

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 1852

By: Inman

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5
6 AS INTRODUCED

7 An Act motor vehicle registration records; amending
8 47 O.S. 2011, Section 1109, which relates to
9 confidentiality of motor vehicle records; amending 69
10 O.S. 2011, Section 1705, as amended by Section 1,
11 Chapter 282, O.S.L. 2013 (69 O.S. Supp. 2014, Section
12 1705), which relates to powers and duties of the
13 Oklahoma Turnpike Authority; prohibiting the transfer
14 of certain records; and providing an effective date.

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

15 SECTION 1. AMENDATORY 47 O.S. 2011, Section 1109, is
16 amended to read as follows:

17 Section 1109. A. All information contained in certificates of
18 title, applications therefor, vehicle registration records and
19 computer data files is hereby declared to be confidential
20 information and shall not be copied by anyone or disclosed to anyone
21 other than employees of the Oklahoma Tax Commission or the
22 Corporation Commission in the regular course of their employment,
23 except as provided in subsection B of this section. As used in this
24 section, "personal information" means information that identifies an

1 individual including name, address (excluding the five-digit zip
2 code) and telephone number, but does not include information on
3 vehicular accidents, driving violations and driver's status.

4 B. Personal information referred to in subsection A of this
5 section shall be disclosed for use in connection with matters of
6 motor vehicle or driver safety and theft, motor vehicle emissions,
7 motor vehicle product alterations, recalls or advisories, and
8 removal of non-owner records from the original owner records of
9 motor vehicle manufacturers to carry out the purpose of Titles I and
10 IV of the Anti Car Theft Act of 1992, the Automobile Information
11 Disclosure Act (15 U.S.C., Section 1231 et seq.), the Clean Air Act
12 (42 U.S.C., Section 7401 et seq.) and Chapters 301, 305 and 321-331
13 of Title 49 of the United States Code and may be disclosed as
14 follows:

15 1. For use by any governmental agency, including but not
16 limited to any court or law enforcement agency, in carrying out its
17 functions, or any private person or entity acting on behalf of a
18 federal, state or local governmental agency in carrying out its
19 functions. Information relating to motor vehicle insurance,
20 including the insurer and insurance policy numbers, may be released
21 to law enforcement officers investigating an accident pursuant to
22 the provisions of Section 10-104 of this title;

23 2. For use by any motor vehicle manufacturer or an authorized
24 representative thereof in connection with matters of motor vehicle

1 or driver safety and theft, motor vehicle emissions, motor vehicle
2 product alterations, recalls or advisories, performance monitoring
3 of motor vehicles, motor vehicle parts and dealers, motor vehicle
4 market research activities, including survey research, and removal
5 of non-owner records from the original owner records of motor
6 vehicle manufacturers. The confidentiality of the information shall
7 be protected, as set out above, and used only for the purpose
8 stated; provided, further, that the Tax Commission or Corporation
9 Commission shall be authorized to review the use of and the measures
10 employed to safeguard the information; and provided, further, that
11 the manufacturer or representative shall bear the cost incurred by
12 the Tax Commission or Corporation Commission in the production of
13 the information requested. If the confidentiality provisions, as
14 set out above, are violated, the provisions of subsection D of
15 Section 205 of Title 68 of the Oklahoma Statutes shall apply and the
16 privilege of obtaining information shall be terminated. Any
17 manufacturer or representative violating the provisions of this
18 paragraph, upon conviction, shall be punishable by a fine not to
19 exceed Fifty Thousand Dollars (\$50,000.00);

20 3. For use by any person compiling and publishing motor vehicle
21 statistics, provided that such statistics do not disclose the names
22 and addresses of individuals. Such information shall be provided
23 upon payment of a reasonable fee as determined by the Tax Commission
24 or the Corporation Commission;

1 4. For use by a wrecker or towing service licensed pursuant to
2 the provisions of Section 951 et seq. of this title for use in
3 providing notice to the owners and secured parties of towed or
4 impounded vehicles, upon payment of a fee of One Dollar (\$1.00) per
5 vehicle record page to the Tax Commission, the Corporation
6 Commission or any motor license agent;

7 5. For use by a legitimate business or its agents, employees,
8 or contractors for use in the normal course of business, upon
9 payment of a fee of One Dollar (\$1.00) per vehicle record page to
10 the Tax Commission, the Corporation Commission or any motor license
11 agent, but only:

12 a. to verify the accuracy of personal information
13 submitted by the individual to whom the information
14 pertains to the business or its agents, employees, or
15 contractors, or

16 b. to obtain the correct information, if such information
17 submitted by the individual to whom the information
18 pertains to the business is not correct, or is no
19 longer correct, but only for the purposes of
20 preventing fraud by, pursuing legal remedies against,
21 or recovering on a debt or security interest against
22 the individual;

23 6. For use in connection with any civil, criminal,
24 administrative or arbitral proceeding in any federal, state or local

1 court or agency or before any self-regulatory body, including the
2 service of process, investigation in anticipation of litigation, and
3 the execution or enforcement of judgments and orders, or pursuant to
4 an order of a federal, state or local court, upon payment of a fee
5 of One Dollar (\$1.00) per vehicle record page to the Tax Commission,
6 the Corporation Commission or any motor license agent;

7 7. For use by any insurer or insurance support organization, or
8 by a self-insured entity, or its agents, employees, or contractors,
9 in connection with claims investigation activities, anti-fraud
10 activities, rating or underwriting, upon payment of a fee of One
11 Dollar (\$1.00) per vehicle record page to the Tax Commission, the
12 Corporation Commission or any motor license agent;

13 8. For use by any licensed private investigative agency or
14 licensed security service for any purpose permitted under this
15 subsection, upon payment of a fee of One Dollar (\$1.00) per vehicle
16 record page to the Tax Commission, the Corporation Commission or any
17 motor license agent;

18 9. For use by a requester, upon payment of a fee of One Dollar
19 (\$1.00) per vehicle record page to the Tax Commission, the
20 Corporation Commission or any motor license agent, if the requester
21 demonstrates that it has obtained the written consent of the
22 individual to whom the information pertains;

23 10. For use in connection with the operation of private toll
24 transportation facilities; or

1 11. For furnishing the name and address of all commercial
2 entities who have current registrations of any particular model of
3 vehicle; provided, this exception shall not allow the release of
4 personal information pursuant to the provisions of the Driver's
5 Privacy Protection Act, 18 U.S.C., Sections 2721 through 2725.

6 The Tax Commission shall collect a reasonable fee to recover the
7 costs of providing the data. As used in this section, the term
8 "vehicle record page" means a computer-generated printout of the
9 motor vehicle inquiry screen. Information provided on the motor
10 vehicle inquiry screen printout shall include the current vehicle
11 owner name and address, vehicle make, model and year, identifying
12 numbers for the vehicle license plate, certificate of title and
13 vehicle identification number, relevant dates relating to the
14 vehicle registration and certificate of title, lienholder
15 information and lien status.

16 C. In addition to the information provided on the vehicle
17 record page, the Tax Commission or Corporation Commission may, upon
18 written request, release to any requester authorized by the
19 provisions of this section to obtain individual motor vehicle
20 information, corresponding copies of vehicle certificates of title,
21 applications therefor, vehicle registration records and computer
22 data files.

23 There shall be an informational search and retrieval fee of Five
24 Dollars (\$5.00) per vehicle computer record search. If the Tax

1 Commission or Corporation Commission performs a manual search, the
2 fee shall be Seven Dollars and fifty cents (\$7.50) per vehicle. The
3 Tax Commission is authorized to promulgate rules whereby motor
4 license agents, when requesting such documentation in the
5 performance of their duties, are exempt from this retrieval fee.
6 Certified copies of vehicle certificates of title and applications
7 therefor shall be included within the informational search and
8 retrieval by the Tax Commission or Corporation Commission for a fee
9 of Ten Dollars (\$10.00). Such duly certified copies may be received
10 in evidence with the same effect as the original when the original
11 is not in the possession or under the control of the party desiring
12 to use the same.

13 D. Requesters authorized by this section to receive information
14 shall submit to the Tax Commission, Corporation Commission or motor
15 license agent an affidavit supported by such documentation as the
16 Tax Commission or Corporation Commission may require, on a form
17 prescribed by the Tax Commission or Corporation Commission
18 certifying that the information is requested for a lawful and
19 legitimate purpose and will not be further disseminated.

20 E. Notwithstanding the foregoing, the Tax Commission or
21 Corporation Commission may allow the release of information from its
22 motor vehicle records upon magnetic tape consisting only of the
23 following information:

24 1. The date of the certificate of title;

- 1 2. The certificate of title number;
- 2 3. The type of title issued for the vehicle;
- 3 4. The odometer reading from the certificate of title;
- 4 5. The year in which the vehicle was manufactured;
- 5 6. The vehicle identification number for the vehicle;
- 6 7. The make of the vehicle; and
- 7 8. The location in which the vehicle is registered.

8 The Tax Commission or Corporation Commission shall allow the
9 release of such information upon payment of a reasonable fee to be
10 determined by the Tax Commission or Corporation Commission. The
11 information released as authorized by this subsection may only be
12 used for purposes of detecting odometer rollback or odometer
13 tampering, for determining the issuance in this state or any other
14 state of salvage or rebuilt titles for vehicles or for determining
15 whether a vehicle has been reported stolen in this state or any
16 other state.

17 F. Notwithstanding the provisions of this section or of Section
18 205 of Title 68 of the Oklahoma Statutes, the Tax Commission or
19 Corporation Commission may inform a secured party that taxes and
20 fees are delinquent with respect to a vehicle upon which the secured
21 party has a perfected lien.

22 G. Fees received by a motor license agent pursuant to the
23 provisions of this section shall not be included in the maximum sum
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1 that may be retained by motor license agents as compensation
2 pursuant to the provisions of Section 1143 of this title.

3 H. All funds collected by the Tax Commission pursuant to the
4 provisions of this section shall be deposited in the Oklahoma Tax
5 Commission Revolving Fund. All funds collected by the Corporation
6 Commission pursuant to the provisions of this section shall be
7 apportioned as provided in subsection C of Section 3 of this act.

8 I. It is further provided that the provisions of this section
9 shall be strictly interpreted and shall not be construed as
10 permitting the disclosure of any other information contained in the
11 files and records of the Tax Commission or Corporation Commission.

12 J. It shall be unlawful for any person to commit any of the
13 following acts:

14 1. To knowingly obtain or disclose personal information from a
15 motor vehicle record for any use not expressly permitted by this
16 section; or

17 2. To make false representation to obtain any personal
18 information from an individual's motor vehicle record.

19 K. The Tax Commission shall not provide, transfer, or share
20 motor vehicle registration records with another state for purposes
21 of enforcing or collecting a turnpike toll that occurred in a state
22 other than Oklahoma.

23 Any violation of the provisions of this section shall constitute
24 a misdemeanor and shall be punishable by the imposition of a fine

1 not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment
2 in the county jail for a term not exceeding one (1) year, or by both
3 such fine and imprisonment. Where applicable, a person convicted of
4 a violation of the provisions of this section shall be removed or
5 dismissed from office or state employment. No liability whatsoever,
6 civil or criminal, shall attach to any member or employee of the Tax
7 Commission or Corporation Commission for any error or omission in
8 the disclosure of such information.

9 SECTION 2. AMENDATORY 69 O.S. 2011, Section 1705, as
10 amended by Section 1, Chapter 282, O.S.L. 2013 (69 O.S. Supp. 2014,
11 Section 1705), is amended to read as follows:

12 Section 1705. The Oklahoma Turnpike Authority is hereby
13 authorized and empowered:

14 (a) To adopt bylaws for the regulation of its affairs and
15 conduct of its business.

16 (b) To adopt an official seal and alter the same at pleasure.

17 (c) To maintain an office at such place or places within the
18 state as it may designate.

19 (d) To sue and be sued in contract, reverse condemnation,
20 equity, mandamus and similar actions in its own name, plead and be
21 impleaded; provided, that any and all actions at law or in equity
22 against the Authority shall be brought in the county in which the
23 principal office of the Authority shall be located, or in the county
24 of the residence of the plaintiff, or the county where the cause of

1 action arose. All privileges granted to the Authority and duties
2 enjoined upon the Authority by the provisions of Sections 1701
3 through 1734 of this title may be enforced in a court of competent
4 jurisdiction in an action in mandamus.

5 (e) To construct, maintain, repair and operate turnpike
6 projects and highways, with their access and connecting roads, at
7 such locations and on such routes as it shall determine to be
8 feasible and economically sound; provided, that until specifically
9 authorized by the Legislature, the Authority shall be authorized to
10 construct and operate toll turnpikes only at the following
11 locations:

12 (1) The Turner Turnpike between Oklahoma City and Tulsa.

13 (2) The Southwestern (H.E. Bailey) Turnpike between Oklahoma
14 City and Wichita Falls, Texas.

15 (3) The Northeastern (Will Rogers) Turnpike between Tulsa and
16 Joplin, Missouri.

17 (4) The Eastern (Indian Nation) Turnpike between Tulsa and
18 Paris, Texas, including all or any part thereof between McAlester
19 and the Red River south of Hugo.

20 (5) The Cimarron Turnpike between Tulsa and Interstate Highway
21 35 north of Perry, including a connection to Stillwater.

22 (6) The Muskogee Turnpike between Broken Arrow and Interstate
23 Highway 40 west of Webbers Falls.

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1 (7) All or any part of an extension of the Muskogee Turnpike,
2 beginning at a point on Interstate Highway 40 near the present south
3 terminus of the Muskogee Turnpike, and extending in a southeasterly
4 direction on an alignment near Stigler, Poteau and Heavener to the
5 vicinity of the Arkansas State Line to furnish access to Hot
6 Springs, Texarkana, Shreveport and New Orleans.

7 (8) A tollgate on the Turner Turnpike in the vicinity of
8 Luther, Oklahoma, and in the vicinity of the intersection of State
9 Highway 33 and Turner Turnpike in Creek County, Oklahoma, or in the
10 vicinity of the intersection of State Highway 33 and Turner Turnpike
11 or U.S. Highway 66 in Creek County, Oklahoma, from any monies
12 available to the Authority.

13 (9) Add on the Will Rogers Turnpike a northbound automatic
14 tollgate onto State Highway 28 and a southbound on-ramp from State
15 Highway 28.

16 (10) A turnpike or any part or parts thereof beginning in the
17 vicinity of Duncan extending east to the vicinity of the City of
18 Davis, and extending in a northeasterly direction, by way of the
19 vicinity of the City of Ada, to a connection in the vicinity of
20 Henryetta or in the vicinity of the intersection of State Highway 48
21 and Interstate 40; and a turnpike or any part or parts thereof from
22 the vicinity of Snyder extending north to the vicinity of Woodward.

23 (11) A turnpike or any part or parts thereof beginning at a
24 point in the vicinity of Ponca City, or at a point on the Kansas-

1 Oklahoma state boundary line east of the Arkansas River and west of
2 the point where Oklahoma State Highway No. 18 intersects said state
3 boundary line, and extending in a southeasterly direction to a
4 connection with the Tulsa Urban Expressway System in the general
5 area of the Port of Catoosa.

6 (12) All or any part of an Oklahoma City toll expressway system
7 connecting the residential, industrial and State Capitol Complex in
8 the north part of Oklahoma City with the residential, industrial and
9 Will Rogers World Airport Complex in the south and southwest parts
10 of Oklahoma City.

11 (13) A turnpike (The Industrial Parkway) or any part or parts
12 thereof beginning at a point on the Oklahoma-Kansas state boundary
13 line between the point where U.S. Highway 66 intersects the boundary
14 line and the northeast corner of Oklahoma and ending by means of a
15 connection or connections with Shreveport, Louisiana, and Houston,
16 Texas, in southeastern Oklahoma and at no point to exceed thirty
17 (30) miles west of the Missouri or Arkansas border.

18 (14) A turnpike or any part or parts thereof beginning in the
19 vicinity of Velma or County Line to a point intersecting with
20 Interstate 35 in the area south of Davis.

21 (15) A turnpike or any part or parts thereof beginning in the
22 vicinity of Watonga and extending south and/or east to the vicinity
23 of north and/or west Oklahoma City.

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1 (16) A tollgate on the Will Rogers Turnpike near the
2 intersection of State Highway 137 and the Will Rogers Turnpike,
3 located south of Quapaw.

4 (17) A tollgate on the Muskogee Turnpike in the vicinity of
5 Porter, Oklahoma, a tollgate on the Will Rogers Turnpike in the
6 vicinity of Adair, Oklahoma, a tollgate on the Turner Turnpike in
7 the vicinity of Luther, Oklahoma, and a tollgate on the H.E. Bailey
8 Turnpike at Elgin, Oklahoma, from any monies available to the
9 Authority.

10 (18) A tollgate on the Turner Turnpike in the vicinity of
11 Wellston, Oklahoma, from any monies available to the Authority.

12 (19) A tollgate on the Muskogee Turnpike in the vicinity of
13 Brushy Mountain, Oklahoma, and in the vicinity of Elm Grove,
14 Oklahoma, from any monies available to the Authority.

15 (20) All or any part of an Oklahoma City Outer Loop expressway
16 system beginning in the vicinity of I-35 and the Turner Turnpike and
17 extending west into Canadian County and then south to I-40; and then
18 south and east to I-35 in the vicinity of Moore and Norman; and then
19 extending east and north to I-40 east of Tinker Field; and then
20 extending north to the Turner Turnpike to complete the Outer Loop.

21 (21) All or any part of the Tulsa south bypass expressway
22 system beginning in the vicinity of the Turner Turnpike near Sapulpa
23 and extending south and east to U.S. 75 in the vicinity of 96th
24 Street to 121st Street; and then east across the Arkansas River to a

1 connection with the Mingo Valley Expressway; and then south and/or
2 east to a point on the Tulsa-Wagoner County Line near 131st street
3 south in the city of Broken Arrow.

4 (22) A new turnpike or any part thereof from near the west gate
5 of the Will Rogers Turnpike south to the west end of south Tulsa
6 Turnpike at the Tulsa-Wagoner County Line.

7 (23) A new turnpike or any parts thereof from the vicinity of
8 the connection between State Highway 33 and U.S. 69 easterly to the
9 Arkansas State Line.

10 (24) A four-lane extension of the Muskogee Turnpike from
11 Interstate Highway 40 west of Webbers Falls to the Poteau vicinity.

12 (25) A new turnpike or any part or parts thereof beginning at a
13 point in the vicinity of northwest Tulsa, and extending in a
14 northwesterly direction, by means of a connection or connections
15 with the cities of Pawhuska and Newkirk, to a point intersecting in
16 the vicinity of US Highway No. 77 and the Kansas State Line.

17 (26) A full access interchange on the Indian Nation Turnpike
18 south of Interstate 40, in the vicinity of Henryetta, Oklahoma, and
19 in the vicinity of the proposed theme park, museum or an industrial
20 facility which qualifies for the Oklahoma Quality Jobs Program Act,
21 from any monies available to the Authority.

22 (27) A new turnpike beginning at a point directly west of the
23 Arkansas line and four-laning Highway 70 from that point to the
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1 farthest western reach of Highway 70 creating a southern route
2 through Oklahoma.

3 (28) A new turnpike and bridge or any parts thereof from a
4 point in the vicinity of the city of Mustang southerly across the
5 South Canadian River to the H.E. Bailey Turnpike in the vicinity of
6 the city of Tuttle; and then easterly across the South Canadian
7 River to a point in the vicinity of the city of Norman.

8 (29) A new turnpike or any parts thereof beginning at a point
9 in the vicinity of the city of Altus and extending in a
10 northwesterly direction to a point in the vicinity of the city of
11 Sayre.

12 (30) A new turnpike or any parts thereof beginning at a point
13 in the vicinity of the city of Enid and extending in a westerly
14 direction to a point in the vicinity of the city of Woodward.

15 (31) An on- and off-ramp or any parts thereof at Fletcher,
16 Oklahoma, in the vicinity of the Interstate 44 and State Highway 277
17 intersection. Any existing on- or off-ramp or any parts thereof in
18 the vicinity of Fletcher, Oklahoma, shall not be removed and shall
19 be maintained pursuant to Section 1701 et seq. of this title.

20 (32) A new bridge crossing the Arkansas River between South
21 Delaware Avenue and Memorial Drive in Tulsa County. This project
22 shall commence upon a determination by the Oklahoma Transportation
23 Authority that such bridge shall be self-sufficient at some point
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1 over a thirty-year time period from the toll charges associated with
2 the bridge project.

3 (33) An exit ramp or any parts thereof from the eastbound lane
4 of the Turner Turnpike at 96th Street in Tulsa.

5 (34) An on- and off-ramp or any parts thereof on the Cimarron
6 Turnpike in the vicinity of the northside of the Glencoe, Oklahoma,
7 municipal limits.

8 (35) A new turnpike or any parts thereof beginning at
9 Interstate 44 at or near its intersection with 49th West Avenue,
10 past State Highway 64/412, turning northeasterly, crossing 41st West
11 Avenue, and continuing eastward to the L.L. Tisdale Expressway in
12 Tulsa, Oklahoma.

13 All access roads, interchanges, or lead roads connecting such
14 turnpikes with existing highways must be built by funds furnished by
15 the Authority.

16 The minimum and maximum wages for the construction of the roads,
17 highways and projects provided for in Sections 1701 through 1734 of
18 this title shall be in accordance with the schedules of wages used
19 or adopted by the Commission in construction of state highways.

20 The Authority is hereby authorized to enter into contracts or
21 agreements with agencies and instrumentalities of other states or
22 the national government for construction, maintenance and operation
23 of interstate turnpikes or highways; however, the Authority shall
24 not provide, transfer, or share motor vehicle registration records

1 with another state for purposes of enforcing or collecting a
2 turnpike toll that occurred in a state other than Oklahoma.

3 The Authority is hereby required to construct and install
4 automatic tollgates on the Will Rogers Turnpike at State Highway No.
5 28 near Adair.

6 (f) To issue turnpike revenue bonds of the Authority, payable
7 solely from revenues, including the revenues accruing to the trust
8 fund created by Sections 1701 through 1734 of this title, for the
9 purpose of paying all or any part of the cost of any one or more
10 turnpike projects. Provided that any bonds issued for the
11 construction of the proposed turnpike referred to in subparagraphs
12 (10), (20), (21) and (22) of paragraph (e) of this section shall be
13 issued as one issue for all four of the proposed turnpikes and shall
14 be financed, constructed and operated under one bond indenture.

15 (g) To fix and revise from time to time tolls for the use of
16 any turnpike projects.

17 Any common carrier having authority at the time of opening any
18 turnpike project to operate upon a highway approximately paralleling
19 the turnpike project shall be granted without further showing
20 authority to operate over the turnpike project to all municipalities
21 which such carrier is serving at the time the turnpike project is
22 opened to traffic. But nothing herein shall be construed as
23 granting any new operation rights to any common carriers.

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1 (h) To acquire, hold, and dispose of real and personal property
2 in the exercise of its powers and the performance of its duties.

3 (i) To acquire in the name of the Authority by purchase or
4 otherwise on such terms and conditions and in such manner as it may
5 deem proper, or by exercise of the right of condemnation in manner
6 hereinafter provided, such public or private lands, including public
7 parks, playgrounds, or reservations, or parts thereof or rights
8 therein, rights-of-way, property, rights, easements, and interests,
9 as it may deem necessary for carrying out the provisions of Sections
10 1701 through 1734 of this title; provided, that all public property
11 damaged in carrying out the powers granted by Sections 1701 through
12 1734 of this title shall be restored or repaired and placed in its
13 original condition as nearly as practicable.

14 (j) To designate, except as is provided for herein, the
15 location, and establish, limit and control such points of ingress to
16 and egress from each turnpike project as may be necessary or
17 desirable in the judgment of the Authority to insure the proper
18 operation and maintenance of such project, and to prohibit entrance
19 to such project from any point or points not so designated.

20 (k) To make and enter into all contracts and agreements
21 necessary or incidental to the performance of its duties and the
22 execution of its powers, and to employ consulting engineers,
23 attorneys, accountants, construction and financial experts,
24 superintendents, managers, and such other employees and agents as

1 may be necessary in its judgment, and to fix their compensation;
2 provided, that all such expenses shall be payable solely from the
3 proceeds of turnpike revenue bonds issued under the provisions of
4 Sections 1701 through 1734 of this title or from revenues; provided,
5 further, no attorney employed by the Authority, nor any member of
6 any law firm of which the attorney may be connected, shall ever be
7 paid any fee or compensation for any special or extraordinary
8 services.

9 (1) To receive and accept from any federal agency grants for or
10 in aid of the construction of any turnpike project, provided, the
11 acceptance of such grants will not reduce the amount of federal aid
12 for the construction, repair, or maintenance of farm-to-market roads
13 and other highways and bridges in this state; and to receive and
14 accept aid or contributions from any source of either money,
15 property, labor, or other things of value, to be held, used, and
16 applied only for the purposes for which such grants and
17 contributions may be made.

18 (m) To adopt such rules, and to do any and all things necessary
19 to comply with rules, regulations, or requirements of the Bureau of
20 Public Roads, Multistate Economic Development Regional Commission,
21 as defined in Sections 1151 through 1153, inclusive, of Title 74 of
22 the Oklahoma Statutes, Ozarka Region Commission or any other federal
23 agency administering any law enacted by the Congress of the United
24 States to aid or encourage the construction of highways.

1 (n) To do all things necessary or convenient to carry out the
2 powers expressly granted in Sections 1701 through 1734 of this
3 title. The design standards for all paving shall comply with the
4 design standards of the American Association of State Highway and
5 Transportation Officials as modified by the Oklahoma Department of
6 Transportation. All contracts for construction work on turnpike
7 projects shall be let to the lowest responsible bidder, or bidders,
8 after notice by publication in a newspaper published in the county
9 where the work is to be done in two consecutive weekly issues of the
10 newspaper. In all cases where more than eight (8) miles of
11 construction is let at the same time and is not an advertisement for
12 a surface-treatment-only project, such advertisement shall provide
13 for bids on sections of the turnpike not to exceed eight (8) miles.
14 If the project advertised is a surface-treatment-only project of
15 more than twenty (20) miles of road, the advertisement shall provide
16 for bids on sections of the road no longer than twenty (20) miles,
17 as well as bids on the project as a whole. Subject to the following
18 restrictions and limitations, the Authority shall, when contracting
19 for construction work, divide such work into paving projects, bridge
20 projects, including underpasses and overpasses, and earthmoving or
21 miscellaneous projects, according to the type of work to be done.
22 Each project shall be let under a separate contract or contracts and
23 no contract or project shall include more than one of such types of
24 construction work. Each contract for construction work shall

1 contain a provision that ninety percent (90%) of all labor employed
2 on the project shall be residents of Oklahoma. However, contracts
3 for bridges may include earthwork and structures for the approaches
4 thereto.

5 (o) It shall be unlawful for any member, officer or employee of
6 the Authority to transact with the Authority, either directly or
7 indirectly, any business for profit of such member, officer, or
8 employee; and any person, firm, or corporation knowingly
9 participating therein shall be equally liable for violation of this
10 provision.

11 The term "business for profit" shall include, but not be limited
12 to, the acceptance or payment of any fee, commission, gift, or
13 consideration to such member, officer, or employee.

14 Violation of this provision shall constitute a felony punishable
15 by incarceration in the State Penitentiary for a term not to exceed
16 five (5) years or a fine of not less than Five Hundred Dollars
17 (\$500.00) and not more than Five Thousand Dollars (\$5,000.00), or
18 both such imprisonment and fine.

19 (p) In the event of a national emergency, the Authority,
20 subject to any vested rights or claims, may enter into contracts
21 with the federal government or any authorized agency thereof to
22 allow the federal government or agency thereof to use such turnpikes
23 partly or exclusively during the existence of such emergency,
24 provided, that the federal government agrees in such contract to

1 pay, during the term of such contract, an amount sufficient, when
2 added to any tolls collected, to meet all operating and maintenance
3 expenses, interest payments, and the minimum sinking fund and
4 reserve requirements of the trust agreement for the turnpike covered
5 by the contract.

6 (q) All meetings of the Authority shall be open public
7 meetings, and all records shall be public records, except when
8 considering personnel or litigation.

9 SECTION 3. This act shall become effective November 1, 2015.

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