

**HOUSE BILL No. 2373**

By Committee on Appropriations

2-18

Technical Amendment 2 to HB 2373  
For Committee on Transportation  
March 20, 2019  
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Office of Revisor of Statutes

1 AN ACT concerning transportation; providing for a transportation  
2 planning program; amending K.S.A. 68-2316 and repealing the existing  
3 section.  
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 New Section 1. (a) In order to plan, develop and operate or  
7 coordinate the development and operation of the various modes and  
8 systems of transportation within the state, the secretary of transportation is  
9 hereby authorized and directed to initiate a transportation planning  
10 program.

11 (1) The transportation planning program shall provide for the  
12 construction, improvement, reconstruction and maintenance of the state  
13 highway system. The program shall provide for the selection of projects  
14 that will allow for the flexibility to meet emerging and economic needs.  
15 Program expenditures may include, but not be limited to, the following:

16 (A) Preservation projects to efficiently maintain a safe state highway  
17 system in its original or improved condition. It is the intent of the  
18 legislature that bridges and pavement condition of the state highway  
19 system be maintained or improved both at the surface and subsurface  
20 levels as determined by the Kansas department of transportation's  
21 performance measures;

22 (B) expansion and economic opportunity projects that include  
23 additions to the transportation system or projects that improve access,  
24 relieve congestion and enhance economic development opportunities. The  
25 Kansas department of transportation shall develop and utilize criteria for  
26 the selection of expansion and economic opportunity projects. The  
27 selection criteria shall include, but not be limited to, engineering and  
28 traffic data, local consultation, geographic distribution and an economic  
29 impact analysis evaluation; or

30 (C) modernization projects that include improvements to the  
31 transportation system by widening lanes or shoulders, making geometric  
32 improvements, upgrading interchanges or building rail grade separations to  
33 improve the safety, condition or service of the highway system. The  
34 Kansas department of transportation shall develop and utilize criteria for  
35 the selection of modernization projects. The selection criteria shall include,  
36 but not be limited to, engineering data, local consultation and geographic

**68-2315. Report to legislature by secretary of transportation.** Annually, prior to the 10<sup>th</sup> day of each regular session of the legislature, the secretary of transportation shall submit a written report to the governor and each member of the legislature providing:

- (a) Summary financial information and a statement of assurance that the department of transportation has prepared a comprehensive financial report of all funds for the preceding year which includes a report by independent public accountants attesting that the financial statements present fairly the financial position of the Kansas department of transportation in conformity with generally accepted accounting principles and a notification that the complete comprehensive financial report, including the auditor's report is available upon request;
- (b) a detailed explanation of the methods or criteria employed in the selection of transportation projects under ~~subsection (b) of K.S.A. 68-2314b~~, and amendments thereto, and in the awarding of assistance to cities, counties or other transportation providers;
- (c) the proposed allocation and expenditure of moneys and proposed work plan for the current fiscal year and at least the next five years;
- (d) information concerning construction work completed in the preceding fiscal year and construction work in progress;
- (e) information concerning the operation and financial condition of the transportation revolving fund;
- (f) the annual allocation and expenditure of moneys from the coordinated public transportation assistance fund under K.S.A. 75-5035, and amendments thereto;
- (g) the annual allocation and expenditure of moneys from the rail service improvement fund under K.S.A. 75-5048, and amendments thereto, including specific information relating to any grants or loans made under such program;
- (h) the annual allocation and expenditure of moneys from the public use general aviation airport development fund under K.S.A. 75-5061, and amendments thereto, including specific information relating to grants made under such program;
- (i) specific recommendations for any statutory changes necessary for the successful completion of the transportation program specified in ~~K.S.A. 68-2314b~~, and amendments thereto, or efficient and effective operation of the Kansas department of transportation; and
- (j) an explanation of any material changes from the previous annual report.

**History:** L. 1989, ch. 209, § 2; L. 1999, ch. 137, § 14; L. 2006, ch. 108, § 1; L. 2010, ch. 156, § 23; June 3.

section 1(a)(1)

section 1

**68-416. State highway fund; apportionment; city connecting links; use of funds.** The state highway fund shall be apportioned as follows:

(a) The secretary of transportation annually shall apportion and distribute quarterly, on the first day of January, April, July and October, to cities on the state highway system from the state highway fund moneys at the rate of \$3,000 per year per lane per mile for the maintenance of streets and highways in cities designated by the secretary as city connecting links. Unless a consolidated street and highway fund is established pursuant to K.S.A. 12-1, 119, and amendments thereto, all moneys distributed by the secretary shall be credited to the street and alley funds of such cities. All moneys so distributed shall be used solely for the maintenance of city connecting links. Maintenance of such city connecting links shall be as prescribed in K.S.A. 68-416a, and amendments thereto. As used in this subsection, "lane" means the portion of the roadway for use of moving traffic of a standard width prescribed by the secretary. In lieu of such apportionment, the secretary, by and with the consent of the governing body of any city within the state of Kansas, may maintain such streets within the city and pay for such maintenance from the highway fund.

(b) All of the remainder of such highway fund shall be used by the secretary of transportation for:

- (1) The construction, improvement, reconstruction and maintenance of the state highway system;
- (2) Improvements in transportation programs to aid elderly persons, persons with disabilities and the general public;
- (3) For any purpose specified in K.S.A. 68-2314b, and amendments thereto;
- (4) The support and maintenance of the department of transportation;
- (5) The expenses of administering the motor vehicle registration and drivers' license laws; and
- (6) The payment of losses to department of transportation employees authorized by K.S.A. 2018 Supp. 75-5062, and amendments thereto.

**History:** L. 1927, ch. 255, § 7; L. 1929, ch. 225, § 17; L. 1933, ch. 241, § 1; L. 1941, ch. 309, § 1; L. 1949, ch. 344, § 3; L. 1958, ch. 56, § 1 (Budget Session); L. 1959, ch. 264, § 1; L. 1967, ch. 353, § 1; L. 1970, ch. 397, § 4; L. 1974, ch. 271, § 1; L. 1975, ch. 427, § 100; L. 1978, ch. 271, § 4; L. 1979, ch. 211, § 1; L. 1987, ch. 260, § 2; L. 1989, ch. 209, § 28; L. 1994, ch. 236, § 1; L. 1998, ch. 63, § 2; L. 1999, ch. 137, § 10; L. 2010, ch. 156, § 21; June 3.

Source or Prior Law:

68-602.

or section 1