

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 419

By: Boren

AS INTRODUCED

An Act relating to turnpikes; amending 69 O.S. 2021, Section 1711, which relates to tolls; removing authority to revise toll rates; requiring legislative approval for toll increases; stating process of approval or disapproval for toll increases; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 69 O.S. 2021, Section 1711, is amended to read as follows:

Section 1711. 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

1 portion, for placing thereon telephone, telegraph, electric light or
2 power lines, gas stations, garages, stores, hotels, restaurants and
3 advertising signs, or for any other purpose except for tracks for
4 railroad or railway use, and to fix the terms, conditions, rents and
5 rates of charges for such use. Such tolls, subject to the other
6 restrictions hereof, shall be so fixed and adjusted ~~in respect of~~
7 ~~the aggregate of tolls from the turnpike project or projects in~~
8 ~~connection with which the bonds of any issue shall have been issued~~
9 pursuant to Section 2 of this act as to provide a fund sufficient
10 with other revenues, if any, to pay (a) the cost of maintaining,
11 repairing, and operating such turnpike project or projects, and (b)
12 the principal of and the interest of such bonds as the same shall
13 become due and payable, and to create reserves for such purposes.
14 The tolls and all other revenues derived from the turnpike project
15 or projects in connection with which the bonds of any issue shall
16 have been issued, except such part thereof as may be necessary to
17 pay such cost of maintenance, repair, and operation and to provide
18 such reserves therefor as may be provided for in the resolution
19 authorizing the issuance of such bonds or in the trust agreement
20 securing the same shall be set aside at such regular intervals as
21 may be provided in such resolution or such trust agreement in a
22 sinking fund which is hereby pledged to, and charged with, the
23 payment of (a) the interest upon such bonds as such interest shall
24 fall due, (b) the principal of such bonds as the same shall fall

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

1 individual member thereof in fixing the amount of toll, rents, or
2 charge for the use of the turnpike project.

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 1711.1 of Title 69, unless there
5 is created a duplication in numbering, reads as follows:

6 The Oklahoma Turnpike Authority shall have legislative approval
7 before increasing toll rates on any turnpikes in this state. The
8 Legislature shall give approval by joint resolution for any increase
9 in rates it approves or disapproves.

10 SECTION 3. This act shall become effective November 1, 2023.

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