

2021 Kansas Statutes

75-5095. Short line rail improvement program; fund; qualified railroad track maintenance expenditures; transfers from the state highway fund. (a) There is hereby established in the state treasury the short line rail improvement fund. The short line rail improvement fund shall be administered by the secretary of transportation. Expenditures from the short line rail improvement fund may be made for any qualified railroad track maintenance expenditure constructed by an eligible entity. Qualified railroad track maintenance expenditures shall be matched on a 70% state moneys to 30% eligible entity moneys basis. All expenditures from the short line rail improvement fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of transportation or the secretary's designee.

(b) On July 1, 2020, and each July 1 thereafter through July 1, 2022, the director of accounts and reports shall transfer \$5,000,000 from the state highway fund to the short line rail improvement fund.

(c) For purposes of this section:

(1) "Eligible entity" means:

(A) A class II or class III railroad as defined in 49 C.F.R. § 1201.1-1(a), as in effect on January 1, 2020; or

(B) any owner or lessee industry track located on or adjacent to a class II or class III railroad in the state of Kansas; and

(2) "qualified railroad track maintenance expenditure" means gross expenditures for maintenance, reconstruction or replacement of railroad track, including roadbed, bridges, industrial leads and side track, and related track structures to the extent the expenditures are on track located in the state of Kansas, and the track was owned or leased by an eligible entity as of January 1, 2020.

History: L. 2020, ch. 8, § 5; July 1.