

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 517

By: Paxton

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5  
6 AS INTRODUCED

7 An Act relating to highways and roads; authorizing  
8 the use of rights-of-way in certain circumstances;  
9 requiring written consent and compensation in the use  
10 of temporary pipelines; establishing timeline for  
11 temporary pipelines; establishing procedures for the  
12 placement and removal of temporary pipelines;  
13 specifying procedures for written agreements;  
14 construing provision; providing for codification; and  
15 providing an effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 910 of Title 52, unless there is  
19 created a duplication in numbering, reads as follows:

20 A. Any person or entity lawfully operating and in the course of  
21 doing business in this state may use rights-of-way, as defined in  
22 Section 236 of Title 69 of the Oklahoma Statutes, only after written  
23 consent, pursuant to subsection G of this section, of each  
24 individual impacted record landowner is obtained and compensation  
25 has been negotiated and paid to the landowner. This subsection  
26 shall not apply to any person or entity owning such right-of-way

1 and/or operating within the right-of-way that is not inconsistent  
2 with the purpose for which it was acquired. This section shall not  
3 apply to any entity or person utilizing an existing easement.

4 B. In the case of temporary pipe, water hoses or lines, such  
5 materials may be used only after written record landowner consent is  
6 obtained and compensation has been received by the landowner for the  
7 transportation and disposal of water used in the process of oil or  
8 natural gas production.

9 C. All temporary pipe, water hoses or lines may be erected,  
10 placed, adjusted or laid and maintained only after obtaining the  
11 consent from the record landowner and compensation has been received  
12 by the landowner.

13 D. The use of rights-of-ways by any person or company pursuant  
14 to the provisions of this section shall be deemed to be temporary  
15 when such use is not anticipated to exist and does not exist for  
16 longer than three (3) months from the date permission for such use  
17 is granted by the record landowner and compensation is received.

18 E. After written consent by the record landowner is obtained  
19 and compensation is received, temporary pipe, water hoses or lines  
20 may be erected, placed, adjusted, laid, constructed and maintained  
21 so as not to inconvenience the landowner in any way. The temporary  
22 pipe, water hoses or lines may not interfere in any way with or any  
23 use of the land including, but not limited to, livestock and crop  
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1 production, unless such interference has otherwise been addressed by  
2 agreement.

3 F. Pursuant to this section, any person or entity utilizing the  
4 rights-of-way after written consent is obtained by the impacted  
5 record landowner and compensation is received, shall completely  
6 repair or replace any damage, injury or other change to public roads  
7 or highways or rights-of-way of this state or to any county or  
8 municipality. Further, when the temporary pipe, water hoses or  
9 lines are removed, it shall be the responsibility of the placing  
10 person, business or entity to repair any damage made by the  
11 erection, placement, adjustment, laying, construction and  
12 maintenance of the temporary pipe and to restore any structure or  
13 land so as to leave the property in the same condition or better as  
14 found prior to the use of the temporary pipe.

15 G. A person, business or entity that intends to utilize a  
16 right-of-way in the manner provided in this section shall be  
17 required to contact in writing each record property owner that abuts  
18 the right-of-way used for the placement of temporary pipe, water  
19 hoses or lines prior to any work conducted in the right-of-way  
20 regardless of if a county of this state issues any permit granting  
21 access. Information to be disclosed shall include, but not be  
22 limited to, the person and contact information designated as point-  
23 of-contact on the project, the description and timeline of the work  
24 requiring the use of the right-of-way, the duration of time the

1 temporary pipe will be in the right-of-way and the offer of  
2 compensation to be paid for the use of the property associated with  
3 the record owner. The parties shall have thirty (30) days from the  
4 date of receipt of written contact to finalize a written agreement.

5 H. Nothing in this section shall be construed to limit any  
6 rights otherwise granted by law.

7 SECTION 2. This act shall become effective November 1, 2019.

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