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300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: House Committee on Transportation
From: Office of Revisor of Statutes
Date: February 16, 2021
Subject: Bill Brief – HB 2296

HB 2296 permits the Secretary of Transportation to contract with the Kansas Turnpike Authority (KTA) to enforce toll payments and also permits the Secretary to support public transit or other transportation improvements along a toll project corridor.

K.S.A. 68-20,120 authorizes the Secretary to study the feasibility of toll projects or turnpike projects on certain corridors on the state highway system and on a favorable feasibility study result, to construct toll or turnpike projects. There are certain restrictions on the construction and operation of toll projects constructed under that statute. One restriction in subsection (f) states that the Secretary shall not use toll revenue for expenses that are not related to the toll project or turnpike project where the toll was collected. This bill would strike that restriction and instead provide that the Secretary may use toll revenues to support public transit or other transportation improvements on the corridor where the toll project or turnpike project was constructed.

New language is added in subsection (i) to permit the Secretary to contract with the KTA to set, collect and enforce the non-payment of tolls for a toll project. This would work similarly to how the KTA currently enforces tolls for other toll projects under their jurisdiction.

There is also additional language added in subsection (j) that states that the Secretary may exempt public transit vehicles from being charged tolls when using the tolled lanes of any project constructed by the Kansas Department of Transportation. There is a new definition of “public transit” added to this section to mean transportation provided by a public entity by bus, rail or other conveyance that provides the public with general or special service, but does not include school transportation, transportation by aircraft or intercity or commuter rail transportation. All other amendments are technical updates to the statute.