

SESSION OF 2004

SUPPLEMENTAL NOTE ON SENATE BILL NO. 446

As Amended by Senate Committee on
Transportation

Brief*

SB 446, as amended, pertains to road and bridge repairs and improvements by local units of government. The proposed changes and the reasons therefor are as follows:

Proposed Change	Reason for the change
Remove the requirement that a municipality construct a detour or establish a detour route for all projects in which a road is closed to the public.	Most of these projects are small and do not justify the expenses. Instead, engineering judgement and serving the public should guide a municipality in determining when a detour route is to be designated and to what extent it should be improved. The recommendation does not preclude the need to properly sign a project for road closing.
Delete the requirement that a municipality on any closing of a highway supplement warning signs with warning lights.	The use of warning signs is already stipulated in the Manual On Uniform Traffic Control Devices.
Remove the requirement that county commissioners maintain a township road used as a detour.	It is usually not necessary to make improvements to a detour route due to minimal traffic on the route. The current provision also creates potential liability issues for county commissioners.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Restore K.S.A. 68-2107, which would have been repealed by the original bill	This change was technical.
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Background

SB 446, as introduced, was requested by Darryl C. Lutz, P.E. County Engineer and member of the Kansas County Highway Association (KCHA). Mr. Lutz explained that KCHA began work over 2 years ago to revise and recodify those sections of Chapter 68 of the Kansas Statutes Annotated that relate to county road and bridge issues. The amendments were also requested by this conferee. No one testified against the bill before the Senate Transportation Committee.

The fiscal note prepared by the Division of Budget indicates that the Department of Transportation indicates that the bill would not have a fiscal effect on its budget. In addition, the note indicates that the Kansas Association of Counties estimates that the bill would not have a fiscal effect on county budgets.