

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 907

By: Weaver

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6 AS INTRODUCED

7 An Act relating to railroads; requiring submission of
8 report; establishing a fee for certain railroad
9 tracks and railroad intersections in this state;
10 providing fee amount; requiring deposit of fees
11 revenue; clarifying circumstances and manner in which
12 fee should be paid; creating definition; creating the
13 Municipal Railway Bridge Construction Revolving Fund;
14 authorizing expenditures from the fund for certain
15 bridge construction projects; requiring the
16 Department of Transportation to promulgate rules;
17 providing for codification; and providing an
18 effective date.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 131 of Title 66, unless there is
22 created a duplication in numbering, reads as follows:

23 A. On March 1 of each year, all operating railroads
24 transporting freight in this state shall submit to the Department of
25 Transportation a report containing the total miles of railroad track
26 and the number of railroad and public highway, road or street
27 intersections on its track during the previous calendar year.

1 B. The following assessments shall be made on an annual basis
2 by the Department of Transportation for each operating railroad
3 transporting freight in this state during a calendar year:

4 1. For each mile of railroad track, a fee of seven and one-half
5 cents (\$0.075); and

6 2. For each railroad intersection where one or more railroad
7 tracks intersect with a public highway, road or street, a fee of One
8 Hundred Dollars (\$100.00).

9 All fee revenue collected pursuant to this subsection by the
10 Department shall be deposited into the Municipal Railway Bridge
11 Construction Revolving Fund created in Section 2 of this act.

12 C. The fees provided in subsection B of this section shall be
13 paid to the Department of Transportation on March 1 of each year.

14 D. As used in this section "railroad track" shall mean a
15 structure consisting of rails, railroad ties and fasteners upon
16 which freight is transported by a railroad. "Railroad track" shall
17 not include structures which are vacant, unused or inoperable.

18 SECTION 2. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 132 of Title 66, unless there is
20 created a duplication in numbering, reads as follows:

21 A. There is hereby created in the State Treasury a revolving
22 fund for the Department of Transportation to be designated the
23 "Municipal Railway Bridge Construction Revolving Fund". The fund
24 shall be a continuing fund, not subject to fiscal year limitations,

1 and shall consist of all monies received by the Department of
2 Transportation from fees established in Section 1 of this act. All
3 monies accruing to the credit of the fund are hereby appropriated
4 and may be budgeted and expended by the Department of Transportation
5 for the purpose of constructing bridges at railroad crossings with
6 public highways, roads or streets within municipalities in this
7 state. Expenditures from the fund shall be made upon warrants
8 issued by the State Treasurer against claims filed as prescribed by
9 law with the Director of the Office of Management and Enterprise
10 Services for approval and payment.

11 B. The Department of Transportation shall promulgate rules to
12 determine the criteria and the manner of expenditures for
13 construction projects authorized in subsection A of this section.

14 SECTION 3. This act shall become effective November 1, 2021.

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