

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. _____

COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 225, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Bice

Bice-JD-FS-Req#2031
3/4/2019 2:05 PM

(Floor Amendments Only) Date and Time Filed: _____

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 FLOOR SUBSTITUTE
4 FOR

5 SENATE BILL NO. 225

6 By: Bice

7 FLOOR SUBSTITUTE

8 An Act relating to railroads; amending 66 O.S. 2011,
9 Section 128, as amended by Section 1, Chapter 186,
10 O.S.L. 2018 (66 O.S. Supp. 2018, Section 128), which
11 relates to crossing construction requirements;
12 limiting the space where crossing construction is
13 required; updating statutory language; and providing
14 an effective date.

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

16 SECTION 1. AMENDATORY 66 O.S. 2011, Section 128, as
17 amended by Section 1, Chapter 186, O.S.L. 2018 (66 O.S. Supp. 2018,
18 Section 128), is amended to read as follows:

19 Section 128. A. It shall be the duty of every railroad company
20 or corporation doing business, or operating a line of railroad,
21 within this state, to construct a crossing, limited to the surface
22 between the rails and three (3) feet on either side of the outer-
23 most rail in the crossing surface; or two (2) feet on either side of
24 the outer-most rail if the crossing is located within the limits of
a municipality, across that portion of its track, roadbed or right-

1 of-way over which any public highway may run, and maintain ~~the same~~
2 that crossing unobstructed, in a good condition for the use of the
3 public, and to build and maintain in good condition all bridges and
4 culverts that may be necessary on its right-of-way at such crossing.

5 B. Any railroad company or corporation that fails to construct
6 and maintain ~~said~~ the crossing in accordance with the
7 recommendations set forth in the United States Department of
8 Transportation Railroad-Highway Grade Crossing Handbook, for thirty
9 (30) days after written notice by the Oklahoma Corporation
10 Commission to the agent or employee of any railroad company or
11 corporation in the county where such work or repairs are needed,
12 shall be subject to a contempt proceeding before the Oklahoma
13 Corporation Commission.

14 C. This section does not alter the legal liability of counties
15 and other governmental entities for road maintenance and/or
16 construction as described by Sections 151 through 172 of Title 51 of
17 the Oklahoma Statutes.

18 SECTION 2. This act shall become effective November 1, 2019.

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20 57-1-2031 JD 3/4/2019 2:05:48 PM
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