

February 28, 2011

The Honorable Gary Hayzlett, Chairperson
House Committee on Transportation
Statehouse, Room 274-W
Topeka, Kansas 66612

Dear Representative Hayzlett:

SUBJECT: Fiscal Note for HB 2285 by House Committee on Transportation

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2285 is respectfully submitted to your committee.

HB 2285 would exclude cities that enact fines or penalties that do not parallel those found under the Safety Belt Use Act from being eligible for any distribution of monies for the maintenance of streets and highways designated as a city connecting link. Under current law, cities receive an annual payment of \$3,000 per lane mile for maintaining a city connecting link. Cities that enact fines or penalties that do not parallel those under the Safety Belt Use Act would be ineligible for any distribution of monies from the Special City and County Highway Fund. HB 2285 would take effect upon its publication in the *Kansas Register*.

The Kansas Department of Transportation (KDOT) states that passage of HB 2285 would result in the agency taking over the maintenance of city connecting links that are currently being maintained by cities where the seat belt fines do not meet the requirements outlined in HB 2285. The agency states that if it were to assume responsibility for the maintenance of city connecting links, it would cost approximately \$5,000 annually per lane mile. Furthermore, the agency notes it would need a maintenance dump truck for every 50 lane miles where it has responsibility. According to KDOT, each additional dump truck costs \$120,000. KDOT is unable to estimate a precise fiscal effect, because the agency does not know which cities receiving city connecting link payments would be out of compliance with the provisions in HB 2285. If all cities were in compliance, then the fiscal effect would be zero. If all cities were in violation, then there would be additional ongoing expenditures of \$4.5 million (900 lane miles x \$5,000 per lane mile) for maintenance and one-time expenditures of \$2,160,000 for 18 dump trucks (18 trucks x \$120,000 per truck). Should this be the case, KDOT indicates it would need an increase in expenditure authority from the agency operations account of the State Highway Fund. Furthermore, KDOT indicates that the expenditure limitation on its payments for city connecting links account of the State Highway Fund could be reduced by \$3,000 for every lane mile that reverts back to the agency.

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The League of Kansas Municipalities states passage of HB 2285 could affect cities, but cannot estimate a precise fiscal effect because the League does not know how many cities have imposed penalties different than those contained in the Safety Belt Use Act. In addition, the League notes it is not known if any cities that have imposed different penalties are eligible to receive city connecting link reimbursements from KDOT nor is it known what portion of the Special City and County Highway Fund any affected city would be eligible to receive. Any fiscal effect associated with HB 2285 is not reflected in *The FY 2012 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Anderson", with a long horizontal flourish extending to the right.

Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Ben Cleeves, Transportation
Larry Baer, League of Municipalities