

SENATE BILL No. 182

By Committee on Natural Resources

2-3

9 AN ACT concerning air quality; relating to urban counties; regulation of
10 diesel emissions.

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

13 Section 1. (a) The board of county commissioners of any county des-
14 ignated by law as an urban county in which an intermodal facility has
15 been or is proposed to be located may adopt, by resolution, local legis-
16 lation and regulations to control and reduce the diesel emissions pro-
17 duced by heavy-duty vehicles located or operating within such county.
18 Such legislation and regulations shall apply only to the use and operation
19 of the vehicle, and not the design or licensing, including restrictions on
20 idling of the vehicle and operation of the vehicle upon private property
21 used for warehouses, intermodal terminals or similar commercial and
22 industrial facilities where diesel vehicles may congregate.

23 (b) Any legislation and regulations adopted pursuant to this section
24 shall apply uniformly to all areas of the county, including both incorpo-
25 rated areas and unincorporated areas unless the board expressly exempts
26 an area.

27 (c) Any legislation and regulations adopted pursuant to this section
28 may be enforced through the county's code of regulations pursuant to
29 K.S.A. 19-101d, and amendments thereto, and, with consent of the city,
30 in the appropriate municipal court of the city in which a violation
31 occurred.

32 (d) As a part of any regulations adopted pursuant to this section, the
33 board of county commissioners may adopt and impose a system of fees
34 and charges as deemed necessary to pay the costs to administer and en-
35 force the regulations.

36 (e) Any legislation and regulations adopted pursuant to this section
37 shall be in addition to and supplemental to any regulations adopted by
38 the state or its agencies, as long as they are not in conflict, and such
39 regulations may be more stringent or restrictive than the state regulations.

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