

SESSION OF 2017

**SECOND CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2096**

As Agreed to April 5, 2017

Brief*

HB 2096 would authorize certain operations of transit buses and designate a memorial highway.

Transit Bus Operation on Certain Highway Shoulders

The bill would allow the Secretary of Transportation (Secretary) to authorize operation of transit buses on the right shoulders of state highways in Wyandotte County. Current law limits such operation to Johnson County.

The bill would replace the reporting requirement in current law with a requirement the Secretary and persons designated by the boards of commissioners of Johnson and Wyandotte counties report to the Legislature on the implementation and operation of the program on or before March 1 in 2018, 2019, and 2020. Under current law, the Secretary and persons designated by the Johnson County Board of County Commissioners must report annually, before the tenth day of each regular session.

Eldon K Miller Memorial Highway

The bill would designate a portion of US-75, in Woodson County north of Yates Center, as the Eldon K Miller Memorial Highway. The bill would remove that portion of US-75 from

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

designation as the Purple Heart/Combat Wounded Veterans Highway.

Under continuing law, the Secretary is required to place suitable signs to indicate such designation. However, the Secretary is precluded from placing these signs until the Secretary has received sufficient moneys from gifts and donations to reimburse the Secretary for the cost of placing such signs, plus an additional 50 percent of the initial cost to defray future maintenance or replacement of the signs. The Secretary may accept and administer gifts and donations to aid in obtaining and installing suitable signs. The bill would require the Secretary to place highway signs along the highway right-of-way at proper intervals to indicate the designation of the Eldon K Miller Highway once the reimbursement requirements are met.

Conference Committee Action

The second Conference Committee agreed to the Senate Committee on Transportation amendments to HB 2096 and to add the contents of HB 2203, as amended by the House Committee on Transportation.

Background

HB 2096—Transit Bus Operation on Certain Highway Shoulders

HB 2096 was requested by the Kansas Public Transit Association (Association). In the House Committee on Transportation hearing, the Chief Planning Officer for the Kansas City Area Transportation Authority (KCATA) testified as a proponent, giving information on the program as implemented in Johnson County starting in 2012 and stating the bill would address traffic on a portion of I-35 that is very congested at rush hours. He noted the limitations on such

operation and that the program is authorized only on certain portions of I-35.

Representatives of the Association, Johnson County Government, and the Kansas Department of Transportation (KDOT) also testified in support of the bill, and a representative of the Unified Government of Wyandotte County and Kansas City, Kansas, provided written-only proponent testimony. No other testimony was provided.

In the Senate Committee on Transportation hearing, the Chief Planning Officer for the KCATA and a representative of the Association testified as proponents. Written-only proponent testimony was received from the Unified Government of Wyandotte County and Kansas City, Kansas, and KDOT. No other testimony was provided.

The Senate Committee amended the bill to continue annual reports on the program from the Secretary and Johnson County, add Wyandotte County to the entities reporting on the program, change the due date of the report, and require annual reporting through 2020. [Note: The Conference Committee retained these amendments.]

According to the revised fiscal note prepared by the Division of the Budget on HB 2096, as introduced, KDOT estimates enactment of the bill would require additional expenditures of \$250,000 in FY 2018 for signage, shoulder pavement markings, guardrails, and grading on a proposed 3.6-mile corridor on I-35 in Wyandotte County. The fiscal note states the bill could be implemented with current staffing levels, but the agency operations expenditure limitation would need to be increased by \$250,000. KDOT has been notified it would be reimbursed for those costs by Johnson County, which is the transit provider for the area. Any fiscal effect associated with HB 2096 is not reflected in *The FY 2018 Governor's Budget Report*.

HB 2203—Eldon K Miller Memorial Highway

Representative Ellis requested HB 2203 and testified as its proponent in the House Committee on Transportation hearing. KDOT provided neutral testimony, requesting the honoree's title be removed to comply with state requirements related to highway signs. No other testimony was provided.

According to testimony, Sergeant Miller, a native of Yates Center, served in the U.S. Army Corps during World War II and was a Kansas Highway Patrol trooper starting in 1953. He was killed in the line of duty in Overland Park in 1968.

The House Committee amended the bill to remove the honoree's final Highway Patrol rank. [Note: The Conference Committee retained this amendment.]

In the Senate Committee on Transportation hearing, Representative Ellis and Sergeant Miller's nephew spoke in favor of the bill. Neutral testimony was provided by KDOT.

The Senate Committee amended the bill to add the provisions of SB 45, as amended by the Senate Committee, to designate a portion of I-70 as the John Carlin Highway. [Note: The Conference Committee did not retain this amendment.]

According to the fiscal note prepared by the Division of the Budget on HB 2203, as introduced, KDOT estimates it would cost \$2,480 to manufacture and install two signs along the portion of highway designated in the bill showing the designation. Including an additional 50.0 percent of the initial cost to defray future sign maintenance, the Secretary would need to receive a total of \$3,720 from donations to install the signs. KDOT indicates implementation of the bill would require an increase of \$2,480 to an expenditure limitation for the agency operations account. Any fiscal effect associated with enactment of HB 2203 is not reflected in *The FY 2018 Governor's Budget Report*.

bus on shoulder; transit; Eldon K Miller Memorial Highway

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