An Act

ENROLLED SENATE
BILL NO. 724

By: Stewart of the Senate

and

Cantrell of the House

An Act relating to roads and bridges; amending 69 O.S. 2021, Section 1208, which relates to structures in right-of-way; clarifying county authority to maintain right-of-way; making exception for companies engaged in certain activities; and providing an effective date.

SUBJECT: Right-of-way, roads, and bridges

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

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

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

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

(c) This section shall not apply to the lawful use of such rights-of-way for the erection and operation of facilities of a public utility, or companies engaged in the activities defined in Section 137.1 of Title 52 of the Oklahoma Statutes.

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

Passed the Senate the 24th day of May, 2023.

Brent Howard
Presiding Officer of the Senate

Passed the House of Representatives the 27th day of April, 2023.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 24th day of May, 2023, at 6:42 o'clock p. M.

By: Jennie Curry

Approved by the Governor of the State of Oklahoma this 6th day of June, 2023, at 4:30 o'clock p. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 6th day of June, 2023, at 5:16 o'clock P. M.

By: Brian Bingman