AN ACT concerning the Kansas turnpike; relating to tolls; motorcycles;
amending K.S.A. 2013 Supp. 68-2009 and repealing the existing
section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2013 Supp. 68-2009 is hereby amended to read as
follows: 68-2009. (a) The authority is hereby authorized to fix, revise,
charge and collect tolls for the use of each turnpike project and the
different parts or sections thereof, except when such use is by a person
riding a motorcycle, and to contract with any person, partnership,
association or corporation desiring the use of any part thereof, including
the right-of-way adjoining the paved portion, for placing thereon
telephone, telegraph, electric light or power lines, motor fuel filling
stations, garages, and restaurants, or for any other purpose except for
tracks for railroad or railway use, and to fix the terms, conditions, rents
and rates of charges for such use. All contracts made by the authority for
retail establishments or locations for retail establishments shall be made
separately for each retail establishment or location for a retail
establishment and sealed bids shall be asked separately on each retail
establishment or each location for a retail establishment by public offering
duly advertised as provided by law for the advertising for bids on state
highway construction projects and each such contract shall be let by the
authority in like manner as provided by law for the letting of highway
construction contracts by the secretary of transportation. Such tolls shall be
so fixed and adjusted in respect of the aggregate of tolls from the turnpike
project or projects in connection with which the bonds of any issue shall
have been issued as to provide a fund sufficient with other revenues, if
any, to pay: (1) The cost of maintaining, repairing and operating such
turnpike project or projects; and (2) the principal of and the interest on
such bonds as the same shall become due and payable, and to create
reserves for such purposes.

(b) Such tolls shall not be subject to supervision or regulation by any
other commission, board, bureau or agency of the state. The tolls and all
other revenues derived from the turnpike project or projects in connection
with which the bonds of any issue shall have been issued, except such part
thereof as may be necessary to pay such cost of maintenance, repair and
operation and to provide such reserves therefor as may be provided for in
the resolution authorizing the issuance of such bonds or in the trust
agreement securing the same, shall be set aside at such regular intervals as
may be provided in such resolution or such trust agreement in a sinking
fund which is hereby pledged to, and charged with, the payment of the
principal of and the interest on such bonds as the same shall become due,
and the redemption price or the purchase price of bonds retired by call or
purchase as therein provided. Such pledge shall be valid and binding from
the time when the pledge is made; the tolls or other revenues or other
moneys so pledged and thereafter received by the authority shall
immediately be subject to the lien of such pledge without any physical
delivery thereof or further act, and the lien of any such pledge shall be
valid and binding as against all parties having claims of any kind in tort,
contract or otherwise against the authority, irrespective of whether such
parties have notice thereof. Neither the resolution nor any trust agreement
by which a pledge is created need be filed or recorded except in the
records of the authority. The use and disposition of moneys to the credit of
such sinking fund shall be subject to the provisions of the resolution
authorizing the issuance of such bonds or of such trust agreement. Except
as may otherwise be provided in such resolution or such trust agreement,
such sinking fund shall be a fund for all such bonds without distinction or
priority of one over another.

(c) The authority shall not use toll or other revenue for any other
purposes than those set forth in this section.

Sec. 2. K.S.A. 2013 Supp. 68-2009 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its
publication in the statute book.