

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1993

By: Caldwell (Trey)

4
5
6 AS INTRODUCED

7 An Act relating to transportation; amending 69 O.S.
8 2011, Section 1210, which relates to culverts,
9 driveways, mailboxes and stock-pass fences; requiring
10 the Department of Transportation to bear the expense
11 of repairing or replacing culverts it deems to
12 require repair or replacement; requiring landowners
13 bear no expense for certain repair or replacement;
14 and providing an effective date.

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

16 SECTION 1. AMENDATORY 69 O.S. 2011, Section 1210, is
17 amended to read as follows:

18 Section 1210. A. Sections 1208 through 1211 shall not prevent
19 the construction or maintenance of any culvert or driveway as a
20 means of ingress and egress to private property, or prevent the
21 placing of mailboxes or fences to stock-passes on any highway right-
22 of-way. The Transportation Commission may regulate the construction
23 and maintenance of such culverts, driveways, fences to stock-passes,
24 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

1 right-of-way of any designated state or federal highway by any
2 person without the approval of the Commission, and the Commission
3 may remove without notice any such culvert, driveway, fence to
4 stock-pass, or mailbox constructed or maintained without first
5 obtaining such approval when in its judgment such culvert, driveway,
6 fence to stock-pass, or mailbox is dangerous to the traveling public
7 or interferes with proper drainage or maintenance of the highway.

8 B. If the Department of Transportation determines that an
9 existing culvert requires repair or replacement, the Department
10 shall bear the expense to repair or replace the culvert. The
11 landowner, who utilizes the culvert for ingress and egress to
12 private property, shall bear no expense.

13 SECTION 2. This act shall become effective November 1, 2021.

14
15 58-1-6387 JBH 12/31/20
16
17
18
19
20
21
22
23
24