

75-5004. Abolition of highway commission and director of highways; transfer of powers, duties and functions to secretary; provisions for transition and continuity; preservation of rules, regulations, orders and directives.

(a) On August 15, 1975, the state highway commission created by K.S.A. 74-2001 and the office of director of highways established by K.S.A. 74-2004 shall be and are hereby abolished, and on said date, except as otherwise provided in this act, all of the powers, duties and functions of the state highway commission and the director of highways shall be and are hereby transferred to and conferred and imposed upon the secretary of transportation. Except as otherwise provided in this act, the secretary of transportation shall be the successor in every way to the powers, duties and functions of the state highway commission and director of highways, respectively, in which the same were vested prior to August 15, 1975. The secretary of transportation shall be a continuation of the state highway commission and director of highways, respectively, and every act performed under the authority of the secretary of transportation shall be deemed to have the same force and effect as if performed by the state highway commission or director of highways, respectively, in which such functions were vested prior to August 15, 1975.

(b) Except as otherwise specifically provided in this act or in subsection (d) of K.S.A. 75-5111, on and after August 15, 1975, whenever the state highway commission, or words of like effect, is referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the secretary of transportation, and whenever any such reference or designation concerns the power and authority of the state highway commission to acquire or dispose of land or any interest in land, the secretary of transportation shall succeed to such power and authority.

(c) On and after August 15, 1975, whenever the director of highways, or words of like effect, is referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the secretary of transportation.

(d) All rules or regulations and all orders or directives of the director of highways or state highway commission, respectively, in existence on August 15, 1975, shall continue to be effective and shall be deemed to be the rules or regulations and orders or directives of the secretary of transportation, until revised, amended, repealed or nullified pursuant to law.

History: L. 1975, ch. 426, § 4; July 1.