

## MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 5:30 p.m. on March 18, 2010, in Room 548-S of the Capitol.

All members were present.

## Committee staff present:

Bruce Kinzie, Office of the Revisor of Statutes  
Jill Shelley, Kansas Legislative Research Department  
Cindy Shepard, Committee Assistant

## Conferees appearing before the Committee:

Joe Erskine, Deputy Secretary of Finance, Kansas Department of Transportation (KDOT)

## Others attending:

See attached list.

The Chairman called for action on **SB 498 - Transportation works for Kansas program, financing** and **SB 515 - Transportation works for Kansas, financing, sales tax on motor-vehicle fuels.**

Chairman Umbarger called on Joe Erskine, Deputy Secretary of Finance, KDOT, to review geographic distribution of transportation funding (See Attachment 3 in March 18 a.m. meeting) and the different funding scenarios (See Attachment 13 in March 17 p.m. meeting) under consideration for a new comprehensive transportation program. Chairman Umbarger indicated to concentrate attention on "Funding Scenario B" and "Funding Scenario E," as Deputy Erskine continued reviewing the following:

- Distribution percentages should be met over a long period of time
- Minimum of \$5 million per county for highway construction
- A portion should be held back for economic opportunities
- No district shall receive more than 45% of the funding in a new program

KDOT provided a listing of proposed projects by grouped by districts, requested at the March 18, 2010 a.m. meeting (Attachment 1).

Discussion followed regarding oversight by the State Finance Council, and KDOT provided information regarding the membership, meetings and voting of the council (Attachment 2). It was determined to not recommend oversight by the State Finance Council.

Language to limit access to the State Highway Fund was requested by Senators Donovan and Huntington. Bruce Kinzie, staff revisor, reviewed the balloon amendment (Attachment 3). After discussion, no action was taken on the amendment.

Discussion continued in regard to limiting spending in one district, over the life of the program, to 45%, changing bond terms for Build America Bonds from 20 years to 25 years and expanding bonding cap to a limit of 18% debt service payments from projected SHF revenues for any year.

The Chairman recommended that two separate substitute bills be drafted, with the same language and provisions, except one with funding scenario B and the second with funding scenario E.

Senator Schmidt moved, Senator Kultala seconded, to remove **HB 2650** from the table. Motion carried.

KDOT provided a list of proposed technical amendments (Attachment 4).

Senator Hensley moved, Senator Huntington seconded, to draft a substitute for **HB 2510**, by deleting the contents, inserting language from **SB 498**, amended with KDOT's technical changes, funding scenario B, inclusion of oversize overweight permit fee increases, removal of the motor carriers \$35 annual registration fees for trailers with a gross weight of more than 12,000 lbs. and re-title accordingly. Motion carried.

CONTINUATION SHEET

Minutes of the Senate Transportation Committee at 5:30 p.m. on March 18, 2010, in Room 548-S of the Capitol.

Senator Hensley moved, Senator Marshall seconded, to draft a substitute for **HB 2650**, by deleting the contents, inserting language from **SB 498**, amended with KDOT's technical changes, funding scenario E, inclusion of oversize overweight permit fee increases, removal of the motor carriers \$35 annual registration fees for trailers with a gross weight of more than 12,000 lbs. and re-title accordingly. Motion carried.

The meeting was adjourned at 6:30 p.m. The next meeting is scheduled for March 19, 2010.



Total Projects: 103  
Total Miles: 750+

Urban Projects: 22  
Rural Projects: 71  
Modernization: 10

Total Cost: \$5673 - \$6836

Please note projects are grouped by district and then listed in alphabetical order by county

## District 1 - Northeast

1-2

County	Route	Location	Scope	Length (miles)	2010 Construction Cost (\$ Million)	Proj Type
<b>Urban</b>						
DG	K-10	from US-59 to K-10 (SLT)	new 4-lane	7	150	Exp
JO	K-7	at I-35/K-7 Interchange	new interchange	x	111	Exp
JO	K-10	from K-7 to I-435 (Incl K-10/K-7 Interchange)	upgrade to 8-lanes	4	192	Exp
JO	K-7	from I-35 to 0.5 mi S of 127th St	4-lane freeway	4	124	Exp
JO	I-35	at SW Johnson Co Interchange (KC Intermodal)	new interchange	x	20	Exp
JO	I-35	from Old US-56 to 119th St	reconstruct-capacity improvements	4	83	Exp
JO	US-69	from 167th St to 119th St	capacity improvements	6	142	Exp
JO	I-35	from I-35/I-435/K-10 NE to US-69	reconstruct-capacity improvements	3	90	Exp
JO	I-35	from US-69 NE to 67th St	reconstruct-capacity improvements	2	50	Exp
JO	I-435	from I-35 to I-435/K-10	reconstruct-capacity improvements	1	600	Exp
JO	I-435	from US-69 to Quivira	reconstruct-capacity improvements	1	23	Exp
JO	US-69	from 119th St to I-435	capacity improvements	6	250	Exp
SN	I-70	at Polk Quincy Viaduct	reconstruct	x	116	Exp
WY	K-7	from 130th St to US-24/40	4-lane freeway	1	16	Exp
WY	K-7	at K-7/I-70 Interchange	reconstruct interchange	1	300	Exp
<b>Total Cost</b>					<b>\$2,267</b>	
<b>Rural</b>						
BR	K-20	from US-75 to Horton	reconstruct	10	15	Mod
DP	US-36	from Troy to Wathena	4-lane expressway	6	30	Exp
JA	K-16	from 3 mi W of Holton to K-16/116 Jct.	reconstruct	6	12	Mod
JA-BR	US-75	from Holton to K-20	4-lane expressway	13	70	Exp
JA-BR			passing lanes	13	20	Exp
JF	K-4	from 54th St (end of Oakland Expressway) to Meriden	4-lane expressway	4	20	Exp
LY	US-50	from Lyon-Chase Co Line to Emporia	4-lane expressway	6	23	Exp
OS	US-75	from Lyndon to Carbondale	4-lane freeway	13	67	Exp
OS			4-lane expressway	13	53	Exp
OS	K-31	from Osage City to US-75	reconstruct	7	10	Mod
RL	K-18	from 1 mi E. of Scenic Dr to K-113/Seth Child	4-lane freeway	1	20	Exp
RL	K-18	from Wildcat Creek Rd to 1 mi E of Scenic Dr.	4-lane freeway	4	57	Exp
SN	US-24	from Silver Lake to Topeka	4-lane expressway	7	60	Exp
SN	US-24	at US-24/Menoken Rd	4-lane expressway	1	34	Exp
SN-JF	K-4	from US-24 to 54th St	4-lane freeway	3	60	Exp
SN-JF			2 on a 4	3	39	Exp
<b>Total Cost</b>					<b>\$393 - \$478</b>	

\*Projects are listed by county in alphabetical order\*

<b>District 2 - North Central</b>						
<b>County</b>	<b>Route</b>	<b>Location</b>	<b>Scope</b>	<b>Length (miles)</b>	<b>2010 Construction Cost (\$ Million)</b>	<b>Proj Type</b>
CS	US-50	from Strong City to Chase-Lyon Co Line	passing lanes	10	13	Exp
CS	US-50	from Strong City to Lyon-Chase Co Line	4-lane expressway	10	38	Exp
CS	US-50	from K-150 to Strong City	4-lane expressway	8	30	Exp
CS			passing lanes	8	12	Exp
GE	US-77	from I-70 to north of Rucker Road (incl K-18 IC)	4-lane freeway	4	35	Exp
GE			4-lane expressway	4	28	Exp
MN	US-50	from Harvey-Marion Co Line to Peabody	passing lanes	2	3	Exp
MN	US-50	from Marion-Harvey Co Line to Peabody	4-lane expressway	4	15	Exp
MN			passing lanes	4	6	Exp
MP	I-135	at McPherson Interchange	new interchange	x	10	Exp
WA	K-27	from GL-WA Co Line N to Sharon Springs	reconstruct	14	21	Mod
				<b>Total Cost</b>	<b>\$131 - \$165</b>	
<b>District 3 - Northwest</b>						
<b>County</b>	<b>Route</b>	<b>Location</b>	<b>Scope</b>	<b>Length (miles)</b>	<b>2010 Construction Cost (\$ Million)</b>	<b>Proj Type</b>
GO-SD	K-23	from Grainfield to Hoxie	reconstruct	18	22	Mod
OB	US-281	from Osborne to Portis	reconstruct	9	13	Mod
PL	K-383	from NT-PL Co Line NE to US-183	reconstruct	15	22	Mod
				<b>Total Cost</b>	<b>\$57</b>	

\*Projects are listed by county in alphabetical order\*

District 4 - Southeast						
County	Route	Location	Scope	Length (miles)	2010 Construction Cost (\$ Million)	Proj Type
AN	US-169	from Welda to East of Garnett	reconstruct	9	13	Mod
BB	US-69	from Fort Scott Bypass	4-lane Freeway	9	90	Exp
BB			4-lane expressway	9	69	Exp
BB			2 on a 4	9	59	Exp
CK	US-69	from Oklahoma (I-44) to Pittsburg Bypass	4-lane freeway	28	360	Exp
CK			4-lane expressway	28	288	Exp
CK			2 on a 4	28	234	Exp
CK	US-400	from Labette-Cherokee Co Line to K-7	4-lane expressway	14	42	Exp
CK			passing lanes	14	21	Exp
CK	US-400	from K-7 to US-69	4-lane expressway	7	20	Exp
CK			passing lanes	7	11	Exp
CK-CR	US-69	Pittsburg Bypass	4-lane freeway	19	190	Exp
CK-CR			2 on a 4	19	124	Exp
CK-CR	K-7	from Columbus to Cherokee (US-400)	reconstruct	12	26	Mod
CR-BB	US-69	from Pittsburg Bypass to Fort Scott	4-lane freeway	17	68	Exp
CR-BB			4-lane expressway	14	36	Exp
GW	US-400	from Butler-Greenwood Co Line to Severy	4-lane expressway	17	50	Exp
GW			passing lanes	17	6	Exp
GW	US-400	from Severy to Greenwood-Wilson Co Line	4-lane expressway	14	42	Exp
GW			passing lanes	14	4	Exp
LB	US-400	from US-59 (Parsons) to Labette-Cherokee Co Line	4-lane expressway	11	33	Exp
MG	US-169	from N Jct US-160 to US-400	4-lane expressway	9	42	Exp
MG			passing lanes	9	14	Exp
MG	US-169	from N of Coffeyville to S Jct US-160	4-lane expressway	9	42	Exp
MG			passing lanes	9	14	Exp
MG	US-75	from OK-KS St Line to US-166	4-lane expressway	5	25	Exp
MG			passing lanes	5	8	Exp
MG	US-75	from US-160 to N of Independence (RS-5034)	4-lane expressway	7	35	Exp
MG			passing lanes	7	11	Exp
MG	US-75	from N of Independence (RS-5034) to US-400	4-lane expressway	5	25	Exp
MG			passing lanes	5	8	Exp
MI	K-68	from US-169 to Louisburg	4-lane expressway	8	32	Exp
WL	US-400	from K-47 to Neodesha	4-lane expressway	11	33	Exp
WL			passing lanes	11	6	Exp
<b>Total Cost</b>					<b>\$657 - \$1,168</b>	

\*Projects are listed by county in alphabetical order\*

District 5 - South Central						
County	Route	Location	Scope	Length (miles)	2010 Construction Cost (\$ Million)	Proj Type
<b>Urban</b>						
SG	I-235	at Kellogg Interchange	reconstruct interchange	x	200	Exp
SG	I-235	from US-54 to Zoo	reconstruct-capacity improvements	3	150	Exp
SG	I-235	from Broadway to I-135/K-254	reconstruct-capacity improvements	2	100	Exp
SG	I-235	at I-235/I-135/K-254 Interchange	reconstruct interchange	x	200	Exp
SG	K-254	at Northwest Bypass in Wichita	4-lane freeway	10	300	Exp
SG	US-54	at Washington Street IC	interchange expansion	x	50	Exp
SG	US-54/400	from KTA E Wichita Interchange to K-96	Freeway	3	200	Exp
				<b>Total Cost</b>	<b>\$1,200</b>	
<b>Rural</b>						
BT	K-96	from Ellinwood to Great Bend	4-lane expressway	10	50	Exp
BU	US-400	from E Jct US-77 to Butler-Greenwood Co Line	4-lane expressway	17	50	Exp
BU			passing lanes	17	12	Exp
BU	K-254	IC at K-254 and River Valley Road	New Interchange	x	10	Exp
CL	new	SW bypass in Ark City	New 2-lane	2	40	Exp
CL	US-77	Winfield Bypass (west)	4-lane freeway	8	80	Exp
CL			4-lane expressway	8	66	Exp
CL			2 on a 4	8	52	Exp
HV	US-50	from Newton to 2-lane/4-lane (incl Anderson IC)	4-lane freeway	2	29	Exp
HV	US-50	from Halstead to Newton 2-lane/4-lane division	4-lane expressway	8	26	Exp
HV	US-50	from Harvey-Reno Co Line to Halstead	4-lane expressway	11	41	Exp
HV	US-50	from Newton to Marion-Harvey Co Line	4-lane expressway	10	49	Exp
KM	US-54	from 4 mi E of Cunningham to 1 mi W of K-14	4-lane expressway	8	50	Exp
KM			passing lanes	8	12	Exp
KM	US-54	from 1 mi W of K-14 to 3 mi E of Kingman (Kingman Bypass)	4-lane freeway	11	84	Exp
KM			4-lane expressway	11	63	Exp
KM			2 on a 4	11	55	Exp
KW	US-54	from Ford-Kiowa Co Line to E of Mullinville	4-lane expressway	6	50	Exp
KW			passing lanes	6	9	Exp
KW	US-54	from E of Mullinville to W of Greensburg	4-lane expressway	8	40	Exp
KW	US-54	through Greensburg (freeway)	4-lane freeway	3	50	Exp
KW			4-lane expressway	3	36	Exp
KW			2 on a 4	3	33	Exp
KW	US-54	from E of Greensburg to Haviland	4-lane expressway	9	45	Exp
KW	US-54	from Haviland to Kiowa-Pratt Co Line	4-lane expressway	5	25	Exp
KW			passing lanes	5	8	Exp
PR	US-54	from Kiowa-Pratt Co Line to 4 mi E of Cullison	4-lane expressway	10	50	Exp
PR	US-54	from 4 mi E of Cullison to 3 mi E of Pratt (Pratt Bypass)	4-lane freeway	10	107	Exp
PR			4-lane expressway	10	79	Exp
PR			2 on a 4	10	70	Exp
PR	US-54	from 3 mi E of Pratt to 1 mi E of Cairo	4-lane expressway	6	35	Exp
PR			passing lanes	6	9	Exp
RN	US-50	from Yoder/Airport Rd to Harvey-Reno Co Line	4-lane expressway	9	34	Exp
RN			passing lanes	9	14	Exp
RN	US-50	from K-61 to Yoder/Airport Rd	4-lane freeway	3	51	Exp
RN			new interchange	3	15	Exp
RN-RC	K-96	from Hutchinson to Sterling	4-lane expressway	13	65	Exp
RN-RC			2 on a 4	13	36	Exp
				<b>Total Cost</b>	<b>\$703 - \$1,061</b>	

\*Projects are listed by county in alphabetical order\*



District 6 - Southwest						
County	Route	Location	Scope	Length (miles)	2010 Construction Cost (\$ Million)	Proj Type
FI	US-50	from Kearney-Finney Co Line to Holcomb	4-lane expressway	6	20	Exp
FI	US-83	from Haskell-Finney Co Line to 3 mi N of Plymell	passing lanes	8	13	Exp
FI	US-83	from 3 mi N of Plymell to S of Garden City	passing lanes	8	13	Exp
FI	US-83	from Garden City to Finney-Scott Co Line	passing lanes	14	29	Exp
FI	US-50	from E of Garden City to Finney-Gray Co Line	4-lane expressway	4	13	Exp
FI			passing lanes	4	6	Exp
FO	US-54	from Bucklin to Ford-Kiowa Co Line	4-lane expressway	5	25	Exp
FO			passing lanes	5	8	Exp
FO	US-50	from Gray-Ford Co Line to Dodge City	4-lane expressway	8	27	Exp
FO			passing lanes	8	12	Exp
GY	US-50	from Finney-Gray Co L to Ingalls (FY10 proj to add passing lanes)	4-lane expressway	13	43	Exp
GY	US-50	from Ingalls to Cimarron (FY 10 proj to add passing lanes)	4-lane expressway	6	20	Exp
GY	US-50	from Cimarron to Gray-Ford Co Line	4-lane expressway	7	23	Exp
GY			passing lanes	7	11	Exp
HG	K-156	from Jetmore to Hanston	reconstruct	11	11	Mod
HS	US-83	from US-160/K-144 to Haskell-Finney Co L	passing lanes	12	18	Exp
ME	US-54	from Seward-Meade Co Line to US-160	4-lane expressway	6	30	Exp
ME			passing lanes	6	9	Exp
SC	US-83	from Finney-Scott Co Line to Scott City	passing lanes	14	24	Exp
SW	US-54	from Liberal to Shamrock	4-lane expressway	10	60	Exp
SW			passing lanes	10	15	Exp
SW	US-54	from Shamrock to Seward-Meade Co Line	4-lane expressway	10	60	Exp
SW			passing lanes	10	14	Exp
SW	US-83	from NCL Liberal to K-51	passing lanes	8	11	Exp
				<b>Total Cost</b>	<b>\$265 - \$440</b>	

\*Projects are listed by county in alphabetical order\*

## State Finance Council

### **Membership of state finance council; chairperson; secretary.**

There is hereby created the state finance council consisting of nine members. The members of the finance council shall be (1) the governor, (2) the president of the senate, (3) the speaker of the house of representatives, (4) the majority floor leader of the senate, (5) the minority floor leader of the senate, (6) the chairperson of the senate committee on ways and means, (7) the majority floor leader of the house of representatives, (8) the minority floor leader of the house of representatives, and (9) the chairperson of the house of representatives committee on appropriations. The governor shall be the chairperson and the secretary of administration shall be the secretary of the council but shall not be a member of such council.

### **Meetings:**

Upon call of the chairman, the state finance council shall meet as often as may be necessary to perform its duties.

### **Voting:**

The chairperson (Governor) and five or more other members of the state finance council shall constitute a quorum. Approval by the governor and approval by a majority vote of the legislative members of the state finance council shall govern, unless a unanimous vote is required by statute in any particular case.

1 secretary of transportation for:  
 2 (1) The construction, improvement, reconstruction and maintenance  
 3 of the state highway system;  
 4 (2) improvements in transportation programs to aid elderly persons,  
 5 persons with disabilities and the general public;  
 6 (3) for any purpose specified in ~~K.S.A. 68-2314a~~ *section 1, and*  
 7 *amendments thereto*;  
 8 (4) the support and maintenance of the department of transportation;  
 9 (5) the expenses of administering the motor vehicle registration and  
 10 drivers' license laws; and  
 11 (6) the payment of losses to department of transportation employees  
 12 authorized by K.S.A. 2002 2009 Supp. 75-5062, and amendments thereto.  
 13 Sec. 27. K.S.A. 68-20,120 is hereby amended to read as follows: 68-  
 14 20,120. ~~(a)~~ In addition to other powers and duties granted to the secretary  
 15 of transportation:  
 16 (a) (1) The secretary of transportation may study the feasibility of  
 17 constructing a new toll project or turnpike project or designating existing  
 18 highways or any portion of such highways as a toll project or turnpike  
 19 project.  
 20 ~~(b)~~ (2) The study of the feasibility of such toll project or turnpike  
 21 project shall include, but not be limited to:  
 22 ~~(1)~~ (A) The total cost of such project;  
 23 ~~(2)~~ (B) a determination of the funding of such projects, including the  
 24 use of one or a combination of public funds, private funds or toll revenues;  
 25 ~~(3)~~ (C) a determination of the duration of the collection of tolls on  
 26 such projects and if such projects are to become toll-free, a projected  
 27 date when such projects would become toll-free; and  
 28 ~~(4)~~ (D) such other data deemed necessary by the secretary for a de-  
 29 termination of the project's feasibility.  
 30 (b) *After conducting the feasibility study under subsection (a) and if*  
 31 *such feasibility study provides a favorable result, the secretary of trans-*  
 32 *portation may recommend the construction of a new toll project or turn-*  
 33 *pike project or the designation of an existing highway or any portion of*  
 34 *such highway as a toll project or turnpike project.*  
 35 Sec. 28. K.S.A. 2009 Supp. 68-2315 is hereby amended to read as  
 36 follows: 68-2315. Annually, prior to the 10th day of each regular session  
 37 of the legislature, the secretary of transportation shall submit a written  
 38 report to the governor and each member of the legislature providing:  
 39 (a) Summary financial information and a statement of assurance that  
 40 the department of transportation has prepared a comprehensive financial  
 41 report of all funds for the preceding year which includes a report by  
 42 independent public accountants attesting that the financial statements  
 43 present fairly the financial position of the Kansas department of trans-

(c) No moneys in the state highway fund shall be transferred from the state highway fund to the state general fund or to any other special revenue fund in the state treasury for use for any purpose other than the purposes for which moneys administered by the department of transportation may be expended as authorized by this section, unless such transfer is authorized by a separate bill passed by the affirmative vote of not less than two-thirds of all members then elected or appointed and qualified to each house.

### List of Proposed Technical Amendments

1. Make effective date on publication in the register – page 67, line 16, section 42
2. On page 1, line 36 – “expansion and economic opportunity projects”
3. On page 1, line 40 – “expansion and economic opportunity projects”
4. On page 1, line 41 – “engineering and traffic data”
5. On page 2, line 2 – “widening lanes or shoulders”
6. On page 3, line 3 – “provide transportation improvement assistance”
7. On page 47, line 11 – remove “system enhancements”
8. Remove Section 41 of the bill (duplicate)

1 3491a, 79-3492 and 79-34,118, and amendments thereto, as follows: To  
2 the state highway fund 66.37% and to the special city and county highway  
3 fund 33.63%.  
4 (c) On and after July 1, 2020, the state treasurer shall credit amounts  
5 received pursuant to K.S.A. 79-3408, 79-3408c, 79-3491a, 79-3492 and  
6 79-34,118 and amendments thereto as follows: To the state highway fund  
7 55.3% and to the special city and county highway fund 44.7%.  
8 Sec. 43. K.S.A. 8-143b, 8-143c, 8-143g, 8-143h, 8-143i, 8-143k, 8-  
9 195, 8-234b, 8-2409, 12-1775, 68-416, 68-20,120, 68-2314a, 68-2320, 68-  
10 2321 and 68-2328 and K.S.A. 2009 Supp. 8-142, 8-143, 8-143j, 8-143l, 8-  
11 145, 8-172, 8-2406, 8-2425, 12-6a35, 12-6a36, 12-1774, 12-1774a,  
12 12-17,148, 12-17,149, 68-2315, 68-2331, 75-5063, 75-5064, 75-5160, 79-  
13 3408c, 79-3491a, 79-3492b, 79-34,118, 79-34,141 and 79-34,142 are  
14 hereby repealed.  
15 Sec. 44. This act shall take effect and be in force from and after its  
16 publication in the statute book register.

1 **SENATE BILL No. 498**

2  
3

4 By Committee on Ways and Means

5  
6

2-1

7  
8

AN ACT relating to transportation; providing for a transportation works for Kansas program; relating to the financing thereof; amending K.S.A. 8-143b, 8-143c, 8-143g, 8-143h, 8-143i, 8-143k, 8-195, 8-234b, 8-2409, 12-1775, 68-416, 68-20,120, 68-2320, 68-2321 and 68-2328 and K.S.A. 2009 Supp. 8-142, 8-143, 8-143j, 8-143l, 8-145, 8-172, 8-2406, 8-2425, 12-6a35, 12-6a36, 12-1774, 12-1774a, 12-17,148, 12-17,149, 68-2315, 68-2331, 75-5063, 75-5064, 75-5160, 79-3408c, 79-3491a, 79-3492b, 79-34,118, 79-34,141 and 79-34,142 and repealing the existing sections; also repealing K.S.A. 68-2314a.

17  
18

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

19  
20

New Section 1. (a) In order to plan, develop and operate or coordinate the development and operation of the various modes and systems of transportation within the state, the secretary of transportation is hereby authorized and directed to initiate a transportation works for Kansas program.

24  
25

(b) The transportation works for Kansas program shall provide for the construction, improvement, reconstruction and maintenance of the state highway system. The program shall provide for the selection of projects which will allow for the flexibility to meet emerging and economic needs. Program expenditures may include, but not be limited to, the following:

30  
31

(1) Preservation projects to efficiently maintain a safe state highway system in its original or improved condition. It is the intent of the legislature that bridges and pavement condition of the state highway system be maintained or improved as determined by the Kansas department of transportation's performance measures;

35  
36

(2) capacity **expansion** and economic opportunity projects, which include additions to the transportation system or which improve access, relieve congestion and enhance economic development opportunities. The Kansas department of transportation shall develop and utilize criteria for the selection of capacity **expansion** and economic opportunity projects. The selection criteria shall include, but not be limited to, engineering **and traffic** data, local consultation, geographic distribution and an economic impact analysis evaluation; and

42  
43

- 1 (3) modernization projects, which include improvements to the trans-  
2 portation system by widening lanes or shoulders, making geometric improvements,  
3 upgrading interchanges or building rail grade separations to improve the  
4 safety, condition or service of the highway system. The Kansas depart-  
5 ment of transportation shall develop and utilize criteria for the selection  
6 of modernization projects. The selection criteria shall include, but not be  
7 limited to, engineering data, local consultation and geographic  
8 distribution.
- 9 The department of transportation shall develop criteria for the incor-  
10 poration of practical improvements into designs of the projects specified  
11 in this subsection.
- 12 (c) The transportation works for Kansas program shall provide for  
13 assistance, including credit and credit enhancements, to cities and coun-  
14 ties in meeting their responsibilities for the construction, improvement,  
15 reconstruction and maintenance of the roads and bridges not on the state  
16 highway system. These expenditures may include, but not be limited to,  
17 the following:
- 18 (1) Apportionment of the special city and county highway fund to  
19 assist cities and counties with their responsibilities for roads and bridges  
20 not on the state highway system;
- 21 (2) programs to share federal aid with cities and counties to assist  
22 with their responsibilities for roads and bridges not on the state highway  
23 system;
- 24 (3) programs to assist cities with the maintenance of city connecting  
25 links as specified in K.S.A. 68-416, and amendments thereto, and local  
26 partnership programs to resurface or geometrically improve city con-  
27 necting links or to promote economic development;
- 28 (4) programs to assist cities and counties with railroad crossings of  
29 roads not on the state highway system; or
- 30 (5) programs that allow local governments to exchange federal aid  
31 funds for state funds.
- 32 (d) The transportation works for Kansas program shall provide for a  
33 railroad program to provide assistance in accordance with K.S.A. 75-5040  
34 through 75-5050, and amendments thereto, for the preservation and re-  
35 vitalization of rail service in the state.
- 36 (e) The transportation works for Kansas program shall provide for an  
37 aviation program to provide assistance for the planning, constructing, re-  
38 constructing or rehabilitating the facilities of public use general aviation  
39 airports, in accordance with K.S.A. 75-5061, and amendments thereto.
- 40 (f) The transportation works for Kansas program shall provide for  
41 public transit programs to aid elderly persons, persons with disabilities  
42 and the general public, in accordance with K.S.A. 75-5032 through 75-  
43 5038, and amendments thereto, and K.S.A. 75-5051 through 75-5058,

1 and amendments thereto.  
2 (g) The transportation works for Kansas program shall provide for a  
3 multimodal economic development program to provide transportation improvement assistance for  
4 transportation-sensitive economic opportunities on a local or a regional  
5 basis.  
6 (h) The secretary of transportation shall, using the department of  
7 transportation selection methods and criteria, determine the projects to  
8 be selected for inclusion under the transportation works for Kansas  
9 program.  
10 (i) The transportation works for Kansas program authorized by this  
11 section shall not be implemented until funding is provided.  
12 Sec. 2. K.S.A. 2009 Supp. 8-142 is hereby amended to read as fol-  
13 lows: 8-142. It shall be unlawful for any person to commit any of the  
14 following acts and except as otherwise provided, violation is subject to  
15 penalties provided in K.S.A. 8-149, and amendments thereto:  
16 *First:* To operate, or for the owner thereof knowingly to permit the  
17 operation, upon a highway of any vehicle, as defined in K.S.A. 8-126, and  
18 amendments thereto, which is not registered, or for which a certificate  
19 of title has not been issued or which does not have attached thereto and  
20 displayed thereon the license plate or plates assigned thereto by the di-  
21 vision for the current registration year, including any registration decal  
22 required to be affixed to any such license plate pursuant to K.S.A. 8-134,  
23 and amendments thereto, subject to the exemptions allowed in K.S.A. 8-  
24 135, 8-198 and 8-1751a, and amendments thereto. A violation of this *First*  
25 by a person unlawfully claiming that a motor vehicle is exempt from reg-  
26 istration as a self-propelled crane under subsection (b) of K.S.A. 8-128,  
27 and amendments thereto, shall constitute an unclassified misdemeanor  
28 punishable by a fine of not less than \$500.  
29 *Second:* To display or cause or permit to be displayed, or to have in  
30 possession, any registration receipt, certificate of title, registration license  
31 plate, registration decal, accessible parking placard or accessible parking  
32 identification card knowing the same to be fictitious or to have been  
33 canceled, revoked, suspended or altered. A violation of this part *Second*  
34 shall constitute an unclassified misdemeanor punishable by a fine of not  
35 less than \$100 and forfeiture of the item. A mandatory court appearance  
36 shall be required of any person violating this part *Second*. This part *Sec-*  
37 *ond* shall not apply to the possession of: (a) Model year license plates  
38 displayed on antique vehicles as allowed under K.S.A. 8-172, and amend-  
39 ments thereto; or (b) distinctive license plates allowed under K.S.A. 8-  
40 1,147, and amendments thereto.  
41 *Third:* To lend to or knowingly permit the use by one not entitled  
42 thereto any registration receipt, certificate of title, registration license  
43 plate or registration decal issued to the person so lending or permitting



- 1 portation in conformity with generally accepted accounting principles and  
2 a notification that the complete comprehensive financial report, including  
3 the auditor's report is available upon request;
- 4 (b) a detailed explanation of the methods or criteria employed in the  
5 selection of substantial maintenance and construction projects *transportation projects under subsection (b) of section 1, and amendments thereto*,  
6 and in the awarding of assistance to cities, counties or other transportation  
7 providers;
- 8 (c) the proposed allocation and expenditure of moneys and proposed  
9 work plan for the current fiscal year and at least the next five years;
- 10 (d) information concerning ~~system enhancements~~, construction work  
11 completed in the preceding fiscal year and construction work in progress;
- 12 (e) information concerning the operation and financial condition of  
13 the transportation revolving fund;
- 14 (f) the annual allocation and expenditure of moneys from the coordinated public transportation assistance fund under K.S.A. 75-5035, and  
15 amendments thereto;
- 16 (g) the annual allocation and expenditure of moneys from the rail  
17 service improvement fund under K.S.A. 75-5048, and amendments  
18 thereto, including specific information relating to any grants or loans  
19 made under such program;
- 20 (h) the annual allocation and expenditure of moneys from the public  
21 use general aviation airport development fund under K.S.A. 75-5061, and  
22 amendments thereto, including specific information relating to grants  
23 made under such program;
- 24 (i) specific recommendations for any statutory changes necessary for  
25 the successful completion of the comprehensive transportation program  
26 specified in K.S.A. 68-2314a *section 1, and amendments thereto*, or efficient and effective operation of the Kansas department of transportation;  
27 and  
28 (j) an explanation of any material changes from the previous annual  
29 report.
- 30  
31  
32  
33 Sec. 29. K.S.A. 68-2320 is hereby amended to read as follows: 68-  
34 2320. (a) On and after July 1, 1991, the secretary of transportation is  
35 hereby authorized and empowered to issue bonds of the state of Kansas,  
36 payable solely from revenues accruing to the state highway fund and  
37 transferred to the highway bond debt service fund and pledged to their  
38 payment, for the purpose of providing funds to pay costs relating to construction, reconstruction, maintenance or improvement of highways in  
39 this state and to pay all expenses incidental thereto and to the bonds. The  
40 secretary is hereby authorized to issue bonds the total principal amount  
41 of which shall not exceed \$890,000,000.
- 42 (b) In addition to the provisions of subsection (a), on and after July  
43

1 (4) on E85 fuels, \$.11 \$.21 per gallon, or fraction thereof.  
2 (c) On and after January 1, 2014, the tax rates imposed under this  
3 act shall not be less than:  
4 (1) On motor-vehicle fuels other than E85 fuels, \$.31 per gallon, or  
5 fraction thereof;  
6 (2) on special fuels, \$.33 per gallon, or fraction thereof;  
7 (3) on LP-gas, \$.30 per gallon, or fraction thereof; and  
8 (4) on E85 fuels, \$.24 per gallon, or fraction thereof.  
9 (d) (1) Beginning January 1, 2013, and on January 1 of each year  
10 thereafter, the director of taxation shall adjust the tax rates under this  
11 section and K.S.A. 79-3492b, and amendments thereto, by the percentage  
12 change in the average of the consumer price index for the most recent 12-  
13 month period ending September 30, compared to the base year average,  
14 which is the average for the 12-month period ending September 30, 2012,  
15 and round to the nearest  $\frac{1}{10}$  of a cent.  
16 (2) For the purpose of this subsection, "consumer price index" means  
17 the average over a 12-month period of the national consumer price index,  
18 not seasonally adjusted, published monthly by the bureau of labor statis-  
19 tics, United States department of labor designated as the national con-  
20 sumer price index for all urban consumers-United States city average.  
21 ~~Sec. 41. K.S.A. 2009 Supp. 79-34,142 is hereby amended to read as~~  
22 ~~follows: 79-34,142. (a) On and after July 1, 2002, until July 1, 2003, the~~  
23 ~~state treasurer shall credit amounts received pursuant to K.S.A. 79-3408,~~  
24 ~~79-3408c, 79-3491a, 79-3492 and 79-34,118 and amendments thereto as~~  
25 ~~follows: To the state highway fund 64.6% and to the special city and~~  
26 ~~county highway fund 35.4%.~~  
27 ~~(b) On and after July 1, 2003, until July 1, 2020, The state treasurer~~  
28 ~~shall credit amounts received pursuant to K.S.A. 79-3408, 79-3408c, 79-~~  
29 ~~3491a, 79-3492 and 79-34,118, and amendments thereto, as follows: To~~  
30 ~~the state highway fund 66.37% and to the special city and county highway~~  
31 ~~fund 33.63%.~~  
32 ~~(c) On and after July 1, 2020, the state treasurer shall credit amounts~~  
33 ~~received pursuant to K.S.A. 79-3408, 79-3408c, 79-3491a, 79-3492 and~~  
34 ~~79-34,118 and amendments thereto as follows: To the state highway fund~~  
35 ~~55.3% and to the special city and county highway fund 44.7%.~~  
36 Sec. 42. K.S.A. 2009 Supp. 79-34,142 is hereby amended to read as  
37 follows: 79-34,142. (a) On and after July 1, 2002, until July 1, 2003, the  
38 state treasurer shall credit amounts received pursuant to K.S.A. 79-3408,  
39 79-3408c, 79-3491a, 79-3492 and 79-34,118 and amendments thereto as  
40 follows: To the state highway fund 64.6% and to the special city and  
41 county highway fund 35.4%.  
42 (b) On and after July 1, 2003, until July 1, 2020, the state treasurer  
43 shall credit amounts received pursuant to K.S.A. 79-3408, 79-3408c, 79-