

HOUSE BILL No. 3028

By Committee on Appropriations

3-20

AN ACT concerning state finances; imposing passenger vehicle surcharges and commercial vehicle surcharges on turnpike travel; prescribing powers, duties and functions for the Kansas turnpike authority; amending K.S.A. 68-2004 and repealing the existing section.

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

New Section 1. (a) Except as otherwise provided by this section, there is hereby imposed a passenger vehicle toll surcharge and a commercial vehicle toll surcharge on the tolls for passenger and commercial vehicles charged and collected by the Kansas turnpike authority on and after July 1, 2002. Prior to July 1, 2002, and prior to July 1 of each year thereafter, the Kansas turnpike authority shall determine the passenger vehicle toll surcharge rate and the commercial vehicle toll surcharge rate in accordance with this section. Each passenger vehicle or commercial vehicle entering and exiting the turnpike within a metropolitan area shall be exempt from the surcharge imposed by this section.

(b) Based on the passenger vehicle volume, the passenger vehicle tolls paid and the distances traveled on the turnpike by passenger vehicles during the preceding calendar year, the Kansas turnpike authority shall fix the amount of the surcharge to be charged on each passenger vehicle toll commencing on July 1 of each year, to be in effect for the state fiscal year commencing on such July 1, at a rate which is determined by the Kansas turnpike authority to be the rate that would have yielded an average surcharge per passenger vehicle of \$.15 per passenger vehicle toll during the preceding calendar year. Based on the commercial vehicle volume, the commercial vehicle tolls paid and the distances traveled on the turnpike by commercial vehicles during the preceding calendar year, the Kansas turnpike authority shall fix the amount of the surcharge to be charged on each commercial vehicle toll commencing on July 1 of each year, to be in effect for the state fiscal year commencing on such July 1, at a rate which is determined by the Kansas turnpike authority to be the rate that would have yielded an average surcharge per passenger vehicle of \$.60 per commercial vehicle toll during the preceding calendar year. Each such surcharge rate shall be expressed as a percentage and shall be rounded up to the nearest \$.05 when applied and added to each toll

1 amount.

2 (c) The Kansas turnpike authority shall administer, charge and collect
3 the passenger vehicle toll surcharges and the commercial vehicle toll sur-
4 charges imposed by this section and shall remit the money received for
5 such surcharges to the state treasurer in accordance with the provisions
6 of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such
7 remittance, the state treasurer shall deposit the entire amount in the state
8 treasury to the credit of the state general fund.

9 (d) As used in this section, "entering and exiting the turnpike within
10 a metropolitan area" means transit over only that portion of the turnpike
11 between two interchanges servicing a single city.

12 Sec. 2. K.S.A. 68-2004 is hereby amended to read as follows: 68-
13 2004. (a) The authority is hereby authorized and empowered to:

14 (1) Adopt bylaws for the regulation of its affairs and the conduct of
15 its business;

16 (2) adopt an official seal and alter the same at pleasure;

17 (3) maintain an office at such place or places within the state as it
18 may designate;

19 (4) sue and be sued in its own name, plead and be impleaded;

20 (5) determine the location, subject to the approval of the secretary of
21 transportation, of each turnpike project financed under the provisions of
22 this act, determine its design and the materials of construction, and con-
23 struct, maintain, repair and operate the same;

24 (6) issue turnpike revenue bonds of the authority for any of its cor-
25 porate purposes, payable solely from the tolls and revenues pledged for
26 their payment, and to refund its bonds, all as provided in this act;

27 (7) fix and revise from time to time and charge and collect tolls for
28 transit over each turnpike project constructed by it;

29 (8) adopt rules and regulations for the use of any such turnpike pro-
30 ject, and adopt rules and regulations for traffic control on such project;

31 (9) acquire, hold and dispose of real and personal property in the
32 exercise of its powers and the performance of its duties under this act;

33 (10) designate the locations, and establish, limit and control such
34 points of ingress to and egress from each turnpike project as may be
35 necessary or desirable in the judgment of the authority to insure the
36 proper operation and maintenance of such project, and to prohibit en-
37 trance to such project from any point or points not so designated;

38 (11) make and enter into all contracts and agreements necessary or
39 incidental to the performance of its duties and the execution of its powers
40 under this act;

41 (12) employ consulting engineers, attorneys, accountants, construc-
42 tion and financial experts, superintendents, managers, and such other
43 employees and agents as may be necessary in its judgment, and to fix their

1 compensation;

2 (13) receive and accept from any federal agency grants for or in aid
3 of the construction of any turnpike project, and to receive and accept aid
4 or contributions from any source of either money, property, labor or other
5 things of value, to be held, used and applied only for the purposes for
6 which such grants and contributions may be made; ~~and~~

7 (14) do all acts and things necessary or convenient to carry out the
8 powers expressly granted in this act; *and*

9 (15) *fix, collect and remit the surcharges imposed by section 1, and*
10 *amendments thereto.*

11 (b) Violation of any of the rules and regulations adopted under this
12 section shall be unlawful and subject to the penalties contained in K.S.A.
13 8-2116 and amendments thereto.

14 Sec. 3. K.S.A. 68-2004 is hereby repealed.

15 Sec. 4. This act shall take effect and be in force from and after its
16 publication in the Kansas register.

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