

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 724

6 By: Stewart

7 COMMITTEE SUBSTITUTE

8 An Act relating to roads and bridges; amending 69
9 O.S. 2021, Section 1208, which relates to structures
10 in right-of-way; clarifying county authority to
11 maintain right-of-way; and providing an effective
12 date.

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

14 SECTION 1. AMENDATORY 69 O.S. 2021, Section 1208, is
15 amended to read as follows:

16 Section 1208. (a) The rights-of-way acquired by the Department
17 or a county shall be held inviolate for state highway ~~and,~~
18 departmental, or county purposes, and no physical or functional
19 encroachments or uses shall be permitted within such rights-of-way.

20 (b) It shall be unlawful for any person to construct, maintain
21 or operate any gasoline pump, driveway canopy, building, sign,
22 fence, post, or any thing or structure on or overhanging any right-
23 of-way, or upon or overhanging any street occupied by a designated
24 state or federal highway, or county roads and the construction or

1 maintaining of any such thing or structure on or overhanging any
2 federal or state highway or county roads shall constitute a public
3 nuisance, which may be summarily abated by the Commission or board
4 of county commissioners or its officers, agents, servants and
5 employees in the manner provided in this article.

6 (c) This section shall not apply to the lawful use of such
7 rights-of-way for the erection and operation of facilities of a
8 public utility.

9 SECTION 2. This act shall become effective November 1, 2023.

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