such services by means other than private enterprise operators, such as operating the system themselves, provides to the Department, or any other party upon request, budgetary documentation that the alternative means are more appropriate and less expensive on a passenger-mile basis.

Provided, however, that there shall be exempted from the above requirement all fixed route regularly scheduled public transportation services, operating in cities of greater than three hundred thousand (300,000) population, according to the latest federal decennial census; and

Provided further, this act shall not alter any powers of counties, cities and towns to initiate, designate, or construct any project or other object of expenditure now or hereafter funded by federal transportation or state gasoline and motor fuel tax funds allocated to those counties, cities and towns.

Added by Laws 1976, c. 218, § 2. Amended by Laws 1979, c. 219, § 1.

§69-4003. Continuation of appropriations

Each agency consolidated into the Department and presently receiving a legislative appropriation shall continue to receive appropriations as determined or line-itemed by the Legislature. Funds, other than appropriated monies, shall also be allocated to and used for specified programs as authorized by law.

Laws 1976, c. 218, § 3.

§69-4004. Department divisions

The Department may be divided into divisions which may include the following:

1. The Division of Planning and Research.
2. The Division of Design.
3. The Division of Administration.
4. The Division of Contract Administration.
5. The Division of Construction and Maintenance.
6. The Division of Land Acquisition.

7. The Division of Traffic Services.

8. The Division of Highway Safety.

Laws 1976, c. 218, § 4.

§69-4005. Definitions.

As used in this act:

1. Department means the Department of Transportation.

2. Commission means the Transportation Commission.

3. Director means the Director of the Department of Transportation.

4. Public Transportation means transportation services, facilities and equipment with multiple passenger capabilities, available to the public on a scheduled or demand basis including intercity, regional and city bus, minibus, van pool, car pool and taxicab services, and commuter rail services.

Laws 1976, c. 218, § 5; Laws 1979, c. 219, § 2.

§69-4006. Transportation Commission - Name change

A. The State Highway Commission, created in Section 301 of Title 69 of the Oklahoma Statutes, shall hereafter be known as the Transportation Commission. Except as specifically provided, this act shall not be construed to alter the present terms, districts, membership, method of appointment, powers and duties of the State Highway Commission hereinafter referred to as the Transportation Commission. Any statutory references to the State Highway Commission shall mean the Transportation Commission as redesignated herein. The Commission shall be the governing and policymaking body for the Department of Transportation and shall determine the policies, plans and programs for accomplishment of the purposes of this act. It shall be the duty of and the Commission shall be empowered to develop plans and programs for an efficient, safe system of transportation for the State of Oklahoma at reasonable cost to the people.

B. The Commission is authorized and empowered to prescribe all necessary procedures for carrying out its objectives and to administer the affairs of the Department.

Laws 1976, c. 218, § 6.

§69-4007. Director - Powers and duties.

A. The administrative head of the Department of Transportation shall be the Director of the Department of Transportation. The Director shall be an individual with a background of broad experience in the administration and management of complex public works or other comparable organizational structures, and who shall be appointed by the Commission and serve at the pleasure of the Commission. He shall have the authority and duty to supervise, direct, account for, organize, plan, administer and execute the functions of the Department consistent with the general policies and procedures

prescribed and established by the Commission. Any statutory references to the State Highway Director in Title 69 of the Oklahoma Statutes shall mean the Director of the Department of Transportation.

B. The Director shall employ a professional civil engineer who shall have broad experience in design and construction of complex highways or other transportation-related projects. This engineer shall be responsible to the Director for the management of all engineering functions of the Department.

C. This act shall not affect the status and rights accrued under the State Merit System of Personnel Administration or the Oklahoma Public Employees Retirement System to persons serving as employees of any Department, Commission, Authority or other state agency who become employees of the Department of Transportation through the passage of this act.

Amended by Laws 1985, c. 8, § 1, emerg. eff. March 22, 1985.

§69-4008. Abolition of the Department of Highways, the Highway Safety Coordinating Committee, and the Railroad Maintenance Authority.

The Department of Highways, the Highway Safety Coordinating Committee and the Railroad Maintenance Authority are hereby abolished. The powers, duties and responsibilities exercised by the above-listed entities pursuant to law are hereby transferred to the Department. Effective July 1, 1993, the powers, duties and responsibilities of the Highway Safety Coordinating Committee that were transferred to the Department shall be transferred to the Department of Public Safety. Any statutory references to the Department of Highways or the Railroad Maintenance Authority shall mean the Department of Transportation. Any statutory references to the Highway Safety Coordinating Committee shall mean the Department of Public Safety, pursuant to Section 3 of this act.

Added by Laws 1976, c. 218, § 8. Amended by Laws 1993, c. 81, § 1, eff. July 1, 1993.

§69-4009. Renumbered as § 2-106.2A of Title 47 by Laws 2007, c. 62, § 26, emerg. eff. April 30, 2007.

§69-4009.1. Renumbered as § 2-106.2B of Title 47 by Laws 2007, c. 62, § 27, emerg. eff. April 30, 2007.

§69-4009.2. Renumbered as § 2-106.2C of Title 47 by Laws 2007, c. 62, § 28, emerg. eff. April 30, 2007.

§69-4010. Turnpike Authority

The Oklahoma Turnpike Authority shall retain its separate identity, powers and duties as an instrumentality of the state except

that the Department shall be authorized to provide, on a contractual basis, the following services and functions to the Authority:

1. Record keeping, reporting, administrative, planning, engineering, legal and clerical functions of the Authority not in conflict with provisions of existing trust agreements.

2. Operation and maintenance of turnpikes.

Duplication of effort, facilities and equipment shall be minimized by the Department of Transportation and Turnpike Authority in operation and maintenance of turnpikes and highways of the state. The Turnpike Authority and the Transportation Commission are directed to take such action as necessary to implement this section, including the temporary transfer of personnel, property and equipment from the Authority to the Department to effect contracts in 1 and 2 above. The integrity of the bonded indebtedness shall be maintained through the actions of the Turnpike Authority.

Laws 1976, c. 218, § 10.

§69-4011. Repealed by Laws 2002, c. 79, § 1, eff. July 1, 2002.

§69-4012. Transfer of Authorities to the Division of Planning and Research

The Fort Gibson Port Authority, Sallisaw Port Authority, Rogers County Port Authority, Muskogee City-County Port Authority and the Oklahoma Port and Development Authority are assigned to the Division of Planning and Research, Department of Transportation, for the purpose of advising the Division and Department as to the receipt and use of federal funds and to receive whatever advisory recommendations the Division and Department might offer. No powers over these authorities may be exercised by the Department.

Laws 1976, c. 218, § 12.

§69-4013. Department - Limitation of jurisdiction

The State Department of Transportation shall have no responsibility or authority in any transportation matters under the jurisdiction of the Oklahoma Corporation Commission. The Department shall not have jurisdiction of any matter now within or under the jurisdiction of any town, city, county or any regional authority, transportation authority, port authority or airport authority heretofore created by any town, city or county or combination thereof.

Laws 1976, c. 218, § 13.

§69-4015. Goldsby Airport - Responsibility for mowing.

The State Department of Transportation shall assume the responsibility of mowing the Goldsby Airport located in Section 24, Township 8 North, Range 3 West of the Indian Meridian, McClain County, Oklahoma.

Added by Laws 1978, c. 274, § 16, emerg. eff. May 10, 1978.

§69-4016. Contributions, gifts, etc. to certain railroads and other entities prohibited.

The Department of Transportation is prohibited from contributing to, subsidizing, or giving away any real or personal property to a railroad or any other entity that is not owned by the State of Oklahoma or a political subdivision thereof.

Laws 1980, c. 349, § 17, emerg. eff. June 25, 1980; Laws 1980, Ex.Sess., c. 2, § 4, emerg. eff. July 11, 1980.

§69-4017. On-the-job employee safety program.

It is the intent of the Legislature that the promotion of safety in the workplace is a legitimate public purpose. In order to establish a public employee benefit program to encourage safety in the workplace, the Department of Transportation is hereby directed to establish an on-the-job employee safety program which encourages work unit safety and reduces lost productivity and compensation costs. In order to promote job safety in work units and provide recognition for work units with exceptional safety records, the Department of Transportation is authorized to expend from monies available in the State Highway Construction and Maintenance Fund so much thereof as may be necessary for the purchase of recognition awards for presentation to the members of work units or individual employees with exceptional safety records. Recognition awards shall consist of distinctive wearing apparel, service pins, or U.S. Savings Bonds, and other appropriate awards, the value of which shall not exceed Two Hundred Dollars (\$200.00) per employee, which recognizes the safety achievement of the work unit or individual employees.

Added by Laws 1988, c. 289, § 19, operative July 1, 1988. Amended by Laws 1996, c. 150, § 1, eff. Nov. 1, 1996; Laws 2008, c. 145, § 3, emerg. eff. May 9, 2008.

§69-4018. Waterways Branch of Department of Transportation Planning Division - Creation - Powers and duties - Oklahoma Waterways Advisory Board.

A. There is hereby created within the Department of Transportation Planning Division, a Waterways Branch. The Director of the Department of Transportation shall appoint such employees necessary to implement and effectuate the provisions of this section. The Waterways Branch shall assume the duties and functions previously performed by the Division of Waterways within the Department of Commerce. The Transportation Commission is hereby authorized to adopt rules necessary to effectuate the operation of the Waterways Branch.

B. The Waterways Branch shall have the primary purpose and responsibility of promoting the McClellan-Kerr Arkansas River

Navigation System which constitutes Oklahoma's navigable waterways. Additionally, the Department of Transportation acting through the Waterways Branch shall have the authority to:

1. Encourage commercial use of the state's navigable waterways for the purpose of the transportation of goods;
2. Assist state, federal and municipal entities in the attraction and location of waterways-related industries;
3. Assist and coordinate public and private entities in and with the development of river, port and harbor facilities;
4. Aggressively pursue federal funding for construction and maintenance projects of all necessary improvements to navigational systems;
5. Coordinate with local and state development agencies to ensure a better understanding of the state's navigable waterways in a manner that will result in the use and growth of the state's transportation resources and facilities of this state;
6. Study and coordinate efforts designed to promote the development of the navigable stream areas in this state for water transportation purposes;
7. Monitor and intercede on behalf of and to represent the State of Oklahoma before any agency of the United States government in matters pertaining to the application of fees, tolls or user charges levied or contemplated to be levied against the water transportation industry engaged in either intrastate or interstate water commerce;
8. Receive and use any federal, state or private funds, donations and grants made available for the development, use and expansion of river transportation resources of this state;
9. Cooperate and enter into contracts with the federal government or any agency thereof or agencies of other states such as may be necessary to carry out the purposes of this section, provided that no such contract may obligate or potentially obligate any state funds or the full faith and credit of the State of Oklahoma unless express legislative authorization is given therefor;
10. Represent this state in the promotion of the development of commercial water transportation in this state and to cooperate with other states, other agencies of this state or agencies of the United States government, in any manner whatsoever, in an effort to develop the commercial use of the waterways in this state;
11. Study all executive orders and legislation, state and federal, which may affect the commercial development of interstate or intrastate water transportation and to make recommendations concerning any such executive orders or legislation;
12. Make studies and plans for the expansion, use and growth of the water transportation resources and facilities of this state; and
13. Do and perform all other functions for and on behalf of the state which may be necessary or desirable to accomplish the purposes of this section.

C. 1. There is hereby created the Oklahoma Waterways Advisory Board. Members of the Board shall be selected and appointed by the Director of the Department of Transportation. The Oklahoma Waterways Advisory Board shall consist of seven (7) members qualified as follows:

- a. two members shall be the Executive Directors of the two active, public ports, commonly known as the Port of Catoosa and the Port of Muskogee,
- b. two members shall be appointed from private port operations which have existing waterfront cargo handling facilities and which regularly employ the use of barge transportation,
- c. one member shall be appointed from the public at large who shall have professional experience and expertise in shipping, freight logistics or construction, operation, maintenance and rehabilitation of transportation systems, and
- d. two members shall be appointed at large from business and/or industry associated with inland navigation.

2. All members shall continue in office until replaced. Members of the Board shall not be compensated or receive travel reimbursement. The membership shall elect a chairperson and vice-chairperson and shall meet as necessary.

3. The Board shall:

- a. serve in an advisory capacity to the Department of Transportation, the Governor's office and the Legislature in accomplishing its mission,
- b. assist in the development of rules, standards, policies, procedures and directions of the Waterways Branch of the Department of Transportation regarding its duties and responsibilities authorized by this section, and
- c. recommend specific public and private actions that would enable this state to utilize its waterways to promote future growth.

4. The Department of Transportation may, as funds and staff are available, provide support and assistance to the Board.

Added by Laws 1993, c. 49, § 2, eff. July 1, 1993. Amended by Laws 2014, c. 126, § 1, eff. Nov. 1, 2014.

NOTE: Laws 2014, c. 21, § 1 repealed by Laws 2015, c. 54, § 26, emerg. eff. April 10, 2015.

§69-4019. Oklahoma State Safety Oversight Program.

A. There is hereby created the Oklahoma State Safety Oversight Program. Oversight for the program shall be provided by the Oklahoma

Department of Transportation. The Department shall develop and enforce the Oklahoma State Safety Oversight Program standards for all private and public rail fixed-guideway public transportation systems statewide that are not administered by the federal Railroad Administration. The Department shall have the complete authority to implement, enforce and oversee the Oklahoma State Safety Oversight Program in accordance with requirements outlined in the 49 CFR, Section 674, as amended.

B. The Department is hereby authorized to apply for, receive and expend federal State Safety Oversight Program funds in strict accordance with applicable state and federal law, rules and regulations.

Added by Laws 2018, c. 28, § 1, eff. July 1, 2018.

§69-4020. Short title - Oklahoma Route 66 Centennial Commission Act.

This act shall be known and may be cited as the "Oklahoma Route 66 Centennial Commission Act".

Added by Laws 2019, c. 233, § 1, eff. Nov. 1, 2019.

§69-4020.1. Commission purpose.

Route 66 is one of the original highways within the U.S. Highway System. Officially, the numerical designation 66 was assigned to the Chicago-to-Los Angeles route on November 11, 1926. From the outset, public road planners intended U.S. 66 to connect the main streets of rural and urban communities along its course for the most practical of reasons; most small towns had no prior access to a major national thoroughfare. This was certainly true in Oklahoma. Oklahoma's stretch of Route 66 runs from Miami through Tulsa and Oklahoma City to Erick, passing through cities and towns of all sizes and vast expanses of rural landscape, before entering Texas and continuing on its way to Santa Monica, California. The Oklahoma Route 66 Centennial Commission is established to plan, coordinate and implement programs and special events to celebrate the historic highway's centennial in 2026 with the support of the Oklahoma Historical Society.

The centennial is an opportunity to celebrate the important history of Route 66 in Oklahoma through commemorative, educational and community events, including programs and exhibits about the history of how local communities grew and changed with construction of the highway; the development of a modern transportation system; the cultural impact of Route 66 both within the United States and internationally; the portrayal of Route 66 in music, artwork and folklore; and how we maintain the mystique and appeal of Route 66 for future generations.

The study, preservation and maintenance of Route-66-related resources has been a public/private partnership in Oklahoma for decades. Government agencies, private organizations and individual

citizens have played critical roles in these efforts, and the Oklahoma Route 66 Centennial Commission shall seek input from these partners and the general public as it develops plans for the celebration and encourages their participation.

The significance of the Oklahoma stretch of Route 66 is demonstrated through its status as both a state and a National Scenic Byway and as a segment of the Route 66 National Historic Trail (legislation for NHT designation is pending in the U.S. Congress). Dozens of Oklahoma properties are related to Route 66, such as roadbed segments, bridges, commercial buildings, service stations and tourist attractions, and are listed in the National Register of Historic Places. The significance of the highway is further recognized through the National Trust for Historic Preservation's selection of the entire length of the highway as one of its National Treasures.

Added by Laws 2019, c. 233, § 2, eff. Nov. 1, 2019.

§69-4020.2. Commission members - Duties - Dissolution.

A. The Oklahoma Route 66 Centennial Commission shall be composed of twenty-one (21) members. Appointed members shall reflect the interests, history and importance of the communities along Route 66 in Oklahoma. The members are appointed as follows:

1. Two members shall be appointed by the Speaker of the House of Representatives;

2. Two members shall be appointed by the President of the Senate;

3. Three members of the public shall be appointed by the Governor; and

4. Fourteen ex officio members shall be appointed as follows:

a. the Governor or his or her designee,

b. the Lieutenant Governor, who shall serve as chairperson, or his or her designee,

c. the Executive Director of the Oklahoma Department of Transportation or his or her designee,

d. the Executive Director of the Oklahoma Historical Society or his or her designee,

e. the Executive Director of the Oklahoma Department of Commerce or his or her designee,

f. the Executive Director of the Oklahoma Tourism and Recreation Department or his or her designee,

g. the Executive Director of the Oklahoma Arts Council or his or her designee,

h. the President of the Route 66 Alliance or his or her designee,

i. the President of the Oklahoma Route 66 Association or his or her designee,

- j. the Executive Director of Preservation Oklahoma, Inc., or his or her designee,
- k. the Executive Director of the Oklahoma Museums Association or his or her designee,
- l. the Executive Director of Oklahoma Humanities or his or her designee,
- m. the Director of the Oklahoma Municipal League or his or her designee, and
- n. the President of the Oklahoma State Chamber of Commerce or his or her designee.

An ex officio member of the Commission vacates the person's position on the Commission if the person ceases to hold the position that qualifies the person for service on the Commission.

B. The Commission shall meet at least quarterly at the times and places in this state that the Commission designates. A majority of the members of the Commission constitutes a quorum for transacting Commission business. Subject to appropriation, the Oklahoma Historical Society shall provide administrative and other support to the Commission.

C. The Commission shall:

- 1. Plan and sponsor official Route 66 Centennial events, programs and activities appropriate to commemorate the Route 66 Centennial;
- 2. Encourage the development of programs designed to involve all citizens in activities that commemorate the Route 66 Centennial events; and
- 3. Make available to the public, to the best of the Commission's ability, information on Route 66 Centennial events happening throughout the State of Oklahoma.

D. The Commission may accept monetary gifts, grants or appropriations from any public or private source to be held in a nonappropriated revolving fund authorized for the Oklahoma Historical Society and expended solely for the use of the Commission in performing the Commission's powers and duties under this act. The Commission may also accept in-kind gifts.

E. Each member of the Commission shall serve without compensation or reimbursement for travel related to Commission duties, aside from the compensation he or she might otherwise receive as authorized by law.

F. The Commission shall be dissolved on June 30, 2027, and any assets remaining in the Commission's trust fund shall be deposited into the state's General Revenue Fund. A final report on the activities of the Oklahoma Route 66 Centennial Commission shall be delivered to the Governor no later than June 30, 2027.

Added by Laws 2019, c. 233, § 3, eff. Nov. 1, 2019.

§69-4021. Short title.

This act shall be known and may be cited as the "Oklahoma Traveler Information Logo Signing Act of 1988".
Added by Laws 1988, c. 126, § 1, emerg. eff. April 8, 1988.

§69-4022. Purpose.

The Department of Transportation shall contract with a person, firm, group or association in the State of Oklahoma to establish a logo signing program for the purpose of providing on the right-of-way and controlled access highways specific information on gas, food, camping, tourism attractions and lodging, for the benefit of the motoring public.

Added by Laws 1988, c. 126, § 2, emerg. eff. April 8, 1988. Amended by Laws 2004, c. 69, § 1, emerg. eff. April 7, 2004.

§69-4023. Erection and maintenance of signs - Responsibilities of contractor.

The Department of Transportation shall contract to erect and maintain, on the right-of-way of interstate and controlled access highways, logo signs informing the public of gas, food, lodging and camping facilities. The contractor shall furnish, install, maintain, and replace signs for the benefit of advertisers who provide gas, food, camping and lodging facilities for the general public, and lease advertising space on the sign to operators of these facilities.

Added by Laws 1988, c. 126, § 3, emerg. eff. April 8, 1988.

§69-4024. Payment of costs.

All costs incurred under this act shall be paid under agreements negotiated between the contractor and the advertiser and/or advertisers.

Added by Laws 1988, c. 126, § 4, emerg. eff. April 8, 1988.

§69-4025. Rules and regulations.

A. The Department of Transportation shall issue rules and regulations in accordance with the Administrative Procedures Act, Section 301 et seq. of Title 75 of the Oklahoma Statutes, to implement this program.

B. Pursuant to subsection A of this section, the Oklahoma Department of Transportation shall not prevent sign placement by contract or by rule in any county with a population of less than five hundred thousand (500,000) people according to the most recent Federal Decennial Census; provided however, nothing in this section shall prohibit the Department from allowing such sign placement in any county with a population of more than five hundred thousand (500,000) people.

Added by Laws 1988, c. 126, § 5, emerg. eff. April 8, 1988. Amended by Laws 2007, c. 324, § 3, eff. July 1, 2007; Laws 2008, c. 336, § 2, eff. July 1, 2008.

§69-4026. Required contract provisions.

All contracts made by the Department of Transportation with the contractor shall provide the following:

1. A requirement that the contractor obtain liability insurance in an amount determined by the Department which shall jointly insure the State of Oklahoma and the contractor against all liability for claims for damages occurring wholly or in part because of the contract;

2. Standards for the size, design, erection and maintenance of service information signs and the advertising logos thereon, which shall be in accordance with the National Manual on Uniform Traffic Control Devices; and

3. A requirement that the Department of Transportation shall receive not less than ten percent (10%) of the contract price between the contractor and the advertiser.

Added by Laws 1988, c. 126, § 6, emerg. eff. April 8, 1988. Amended by Laws 1993, c. 228, § 2, eff. Sept. 1, 1993; Laws 2008, c. 91, § 1, eff. Nov. 1, 2008.

§69-4031. Creation - Status - Availability of monies - Expenditures.

There is hereby created in the State Treasury a revolving fund for the Department of Transportation, to be designated the "Public Transit 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 for deposit in the fund. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the Department for the purpose of establishing, expanding, improving, and maintaining rural and urban public mass transportation services. 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.

Added by Laws 1990, c. 250, § 1, operative July 1, 1990. Amended by Laws 2012, c. 304, § 586.

§69-4032. Allocation of funds to eligible entities.

A. The Oklahoma Department of Transportation may allocate monies in the Mass Transit Revolving Fund created in Section 1 of this act to eligible agencies in the manner and for the purposes specified in this act.

B. Except for those monies specified in Section 5 of this act, all monies appropriated to the Public Transit Revolving Fund shall be distributed to eligible entities not later than June 30 of each year.

C. As used in this act, "eligible entities" means those entities receiving federal financial assistance for approved programs pursuant to 49 U.S.C., Sections 1607a and 1614, as amended, and other public

mass transit programs provided by entities, municipalities, and community action programs, and which have submitted an audited financial statement showing total reported mileage to the Department of Transportation. For those programs not currently receiving federal funds, the Department, using industry-wide standards and guidelines and regulations, shall certify the program as being a public mass transit system.

Added by Laws 1990, c. 250, § 2, operative July 1, 1990.

§69-4033. Use of allocated monies - Submission of proposed budget - Audits - Elderly and handicapped services - Purchases.

A. Monies allocated from the Public Transit Revolving Fund by the Oklahoma Department of Transportation may be used for local share or matching funds for the purpose of federal capital or operating grants. Prior to the allocation of monies from the Public Transit Revolving Fund, each eligible entity desiring monies from the Public Transit Revolving Fund, shall provide to the Department, a proposed budget outlining the proposed use of the monies for the next fiscal year. Any eligible entity not submitting a proposed budget shall be deemed to waive any claim to monies from the Public Transit Revolving Fund for the next fiscal year. All monies distributed among the eligible entities shall be audited to ensure compliance with applicable law and the latest available audited financial statement shall be provided to the Department.

B. Any eligible entity receiving monies from the Public Transit Revolving Fund shall expend a minimum of fifty percent (50%) of the monies for services for the elderly and the handicapped.

C. Allocations of program funds from the Public Transit Revolving Fund shall not be subject to the Central Purchasing Act, Section 85.1 et seq. of Title 74 of the Oklahoma Statutes. However, any equipment purchased with monies from the Public Transit Revolving Fund shall be subject to the Central Purchasing Act.

Added by Laws 1990, c. 250, § 3, operative July 1, 1990.

§69-4034. Allocation formula.

The monies authorized for public transportation pursuant to this act shall be allocated among the eligible entities for the payment of reported vehicle revenue miles. The allocation for Oklahoma County mass transit shall not exceed twenty percent (20%) of the total monies available in the Public Transit Revolving Fund. The allocation to the Tulsa County mass transit shall not exceed twenty percent (20%) of the total available funds. The mileage, upon which payment is to be made, shall be that mileage reported by the eligible entities to the United States Secretary of Transportation, as required by 49 U.S.C., Section 1611, as amended, or as reported on Department of Transportation Data Intake Form 0-5, for the previous fiscal year. If there are insufficient monies in the Public Transit

Revolving Fund to provide each eligible entity the payment of vehicle revenue miles, the total miles of all eligible entities shall be added together to form a mileage total. The mileage total shall be divided into the total dollars available in the Public Transit Revolving Fund to arrive at a monetary figure per mile. The monies, in either event, shall be allocated to each eligible entity based on the reported revenue mileage of the entity, for the previous fiscal year.

Added by Laws 1990, c. 250, § 4, operative July 1, 1990. Amended by Laws 1998, c. 138, § 1, emerg. eff. April 16, 1998.

§69-4035. Retention of certain percentage of monies to fund new mass transportation programs.

For each fiscal year, the Oklahoma Department of Transportation shall retain five percent (5%) of the total amount of monies contained in the Public Transit Revolving Fund and shall use the retained monies to fund new public mass transportation programs, in areas not served by mass transportation as of July 1, 1990, as authorized and determined by the Department. Eligible entities desiring to begin new public mass transportation programs shall submit a request for monies from the Public Transit Revolving Fund to the Department showing the area to be served, the total mileage of the proposed service, and the amount of funding desired. The Department shall allocate the monies to eligible entities within three (3) months of the date of the request for monies from the Public Transit Revolving Fund. New public mass transportation programs shall receive payment at the rate of seventy-five cents (\$0.75) per passenger mile. Any retained monies not allocated during the fiscal year shall remain in the Public Transit Revolving Fund to be allocated as provided in this section and Section 4034 of this title.

Added by Laws 1990, c. 250, § 5, operative July 1, 1990. Amended by Laws 1998, c. 138, § 2, emerg. eff. April 16, 1998; Laws 2007, c. 131, § 1, emerg. eff. May 14, 2007.