79-3425c. Apportionment of special city and county highway fund; apportionment of county equalization and adjustment fund; credit and use. (a) On each January 15, April 15, July 15 and October 15 of each year, the director of accounts and reports shall transfer $625,000 to the county equalization and adjustment fund from the special city and county highway fund and on such dates the state treasurer shall apportion and pay to the several counties of the state 57% of the moneys in the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, and shall apportion and pay to the several cities of the state the remaining 43% of such moneys. 
(b) The allocation and payment to each county under the provisions of this section shall be made in the following manner:
First, Each county of the state shall receive a payment of $5,000; 
Second, of the balance remaining, 44.06% thereof shall be apportioned and paid to each county on each January 15 and April 15 of each year in the proportion that the total amount of money collected in such county from motor vehicle registration fees for the second preceding calendar year bears to the total amount of money collected in all counties from motor vehicle registration fees for the second preceding calendar year, and on July 15 and October 15 of each year in the proportion that the total amount of money collected in such county from motor vehicle registration fees for the preceding calendar year bears to the total amount of money collected in all counties from motor vehicle registration fees for the preceding calendar year; 
Third, 44.06% of such balance shall be apportioned and paid to each county on each January 15 and April 15 of each year in the proportion that the average daily vehicle miles traveled in such county for the second preceding calendar year bears to the average daily vehicle miles traveled in all counties of the state for the second preceding calendar year, and on July 15 and October 15 of each year in the proportion that the average daily vehicle miles traveled in such county for the preceding calendar year bears to the average daily vehicle miles traveled in all counties of the state for the preceding calendar year; and 
Fourth, the remaining 11.88% of such balance shall be apportioned and paid to each county on each January 15 and April 15 of each year in the proportion that the total road miles in such county for the second preceding calendar year bears to the total road miles in all counties of the state for the second preceding calendar year; and on July 15 and October 15 of each year in the proportion that the total road miles in such county for the preceding calendar year bears to the total road miles in all counties of the state for the preceding calendar year.
If the total amount of money received by any county pursuant to the foregoing distribution formula during the period from July 15 of any year to April 15 of the next succeeding year is less than the total amount received by such county from the special city and county highway fund and the county equalization and adjustment fund for fiscal year 1999, the state treasurer shall apportion and pay to each such county from the county equalization and adjustment fund an amount which together with the amount received pursuant to the foregoing distribution formula will equal the total amount received from the two aforementioned funds during such period of time. In
the event that there is insufficient funds in the county equalization and
adjustment fund to pay each county the amount to which it is entitled, each
county shall receive a payment in the proportion that the amount to which
such county is entitled bears to the amount to which all such counties are
entitled. If there is money remaining in such fund after such distribution, the
state treasurer shall distribute the balance to the several counties in the
manner provided in the second and third clauses of the foregoing formula for
distributing moneys to counties from the special city and county highway
fund.
All payments shall be made to the county treasurers of the respective
counties, and upon receipt of the same:
(1) The county treasurers of Sedgwick and Shawnee counties shall credit
50% of the moneys received to the road and bridge fund of such counties and
apportion and pay the remainder of such moneys to the several cities located
in such counties;
(2) the county treasurer of Wyandotte county shall credit 10% of the moneys
received to the road and bridge fund of such county and apportion and pay
the remainder of such moneys to the several cities located in such county;
(3) the county treasurers of Lyon, Cowley, Crawford, Montgomery, Butler,
Saline, Leavenworth, Riley, Reno and Douglas counties shall credit 90% of
the moneys so received to the road and bridge fund of such counties and
apportion and pay the remainder of such moneys to the several cities located
in such counties except that no persons residing within the Fort Riley military
reservation shall be included or considered in determining the population of
any city located within Geary or Riley county; and
(4) the county treasurers of Johnson county and all other counties not listed
in paragraphs (1), (2) or (3) shall credit all of the moneys received to the road
and bridge fund of such counties.
Not less than 25% of the amount received by each county and credited to the
county road and bridge fund under the provisions of this section shall be
expended by the county on mail and school bus routes on county roads as
defined in K.S.A. 68-101, and amendments thereto. Payments to the cities
under the provisions of this subsection shall be in the proportion that the
population of each city bears to the total population of all cities located in the
same county as such city.
In counties which have not adopted the county-unit road system, the amount
of money retained by such counties after distribution to the cities within such
county pursuant to this subsection shall be distributed to each township
within such county in not less than the proportion that the amount of money
received by each township from the county and township road fund during
the period from July 1, 1969, to June 30, 1970, bears to the total amount of
money received by such county from the county and township road fund, the
county road and city street funds, the special motor carrier fee county road
fund and the special city and county highway fund during the period from
July 1, 1969, to June 30, 1970, plus the amount such county would have
received on July 15, 1970, from the special city and county highway fund
based on the formula for distributing such fund in effect on June 30, 1970. All
payments to townships hereunder shall be made to the treasurers thereof,
and all moneys so received shall be deposited in the general road fund of
such township.
(c) The allocation and payment of moneys to the several cities of the state
from the special city and county highway fund shall be in the proportion that
the population of each city bears to the total population of all cities in the
state except that the population of any military reservation which has been
annexed to a city after the date of December 31, 1981, shall not be included
in the population of such city for the purpose of this allocation. All such
payments shall be to the city treasurers of the respective cities. Upon receipt
of same unless a consolidated street and highway fund is established
pursuant to K.S.A. 12-1,119, and amendments thereto, the city treasurer of
each city shall credit the same to a separate fund to be used for the
construction, reconstruction, alteration, repair and maintenance of the
streets and highways of such city and for the payment of bonds, and interest
thereon, issued pursuant to K.S.A. 79-3425g, and amendments thereto.
(d) For the purposes of this section, the average daily vehicle miles traveled
in each county shall be determined by the secretary of transportation, but it
shall not include miles traveled on interstate highways, and the population of
each city shall be reported in the annual enumeration by the secretary of
agriculture for the preceding calendar year.
(e) In order to reduce vehicular traffic and congestion on its streets and
highways, the board of county commissioners of any county, the governing
body of any city or the township board of any township may use for the
purpose of constructing, repairing and maintaining footpaths and bicycle
paths not to exceed 10% of the moneys such government receives under
K.S.A. 79-3425c, and amendments thereto, except that such limitation shall
not apply to moneys received by a county that the county is required to
distribute to a city or a township. Such moneys shall not be expended on any
recreational trail, as defined in subsection (b) of K.S.A. 58-3211, and
amendments thereto.

L. 1972, ch. 376, § 1; L. 1975, ch. 504, § 1; L. 1975, ch. 427, § 250; L. 1976,
ch. 427, § 1; L. 1978, ch. 413, § 1; L. 1980, ch. 320, § 1; L. 1982, ch. 414, § 1;