

1 **SENATE FLOOR VERSION**

2 February 23, 2021

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 625

6 By: Standridge and Murdock

7 An Act relating to roads, bridges and ferries;
8 amending 69 O.S. 2011, Section 1213, which relates to
9 obstructing or damaging roads; providing exception to
10 provisions of the statute in certain circumstances;
11 and providing an effective date.

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

13 SECTION 1. AMENDATORY 69 O.S. 2011, Section 1213, is
14 amended to read as follows:

15 Section 1213. ~~(a)~~ A. Any person or persons who shall willfully
16 or knowingly obstruct or damage any public road or highway by
17 obstructing the side or cross drain or ditches thereof, or by
18 turning water upon such road or highway or right-of-way, or by
19 throwing or depositing brush, trees, stumps, logs, or any refuse or
20 debris whatsoever in the road or highway, or on the sides or in the
21 ditches thereof, or by fencing across or upon the right-of-way of
22 the same, or by planting any hedge within the lines established for
23 such road or highway, or by changing the location thereof, or shall
24 obstruct said road, highway or drains in any other manner

1 whatsoever, or, except as provided in subsection ~~(b)~~ B of this
2 section, any person or persons who shall willfully or knowingly
3 deface, damage, destroy or remove any traffic-control device, road
4 sign, signboard, guide sign or signpost shall be deemed guilty of a
5 misdemeanor.

6 ~~(b)~~ B. If any person or persons willfully or knowingly defaces,
7 damages, destroys or removes any traffic-control device, road sign,
8 signboard, guide sign or signpost and such action results in
9 personal injury to or death of any person, the person or persons
10 responsible for such action shall be guilty of a felony punishable
11 by imprisonment in the custody of the Department of Corrections for
12 not more than two (2) years, or by a fine of not more than One
13 Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.
14 Notice of this provision shall be placed in the manual provided by
15 the Department of Public Safety which manual is issued for purpose
16 of passing driving privilege.

17 ~~(e)~~ C. The governing body who finds any road or highway
18 obstructed as above specified shall notify the person violating the
19 provisions of this section, verbally or in writing, to remove such
20 obstruction forthwith, and if such person does not remove the
21 obstruction within ten (10) days after being notified, he shall pay
22 the sum of Five Dollars (\$5.00) for each and every day after the
23 tenth day such obstruction is maintained or permitted to remain,
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1 such fine to be recovered by suit brought by the governing body in
2 any court of competent jurisdiction.

3 D. The provisions of this section shall not apply to any person
4 or persons who place storm related debris including, but not limited
5 to, tree limbs, branches or other debris resulting from a storm, in
6 the public right-of-way adjoining a public road, as defined by
7 Section 232 of this title, in areas of the state that the Federal
8 Emergency Management Agency (FEMA) has declared eligible for public
9 assistance and a county has issued notice of a storm debris removal
10 program. For the purposes of this section "public right-of-way"
11 means any street, avenue, boulevard, road, highway, sidewalk, alley
12 or easement that is owned, leased or controlled by a governmental
13 entity.

14 SECTION 2. This act shall become effective November 1, 2021.

15 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION
16 February 23, 2021 - DO PASS AS AMENDED
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