

**HOUSE BILL No. 2373**

By Committee on Appropriations

2-18

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

1 distribution.

2 (2) The department of transportation shall develop criteria for the  
3 incorporation of practical improvements into designs of the projects  
4 specified in this subsection.

5 (c) The transportation planning program shall provide for assistance,  
6 including credit and credit enhancements, to cities and counties in meeting  
7 their responsibilities for the construction, improvement, reconstruction and  
8 maintenance of the roads and bridges not on the state highway system.  
9 These expenditures may include, but not be limited to, the following:

10 (1) Apportionment of the special city and county highway fund to  
11 assist cities and counties with their responsibilities for roads and bridges  
12 not on the state highway system;

13 (2) programs to share federal aid with cities and counties to assist  
14 with their responsibilities for roads and bridges not on the state highway  
15 system;

16 (3) programs similar to the department of transportation's Kansas  
17 local bridge improvement program to aid local public authorities in  
18 replacing or repairing bridges not on the state highway system;

19 (4) programs to assist cities and counties with railroad crossings of  
20 roads not on the state highway system;

21 (5) programs to assist cities with the maintenance of city connecting  
22 links as specified in K.S.A. 68-416, and amendments thereto, and local  
23 partnership programs to resurface or geometrically improve city  
24 connecting links or to promote economic development; or

25 (6) programs that allow local governments to exchange federal aid  
26 funds for state funds.

27 (d) The transportation planning program shall provide for a railroad  
28 program to provide assistance in accordance with K.S.A. 75-5040 through  
29 75-5050 and 75-5089, and amendments thereto, for the preservation and  
30 improvement of freight and passenger rail service in the state.

31 (e) The transportation planning program shall provide for an aviation  
32 program to provide assistance for the planning, constructing,  
33 reconstructing or rehabilitating the facilities of public use general aviation  
34 airports, in accordance with K.S.A. 75-5061, and amendments thereto.

35 (f) The transportation planning program shall provide for public  
36 transit programs to aid elderly persons, persons with disabilities and the  
37 general public, in accordance with K.S.A. 75-5032 through 75-5038 and  
38 75-5051 through 75-5058, and amendments thereto.

39 (g) The transportation planning program shall provide for programs  
40 that increase the department of transportation's participation in other  
41 modes of transportation, which may include projects that improve on  
42 bicycle and pedestrian transportation in rural and urban areas to address  
43 the increasing demand for an active transportation infrastructure.

1 (h) The transportation planning program shall provide for a  
2 multimodal economic development program to provide transportation  
3 improvement assistance for transportation-sensitive economic  
4 opportunities on a local or a regional basis.

5 (i) The transportation planning program shall provide for programs  
6 that study the feasibility and implementation of emerging technologies,  
7 including, but not limited to, autonomous vehicles, connected vehicles, in-  
8 vehicle technology, traffic management systems or broadband  
9 infrastructure across the state highway system.

10 (j) The department of transportation shall work with transportation  
11 industry representatives to develop a proposal for utilization of alternative  
12 project delivery methods to procure transportation projects. Such proposal,  
13 including any recommendations for legislative changes, shall be presented  
14 to the legislature on or before January 31, 2020.

15 (k) The secretary of transportation shall, using the department of  
16 transportation selection methods and criteria, determine the projects to be  
17 selected for inclusion under the transportation planning program.  
18 Consideration shall be given to additional criteria that may include  
19 projects that: (1) Remove transportation infrastructure from the state  
20 highway system; (2) identify priority corridors; or (3) include local  
21 participation.

22 New Sec. 2. Modernization or expansion projects authorized under  
23 the transportation planning program pursuant to section 1, and  
24 amendments thereto, shall not begin construction until all delayed projects  
25 under the transportation works for Kansas program have been let, unless  
26 federal funds become available for any economic opportunity or emerging  
27 needs transportation projects. No delayed projects under the transportation  
28 works for Kansas program shall be completed until after the department of  
29 transportation has consulted with local public authorities to determine that  
30 such delayed projects are still a continuing priority for the local  
31 community. Nothing in this section or section 1, and amendments thereto,  
32 shall be construed to prevent the department of transportation from  
33 planning future modernization or expansion projects pursuant to section 1,  
34 and amendments thereto.

35 Sec. 3. On and after July 1, 2020, K.S.A. 68-2316 is hereby amended  
36 to read as follows: 68-2316. For the period beginning July 1, ~~2010~~ 2020,  
37 through June 30, ~~2020~~ 2030, the secretary of transportation shall expend or  
38 commit to expend, from the revenue provided under the provisions of the  
39 ~~transportation works for Kansas program~~ *transportation planning*  
40 *program*, at least \$8,000,000 for projects or programs authorized under  
41 ~~K.S.A. 68-2314b, and amendments thereto~~ *section 1, and amendments*  
42 *thereto*, in each county of the state.

43 Sec. 4. On and after July 1, 2020, K.S.A. 68-2316 is hereby repealed.

1       Sec. 5. This act shall take effect and be in force from and after its  
2       publication in the statute book.