

An Act

ENROLLED HOUSE
BILL NO. 1305

By: Murdock and Bennett (John)
of the House

and

Boggs of the Senate

An Act relating to roads, bridges and ferries; authorizing the counties to issue permits to harvest hay along the right-of-way of public roads; requiring release eliminating liability of counties and the state; providing storage and removal requirements; requiring certain consent; giving priority to certain landowners; providing for permit fee; directing funds be deposited in the county highway fund; authorizing counties to establish regulations; providing for exemption from fee; requiring counties to require minimum insurance coverage; providing for codification; and providing an effective date.

SUBJECT: County permits for harvesting of hay

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 601.7 of Title 69, unless there is created a duplication in numbering, reads as follows:

A. The boards of county commissioners are

authorized to issue permits which authorize and regulate the harvesting of hay along the right-of-way of public roads of the county highway system within their respective counties. Each permit shall authorize the permittee to harvest hay for the duration of the calendar year.

B. The applicant for a permit shall be informed in writing and shall sign a release acknowledging that he or she will assume all risk and liability for hay quality and for any accidents and damages that may occur as a result of the work and that the county and State of Oklahoma assume no liability for the hay quality or for work done by the permittee.

C. Any person who stores the harvested hay along the right-of-way for later removal shall store the harvested hay at the outer edge of the right-of-way and shall remove the harvested hay within two (2) days after harvesting.

D. The county shall obtain consent from the owner whose land abuts the right-of-way before issuing or reissuing a permit to harvest hay. The owner may revoke his or her consent at any time.

E. The owner or the owner's assignee of land abutting the right-of-way shall have priority to receive a permit for such land under this section.

F. The county may charge a permit fee in an amount calculated only to defray the actual costs of administering this section; provided, that any owner or owner's assignee shall be granted a permit at no cost when harvesting hay on the right-of-way abutting that owner's land. All fees received under this section shall be remitted to the county treasurer for credit to the county highway fund.

G. Counties shall require permittees to carry and keep in force liability insurance during the permit period. Counties shall determine required minimum amounts of such coverage, which shall be at least Three Hundred Thousand Dollars (\$300,000.00) for each occurrence of bodily injury and One Hundred Thousand Dollars (\$100,000.00) for each occurrence of property damage.

H. Counties may establish regulations to carry out this section.

SECTION 2. This act shall become effective November 1, 2017.

Passed the House of Representatives the 3rd day of May, 2017.

Presiding Officer of the House
of Representatives

Passed the Senate the 19th day of April, 2017.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____