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**MEMORANDUM**

To: Senate Committee on Ways and Means  
From: Chris Waggoner, Assistant Revisor  
Date: March 13, 2019  
Subject: Bill Brief – SB 186

SB 186 creates a new transportation plan for Kansas in order to provide the necessary guidance for the Kansas Department of Transportation (KDOT) to construct and maintain highways and roads in the state.

SB 186 is based off the recommendations and suggestions provided by the Joint Legislative Transportation Vision Task Force that met from August to November in 2018. Like the other transportation plans before this bill, SB 186 builds on the framework established by T-Works, the transportation plan enacted in 2010. Generally, SB 186 allows KDOT to construct, maintain and plan for future transportation projects while also finishing the remaining projects from T-Works.

Section 1 contains provisions related to expenditures for highways that are in the state highway system. Subsection (a)(1) states that the transportation planning program shall provide for a selection of projects that allows flexibility to meet emerging and economic needs and allows expenditures for the preservation, modernization and expansion of the state highway system. Subsection (a)(1)(A) provides for preservation projects to maintain or improve the state highway system both at the surface and subsurface levels as determined by KDOT's performance measures. Subsection (a)(1)(B) provides for expansion and economic opportunity projects that will make additions to the transportation system, improve access or relieve congestion. KDOT is directed to develop criteria for the selection of expansion projects based off traffic and engineering data, local consultation, geographic distribution and an economic impact analysis. Subsection (a)(1)(C) provides for modernization projects that would improve the safety, condition or service of the highway system. KDOT is directed to develop criteria for the

selection of modernization projects based off engineering data, local consultation and geographic distribution.

Subsection (c) provides for expenditures to cities and counties in meeting their responsibility for maintaining or improving the roads and bridges not on the state highway system. The various assistance to cities and counties may include: apportionment of the special city and county highway fund, programs to share federal aid with cities and counties, programs to aid in the replacement or repair of local bridges, programs to assist railroad crossings, programs to maintain or improve city connecting links and programs that allow locals to exchange federal funds for state funds.

Various other modes of transportation are accounted for in the transportation planning program and provisions allow for programs to aid or develop those other modes of transportation. Subsection (d) provides for a railroad program to assist in the preservation and improvement of freight and passenger rail services. Subsection (e) provides for an aviation program to assist in the construction or maintenance of public use general aviation airports. Subsection (f) provides for public transit programs to aid the elderly, persons with disabilities and the general public. Subsection (g) provides for programs the increase KDOT's role in other modes of transportation like bicycle and pedestrian transportation to address an increasing active transportation infrastructure. Finally, subsection (h) provides for multimodal economic development programs for transportation-sensitive economic opportunities.

There are provisions of the transportation planning program that would allow for further development and studies concerning new ways to construct projects or new technologies. Subsection (i) allows for a study of the feasibility and implementation of emerging technologies such as autonomous vehicles or broadband infrastructure on the state highway system. Subsection (j) directs KDOT to work with transportation industry representatives to develop a proposal for alternative delivery methods for transportation projects.

Subsection (k) states that KDOT is responsible for choosing modernization and expansion projects based off KDOT's selection methods and criteria. This subsection goes on to state that additional consideration will be given to certain project criteria including projects that remove infrastructure from the state highway system, identify priority corridors or include local participation.

There are additional sections in SB 186 that deal with the implementation and timeline in association with T-Works. Section 2 states that modernization or expansion projects authorized under Section 1 shall not begin construction until delayed projects under T-Works have been let.

However, there is an exception if federal funds become available for economic opportunity or emerging needs transportation projects. Additionally, KDOT must consult local officials to determine that the delayed projects from T-Works are still a priority for that local community. Section 2 also does not prevent KDOT from planning future modernization or expansion projects allowed under the transportation planning program. Section 3 amends current law to update the timeline for minimum spending in each county of the state. The \$8 million provided to each county under T-Works that will expire in June 2020 is renewed, and KDOT is directed to expend or commit to expend a minimum of \$8 million from July 1, 2020 through June 30, 2030.

If enacted, the provisions of SB 186 become effective July 1, 2020.