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Testimony to Joint Legislative Transportation Vision Task Force
Delivered October 4, 2018 in Newton
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The Kansas Association of Counties membership includes all 105 counties. There are 105 different situations related to transportation, and you have already heard many of those concerns and issues. I will describe the county position in general, and give a broad overview as well as few specific proposals.

State System: Counties support a good modern highway system. In 2008 every county commission in Kansas passed a resolution supporting a new highway program. All counties maintain a road system and understand that a good network of state highways is essential. Both rural and urban counties will support a new transportation program for state highways as long as the financial solution does not adversely affect the local road system.

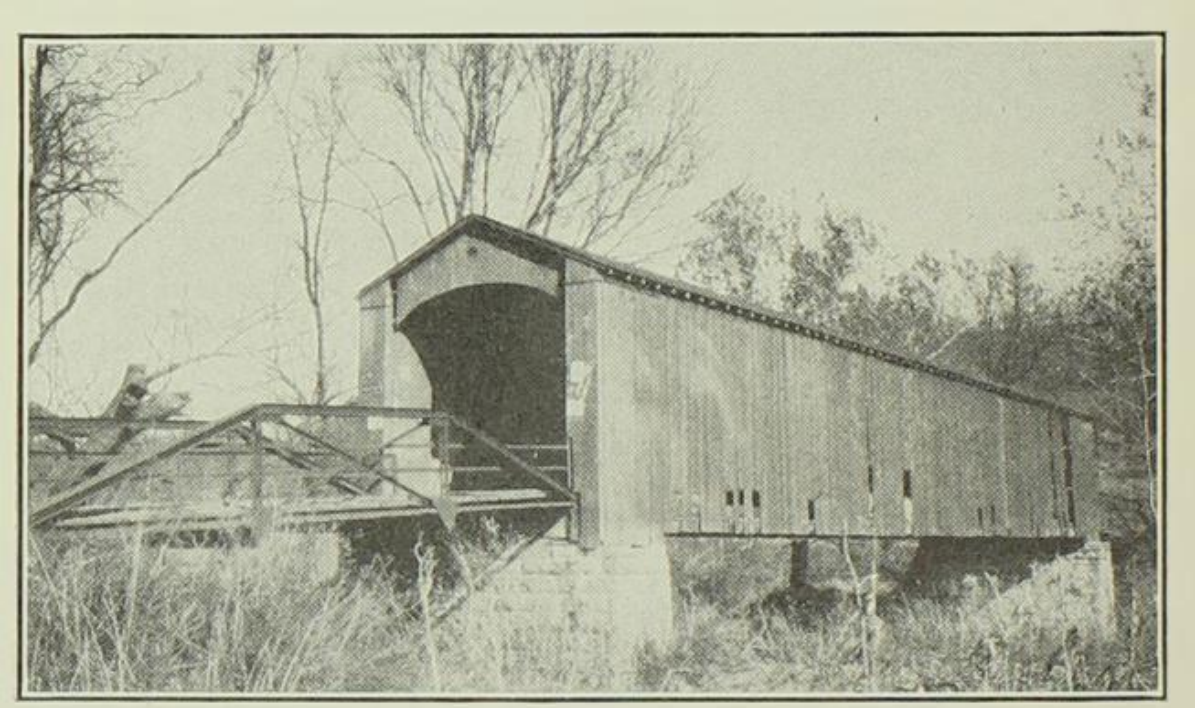

Fig. 1 Last acovered bridge in Kansas on Highway 92 west of Leavenworth (replaced in 1929)

Local Roads and Streets: This is a transportation vision task force, and that vision should not be just state highways, but include the entire transportation network. KDOT maintains 10, 200 miles, but counties and townships maintain 115,000 miles of road and the cities 15,000 miles of streets. While the state highways have been highly rated nationally, counties have been struggling to maintain passable roads. Just take a drive out in the country and I think you will see that problems. According to the 2013 American Society of Civil Engineers Report Card on American Infrastructure, 62 percent of Kansas' roads are in poor or mediocre condition. TRIP, a national transportation research group, found that thirty percent of Kansas' major rural roads

were rated in poor condition in 2013, the fifth poorest nationally. Eighty-eight counties are decreasing in population at the same time truck traffic has been increasing as ag production has increased and rail lines are abandoned. Urban counties also struggle to provide for increase in traffic due to growth. Yet the last highway bill in Kansas provided no additional funding. We thank the state for the Federal Fund Exchange program, as that allows increase in flexibility, but there was no real increase in funding.

The local road and street network is essential, almost every trip starts and ends on a local road or street. For instance, no trip can begin and end on an interstate as those are controlled access facilities. The responsibility for the connections to the highways and other related infrastructure is the responsibility of local governments. A good example is the Edgerton Intermodal Facility. KDOT constructed an interchange on I-35, thank you KDOT. But the interchange was to a gravel country road. Local governments, improved and paved the arterial roads, built a sewer plant, sewer lines, water lines, a water tower, and expanded a water treatment plant. The interchange was crucial, but don't discount the efforts and expense of the local governments and taxpayers to make it all work. Local roads and streets funnel traffic to the state highways, without a good local road and street network the transportation system does not work.

Fig. 2 BNSF Intermodal Facility at Edgerton: The I-35 interchange was just a portion of the public infrastructure that was needed to accommodate this facility.

Special City & County Highway Fund: County roads and city street construction and maintenance is basically funded from property tax and the Special City County Highway Fund (SCCHF). The SCCHF statewide is about 21% of our road budget. These funds are basically motor fuel tax. The current distribution of the motor fuel tax is that 66.37% goes to KDOT and 33.63% goes to the cities and counties. Although 57% of the vehicle miles travelled are on city streets and county roads local governments only receive 33.63% of the fuel tax. Citizens driving and wearing out local roads are actually subsidizing the state highways. Fuel tax is a user tax and fuel consumed driving city streets and county roads should go to the cities and counties. Counties and cities are already short on percentage based on use. Historically 44% of the fuel tax went to the SCCHF, one of the highway programs that raised the fuel tax reduced the percentage going to the SCCHF so the tax increase went to state highway construction. Locals were OK with this as there was a popup clause that was to return the percentage to 44% in 2020. Without our knowledge this popup clause was eliminated, so now we are stuck at essentially an unfair percentage. Additionally, the motor carrier property tax is supposed to go to counties and cities but since 2005 was diverted to the state general fund amounting to about $10 million per year.

This is not a rural vs urban issue as the funds are basically distributed based on vehicle miles travelled. Johnson and Sedgwick Counties receive about $11 million a year that they use to improve arterial roads needed due to growth. Smaller counties get less than $200,000 but that is a lot of money for them and is an essential part of their road maintenance.

We know with the state's financial position there is little chance of restoring the percentage to reflect where the fuel is consumed. However, we will oppose any further reduction in the percentage going to the SCCHF. Financing of the state highway system should not be at the expense of the local system.

Federal Funds: KDOT receives $258 Million annually in federal highway funds. KDOT points out they are not required to distribute funds to the locals. While this is generally true, I do want to point out that KDOT is responsible for just 10,200 miles, cities and counties maintain 130,000 miles. Federal highway funds are largely fuel tax and only 43% of the vehicle miles travelled are on the state highway system. From the local perspective KDOT is keeping more than their fair share of the user tax and vehicles travelling and wearing out local roads are disproportionally funding the state highway system. From 1944 to the mid 1950's the counties received 50% of federal funds to improve secondary roads. The requirement was lowered over the years and in the last few federal highway bills there has not been a requirement to distribute funds to local governments. Like the SCCHF it seems that amount of federal funds going to locals is at an historical low percentage.

Fig. 3 Bridge Traffic then and now - still using the same era bridges.

Proposed Bridge Program: Counties need help to repair deficient bridges. Local governments have 19,313 bridges, over 1/3rd of our bridges will not safely carry the legal load. 1/4th of the local bridges are more than 75 years old, and the average age is 50 years. Due to high cost of bridge construction counties are not replacing bridges at a sustainable rate and average just 115 bridge replacements per year. For safety reasons counties have already closed and abandoned hundreds of bridges. At the present replacement rate the counties will be faced with closing half our bridges in the next 50 years. There is a program for airports, a program for transit, and a program for rail. Bridge conditions are at a critical stage, there should be a program for bridges.


Fig. 4 McPherson/Reno County Line 2018: Large farm equipment and trucks have made many bridges obsolete or of limited utility. One-third of county bridges can not carry the legal load.

Proposed Special County Road Fund: Current funding methods will not support the county road network. Statewide the county funding is 21% Special City County Highway Fund (fuel tax), 7% federal funds exchange (fuel tax), and 71% property tax. With the current tax lid no increase in funding is available.
The county property tax for rural roads is countywide which includes city and county property. Since the county unit system of road maintenance was established in 1917 the demographics and property tax details have changed. Farms have become larger and more mechanized so the rural population has decreased in relation to the city population. The same trend has occurred with the valuation. Currently ag land pays less than 20% of road maintenance costs. It varies from county to county, but in general 70% and sometimes much more of the county valuation is inside cities. It is difficult to justify, and may be unfair, to raise the mill levy for city property to maintain rural roads. A Special County Road Fund financed by a mill levy on property in the unincorporated area may be a way to improve rural roads without burdening those inside cities who rarely use the roads. This could be an optional fund approved by voters in the unincorporated area for a specified number of years.

Future Road Funding-Production Tax: Since the Transportation Vision Task Force is considering future funding such as a mileage tax, one option might be a production tax. County wide property tax, which is the main source of funding for local roads, may be an unfair way to fund roads as the value of property has no relation to road use. It seems reasonable to consider new funding sources for industries that result in high road maintenance costs such as: sand, rock, oil, crops, livestock, and milk. There will be opposition to any new funding source, and we doubt current road conditions are poor enough to justify a new tax and overcome the opposition. We do not have any specific proposal at this time, but just hoped the task force would list a production tax with other possible future funding options.

Fig. 5 New bridges are stronger and wider to accommodate heavier and faster traffic, but the costs are high.

Figure 6. Most county blacktops were built in the 1950' and 1960's when equipment and trucks were smaller.

Figure 7 Atchison County 2014: Safety is an issue with larger equipment and older bridges.