

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 3022

By: Lepak

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6 AS INTRODUCED

7 An Act relating to county roads; amending 11 O.S.
8 2011, Section 36-113, as last amended by Section 1,
Chapter 375, O.S.L. 2019 (11 O.S. Supp. 2019, Section
9 36-113), which relates to municipal streets;
10 extending county road system in certain counties;
classifying certain county roads; requiring certain
11 notification; amending 69 O.S. 2011, Section 316,
which relates to certification of county road
12 mileage; requiring submission of report; extending
county road system in certain counties; classifying
13 certain county roads; requiring certain notification;
and providing an effective date.

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

17 SECTION 1. AMENDATORY 11 O.S. 2011, Section 36-113, as
18 last amended by Section 1, Chapter 375, O.S.L. 2019 (11 O.S. Supp.
19 2019, Section 36-113), is amended to read as follows:

20 Section 36-113. A. The Department of Transportation may, or
21 the board of county commissioners of any county or federally
22 recognized tribal government shall, by agreement with the governing
23 body of a municipality having a population less than five thousand
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1 (5,000) persons, construct, improve, repair or maintain any of the
2 streets of the municipality.

3 B. The board of county commissioners may construct, improve,
4 repair, or maintain any of the streets of a municipality having a
5 population of less than five thousand (5,000) persons subject to
6 agreement between the governing bodies of the county and the
7 municipality without regard to whether the municipality has passed a
8 sales tax with proceeds earmarked to construct, improve, repair or
9 maintain any of the streets or roadways of such municipality.

10 C. The board of county commissioners may construct, improve,
11 repair or maintain any of the streets of a municipality having a
12 population of greater than five thousand (5,000) persons but less
13 than fifteen thousand (15,000) persons if the municipality has
14 passed a sales tax or fee with the proceeds earmarked to construct,
15 improve, repair or maintain any of the streets or roadways of such
16 municipality; provided, that the county has a population of less
17 than one hundred fifty thousand (150,000) persons.

18 D. Notwithstanding any provision of this section, the board of
19 county commissioners may construct, improve, repair, or maintain any
20 of the streets of a municipality if the county has a population in
21 excess of one hundred fifty thousand (150,000) persons according to
22 the most recent Federal Decennial Census. The agreements entered
23 into pursuant to the provisions of this subsection may be performed
24 without regard to whether the municipality has passed a sales tax

1 with proceeds earmarked to construct, improve, repair or maintain
2 any of the streets or roadways of such municipality.

3 E. In counties containing municipalities with populations in
4 excess of fifteen thousand (15,000) people, the board of county
5 commissioners shall, by agreement with the municipality, certify
6 extension of the county highway road system within the municipal
7 boundaries. The roads shall be classified as suburban county roads
8 and shall be a part of the total county road mileage of the county
9 in which they are located. The municipality shall notify and
10 consult with the board of county commissioners for any future
11 improvements or expansion of suburban county roads.

12 SECTION 2. AMENDATORY 69 O.S. 2011, Section 316, is
13 amended to read as follows:

14 Section 316. On the first day of February of every other year
15 beginning in 2021, each county's board of county commissioners shall
16 submit certified county road mileage to the State Transportation
17 Commission. The Commission, on or before the first day of June of
18 each year, shall certify to the Oklahoma Tax Commission the county
19 road mileage of each county and the total county road mileage of the
20 state as such mileage existed on the first day of January of such
21 year. Such mileage shall be the computation of the existing road
22 mileage for counties including any mileage represented by streets or
23 roads in municipalities with a population of less than two thousand
24 five hundred (2,500) and any other streets and roads in

1 municipalities with a population of less than five thousand (5,000)
2 that the county has agreed to construct, maintain, or repair. Any
3 roads removed from the State Highway System by the Transportation
4 Commission and returned to the county road system shall be added to
5 the total county road mileage of the said county.

6 In counties containing municipalities with populations in excess
7 of fifteen thousand (15,000) people, the board of county
8 commissioners shall, by agreement with the municipality, certify
9 extension of the county highway road system within the municipal
10 boundaries. The roads shall be classified as suburban county roads
11 and shall be a part of the total county road mileage of the county
12 in which they are located. The municipality shall notify and
13 consult with the board of county commissioners for any future
14 improvements or expansion of suburban county roads.

15 SECTION 3. This act shall become effective November 1, 2020.

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