1	HOUSE OF REPRESENTATIVES - FLOOR VERSION
2	STATE OF OKLAHOMA
3	1st Session of the 57th Legislature (2019)
4	ENGROSSED SENATE BILL NO. 225 By: Bice of the Senate
5	and
6	McCall of the House
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9	An Act relating to railroads; amending 66 O.S. 2011,
10	Section 128, as amended by Section 1, Chapter 186, O.S.L. 2018 (66 O.S. Supp. 2018, Section 128), which
11	relates to crossing construction requirements; limiting the space where crossing construction is
12	required; updating statutory language; and providing an effective date.
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15	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
16	SECTION 1. AMENDATORY 66 O.S. 2011, Section 128, as
17	amended by Section 1, Chapter 186, O.S.L. 2018 (66 O.S. Supp. 2018,
18	Section 128), is amended to read as follows:
19	Section 128. A. It shall be the duty of every railroad company
20	or corporation doing business, or operating a line of railroad,
21	within this state, to construct a crossing, limited to the surface
22	between the rails and three (3) feet on either side of the outer-
23	most rail in the crossing surface; or two (2) feet on either side of
24	the outer-most rail if the crossing is located within the limits of

a municipality, across that portion of its track, roadbed or rightof-way over which any public highway may run, and maintain the same that crossing unobstructed, in a good condition for the use of the public, and to build and maintain in good condition all bridges and culverts that may be necessary on its right-of-way at such crossing.

6 B. Any railroad company or corporation that fails to construct 7 and maintain said the crossing in accordance with the recommendations set forth in the United States Department of 8 9 Transportation Railroad-Highway Grade Crossing Handbook, for thirty 10 (30) days after written notice by the Oklahoma Corporation 11 Commission to the agent or employee of any railroad company or 12 corporation in the county where such work or repairs are needed, 13 shall be subject to a contempt proceeding before the Oklahoma Corporation Commission. 14

<u>C. This section does not alter the legal liability of counties</u>
<u>and other governmental entities for road maintenance and/or</u>
<u>construction as described by Sections 151 through 172 of Title 51 of</u>
<u>the Oklahoma Statutes.</u>
<u>SECTION 2.</u> This act shall become effective November 1, 2019.
<u>COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 04/11/2019 - DO PASS,</u>

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As Coauthored.