

SESSION OF 2017

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2398**

As Recommended by House Committee on  
Federal and State Affairs

**Brief\***

HB 2398 would amend the Uniform Act Regulating Traffic on Highways as it relates to the powers of local authorities, specifically counties not operating under the county road unit system or the county rural highway system.

In all such counties, the board of county commissioners would be responsible for placing and maintaining traffic control devices related to:

- County culverts and county bridges;
- Construction signage related to county projects on township roads; and
- Any street name signs placed at their discretion on township roads.

A township board would be responsible for placing and maintaining traffic control devices on township roads under its jurisdiction, except those listed above as being under the control of the board of county commissioners, in all counties not operating under the county road unit system or the county rural highway system. Under current law, this provision would only apply to townships located in five specified counties (Douglas, Johnson, Riley, Shawnee, and Sedgwick). The bill would specify regulatory signs on township roads under the township board's control would be required to be consistent

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

with resolutions of the board of county commissioners of the county where the road is located.

The bill would amend another section of law related to roads and bridges to reference the responsibilities of township boards as outlined in the amendments to the Uniform Act Regulating Traffic on Highways, as proposed in the bill.

### **Background**

The bill was introduced in the House Committee on Federal and State Affairs at the request of the Kansas Association of Counties (KAC). In the House Committee hearing, a representative of the KAC and Kansas County Highway Association appeared in support of the bill. He testified that the bill was introduced to clarify the law, in response to a Kansas Court of Appeals decision released in January 2017 [*Patterson v. Cowley County*, 388 P. 3d 923 (2017)].

No other testimony was provided.

According to the fiscal note prepared by the Division of the Budget, it is estimated that any fiscal effect resulting from enactment of the bill would be handled within the existing resources of local governments.