

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 POLICY COMMITTEE
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 1939

By: Sterling

7
8 POLICY COMMITTEE RECOMMENDATION

9 An Act relating to the Oklahoma Turnpike Authority;
10 amending 69 O.S. 2021, Sections 1705 and 1718, which
11 relate to powers and duties of the Oklahoma Turnpike
12 Authority and judicial determination of validity of
13 bonds; modifying certain duties of the Oklahoma
14 Turnpike Authority; requiring Authority to conduct
15 certain studies; requiring Authority notify, consult,
16 and collaborate with certain entities; requiring
17 certain notice be given; requiring certain meetings;
18 requiring certain collaboration; detailing certain
19 requirements for studies; modifying timeframe
20 following certain notice publication; and providing
21 an effective date.

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

23 SECTION 1. AMENDATORY 69 O.S. 2021, Section 1705, is
24 amended to read as follows:

Section 1705. The Oklahoma Turnpike Authority is hereby
authorized and empowered:

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

1 (b) To adopt an official seal and alter the same at pleasure.

2 (c) To maintain an office at such place or places within the
3 state as it may designate.

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

14 (e) To construct, maintain, repair and operate turnpike
15 projects and highways, with their access and connecting roads, at
16 such locations and on such routes as ~~it shall determine~~ are
17 determined to be feasible ~~and,~~ economically sound; provided, and
18 based upon reliable, data-driven transportation planning and public
19 policy pursuant to the studies required by paragraph (f) of this
20 section. Provided, that until specifically authorized by the
21 Legislature, the Authority shall be authorized to construct and
22 operate toll turnpikes only at the following locations:

23 (1) The Turner Turnpike between Oklahoma City and Tulsa.
24

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

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

5 (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.

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

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

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

18 (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.

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1 (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) A turnpike or any part or parts thereof beginning in the
5 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) 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 state
15 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) All or any part of an Oklahoma City toll expressway system
19 connecting the residential, industrial and State Capitol Complex in
20 the north part of Oklahoma City with the residential, industrial and
21 Will Rogers World Airport Complex in the south and southwest parts
22 of Oklahoma City.

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

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

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

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

12 (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.

15 (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.

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

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1 (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.

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

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

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

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

23 (24) A four-lane extension of the Muskogee Turnpike from
24 Interstate Highway 40 west of Webbers Falls to the Poteau vicinity.

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

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

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

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

20 (29) A new turnpike or any parts thereof beginning at a point
21 in the vicinity of the city of Altus and extending in a
22 northwesterly direction to a point in the vicinity of the city of
23 Sayre.

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

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

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

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

17 (34) An on- and off-ramp or any parts thereof on the Cimarron
18 Turnpike in the vicinity of the northside of the Glencoe, Oklahoma,
19 municipal limits.

20 (35) A new turnpike or any parts thereof beginning at
21 Interstate 44 at or near its intersection with 49th West Avenue,
22 past State Highway 64/412, turning northeasterly, crossing 41st West
23 Avenue, and continuing eastward to the L.L. Tisdale Expressway in
24 Tulsa, Oklahoma.

1 All access roads, interchanges, or lead roads connecting such
2 turnpikes with existing highways must be built by funds furnished by
3 the Authority.

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

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

12 The Authority is hereby required to construct and install
13 automatic tollgates on the Will Rogers Turnpike at State Highway No.
14 28 near Adair.

15 (f) To issue turnpike revenue bonds of the Authority, payable
16 solely from revenues, including the revenues accruing to the trust
17 fund created by Sections 1701 through 1734 of this title, for the
18 purpose of paying all or any part of the cost of any one or more
19 turnpike projects. Provided that any bonds issued for the
20 construction of the proposed turnpike referred to in subparagraphs
21 (10), (20), (21) and (22) of paragraph (e) of this section shall be
22 issued as one issue for all four of the proposed turnpikes and shall
23 be financed, constructed and operated under one bond indenture.

1 Further provided that, prior to filing an application for
2 approval of any bond issue with the Council of Bond Oversight, or
3 subsequent, substantially equivalent body then in effect, and in any
4 event, prior to the issuance of any bonds for any turnpike projects,
5 the Authority shall do the following:

6 (1) conduct appropriate studies to meaningfully determine,
7 evaluate, and identify the potential route corridors and alignments,
8 the justification or need for the projects, the economic feasibility
9 of the projects, the reasonable alternatives, including, but not
10 limited to, a no-build alternative, to the proposed project and
11 routes, and the specific impacts and effects the project will have
12 on businesses, other organizations, citizens, and private and public
13 property where the proposed project will be implemented,

14 (2) notify, consult with, and collaborate with any
15 municipality, county, or federal or state agency that will have a
16 turnpike project pass-through, be located within, or otherwise
17 substantially impact its jurisdiction. In the case of a
18 municipality or county, collaboration shall include the duly elected
19 city council or the board of county commissioners, as the case may
20 be,

21 (3) provide actual notice via certified mail and first-class
22 mail to any and all real property owners, as shown by the current
23 year's tax rolls in the office of the applicable county treasurer,
24 located along or within one (1) mile in any direction of the

1 specifically described routes or projects, providing such owners
2 with the reasonable opportunity to attend a public meeting or
3 meetings, and to provide public comment, on the routes or projects,
4 and

5 (4) conduct one or more public meetings, upon reasonable
6 notice, in each municipality and county that will have a turnpike
7 project pass-through, be located within, or otherwise substantially
8 impact its jurisdiction, in order to present, review, and receive
9 public comment upon the turnpike project.

10 New turnpike conception, alignments, corridors, route, and
11 interchange placement design and engineering, among other facets,
12 shall be a collaborative effort between the Oklahoma Turnpike
13 Authority and any impacted municipalities, counties, and citizens
14 with many stages for iterative, interactive input, public comment,
15 and design. Turnpike projects shall be consistent, to the maximum
16 extent feasible, with existing land use, transportation, and other
17 comprehensive plans of the municipal and county governments in which
18 such projects may be located or pass-through.

19 The studies required in this paragraph shall be conducted in
20 such a way to limit conflicts of interest between consulting firms
21 providing the justification and impact studies, and engineering
22 firms contracted to perform design, right-of-way, corridor
23 management, or construction work. All reasonable, good-faith
24 efforts shall be made to keep these activities separate. All

1 studies shall be professionally reviewed, approved, and certified as
2 having been based upon sufficient data or facts, and having utilized
3 reliable principles and methods, by a qualified, independent body or
4 entity with appropriate credentials and experience for evaluating
5 the validity of such studies. All studies and potential proposed
6 turnpike project routes shall be disclosed and made readily
7 available to the public at the Authority's offices, and on the
8 Authority's website, to inform decisions during the collaborative
9 design and public input process.

10 (g) To fix and revise from time to time tolls for the use of
11 any turnpike projects.

12 Any common carrier having authority at the time of opening any
13 turnpike project to operate upon a highway approximately paralleling
14 the turnpike project shall be granted without further showing
15 authority to operate over the turnpike project to all municipalities
16 which such carrier is serving at the time the turnpike project is
17 opened to traffic. But nothing herein shall be construed as
18 granting any new operation rights to any common carriers.

19 (h) To acquire, hold, and dispose of real and personal property
20 in the exercise of its powers and the performance of its duties.

21 (i) To acquire in the name of the Authority by purchase or
22 otherwise on such terms and conditions and in such manner as it may
23 deem proper, or by exercise of the right of condemnation in manner
24 hereinafter provided, such public or private lands, including public

1 parks, playgrounds, or reservations, or parts thereof or rights
2 therein, rights-of-way, property, rights, easements, and interests,
3 as it may deem necessary for carrying out the provisions of Sections
4 1701 through 1734 of this title; provided, that all public property
5 damaged in carrying out the powers granted by Sections 1701 through
6 1734 of this title shall be restored or repaired and placed in its
7 original condition as nearly as practicable.

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

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

1 paid any fee or compensation for any special or extraordinary
2 services.

3 (l) To receive and accept from any federal agency grants for or
4 in aid of the construction of any turnpike project, provided, the
5 acceptance of such grants will not reduce the amount of federal aid
6 for the construction, repair, or maintenance of farm-to-market roads
7 and other highways and bridges in this state; and to receive and
8 accept aid or contributions from any source of either money,
9 property, labor, or other things of value, to be held, used, and
10 applied only for the purposes for which such grants and
11 contributions may be made.

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

19 (n) To do all things necessary or convenient to carry out the
20 powers expressly granted in Sections 1701 through 1734 of this
21 title. The design standards for all paving shall comply with the
22 design standards of the American Association of State Highway and
23 Transportation Officials as modified by the Oklahoma Department of
24 Transportation. All contracts for construction work on turnpike

1 projects shall be let to the lowest responsible bidder, or bidders,
2 after notice by publication in a newspaper published in the county
3 where the work is to be done in two consecutive weekly issues of the
4 newspaper. In all cases where more than eight (8) miles of
5 construction is let at the same time and is not an advertisement for
6 a surface-treatment-only project, such advertisement shall provide
7 for bids on sections of the turnpike not to exceed eight (8) miles.
8 If the project advertised is a surface-treatment-only project of
9 more than twenty (20) miles of road, the advertisement shall provide
10 for bids on sections of the road no longer than twenty (20) miles,
11 as well as bids on the project as a whole. Subject to the following
12 restrictions and limitations, the Authority shall, when contracting
13 for construction work, divide such work into paving projects, bridge
14 projects, including underpasses and overpasses, and earthmoving or
15 miscellaneous projects, according to the type of work to be done.
16 Each project shall be let under a separate contract or contracts and
17 no contract or project shall include more than one of such types of
18 construction work. Each contract for construction work shall
19 contain a provision that ninety percent (90%) of all labor employed
20 on the project shall be residents of Oklahoma. However, contracts
21 for bridges may include earthwork and structures for the approaches
22 thereto.

23 (o) It shall be unlawful for any member, officer or employee of
24 the Authority to transact with the Authority, either directly or

1 indirectly, any business for profit of such member, officer, or
2 employee; and any person, firm, or corporation knowingly
3 participating therein shall be equally liable for violation of this
4 provision.

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

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

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

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1 (q) All meetings of the Authority shall be open public
2 meetings, and all records shall be public records, except when
3 considering personnel or litigation.

4 SECTION 2. AMENDATORY 69 O.S. 2021, Section 1718, is
5 amended to read as follows:

6 Section 1718. The Authority ~~is authorized in its discretion to~~
7 shall file an application with the Supreme Court of Oklahoma for the
8 approval of any bonds to be issued hereunder, and exclusive original
9 jurisdiction is hereby conferred upon the Supreme Court to hear and
10 determine each such application. It shall be the duty of the Court
11 to give such applications precedence over the other business of the
12 Court and to consider and pass upon the applications and any
13 protests which may be filed thereto as speedily as possible. Notice
14 of the hearing on each application shall be given by a notice
15 published in a newspaper of general circulation in the state, as
16 well as by certified mail to any and all real property owners
17 located within one (1) mile of the specified project, that on a day
18 named, the Authority will ask the Court to hear its application and
19 approve the bonds. Such notice shall inform all persons interested
20 that they may file protests against the issuance of the bonds and be
21 present at the hearing and contest the legality thereof. Such
22 notice shall be published one time not less than ~~ten (10)~~ forty-five
23 (45) days prior to the date named for the hearing and the hearing
24 may be adjourned from time to time in the discretion of the Court.

1 If the Court shall be satisfied that the bonds have been properly
2 authorized in accordance with this article and that when issued,
3 they will constitute valid obligations in accordance with their
4 terms, the Court shall render its written opinion approving the
5 bonds and shall fix the time within which a petition for rehearing
6 may be filed. The decision of the Court shall be a judicial
7 determination of the validity of the bonds, shall be conclusive as
8 to the Authority, its officers and agents, and thereafter the bonds
9 so approved and the revenues pledged to their payment shall be
10 incontestable in any court in the State of Oklahoma.

11 SECTION 3. This act shall become effective November 1, 2025.

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