

HOUSE BILL No. 2571

By Committee on Local Government

Requested by Representative Brunk

1-28

1 AN ACT concerning municipalities; relating to road maintenance;
2 requiring cost-sharing agreements between municipalities for the
3 maintenance of shared roads; amending K.S.A. 68-169 and repealing
4 the existing section.

5

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

7 Section 1. K.S.A. 68-169 is hereby amended to read as follows: 68-
8 169. (a) Any ~~county, city or political subdivision of this state~~ *municipality*
9 shall have the authority to enter into written agreements with each other or
10 with the secretary of transportation with respect to the planning, designing,
11 financing, constructing, reconstructing, maintaining, acquiring of right-of-
12 way or establishing the controlled access facilities of any existing or
13 proposed highway, road, street or connecting link, including bridges,
14 traffic control devices and other such improvements located thereon.
15 Expenditures made pursuant to such agreements shall be considered proper
16 expenditures of public funds, including state funds, notwithstanding the
17 location of such improvement or facility outside the boundary or
18 jurisdiction of such county, city or political subdivision.

19 (b) (1) *If a highway, road or street is abutted on opposite sides by*
20 *territory under the jurisdiction of two different municipalities, the*
21 *governing bodies of such municipalities shall enter into a cost-sharing*
22 *agreement to allocate the responsibilities for the improvement, operation*
23 *and maintenance of public services and infrastructure related to such*
24 *highway, road or street. Such cost-sharing agreement shall include, but*
25 *not be limited to, provisions for:*

26 (A) *Roadway construction and maintenance;*
27 (B) *drainage;*
28 (C) *signage;*
29 (D) *utilities; and*
30 (E) *any other public services or infrastructure customarily provided*
31 *for highways, roads or streets.*
32 (2) *No governing body shall undertake a material improvement to*
33 *any highway, road or street that is subject to a cost-sharing agreement,*
34 *unless such improvement is authorized by or consistent with such*
35 *agreement.*

1 (c) For purposes of this section, "municipality" means any county,
2 city or other political subdivision of this state.

3 (d) This section shall not be construed as amending or repealing any
4 existing law relating to the same subject but shall be construed as
5 supplementary thereto.

6 Sec. 2. K.S.A. 68-169 is hereby repealed.

7 Sec. 3. This act shall take effect and be in force from and after its
8 publication in the statute book.