

Substitute for HOUSE BILL No. 2398

By Committee on Federal and State Affairs

3-19

1 AN ACT concerning traffic-control devices; relating to the maintenance
2 thereof, counties and townships; amending K.S.A. 2017 Supp. 8-2005
3 and 68-526 and repealing the existing sections.
4

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

6 Section 1. K.S.A. 2017 Supp. 8-2005 is hereby amended to read as
7 follows: 8-2005. (a) Local authorities in their respective jurisdictions shall
8 place and maintain such traffic-control devices upon highways under their
9 jurisdiction as they may deem necessary to indicate and to carry out the
10 provisions of this act or local traffic ordinances or to regulate, warn or
11 guide traffic. All such traffic-control devices hereafter erected shall
12 conform to the state manual and specifications.

13 (b) Local authorities in exercising those functions referred to in
14 subsection (a) shall be subject to the direction and control of the secretary
15 of transportation with respect to highways and streets designated by the
16 secretary as connecting links in the state highway system.

17 (c) ~~In townships located in Douglas, Johnson, Riley, Shawnee and~~
18 ~~Sedgwick counties, the township board shall place and maintain traffic-~~
19 ~~control devices, other than regulatory signs, on township roads under the~~
20 ~~board's jurisdiction. In addition, such township board shall place and~~
21 ~~maintain regulatory signs on township roads under the board's jurisdiction~~
22 ~~consistent with resolutions of the board of county commissioners of the~~
23 ~~county in which the township road is located. For this purpose, a~~
24 ~~regulatory sign is a sign setting forth a regulation, the violation of which~~
25 ~~subjects the operator of the motor vehicle to fine, imprisonment, or both.~~

26 *In all counties operating under the county-township system,*
27 *responsibilities for traffic-control devices and signage shall be as follows:*

28 (1) *Counties shall maintain the county roads and shall place and*
29 *maintain traffic-control devices on county roads. Counties shall maintain*
30 *and place on township roads signs related to county culverts and county*
31 *bridges, and construction signage related to county projects on township*
32 *roads.*

33 (2) *Township boards shall maintain the local township roads and*
34 *shall place and maintain traffic-control signage on such township roads,*
35 *except as provided in paragraph (1). Regulatory signs on township roads*
36 *under the township board's jurisdiction shall be consistent with resolutions*

1 *of the board of county commissioners of the county in which the township*
2 *road is located.*

3 (3) *For purposes of this subsection, a regulatory sign is a sign setting*
4 *forth a regulation, the violation of which subjects the operator of the*
5 *motor vehicle to a fine, imprisonment, or both. Nothing in this subsection*
6 *shall be construed as precluding the board of county commissioners from*
7 *placing and maintaining traffic-control devices or street name signs on*
8 *township roads, if the board determines that traffic-control devices or signs*
9 *placed by a township are inadequate, but the board of county*
10 *commissioners shall have no obligation to do so not be required to take*
11 *such action.*

12 (d) *In all counties operating under the county road unit system,*
13 *responsibilities for traffic-control devices and signage shall be as follows:*

14 (1) *Counties shall maintain the county roads and township roads and*
15 *shall place and maintain all traffic-control devices on such roads.*

16 (2) *Township boards shall not be responsible for roads or signage.*

17 (e) *In all counties operating under the general county rural highway*
18 *system, responsibilities for traffic-control devices and signage shall be as*
19 *follows:*

20 (1) *Counties shall maintain the county roads and township roads and*
21 *maintain all traffic-control devices on such roads in accordance with*
22 *K.S.A. 68-591 et seq. and amendments thereto.*

23 (2) *Township boards shall not be responsible for roads or signage.*

24 Sec. 2. K.S.A. 2017 Supp. 68-526 is hereby amended to read as
25 follows: 68-526. ~~(a)~~ *In all counties not operating under the county road*
26 ~~unit system~~ *operating under the county-township system, the township*
27 *board shall have the general charge and supervision of all township roads*
28 *and township culverts in their respective townships. The board shall*
29 *procure machinery, implements, tools, drain tile, stone, gravel and any*
30 *other material or equipment required, for the construction or repair of such*
31 *roads and culverts. All work shall be done in accordance with any plans*
32 *and specifications and the general regulations to be prepared and furnished*
33 *by the county engineer. The township board shall place and maintain all*
34 *such traffic-control devices for township roads as provided by K.S.A. 8-*
35 *2005, and amendments thereto.*

36 ~~(b)~~ *In townships located in Douglas, Johnson, Riley, Shawnee and*
37 *Sedgwick counties, the township board shall place and maintain traffic-*
38 *control devices and guidance, warning and regulatory signs on all*
39 *township roads as provided by K.S.A. 8-2005, and amendments thereto.*

40 Sec. 3. K.S.A. 2017 Supp. 8-2005 and 68-526 are hereby repealed.

41 Sec. 4. This act shall take effect and be in force from and after its
42 publication in the ~~statute book~~ **Kansas register**.