

Enforcement of Turnpike Toll Payments; SB 373

SB 373 requires the registered owner of a vehicle driven on a project of the Kansas Turnpike Authority (KTA) to pay all tolls associated with that vehicle's use on any KTA project. The KTA may provide a notice of toll evasion to the registered owner, and that notice may include a toll-evasion civil penalty, administrative fee, and costs for each instance in which the registered owner has failed to pay a toll.

On and after January 1, 2018, the Director of the KTA (*i.e.*, the Secretary of Transportation) or the Director's designee is authorized to instruct the Division of Vehicles to require payment of any tolls due and owing to the county treasurer at the time of registration or renewal of registration, or otherwise to refuse to register or renew the registration of the vehicle until the amounts are paid to the satisfaction of the Director or the Director's designee, if the outstanding amount of tolls due and owing by the registered owner exceeds \$100. The bill states an application for registration or renewal of registration for a vehicle shall not be accepted if the records of the Division of Vehicles show that after three attempts by the KTA to contact the registered owner, including at least one registered letter, the registered owner of the vehicle has unpaid tolls; the Director or the Director's designee has instructed the Division to refuse to accept the registration or renewal of registration; and payment to the county treasurer is not made at registration. The bill provides that 15.0 percent of the moneys collected by a county treasurer at registration or registration renewal will be retained by the county treasurer, with the remainder remitted to the KTA.

The bill allows the registered owner to contest any notice of toll evasion, including all tolls, penalties, fees, costs, and registration holds, to the KTA. The bill requires the KTA to investigate and provide to the owner, within 30 days, a violation order containing the findings of the investigation. The owner may pay the order or request an administrative hearing, within 15 days of receipt of the order; the hearing is to be conducted in accordance with the provisions of the Kansas Administrative Procedure Act, and the owner may appeal the administrative hearing order to the district court in accordance with the provisions of the Kansas Judicial Review Act.

The bill authorizes the KTA to adopt rules and regulations necessary to carry out the new provisions.