

1 **SENATE FLOOR VERSION**

2 February 21, 2023

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 724

6 By: Stewart

7 [roads and bridges - right-of-way - effective date]
8

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

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

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

16 (b) It shall be unlawful for any person to construct, maintain
17 or operate any gasoline pump, driveway canopy, building, sign,
18 fence, post, or any thing or structure on or overhanging any right-
19 of-way, or upon or overhanging any street occupied by a designated
20 state or federal highway, or county roads and the construction or
21 maintaining of any such thing or structure on or overhanging any
22 federal or state highway or county roads shall constitute a public
23 nuisance, which may be summarily abated by the Commission or board
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1 of county commissioners or its officers, agents, servants and
2 employees in the manner provided in this article.

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

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

7 COMMITTEE REPORT BY: COMMITTEE ON AERONAUTICS AND TRANSPORTATION
8 February 21, 2023 - DO PASS AS AMENDED BY CS

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