

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1775

By: Treat

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5
6 AS INTRODUCED

7 An Act relating to the Oklahoma Turnpike Authority;
8 consolidating the Oklahoma Turnpike Authority as a
9 division within the Oklahoma Department of
10 Transportation; authorizing certain authority;
11 transferring certain personnel, funds, records,
12 encumbrances, equipment and other items; providing
13 requirements pertaining to transfer of employees;
14 amending 69 O.S. 2011, Sections 1703, 1704, 1705, as
15 amended by Section 1, Chapter 282, O.S.L. 2013,
16 1705.2, 1706, 1707, as amended by Section 1, Chapter
17 50, O.S.L. 2018, 1708, 1709, 1710, 1711 (69 O.S.
18 Supp. 2019, Sections 1705 and 1707), which relate to
19 the creation of the Oklahoma Turnpike Authority,
20 definitions, authority, restaurants and dump
21 stations, grade separations, acquisition of lands,
22 condemnation proceedings, turnpike revenue bonds,
23 securing bonds by trust agreement, tolls and use of
24 revenues; providing for creation consolidation;
25 modifying statutory reference; providing for
26 codification; and providing an effective date.

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

30 SECTION 1. NEW LAW A new section of law to be codified
31 in the Oklahoma Statutes as Section 4002.1 of Title 69, unless there
32 is created a duplication in numbering, reads as follows:

33 A. The Oklahoma Turnpike Authority is hereby consolidated as a
34 division within the Oklahoma Department of Transportation.

1 B. All assets, funds, current and future liabilities,
2 allotments, purchase orders, outstanding financial obligations,
3 indebtedness, real estate, encumbrances, records, vehicles,
4 equipment and other property of the Oklahoma Turnpike Authority are
5 hereby transferred to the Oklahoma Department of Transportation.

6 C. Personnel employed by the Oklahoma Turnpike Authority on the
7 effective date of this act shall be transferred to the Oklahoma
8 Department of Transportation pursuant to a transition plan
9 implemented by the Director of the Oklahoma Department of
10 Transportation.

11 D. The classified and unclassified employees who are
12 transferred pursuant to this section shall be subject to the
13 following provisions:

14 1. Classified employees shall remain subject to the provisions
15 of the Merit System of Personnel Administration, as provided in the
16 Oklahoma Personnel Act;

17 2. Unclassified employees transferred to the Department of
18 Public Safety shall remain in the unclassified service and shall
19 serve at the pleasure of the Director of the Oklahoma Department of
20 Transportation;

21 3. All employees who are transferred pursuant to this act shall
22 retain leave, sick and annual time earned and any retirement and
23 longevity benefits which have accrued during their employment with
24

1 the state. The salaries of employees who are transferred shall not
2 be reduced as a direct and immediate result of the transfer;

3 4. If the Oklahoma Department of Public Safety should implement
4 a reduction in force, all employees transferred pursuant to this act
5 shall be credited for the time they were employed by the Oklahoma
6 Turnpike Authority;

7 5. The transfer of personnel shall be coordinated with the
8 Office of Management and Enterprise Services;

9 6. The Oklahoma Department of Transportation shall succeed to
10 any contractual rights and responsibilities incurred by the Oklahoma
11 Turnpike Authority; and

12 7. The rules of the Oklahoma Turnpike Authority that are in
13 effect on the effective date of this act shall be enforceable by the
14 Oklahoma Department of Transportation.

15 SECTION 2. AMENDATORY 69 O.S. 2011, Section 1703, is
16 amended to read as follows:

17 Section 1703. A. There is hereby created a body corporate and
18 politic to be known as the "Oklahoma Turnpike Authority" and by that
19 name the Authority may sue and be sued, and plead and be impleaded.

20 Upon the effective date of this act, the Authority shall be a

21 division of the Oklahoma Department of Transportation. The

22 Authority is hereby constituted an instrumentality of the state, and
23 the exercise by the Authority of the powers conferred by ~~this act~~

24 Section 1701 et seq. of this title in the construction, operation,

1 and maintenance of turnpike projects shall be deemed and held to be
2 an essential governmental function of the state with all the
3 attributes thereof. Provided, however, the Turnpike Authority is
4 authorized to carry and shall carry liability insurance to the same
5 extent and in the same manner as the Transportation Commission, and
6 in addition thereto it shall be subject to the workers' compensation
7 laws of the state the same as a private construction project.

8 B. The Oklahoma Turnpike Authority shall consist of the
9 Governor, who shall be a member ex officio, and six (6) members to
10 be appointed by the Governor, by and with the consent of the Senate.
11 The appointive members shall be residents of the state, and shall
12 have been qualified electors therein for a period of at least one
13 (1) year next preceding their appointment. One appointive member
14 shall be appointed from each of six districts of the state, such
15 districts to include the area as follows:

16 District 1. Oklahoma, Canadian, Cleveland, McClain and Garvin
17 Counties.

18 District 2. Washington, Nowata, Craig, Ottawa, Rogers, Mayes,
19 Delaware, Wagoner, Cherokee, Adair, Okmulgee, Osage, Muskogee,
20 Sequoyah, McIntosh and Haskell Counties.

21 District 3. Coal, Logan, Payne, Lincoln, Creek, Okfuskee,
22 Pottawatomie, Seminole, Hughes and Pontotoc Counties.

23 District 4. Kay, Pawnee, Garfield, Noble, Tulsa, Woods,
24 Woodward, Major, Alfalfa and Grant Counties.

1 District 5. Cimarron, Grady, Texas, Beaver, Harper, Ellis,
2 Roger Mills, Dewey, Custer, Caddo, Washita, Beckham, Harmon,
3 Stephens, Jefferson, Greer, Kiowa, Jackson, Tillman, Comanche,
4 Cotton, Kingfisher and Blaine Counties.

5 District 6. Carter, Love, Murray, Johnston, Marshall, Atoka,
6 Bryan, Pittsburg, Latimer, Le Flore, Pushmataha, Choctaw and
7 McCurtain Counties.

8 The members of the Authority appointed shall continue in office
9 for terms expiring as follows: District 1, July 1, 1968; District
10 2, July 1, 1971; District 3, July 1, 1972; District 4, July 1, 1973;
11 District 5, July 1, 1974; District 6, July 1, 1975. Provided, that
12 appointive members serving on the Oklahoma Turnpike Authority
13 created by ~~69 O.S. 1961, Section 653, when this act becomes~~
14 ~~effective~~ Section 1701 et seq. of this title shall continue to serve
15 as members of the Oklahoma Turnpike Authority created by this
16 section, for the terms for which they were appointed, unless sooner
17 removed by the Governor. The successor of each appointive member
18 shall be appointed for a term of eight (8) years, except that any
19 person appointed to fill a vacancy shall be appointed to serve only
20 for the unexpired term, and a member of the Authority shall be
21 eligible for reappointment. Each appointed member of the Authority
22 before entering upon the duties of office shall take an oath as
23 provided by Section 1 of Article XV of the Constitution of the State
24

1 of Oklahoma. Any appointive member of the Authority may be removed
2 by the Governor at any time with or without cause.

3 C. The Authority shall elect one of the appointed members as
4 chairperson and another as vice-chairperson, and shall also elect a
5 Secretary and Treasurer. A majority of the members of the Authority
6 shall constitute a quorum and the vote of a majority of the members
7 shall be necessary for any action taken by the Authority. No
8 vacancy in the membership of the Authority shall impair the right of
9 a quorum to exercise all the rights and perform all the duties of
10 the Authority.

11 D. Before the issuance of any turnpike revenue bonds under the
12 provisions of ~~this act~~ Section 1701 et seq. of this title, each
13 appointed member of the Authority shall execute a surety bond in the
14 penal sum of Twenty-five Thousand Dollars (\$25,000.00) and the
15 secretary and treasurer shall execute a surety bond in the penal sum
16 of One Hundred Thousand Dollars (\$100,000.00), each such surety bond
17 to be conditioned upon the faithful performance of the duties of the
18 office, to be executed by a surety company authorized to transact
19 business in the State of Oklahoma as surety and to be approved by
20 the Governor and filed in the office of the Secretary of State.

21 E. The members of the Authority shall not be entitled to
22 compensation for their services, but each member shall be reimbursed
23 for actual expenses necessarily incurred in the performance of the
24 duties of such member. All expenses incurred in carrying out the
25

1 provisions of ~~this act~~ Section 1701 et seq. of this title shall be
2 payable solely from funds provided under the authority of ~~this act~~
3 Section 1701 et seq. of this title and no liability or obligation
4 shall be incurred by the Authority hereunder beyond the extent to
5 which monies shall have been provided under the authority of ~~this~~
6 ~~act~~ Section 1701 et seq. of this title.

7 F. Whenever the terms "Oklahoma Transportation Authority",
8 "Transportation Authority" or "Authority", when used in reference to
9 the Oklahoma Turnpike Authority, appear in the Oklahoma Statutes,
10 such terms shall mean the Oklahoma Turnpike Authority.

11 SECTION 3. AMENDATORY 69 O.S. 2011, Section 1704, is
12 amended to read as follows:

13 Section 1704. As used in this article, the following words and
14 terms shall have the following meanings, unless the context shall
15 indicate another or different meaning or intent:

16 1. "Authority" means the Oklahoma Turnpike Authority, a
17 division of the Oklahoma Department of Transportation, created by
18 Section 1703 of this title, or, if such Authority shall be
19 abolished, the board, body, or commission succeeding to the
20 principal functions thereof or to whom the powers given by this
21 article to the Authority shall be given by law;

22 2. "Project" or "turnpike project" means any express highways,
23 superhighways, or motorways, wayports, aviation transfer centers or
24 aviation hubs constructed under the provisions of this article by

1 the Authority, and shall embrace all bridges, tunnels, overpasses,
2 underpasses, interchanges, entrance plazas, approaches, free access
3 roads, bridges, and road construction, toll houses, service
4 stations, and administration, storage and other buildings which the
5 Authority may deem necessary for the operation of such turnpike,
6 together with all property, rights, easements and interests which
7 may be acquired by the Authority for the construction or the
8 operation of such turnpike. The Authority may contract or lease
9 concessions for gas stations, garages, restaurants, parking
10 facilities and other services for all or any portion of any turnpike
11 project or projects;

12 3. "Cost", as applied to a turnpike project, shall embrace the
13 cost of construction, the cost of the acquisition of all land,
14 rights-of-way, property, rights, easements and interests acquired by
15 the Authority for such construction, the cost of all machinery and
16 equipment, financing charges, provision for working capital,
17 interest prior to, during, and after construction and a reserve for
18 interest in such amounts as the Authority shall determine, cost of
19 traffic estimates and of engineering and legal expenses, plans,
20 specifications, surveys, estimates of cost, and of revenues, other
21 expenses necessary or incident to determining the feasibility or
22 practicability of constructing any such project, administrative
23 expense, and such other expense as may be necessary or incident to
24 the construction of the project, the financing of such construction,

1 and the placing of the project in operation. Any obligation or
2 expense incurred by the Transportation Commission with the approval
3 of the Authority for traffic surveys, borings, preparation of plans
4 and specifications, and other engineering services in connection
5 with the financing and construction of a project shall be regarded
6 as a part of the cost of such project and shall be reimbursed to the
7 state out of the proceeds of the turnpike revenue bonds hereafter
8 authorized. However, the Transportation Commission shall not incur
9 obligations or expenses totaling more than One Thousand Five Hundred
10 Dollars (\$1,500.00) per turnpike mile. Provided further, however,
11 that an additional sum not to exceed One Thousand Dollars
12 (\$1,000.00) per turnpike mile may be expended for updating reports
13 prior to financing; and

14 4. "Owner" means and includes all individuals, copartnerships,
15 associations, or corporations having any title or interest in any
16 property, rights, easements, and interests authorized to be acquired
17 by this article.

18 SECTION 4. AMENDATORY 69 O.S. 2011, Section 1705, as
19 amended by Section 1, Chapter 282, O.S.L. 2013 (69 O.S. Supp. 2019,
20 Section 1705), is amended to read as follows:

21 Section 1705. The Oklahoma Turnpike Authority, as a division of
22 the Oklahoma Department of Transportation, is hereby authorized and
23 empowered:

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

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

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

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

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

24 ~~(1)~~ 1. The Turner Turnpike between Oklahoma City and Tulsa;
25

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

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

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

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

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

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

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

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

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

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

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

23 ~~(13)~~ 13. A turnpike (The Industrial Parkway) or any part or
24 parts thereof beginning at a point on the Oklahoma-Kansas state
25

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

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

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

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

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

21 ~~(18)~~ 18. A tollgate on the Turner Turnpike in the vicinity of
22 Wellston, Oklahoma, from any monies available to the Authority-; i

1 ~~(19)~~ 19. A tollgate on the Muskogee Turnpike in the vicinity of
2 Brushy Mountain, Oklahoma, and in the vicinity of Elm Grove,
3 Oklahoma, from any monies available to the Authority-i

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

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

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

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

1 ~~(24)~~ 24. A four-lane extension of the Muskogee Turnpike from
2 Interstate Highway 40 west of Webbers Falls to the Poteau vicinity;i

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

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

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

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

22 ~~(29)~~ 29. A new turnpike or any parts thereof beginning at a
23 point in the vicinity of the city of Altus and extending in a
24

1 northwesterly direction to a point in the vicinity of the city of
2 Sayre~~;~~;

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

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

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

18 ~~(33)~~ 33. An exit ramp or any parts thereof from the eastbound
19 lane of the Turner Turnpike at 96th Street in Tulsa~~;~~;

20 ~~(34)~~ 34. An on- and off-ramp or any parts thereof on the
21 Cimarron Turnpike in the vicinity of the northside of the Glencoe,
22 Oklahoma, municipal limits~~;~~ and

23 ~~(35)~~ 35. A new turnpike or any parts thereof beginning at
24 Interstate 44 at or near its intersection with 49th West Avenue,

1 past State Highway 64/412, turning northeasterly, crossing 41st West
2 Avenue, and continuing eastward to the L.L. Tisdale Expressway in
3 Tulsa, Oklahoma.

4 All access roads, interchanges, or lead roads connecting such
5 turnpikes with existing highways must be built by funds furnished by
6 the Authority.

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

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

15 The Authority is hereby required to construct and install
16 automatic tollgates on the Will Rogers Turnpike at State Highway No.
17 28 near Adair.

18 ~~(f)~~ F. To issue turnpike revenue bonds of the Authority,
19 payable solely from revenues, including the revenues accruing to the
20 trust fund created by Sections 1701 through 1734 of this title, for
21 the purpose of paying all or any part of the cost of any one or more
22 turnpike projects. Provided that any bonds issued for the
23 construction of the proposed turnpike referred to in ~~subparagraphs~~
24 ~~(10), (20), (21) and (22)~~ paragraphs 10, 20, 21 and 22 of ~~paragraph~~

1 ~~(e)~~ subsection E of this section shall be issued as one issue for
2 all four of the proposed turnpikes and shall be financed,
3 constructed and operated under one bond indenture.

4 ~~(g)~~ G. To fix and revise from time to time tolls for the use of
5 any turnpike projects.

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

13 ~~(h)~~ H. To acquire, hold, and dispose of real and personal
14 property in the exercise of its powers and the performance of its
15 duties.

16 ~~(i)~~ I. To acquire in the name of the Authority by purchase or
17 otherwise on such terms and conditions and in such manner as it may
18 deem proper, or by exercise of the right of condemnation in manner
19 hereinafter provided, such public or private lands, including public
20 parks, playgrounds, or reservations, or parts thereof or rights
21 therein, rights-of-way, property, rights, easements, and interests,
22 as it may deem necessary for carrying out the provisions of Sections
23 1701 through 1734 of this title; provided, that all public property
24 damaged in carrying out the powers granted by Sections 1701 through

1 1734 of this title shall be restored or repaired and placed in its
2 original condition as nearly as practicable.

3 ~~(j)~~ J. To designate, except as is provided for herein, the
4 location, and establish, limit and control such points of ingress to
5 and egress from each turnpike project as may be necessary or
6 desirable in the judgment of the Authority to insure the proper
7 operation and maintenance of such project, and to prohibit entrance
8 to such project from any point or points not so designated.

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

22 ~~(l)~~ L. To receive and accept from any federal agency grants for
23 or in aid of the construction of any turnpike project, provided, the
24 acceptance of such grants will not reduce the amount of federal aid

1 for the construction, repair, or maintenance of farm-to-market roads
2 and other highways and bridges in this state; and to receive and
3 accept aid or contributions from any source of either money,
4 property, labor, or other things of value, to be held, used, and
5 applied only for the purposes for which such grants and
6 contributions may be made.

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

15 ~~(n)~~ N. To do all things necessary or convenient to carry out
16 the powers expressly granted in Sections 1701 through 1734 of this
17 title. The design standards for all paving shall comply with the
18 design standards of the American Association of State Highway and
19 Transportation Officials as modified by the Oklahoma Department of
20 Transportation. All contracts for construction work on turnpike
21 projects shall be let to the lowest responsible bidder, or bidders,
22 after notice by publication in a newspaper published in the county
23 where the work is to be done in two consecutive weekly issues of the
24 newspaper. In all cases where more than eight (8) miles of

1 construction is let at the same time and is not an advertisement for
2 a surface-treatment-only project, such advertisement shall provide
3 for bids on sections of the turnpike not to exceed eight (8) miles.

4 If the project advertised is a surface-treatment-only project of
5 more than twenty (20) miles of road, the advertisement shall provide
6 for bids on sections of the road no longer than twenty (20) miles,
7 as well as bids on the project as a whole. Subject to the following
8 restrictions and limitations, the Authority shall, when contracting
9 for construction work, divide such work into paving projects, bridge
10 projects, including underpasses and overpasses, and earthmoving or
11 miscellaneous projects, according to the type of work to be done.

12 Each project shall be let under a separate contract or contracts and
13 no contract or project shall include more than one of such types of
14 construction work. Each contract for construction work shall
15 contain a provision that ninety percent (90%) of all labor employed
16 on the project shall be residents of Oklahoma. However, contracts
17 for bridges may include earthwork and structures for the approaches
18 thereto.

19 ~~(e)~~ O. It shall be unlawful for any member, officer or employee
20 of the Authority to transact with the Authority, either directly or
21 indirectly, any business for profit of such member, officer, or
22 employee; and any person, firm, or corporation knowingly
23 participating therein shall be equally liable for violation of this
24 provision.

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

4 Violation of this provision shall constitute a felony punishable
5 by incarceration in the State Penitentiary for a term not to exceed
6 five (5) years or a fine of not less than Five Hundred Dollars
7 (\$500.00) and not more than Five Thousand Dollars (\$5,000.00), or
8 both such imprisonment and fine.

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

20 ~~(q)~~ Q. All meetings of the Authority shall be open public
21 meetings, and all records shall be public records, except when
22 considering personnel or litigation.

23 SECTION 5. AMENDATORY 69 O.S. 2011, Section 1705.2, is
24 amended to read as follows:

1 Section 1705.2. The Oklahoma Turnpike Authority, as a division
2 of the Oklahoma Department of Transportation, and Transportation
3 Commission are hereby directed to cause a reasonable number of
4 public restroom facilities and dump stations for recreational motor
5 vehicles to be installed along both sides of the turnpikes and
6 interstate highways in this state which will be accessible to
7 motorists utilizing such turnpikes and highways at reasonable
8 periodic intervals.

9 SECTION 6. AMENDATORY 69 O.S. 2011, Section 1706, is
10 amended to read as follows:

11 Section 1706. A. The Oklahoma Turnpike Authority, a division
12 of the Oklahoma Department of Transportation, may and it shall be
13 its duty to construct grade separations at intersections of any
14 turnpike project with state and federal highways, and to change and
15 adjust the lines and grades of such highways so as to accommodate
16 the same to the design of such grade separation. The Authority may
17 construct grade separations at intersections of turnpike projects
18 with county highways and city streets and it shall construct grade
19 separations at intersections of any turnpike project with county
20 highways used as mail or school bus routes, or section lines which
21 are well used and are necessary for convenience of people living in
22 these areas. The cost of such grade separations and any damage
23 incurred in changing and adjusting the lines and grades of such
24 highways shall be ascertained and paid by the Authority as a part of

1 the cost of such turnpike project. Except for routine surface
2 maintenance, the Authority shall maintain the structure and surface
3 of bridges and overpasses where a county road crosses over or under
4 a turnpike.

5 B. If the Authority shall find it necessary to change the
6 location of any portion of any state or county highway or street of
7 a municipality, it shall cause the same to be reconstructed in
8 substantially the same type and in as good condition as the original
9 highway. Provided, however, that all changes and adjustments of the
10 lines and grades of state highways shall be subject to the approval
11 of the Transportation Commission. The cost of such reconstruction
12 and any damage incurred in changing the location of any such highway
13 or street shall be ascertained and paid by the Authority as a part
14 of the cost of such turnpike project.

15 C. In addition to the foregoing powers, the Authority and its
16 authorized agents and employees may enter upon any lands, waters,
17 and premises in the state for the purpose of making surveys,
18 soundings, drillings, and examinations as it may deem necessary or
19 convenient for the purposes of establishing, locating, relocating,
20 constructing, and maintaining turnpikes or relocations thereof and
21 facilities necessary and incidental thereto. Such entry shall not
22 be deemed a trespass, nor shall an entry for such purpose be deemed
23 an entry under any condemnation proceedings which may be then
24 pending; however, notice shall be given to the owner of or person

1 residing on the premises, personally or by registered mail, at least
2 ten (10) days prior to such entry. The Authority shall make
3 reimbursement for any actual damages resulting to such lands,
4 waters, and premises as a result of such activities. In the event
5 of disagreement as to the amount of damage, either the person or the
6 Authority may file a petition with the district court for the
7 appointment of commissioners to appraise the damages and proceed to
8 have the same determined as in condemnation proceedings.

9 D. The State of Oklahoma hereby consents to the use of all
10 lands owned by it, including lands lying under water, which are
11 deemed by the Authority to be necessary for the construction or
12 operation of any turnpike project; and the State of Oklahoma shall
13 be paid reasonable compensation for the land or property used, such
14 compensation to be determined in the manner now provided by law for
15 condemnation proceedings.

16 SECTION 7. AMENDATORY 69 O.S. 2011, Section 1707, as
17 amended by Section 1, Chapter 50, O.S.L. 2018 (69 O.S. Supp. 2019,
18 Section 1707), is amended to read as follows:

19 Section 1707. The Oklahoma Turnpike Authority, a division of
20 the Oklahoma Department of Transportation is hereby authorized and
21 empowered to acquire by purchase, or condemnation, land or such
22 interest therein as in its discretion may be necessary for the
23 purpose of establishing, constructing, maintaining and operating
24 turnpike projects or relocation thereof, and facilities necessary

1 and incident thereto, or necessary in the restoration of public or
2 private property damaged or destroyed, including borrow areas,
3 detours, channel changes, concession areas, public or private access
4 roads, and deposits of rock, gravel, sand and other road building
5 material for use in turnpike construction and maintenance, upon such
6 terms and at such price as may be considered by it to be reasonable
7 and can be agreed upon between the Authority and the owner thereof,
8 and to take title thereto in the name of the Authority, provided,
9 that such right and title shall be limited to the surface rights
10 only and shall not include oil or other mineral rights. Groundwater
11 rights may be severed from surface rights, upon the written request
12 of the owner of land to be acquired; however, an owner of
13 groundwater rights shall not have a right of access to the
14 Authority's acquired surface rights. No person may construct,
15 maintain or operate any water well, drilling equipment or lines on
16 or under the surface acquired by the Authority without express
17 written approval of the Authority.

18 SECTION 8. AMENDATORY 69 O.S. 2011, Section 1708, is
19 amended to read as follows:

20 Section 1708. ~~(a)~~ A. Except in instances where there are
21 nonresident owners, unknown heirs, imperfect titles, and owners
22 whose whereabouts cannot be ascertained with reasonable diligence,
23 the Oklahoma Turnpike Authority, a division of the Oklahoma
24 Department of Transportation, shall give the owner an opportunity to

1 sell the necessary land or interests therein to the Authority before
2 resort to condemnation may be had.

3 ~~(b)~~ B. The Authority may condemn such lands or interests
4 therein in the following manner:

5 ~~(1)~~ 1. The district judge of the county in which the real
6 property may be situated, upon petition of either party, and after
7 ten (10) days' notice to the opposite party, either by personal
8 service or by leaving a copy thereof at his usual place of residence
9 with some member of his family over fifteen (15) years of age, or,
10 in the case of nonresidents, unknown heirs, or other persons whose
11 whereabouts cannot be ascertained, by publication in two issues of a
12 weekly newspaper in general circulation in the county (the ten-day
13 period to begin with the first publication), shall direct the
14 sheriff of the county to summons three disinterested freeholders, to
15 be selected by the judge as commissioners, and who shall not be
16 interested in a like question. The commissioners shall be sworn to
17 perform their duties impartially and justly; and they shall inspect
18 the real property and consider the just compensation to which the
19 owner is entitled, and they shall forthwith make report in writing
20 to the clerk of the court, setting forth the quantity, boundaries
21 and just compensation for the property taken, and amount of injury
22 done to the property, either directly or indirectly, which they
23 assess to the owner; which report must be filed and recorded by the
24 clerk, and a certified copy thereof may be transmitted to the county

1 clerk of the county where the land lies, to be by him filed and
2 recorded (without further acknowledgment of proof) in the same
3 manner and with like force and effect as is provided for the
4 recording of deeds. Procedure for service by publication as
5 authorized herein shall be the same as provided by law for service
6 by publication in civil actions, except summons need not be issued
7 and served, and except as otherwise provided herein. Within ten
8 (10) days after the report of commissioners is filed, the court
9 clerk shall forward to the attorney of record for the condemnor, the
10 attorney of record for each condemnee, and to all unrepresented
11 condemnees a copy of the commissioners' report and a notice stating
12 the time limits for filing an exception or demand for jury trial.
13 This notice shall be on a form prepared by the court administrator,
14 which shall be approved by the Supreme Court, and shall be
15 distributed to all clerks of the district court by ~~said~~ the court
16 administrator. If a party has been served by publication, the clerk
17 shall forward a copy of the report of commissioners and notice of
18 time limits for filing an exception or demand for jury trial to the
19 last-known mailing address, if any, and shall cause a copy of the
20 notice of time limits to be published in one issue of a newspaper
21 qualified to publish legal notices, as defined in Section 106 of
22 Title 25 of the Oklahoma Statutes. After issuing the notices
23 provided herein, the court clerk shall endorse on the notice form
24 filed in the case the date and that a copy of the report together

1 with the notice was mailed to each party or his attorney of record,
2 or the date the notice was published in compliance with the
3 provisions hereof-; i

4 ~~(2)~~ 2. Immediately upon payment to the clerk of the court for
5 the use of the owner the sum so assessed and reported to him as
6 aforesaid, the Authority shall thereby be authorized to enter upon
7 the condemned premises, and remove and dispose of any obstructions
8 thereon, by sale or otherwise. If the landowner shall refuse to
9 deliver up possession to the Authority, the court shall issue an
10 order to the sheriff of the county to place the Authority in
11 possession thereof-; i

12 ~~(3)~~ 3. The report of commissioners may be reviewed by the
13 district court, on written exceptions filed by either party in the
14 clerk's office within thirty (30) days after the filing of such
15 report, and the court, after hearing had, shall make such order
16 therein as right and justice may require, either by confirmation,
17 rejection or by ordering a new appraisal on good cause shown.
18 Provided, that in the event a new appraisal is ordered, the
19 Authority shall have the continuing right of possession obtained
20 under the first appraisal, unless and until its right to condemn has
21 finally been determined otherwise; or either party may within sixty
22 (60) days after the filing of such report file with the clerk a
23 written demand for a trial by jury, in which case the amount of
24 damages shall be assessed by a jury, and the trial shall be

1 conducted and judgment entered in the same manner as civil actions
2 in the district court. No owner upon whom proper service by
3 publication has been had as provided in this article shall be let in
4 to defend after expiration of time for appeal or review of the
5 report of commissioners, as above provided, has elapsed. Provided,
6 that if, after the filing of exceptions to the report of
7 commissioners as herein provided, the Authority shall fail to
8 establish its right to condemn the premises, or any part thereof,
9 the landowner shall be restored to possession of the premises, or
10 part thereof, and the Authority shall pay him for any damages
11 sustained through the occupation by the Authority, and if the
12 damages cannot be determined by amicable settlement they shall be
13 determined by jury trial in the same proceedings. The time limits
14 for filing an exception and demand for jury trial shall be
15 calculated from the date the report of commissioners is filed in the
16 case. On failure of the court clerk to give notice within the time
17 prescribed in ~~paragraph (b)~~ subsection B of this section, the court,
18 on application of any party, may extend the time for filing an
19 exception to the report, or a demand for trial by jury for a period
20 not to exceed twenty (20) days from the date the application is
21 heard; and

22 ~~(4)~~ 4. Either party aggrieved may appeal to the Supreme Court
23 from the decision of the district court on exception to the report
24 of commissioners, or jury trial; but such review or appeal shall not

1 delay the prosecution of the work on such turnpike project over the
2 premises in question if the award of commissioners, or jury, as the
3 case may be, has been deposited with the clerk for the owner. The
4 Authority shall in all cases pay the cost and expenses of the first
5 assessment. And in case of review or appeal, a certified copy of
6 the final order or judgment shall be transmitted by the clerk of the
7 court, duly certified, to the proper county clerk, to be by him
8 filed and recorded as hereinabove provided for the recording of the
9 report, and with like effect.

10 ~~(e)~~ C. Where an estate is being probated, or a minor or
11 incompetent person has a legal guardian, the administrator or
12 executor of such estate, or the guardian of such minor or
13 incompetent person, shall have authority to execute all instruments
14 of conveyance provided for in this article on behalf of the estate,
15 minor or incompetent person without other proceedings than approval
16 by the judge of the district court endorsed on the instrument of
17 conveyance.

18 ~~(d)~~ D. "Just compensation", as used in this section, shall mean
19 the value of the property taken, and in addition, any injury to any
20 part of the property not taken. Any special and direct benefits to
21 the part of the property not taken may be offset only against any
22 injury to the property not taken. If only a part of a tract is
23 taken, just compensation shall be ascertained by determining the
24 difference between the fair market value of the whole tract

1 immediately before the taking and the fair market value of that
2 portion left remaining immediately after the taking.

3 SECTION 9. AMENDATORY 69 O.S. 2011, Section 1709, is
4 amended to read as follows:

5 Section 1709. A. The Oklahoma Turnpike Authority, a division
6 of the Oklahoma Department of Transportation, may provide by
7 resolution, at one time or from time to time, for the issuance of
8 turnpike revenue bonds of the Authority for the purpose of paying
9 all or any part of the cost of any one or more turnpike projects.
10 The Authority, when it finds that it would be economical and
11 beneficial to do so, may combine two or more, or any part thereof,
12 or all of its proposed projects into one unit and consider the same
13 as one project to the same extent and with like effect as if the
14 same were a single project. The principal of and the interest on
15 the bonds shall be payable solely from the funds provided for such
16 payment. The bonds of each issue shall be dated, shall bear
17 interest at such rate or rates not exceeding the limitations
18 pertaining to public trust indebtedness from time to time expressed
19 in subsection E of Section 176 of Title 60 of the Oklahoma Statutes,
20 shall mature at such time or times not exceeding forty (40) years
21 from their date or dates, as may be determined by the Authority, and
22 may be made redeemable before maturity at the option of the
23 Authority at such price or prices and pursuant to such terms and
24 conditions as may be fixed by the Authority prior to the issuance of

1 the bonds. The Authority shall determine the form of the bonds,
2 including any interest coupons to be attached thereto, and the
3 manner of execution of the bonds, and shall fix the denomination or
4 denominations of the bonds and the place or places of payment of
5 principal and interest, which may be at any bank or trust company
6 within or without the state. If any officer whose signature or
7 facsimile of whose signature appears on any bonds or coupons shall
8 cease to be ~~said~~ the officer before the delivery of the bonds, the
9 signature or the facsimile shall nevertheless be valid and
10 sufficient for all purposes the same as if the person had remained
11 in office until such delivery. All bonds issued pursuant to the
12 provisions of this article shall have all the qualities and
13 incidents of negotiable instruments subject to the negotiable
14 instruments law of this state. The bonds may be issued in coupon or
15 in registered form, or both, as the Authority may determine, and
16 provisions may be made for the registration of any coupon bonds as
17 to principal alone and also as to both principal and interest, and
18 for the reconversion into coupon bonds of any bonds registered as to
19 both principal and interest. The Authority may sell the bonds in
20 such amounts and in such manner, either at public or private sale,
21 and for such price, as it may determine to be in the best interest
22 of this state, but in no event at a discount in excess of that from
23 time to time expressed in ~~said~~ the subsection E of Section 176 of
24 Title 60 of the Oklahoma Statutes.

1 B. The proceeds of the bonds of each issue shall be used solely
2 for the payment of the cost of the turnpike project for which such
3 bonds have been issued, and shall be disbursed in such manner and
4 pursuant to such restrictions, if any, as the Authority may provide
5 in the resolution authorizing the issuance of such bonds or in the
6 trust agreement securing the same. If the proceeds of the bonds of
7 any issue, by error of estimates or otherwise, shall be less than
8 such cost, additional bonds may in like manner be issued to provide
9 the amount of such deficit, and, unless otherwise provided for in
10 the resolution authorizing the issuance of such bonds or in the
11 trust agreement securing the same, shall be deemed to be of the same
12 issue and shall be entitled to payment from the same fund without
13 preference or priority of the bonds first issued. If the proceeds
14 of the bonds of any issue shall exceed such cost, the surplus shall
15 be deposited to the credit of the sinking fund for such bonds, or
16 shall be used by the Authority in implementing any other power
17 expressly granted to the Authority in this article.

18 C. Prior to the preparation of definitive bonds, the Authority,
19 subject to like restrictions, may issue interim receipts or
20 temporary bonds, with or without coupons, exchangeable for
21 definitive bonds when such bonds have been executed and are
22 available for delivery. The Authority may also provide for the
23 replacement of any bonds which have become mutilated or were
24 destroyed or lost. Bonds may be issued pursuant to the provisions

1 of this article without obtaining the consent of any department,
2 division, commission, board, bureau, or agency of this state, and
3 without any other proceedings or the occurrence of any other
4 conditions or things than those proceedings, conditions, or things
5 that are specifically required by this article.

6 D. The Authority is hereby authorized to provide that the
7 bonds:

8 1. Be made payable from time to time on demand or tender for
9 purchase by the owner provided a credit facility supports such
10 bonds, unless the Authority specifically determines that a credit
11 facility is not required;

12 2. Be additionally supported by a credit facility;

13 3. Be made subject to redemption prior to maturity, with or
14 without premium, on such notice and at such time or times and with
15 such redemption provisions as may be determined by the Authority or
16 with such variations as may be permitted in connection with a par
17 formula;

18 4. Bear interest at a rate or rates that may vary as permitted
19 pursuant to a par formula and for such period or periods of time,
20 all as may be determined by the Authority; and

21 5. Be made the subject of a remarketing agreement whereby an
22 attempt is made to remarket the bonds to new purchasers prior to
23 their presentment for payment to the provider of the credit facility
24 or to the Authority.

1 No credit facility, repayment agreement, par formula or
2 remarketing agreement shall become effective without the approval of
3 the Authority.

4 E. As used in this section, the following terms shall have the
5 following meanings:

6 1. "Credit facility" means an agreement entered into by the
7 Authority with any bank, savings and loan association or other
8 banking institution; an insurance company, reinsurance company,
9 surety company, or other insurance institution; a corporation,
10 investment banker or other investment institution; or any other
11 financial institution providing for prompt payment of all or any
12 part of the principal, whether at maturity, presentment for
13 purchase, redemption or acceleration, redemption premium, if any,
14 and interest on any bonds payable on demand or tender by the owner
15 issued in accordance with this section, in consideration of the
16 Authority's agreeing to repay the provider of such credit facility
17 in accordance with the terms and provisions of such repayment
18 agreement; provided, that any such repayment agreement shall provide
19 that the obligation of the Authority thereunder shall have only such
20 sources of payment as are permitted for the payment of the bonds
21 issued under this article; and

22 2. "Par formula" means any provision or formula adopted by the
23 Authority to provide for the adjustment, from time to time, of the
24 interest rate or rates borne by any such bonds so that the purchase
25

1 price of such bonds in the open market would be as close to par as
2 possible.

3 F. Nothing in any law heretofore enacted or enacted at the
4 present session of the Legislature shall be deemed to limit or
5 restrict the right of the Authority to issue bonds or other
6 obligations the interest income, in whole or in part, on which is
7 subject, directly or indirectly, to federal income taxation.

8 G. The Authority may enter into transactions utilizing
9 derivative products, and other financial products intended to hedge
10 interest rate risk, including any option to enter into or terminate
11 any of them, that the Authority deems to be necessary or desirable
12 in connection with any bonds issued prior to, at the same time as,
13 or after entering into such arrangement and containing terms and
14 provisions, and may be with such parties, as determined by the
15 Authority. Provided, any action taken by the Authority pursuant to
16 this subsection must first be approved by the Oklahoma State Bond
17 Advisor and the Council of Bond Oversight pursuant to the provisions
18 of the Oklahoma Bond Oversight and Reform Act.

19 SECTION 10. AMENDATORY 69 O.S. 2011, Section 1710, is
20 amended to read as follows:

21 Section 1710. In the discretion of the Oklahoma Turnpike
22 Authority, a division of the Oklahoma Department of Transportation,
23 any bonds issued under the provisions of this article may be secured
24 by a trust agreement by and between the Authority and a corporate

1 trustee, which may be any trust company or bank having the powers of
2 a trust company within or without the state. Such trust agreement
3 may pledge or assign the tolls and other revenues to be received
4 from the project constructed by the use of the proceeds of the
5 bonds, but shall not convey or mortgage any turnpike project or any
6 part thereof. Such trust agreement or resolution providing for the
7 issuance of such bonds may contain such provisions for protecting
8 and enforcing the rights and remedies of the bondholders as may be
9 reasonable and proper and not in violation of law, including
10 covenants setting forth the duties of the Authority in relation to
11 the acquisition of property and the construction, improvement,
12 maintenance, repair, operation and insurance of the turnpike project
13 in connection with which such bonds shall have been authorized, and
14 the custody, safeguarding and application of all monies, and
15 provisions for the employment of consulting engineers in connection
16 with the construction or operation of such turnpike project or
17 projects. It shall be lawful for any bank or trust company
18 incorporated under the laws of the state which may act as depository
19 of the proceeds of bonds or of revenues to furnish such indemnifying
20 bonds or to pledge such securities as may be required by the
21 Authority. Any such trust agreement may set forth the rights and
22 remedies of the bondholders and of the trustee, and may restrict the
23 individual right of action by bondholders as is customary in trust
24 agreements or trust indentures securing bonds and debentures of

1 corporations. In addition to the foregoing any such trust agreement
2 may contain such other provisions as the Authority may deem
3 reasonable and proper for the security of the bondholders. All
4 expenses incurred in carrying out the provisions of such trust
5 agreement may be treated as a part of the cost of the operation of
6 the turnpike project or projects.

7 SECTION 11. AMENDATORY 69 O.S. 2011, Section 1711, is
8 amended to read as follows:

9 Section 1711. The Oklahoma Turnpike Authority, a division of
10 the Oklahoma Department of Transportation, subject to the provisions
11 hereof, is hereby authorized to fix, revise, charge and collect
12 tolls for the use of each turnpike project and the different parts
13 or sections thereof, except for use by law enforcement officers
14 responsible for enforcing the traffic laws and the general laws of
15 the state and federal governments on turnpikes, who shall be
16 entitled to free use of every such project in the performance of
17 official duties connected with such turnpike project, and to
18 contract with any person, partnership, association or corporation
19 desiring the use of any part thereof, including the right-of-way
20 adjoining the paved portion, for placing thereon telephone,
21 telegraph, electric light or power lines, gas stations, garages,
22 stores, hotels, restaurants and advertising signs, or for any other
23 purpose except for tracks for railroad or railway use, and to fix
24 the terms, conditions, rents and rates of charges for such use.

1 Such tolls, subject to the other restrictions hereof, shall be so
2 fixed and adjusted in respect of the aggregate of tolls from the
3 turnpike project or projects in connection with which the bonds of
4 any issue shall have been issued as to provide a fund sufficient
5 with other revenues, if any, to pay (a) the cost of maintaining,
6 repairing, and operating such turnpike project or projects, and (b)
7 the principal of and the interest of such bonds as the same shall
8 become due and payable, and to create reserves for such purposes.
9 The tolls and all other revenues derived from the turnpike project
10 or projects in connection with which the bonds of any issue shall
11 have been issued, except such part thereof as may be necessary to
12 pay such cost of maintenance, repair, and operation and to provide
13 such reserves therefor as may be provided for in the resolution
14 authorizing the issuance of such bonds or in the trust agreement
15 securing the same shall be set aside at such regular intervals as
16 may be provided in such resolution or such trust agreement in a
17 sinking fund which is hereby pledged to, and charged with, the
18 payment of (a) the interest upon such bonds as such interest shall
19 fall due, (b) the principal of such bonds as the same shall fall
20 due, (c) the necessary charges of paying agents for paying principal
21 and interest, and (d) the redemption price or the purchase price of
22 bonds retired by call or purchase as therein provided, which are a
23 charge against such fund. The use and disposition of monies to the
24 credit of such sinking fund shall be subject to the provisions of

1 the resolution authorizing the issuance of such bonds or of such
2 trust agreement. Except as may otherwise be provided in such
3 resolution or such trust agreement, such sinking fund shall be a
4 fund for all such bonds without distinction or priority of one over
5 another. The monies in the sinking fund, less such reserve as may
6 be provided in such resolution or trust agreement, if not used
7 within a reasonable time for the purchase of bonds for cancellation
8 as above provided, shall be applied to the redemption of bonds at
9 the redemption price then applicable. Any person who leases, rents,
10 or acquires control of any gas station, garage, store, hotel, or
11 restaurant must have been a resident of, or been doing business in,
12 Oklahoma for the past five (5) years. Notwithstanding anything else
13 herein contained to the contrary, the Corporation Commission of the
14 State of Oklahoma shall exercise the jurisdiction now or hereafter
15 vested in it to regulate and control the operation of motor carriers
16 of passengers and freight, using or desiring to use any turnpike
17 project, in the manner and to the extent that it regulates or
18 controls such carriers using the highways of the state. The
19 Authority shall not discriminate against any group or class or
20 individual member thereof in fixing the amount of toll, rents, or
21 charge for the use of the turnpike project.

22 SECTION 12. This act shall become effective November 1, 2020.
23

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