

**WRITTEN TESTIMONY FOR THE
SENATE COMMITTEE ON UTILITIES**

**REGARDING HOUSE BILL 2109
RELATING TO LAW ENFORCEMENT AGENCIES ENTERING INTO
UTILITY POLE ATTACHMENT AGREEMENTS**

March 5, 2025

Mr. Chairman and Committee Members:

The Kansas Department of Transportation (KDOT) is providing neutral testimony on House Bill (HB) 2109. This bill provides for law enforcement agencies to enter into an agreement with utilities to install law enforcement equipment on the utilities' poles. Pursuant to KDOT's authority in K.S.A. 68-413b to permit uses of highway right of way, KDOT permits law enforcement equipment on state highway right of way. HB 2109, page 2, line 12 states, "Any law enforcement agency that enters into a pole attachment agreement with a public utility shall warrant and guarantee to the public utility that the attachment, access, operation, maintenance or removal of any and all law enforcement equipment complies with all applicable laws, rules and regulations...." Therefore, the bill would continue the requirement that law enforcement get a permit from KDOT if law enforcement equipment is being installed on a utility pole. Currently anyone needing to work on the state's highway right of way including law enforcement agencies and public utilities must obtain a permit from KDOT to work on state highway right of way. Obtaining a permit from KDOT allows KDOT to work with the permittee to use the highway right of way in a manner that does not unnecessarily increase maintenance burdens on KDOT or compromise the safety of KDOT workers or the traveling public.

The agency looks forward to continuing to work with our valued public utilities and law enforcement agencies that use highway right of way and process permit requests in a timely manner.

Thank you for the opportunity to provide neutral testimony on HB 2109.