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MEMORANDUM

To: House Committee on Appropriations
From: Chris Waggoner, Assistant Revisor
Date: March 20, 2019
Subject: Bill Brief – HB 2369

HB 2369 authorizes the secretary of transportation to construct new toll projects or designate existing highways as toll roads. HB 2369 also changes the financing requirements for toll projects and turnpike projects for both the Kansas Department of Transportation (KDOT) and the Kansas Turnpike Authority (KTA).

HB 2369 is based off recommendations from the Joint Legislative Transportation Vision Task Force that met from August to November in 2018. The report from that task force specifically mentioned the need for increased flexibility for toll and turnpike projects for the KTA and KDOT.

Sections 1, 2 and 3 of HB 2369 changes the financing requirements for KTA turnpike projects. Current law provides any turnpike project constructed by the KTA to be payable solely through tolls or other income from the operation of the project. Any reference to the need for a turnpike project to be paid “wholly” or “solely” through toll revenue have been changed to reflect that turnpike projects may be financed “partly” from toll revenues.

Section 4 makes changes to current law related to KDOT’s authority regarding toll project construction and designation. Current law allows for KDOT to initiate a study to determine the feasibility of constructing a new toll or turnpike project or designating a current highway as a toll project. Current law only allows the Secretary of Transportation to recommend implementation of those projects following a favorable study result. HB 2369 would expand that authority and grant the Secretary of Transportation the ability to construct a new toll project or designate an existing highway or bridge as a toll project upon a favorable feasibility study result rather than just recommending those favorable projects. However, the designation of a toll project on an existing highway or bridge must be to increase capacity on such highway or bridge.

HB 2369 also adds another aspect to the feasibility study that would require consultation with local officials to determine that due to traffic volume, local participation or other reasons makes a toll project feasible and acceptable to the local community. Section 5 includes this same authority for KDOT in provisions relating to freeways and express highways and states that the toll road can be financed partly through bond proceeds.

If enacted, the provisions of HB 2369 become effective July 1, 2019.