CHRONOLOGY OF SELECTED FEDERAL-STATE HIGHWAY LEGISLATION AND TRANSPORTATION-RELATED ACTIVITY

1880-2016

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The purpose of this chronology is to assist readers in their search for knowledge regarding the history and development of the highway and road program in Kansas. Many sources were relied upon to provide the reader with important transportation-related information, including federal and state laws, federal publications, Kansas Legislative Research Department publications, and other works of highway-related interest. An appendix at the back of this document cites specific sources used to produce this chronology; it is followed by an index.

Entries for 1880 through 2007 were compiled by Hank Avila, Research Analyst, Kansas Legislative Research Department (KLRD), and released in October 2008. Contributors to subsequent entries include KLRD staff members Conrad Imel, Whitney Howard, and Jill Shelley.

1880 The League of American Wheelman formed the Good Roads Movement to lead efforts to use state funds for local road construction. The League claimed that good highways would raise land values, open new markets, end rural poverty, increase political participation by farmers, and improve education.[1]

1892 The National League for Good Roads was founded "to awaken general interest in the improvement of public roads, determine the best methods of building and maintaining them, secure the legislation, state or national, that may be necessary for their establishment and support, and conduct or foster such publications as may serve these purposes."

1893 Federal funding to pave roads began with the establishment of the Office of Road Inquiry, within the Department of Agriculture. Priority was given to paving rural roads. Operations were on a small scale and no funds were available for actual construction.

1900 The Kansas Good Roads Association was formed to lobby for a state highway department and for removal of state constitutional restrictions against the funding of "internal improvements."

1904 The U.S. Office of Road Inquiry conducted a nationwide inventory of road mileage. It showed that of a total of 2,151,379 miles of rural roads, only 153,530 miles were surfaced.

1909 The Kansas Legislature created the Office of County Engineer and authorized the Board of County Commissioners of each county with a population of more than 20,000 inhabitants to appoint a highway county engineer to supervise county road and bridge work. In counties with less than 20,000 inhabitants, county commissioners were allowed by resolution to appoint a county engineer.[2]

1911 The Legislature created the Office of State Highway Engineer to serve counties on road matters. Counties were required to pay the traveling expenses of the engineer.

The Kansas Legislature also created a road classification system consisting of state, county, mail, and township roads. State roads were defined by the Legislature; county roads were designated by county commissioners; free delivery mail routes were roads not designated as state or county roads; and township roads were designated as all other public highways within a township. County and state roads were maintained at the expense of the county; mail route and township roads were maintained by township overseers.

1912 The federal government provided funding to states for road construction. The Post Office Appropriation Act appropriated $500,000 to pay one-third of the costs of improving roads

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1 A "bicycle craze" began in the late 1880s and reached its pinnacle by 1895-96 and then collapsed entirely by 1897. A Boston merchant, Albert Pope, who became known as the "father of the bicycle" in America, also anticipated the advent of the automobile. Pope believed that good roads would be essential for automobile travel not only in cities, but throughout the entire country.

2 In 1909, in his message to the Kansas Legislature, Governor W.R. Stubbs recommended a supervisor of public highways in each county be appointed by the Board of County Commissioners. Governor Stubbs also pointed out the social and economic importance of good roads and recommended that money spent on public highways should be used in a scientific and businesslike way, with the work done by persons skilled in road building.

over which mail was carried, which resulted in the construction of 425 miles of roads in 17 states.

1913 The Legislature enacted legislation to register motor vehicles. A registration fee of $5 was imposed on motor vehicles and $2 on motorcycles. Receipts were placed in a Special County Road Fund to maintain county and state roads. Revenues from the fund were prohibited from being used for any nonroad purpose.

1914 The American Association of State Highway Officials (AASHO)[3] was founded in Atlanta, Georgia, by state highway administrators to plan and administer state highway programs.

1916 Congress enacted the Federal Aid Road Act[4] to, among other things, fund roads to ensure delivery of mail to farmers in rural areas. It authorized the use of federal money to construct roads and established a formula for apportionment among the states based on area, population, and mileage post roads (roads over which mail was carried). The Act required each state to create a state highway department to cooperate with the federal government in the use of federal money. To ensure state participation, the Act provided that the federal-aid share would be 50 percent.

1917 The Kansas Legislature created the State Highway Commission, consisting of the Governor and two appointees: one to represent the eastern part of the state and the other to represent the western part of the state. The Commission was authorized to contract with federal authorities concerning federal aid; supervise the administration of state road and bridge laws; supervise the construction and maintenance of roads, bridges, and culverts except for township roads, or unless a township road was to receive federal aid; devise plans, make specifications, and compile information pertaining to road materials; and approve the selection of county engineers. Direct control and financing were left to local authorities.

1918 In response to the federal concerns over increased road traffic, state highway officials suggested maximum truck weight limits.

1919 At an AASHO meeting, engineers from Oregon, Colorado, and New Mexico reported that gasoline taxes were effective in generating revenue for road purposes.

Kansas voters approved an amendment to the *Kansas Constitution* to allow the State to aid in the construction of roads and highways, 284,689 to 193,347. Limits were placed on the amount of aid that could be granted to any county.

1920 The Bureau of Public Roads (BPR) cooperated with states, counties, and cities in a series of transportation surveys. The first surveys were traffic censuses. Later studies became more research oriented and included as topics vehicle ownership, traffic variation, traffic origin and destination, truck size and weight, and driver behavior.

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3 In 1973, AASHO became the American Association of State Highway and Transportation Officials (AASHTO).

4 The Joint Committee on Federal Aid concluded that federal aid to good roads would accomplish some of the objectives indicated by the framers of the *Constitution*—establish post roads, regulate commerce, provide for the common defense, and promote the general welfare. According to Thomas H. MacDonald, Chief of Bureau of Public Roads, the federal/state relationship was premised on the removal of local politics from the allocation of federal funds.

1921 The Legislature created a separate annual registration fee schedule for trucks based on the rated carrying capacity of the truck. The rated carrying capacity was initially determined by the manufacturer as shown on the title and pertained to the load that could be carried on the truck. Fees ranged from $15 for a rated carrying capacity of 1 ton or less to $25 for each ton or fraction thereof of rated carrying capacity over 5 tons.

Congress enacted the Federal Aid Highway Act of 1921.[5] It earmarked federal funds for state selected systems of major routes comprising not more than 7 percent of each state's total rural mileage. Federal aid also was broadened to cover certain city streets which connected rural highways. The purpose of this provision was to insure that federal funds would be spent on roads of more than strictly local importance. The Act also provided that the highway departments of the states have adequate powers and be equipped and organized to discharge their duties to the satisfaction of the Secretary of Agriculture. (The Bureau of Public Roads was then a unit of the Department of Agriculture.)

1922 The Post Office Appropriation Act was approved. It established the principle of contract authority, a form of budget authority that permits obligations to be made in advance of appropriations. The impact of this change was important because it gave states time to participate in the federal aid highway program. It also provided assurances from the federal government that the apportionments would be funded and that federal funds would be available for prompt reimbursement to states.

In response to federal law, the State Highway Commission designated a highway system not to exceed 7 percent of the total road mileage of the state. The system consisted of two classes of roads: the primary or interstate road system and the secondary road system. The total road mileage in Kansas was 124,193, so 7 percent equated to 8,690 miles. The system approved December 29, 1922, consisted of 6,325, leaving a balance of 2,365 miles, which were added later.

1924 The State Highway Commission urged the Legislature to enact maximum vehicle weight and size laws and to adopt uniform traffic regulations.

AASHO petitioned the U.S. Secretary of Agriculture to designate a comprehensive system of interstate routes. The routes were to be given a conspicuous place among the highways of the county as roads of interstate and national significance.

The Kansas Tax Commission, in its *Ninth Biennial Report*, noted that many states had adopted a gasoline tax and found it satisfactory. It urged adoption of a similar tax for Kansas.

1925 Thomas H. MacDonald, Chief, U.S. Bureau of Public Roads, urged the creation of a three-person highway commission, appointed by the Governor. Commissioners would serve with overlapping terms of not less than four years. In addition, Mr. MacDonald urged the creation of an engineering and clerical staff (hired on the basis of merit) to carry on the operations. Mr. McDonald recommended a state highway system patterned on the federal aid system, funded by receipts from automobile license fees and by a gasoline tax. Half of these receipts would be dedicated to the construction and maintenance of the state system and the other half would be dedicated to the

5 Thomas H. MacDonald, Chief, United States Bureau of Public Roads, noted in a speech in Wichita, Kansas, that the Federal Highway Act of 1921 was largely proposed and endorsed by AASHO.

maintenance of county roads. He recommended that funds for the State Highway Commission come from these same sources.

The Legislature authorized the State Highway Commission and county commissioners to designate a state highway system. Mileage of the state system in each county was established at not less than the sum of east to west and north and south measurements of the county, and county seats and principal cities were to be connected by highways. The system, however, was not to exceed the 7 percent of estimated statewide total of rural road mileage—the limitation set for the federal-aid system.

The Legislature set the state highway system mileage at 8,690. Road construction and maintenance were the responsibility of county commissioners. The State Highway Commission had only general supervisory powers.[6]

A 2-cents-per-gallon gasoline tax was first imposed on users. The State Highway Fund was funded from receipts from the gasoline tax, and from motor vehicle registration, less 30 cents per tag that went for the operation of the Tag Department and 25 percent of the balance, which 25 percent went to make up the Township Road Fund in the county where collected. The *Kansas Constitution* prohibited the state from financing roads.[7]

The Kansas Legislature authorized the State Highway Commission to erect uniform road-marking guides and warning signs to identify routes on the state highway system. Authority also was given to the Commission to remove any billboard sign within the right-of-way of a state highway.

1928 AASHO developed uniform road standards for the states to adopt. They included eight-foot road shoulders; ten-foot traffic lanes; a one-inch crown for a two-lane concrete pavement; and a requirement that no part of a concrete pavement have a thickness of less than six inches.

Dr. William Jardine, U.S. Secretary of Agriculture, urged the Governor of Kansas, Ben S. Paulen, to comply with federal-aid legislative requirements. Because the *Kansas Constitution* prohibited state participation in works of internal improvements such as roads, Kansas would have to amend its *Constitution* to participate in the federal-aid highway program.[8]

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6 In 1922, Secretary of Agriculture Wallace wrote to Kansas Governor Henry Allen that, while the State had organized a State Highway Commission, its powers were so restricted that it could undertake practically no action with regard to any road improvement project independently of the Boards of County Commissioners. The Secretary noted that the State Highway Commission did not select the roads to be improved; make surveys; prepare road plans, specifications, and estimates; or advertise and award contracts. All of these activities were done by county commissioners. The Secretary concluded that in Kansas the State Highway Commission did not constitute a State Highway Department within the meaning of the Federal Highway Act.

7 An "internal improvements" clause was included in the *Kansas Constitution* by members of the Wyandotte Convention who were familiar with the history of Indiana and other states that had burdened themselves with obligations for the construction of public improvements. For the first half of the 19th Century this had been a persistent issue in state and national affairs, arising out of the financial trouble of works on a vast scale, such as the construction of the Erie Canal and culminating in bankruptcy of eight states and one territory.

8 Governor Ben S. Paulen noted in a public statement that Secretary Jardine informed him that Kansas would lose over $2 million annually in federal aid. The Federal Highway Act of 1921 provided for a grace period of three years to allow the states to comply. In 1922, the grace period was extended from three to five years from 1921. This period was again extended in 1925 to 1928. Finally, an extension was granted for the years 1928 and 1929. Congress discontinued further grace periods in subsequent amendments to the 1921 Act.

The Governor called the Kansas Legislature into special session to propose constitutional amendments to enable the state to participate in the federal highway program. The proposed amendments (included in Article 11, Sections 9 ["the state shall never be a party to any work of internal improvement," with exceptions including for highways] and 10 [authority to levy special taxes, for road and highway purposes, on motor vehicles and on motor fuels]) were approved by the voters in the fall of 1928. Voter approval resulted in a state highway department with powers to plan highway improvements.

1929 The Legislature raised motorcycle registration fees from $2 to $5 and motor vehicle registration fees from $5 to $8, plus 50 cents per 100 pounds over 2,000 pounds. The registration schedule for trucks also were revised by:

- Creating a category for trucks having a rated carrying capacity of 1,000 pounds or less;
- Creating a category for trucks having a rated carrying capacity exceeding 1,000 pounds and not over 1.5 tons for $15; and
- Increasing registration fees for trucks with a rated carrying capacity of 5 tons or more from $25 to $40 per ton or fraction thereof.

In separate legislation, the Legislature increased the gasoline tax from 2 cents to 3 cents.

The Kansas Legislature enacted the following size and weight restrictions on motor carriers: width—8 feet; height—13 feet; and length—60 feet. Gross weight limitations were set as follows: for a single unit with 4 wheels—24,000 pounds; and for a single unit with 6 wheels—34,000 pounds. The Legislature also placed a limitation of 16,000 pounds on single-axle loads.

The Kansas Legislature amended previous law by:

- Giving the State Highway Commission total responsibility for establishing and maintaining the state highway system;
- Relieving the Commission of responsibility for roads other than those on the state highway system;
- Requiring contracts to be let in the county where the major portion of the proposed work was located; and
- Authorizing the Commission to assist cities in constructing city connecting links (city streets that connect two rural portions of the state highway system).

1931 Congress enacted the Davis-Bacon Act that governs the minimum rates paid to laborers and mechanics employed on federally funded construction projects. Its original purpose was to preserve local wage standards and promote local government by preventing contractors who bid on public contracts from basing their bids on the use of cheap labor recruited from foreign sources.

The Kansas Legislature imposed a ton-mile tax on common, contract, and private carriers. The tax was set at 5/10 mill per gross ton mile.

The Kansas Legislature shortened the total length limitation of trucks from 60 feet to 50 feet. A single unit, which could include the tractor, semitrailer, or a trailer, having dual tires with not less than 8-inch tread was permitted to operate with a limit of 28,000 pounds. Dual-tired axles (a single axle with 2 tires on each end of the axle) were permitted to support up to 18,500 pounds.

Kansas began licensing motor vehicle operators and chauffeurs (HB 61). New York had issued the first state driver's license in 1903; South Dakota became the last state to require such a license, in 1954.

AASHO released the first edition of *Standard Specifications for Highway Bridges*.

1932 The enacted federal Revenue Act of 1932 imposed a 1-cent-per-gallon tax on gasoline and a 4-cent-per-gallon tax on lubricating oils; a 3 percent tax on the manufacturers' sales price on automobiles, motorcycles, and buses; a 2 percent tax on trucks, parts, and accessories; a tire tax of 2.25 cents per pound; and a tax on inner tubes of 4 cents per pound.

Congress enacted the Emergency Relief and Construction Act of 1932. Under the Act, Kansas received $3.2 million for highway-related work. These funds were later converted to grants by the Hayden-Cartwright Act of 1934 and marked the beginning of various measures enacted by Congress to address problems brought about by the Depression.

AASHO recommended the first set of uniform truck size and weight regulations. The 1932 policy recommended a single axle limit of 16,000 pounds and a tandem axle limit based on the distance between the two axles.

1933 Congress increased the federal gasoline tax from 1 cent to 1½ cents through the Industrial Recovery Act. The Act also provided for grants to the states for highway construction. Kansas received over $10 million for highways. A later sum of $5.1 million was made available to Kansas in June 1934.

The Legislature lowered various motor vehicle registration fees.[9] Motor vehicle registration fees were lowered from $8 plus 50 cents per 100 pounds over 2,000 pounds to $4 plus 25 cents per 100 pounds over 2,000 pounds. The schedule for trucks also was revised. The fees ranged from $5 for 1,000 pounds or less of rated carrying capacity to $50 for each ton or fraction thereof of rated carrying capacity over 5 tons.

The Legislature lowered the truck height limitation from 13 feet to 12 feet.

9 The law was passed to provide relief from the effects of the Depression. Governor Alf M. Landon recommended to the 1933 Legislature that all fees on automobiles be reduced. In a separate and special message to the 1933 Legislature, the Governor noted the public demanded action to reduce automobile registration fees. The Governor also recommended an increase on truck registration fees.

The Legislature passed legislation to improve connecting links on the basis of a street highway of the same width and comparable type as that of the state highway approaching a city. Prior to the act, state funds could be used to improve connecting links only 18 feet in width.

1934 The federal Hayden-Cartwright Act was enacted. It earmarked 1.5 percent of the apportionments for the federal aid system for planning purposes. It also prohibited states from diverting gasoline and motor vehicle taxes to nonhighway uses.

The Revenue Act of 1934 lowered the federal gasoline tax from 1.5 cents to 1 cent. The purpose of the Act was "to provide revenue, equalize taxation, and for other purposes."

1935 Pursuant to the National Recovery Act, a loan and grant agreement was executed between the Bureau of Public Roads and the State of Kansas. It secured $5 million to construct and improve Kansas highways, 30 percent grant money and 70 percent loan funds.

Congress enacted the Emergency Relief Appropriations Act of 1935. Kansas received $4.9 million for highways and $5.2 million for grade crossings. The state also received $640,999 to rebuild and replace bridges damaged or destroyed by the floods of 1935.

The Legislature raised the mileage limit of the state highway system to the present 10,000.

AASHO issued the first edition of the *Manual on Uniform Traffic Control Devices*, designed to ensure uniform traffic signage across the country. (It has been administered by the Federal Highway Administration [FHWA] since 1971.) According to the FHWA on the occasion of the *Manual's* 80th anniversary, it "introduced America to the importance of pavement markings and adopted rules for the three-color traffic signal, one of the most underrated safety advances in roadway history. . . . Over time, the Manual has showed cities and towns the way to go when it came to traffic control devices used during various conditions, such as blackout conditions in wartime in 1942. In 1954, the MUTCD ushered in the modern "STOP" sign as we now know it: white letters on a red octagonal background, which replaced a similar version with a yellow background. The Manual set the bar for a variety of construction and maintenance operations in 1961; placed a new emphasis on signs near schools in 1971; and updated traffic control devices for highway-rail grade crossings and bicycle facilities in 1978." The latest edition is its tenth.

1936 The Federal Aid Highway Act provided Kansas with $3.3 million to fight the effects of the Depression.

1937 The Legislature reduced the total length limit on trucks from 50 feet to 45 feet. The height limit was raised from 12 feet to 12½ feet. The law also was revised to allow axle loads of 16,000 pounds where high-pressure tires were used and 18,000 pounds with low-pressure tires.

Also enacted was the Uniform Motor Vehicle Operators' and Chauffeurs' License Act, a major re-write of the state's driver's licensing laws. The bill covered topics including eligibility for a license; requirements for eligibility to drive commercial vehicles; examinations; and restrictions, suspensions, and revocations.

1939 A Bureau of Public Roads report, *Toll Roads and Free Roads,* concluded that a toll road system could not generate sufficient revenue to be self-supporting. The study also endorsed a system of interregional highways. This report, along with *Interregional Highways,* published by the Bureau of Public Roads in 1944, led to the development of the Interstate Highway System.

1940 Congress enacted the Revenue Act of 1940 which, among other things, raised the gasoline tax from 1 cent to 1.5 cents, and the tax on lubricating oil from 4 cents to 4.5 cents. The Act raised the taxed percentage of manufacturers' sales price on automobiles, motorcycles, and buses from 3 percent to 3.5 percent; on trucks, from 2 percent to 3 percent; and on parts and accessories, from 2.25 percent to 2.5 percent. It also raised the tax on tires from 2 cents to 2.5 cents per pound and the tax on inner tubes from 4 cents to 4.5 cents per pound.

AASHO developed the following policy guides: *A Policy on Highway Classification*, to help determine expected highway life; *A Policy on Sight Distance for Highways*; *A Policy on Criteria for Marking and Signing No-Passing Zones on Two- and Three-Lane Roads*; *A Policy on Highway Types (Geometric)*; and *A Policy on Intersections at Grade*.

1941 The Legislature imposed a 3-cent tax per gallon on special fuels and LP-gas to generate revenue for highway-related activity.

AASHO completed *A Policy on Rotary Intersection* to provide guidance in selecting various road design dimensions.

Congress raised the sales tax percent of the manufacturers' sales price on automobiles and motorcycles from 3.5 percent to 7 percent and on buses and trucks from 3.5 percent to 2.5 percent, respectively, to 5 percent; established a tax on house trailers of 7 percent; raised the tax on parts and accessories from 2.5 percent to 5 percent; raised the excise tax on tires from 2.5 cents to 5 cents per pound; and raised the excise tax on tire tubes from 4.5 cents to 9 cents per pound.

1944 AASHO published *A Policy on Grade Separations for Intersecting Highways*. The policy treated the separating structure and also the design of grade-separated traffic interchanges. Design data were grouped into three categories: (1) structures and approaches; (2) ramp arrangements; and (3) ramp design. One important design element treated was the relation between curvature, super elevation, and design speed.

The National Interregional Highway Committee, appointed by President Franklin Roosevelt, submitted its recommendations. The Committee recommended a highway system in both urban and rural areas; a system of roads and bridges designed to serve traffic for 20 years from the date of construction; construction of intersections with crossroads and railroads separated at grade; rural sections designed for speeds of 75 mph; 12-foot-wide traffic lanes; 10-foot-wide shoulders, except in mountainous topography; and roadway width on bridges of at least 6 feet greater than the width of the pavement of the approach roadway (on short bridges the roadway width, which would be as great as the width of approach roadway, including shoulders).

The Federal-Aid Highway Act was enacted and provided for the selection of a system of highways to be known as the National System of Interstate Highways, not exceeding 40,000 miles. The routes were selected by the Bureau of Public Roads and state authorities. No money, however, was set aside to build interstate routes. States continued to receive 50 percent in federal matching funds for primary routes, which could be devoted to the Interstate System. As a result, less than 1 percent of the system had been completed by 1954—ten years after the system was first authorized. The Act also created the “ABC” system of highways, which included rural primary routes, feeder or secondary roads, and extensions of both of these into urban areas.

1945 The Legislature raised the motor fuel taxes to 4 cents per gallon on gasoline, special fuel, and LP-gas. The increases were intended to raise money sufficient to match federal aid for the Kansas highway program after the war. Legislators anticipated that when World War II ended, new motor vehicles would be available, resulting in heavy road traffic.

The Kansas Legislature defined and established a secondary road system. The system included farm-to-market roads, rural mail routes, and school bus routes not on the state highway system. A limit of 20,000 miles was imposed on the secondary system.

1946 AASHO published *Policy Concerning Maximum Dimensions, Weights, and Speeds of Motor Vehicles to be Operated Over the Highways of the United States*. The standards recommended were as follows: width—96 inches; height—12 feet, 6 inches; length for single-unit trucks—35 feet; length for single-unit buses with 2 axles—35 feet, and for those with 3 axles—40 feet; length for truck-tractor semitrailers—50 feet; other combinations—60 feet. The maximum speed limit for trucks was set at 45 miles per hour. Passenger vehicles were to be operated at a speed consistent with safety and proper use of the roads. Maximum gross weight was set at 73,280 pounds. The Federal-Aid Highway Act of 1956 adopted three of the standards specified by AASHO: the maximum width of 96 inches; the single-axle weight limitation of 18,000 pounds, and the tandem-axle weight of 32,000 pounds. These policies were modified in 1974.

1947 The limit on the state’s secondary road system was increased by the Legislature to 25,000 miles.

1949 The Kansas Legislature increased to 5 cents per gallon the tax on gasoline, special fuel, and LP-gas. The increase was passed to help finance a 20-year road construction program. The new tax was scheduled to be repealed June 30, 1951. (The Legislature in 1951 and 1953 continued the tax, until 1955, when it was made permanent.) Part of the proceeds of the tax were to be distributed through the Special County Road and City Street Fund. The Legislature also increased the registration fees on automobiles to $6.50 plus 35 cents per 100 pounds over 2,000 pounds. The registration schedule for trucks also was revised. All of the truck fees were increased, except one. These fees ranged from $7.50 for a rated carrying capacity of 1,000 pounds or less to $50 for each ton or fraction thereof of rated carrying capacity over 3 tons.

1950 In 1950, AASHO’s seven separately published design policies were reprinted and bound as a single volume under the title *Policies on Geometric Design*.

1951 Roy W. Cox, Director of the State Highway Commission, released a highway needs study titled *Looking at a Highway Problem*. The study focused on the effects of heavy loads on road surfaces as well as truck operating characteristics on Kansas highways. The Commission recommended:

- Retaining vehicle legal load limits on axles, gross weight, and height and width dimensions;

- Prohibiting a person from operating a vehicle that did not conform to legal load limits;

- Retaining the state's ton-mile tax or increasing the tax to pay for maintaining and constructing highways and bridges;

- Building additional ports of entry to meet additional traffic;

- Assessing greater penalties on truckers who understated mileage operations, or misrepresented the empty weight or rating of their equipment;

- Establishing a uniform fine schedule for violations of load limits, including substantial fine increases and suspension of operating authority for repeat offenders;

- Changing practices in the issuance of special permits, including restrictions of special permits for oversize or weight to those loads not readily reducible; issuance of permits only for shortest feasible routes to railroad shipping points or destination; requiring persons to secure permits in advance; a minimum fee for special permits, with a graduated fee increasing with each increment of overload; and severe penalties for falsification of application for permit;

- Making diesel fuels tax collections subject to same laws governing other motor fuel tax collections; and

- Consolidating various motor carrier-related laws, including the collection of all highway-user revenues, and placing them under one agency.

Congress enacted the Revenue Act of 1951. The Act raised the gasoline tax from 1.5 cents to 2 cents per gallon, began to tax diesel fuel at 2 cents per gallon, raised the percent of manufacturer's sales price on automobiles and motorcycles from 7 percent to 10 percent, raised the percent of the manufacturer's sales price on buses from 5 percent to 8 percent, raised the percent of the manufacturer's sales price on trucks and trailers from 5 percent to 8 percent, and raised the tax on parts and accessories from 5 percent to 8 percent.

1953 Legislation authorizing the Kansas Turnpike and creating the Kansas Turnpike Authority became law. The Legislature declared "a large proportion of the State Highway Commission's funds must now be expended for repair, improvement, and maintenance of these old roads thus leaving a comparatively small amount to be expended for new roads and highways," that the "construction of a toll road or turnpike could be financed by revenues derived from the issuance of revenue bonds which would be paid by the tolls collected for the use thereof," and "it is essential that the state of Kansas be prepared to do its part so that [a] transcontinental turnpike can be routed through a part of this state." The Authority's seven members included four gubernatorial appointees, the State Director of Highways (now the Secretary of Transportation), and two legislators.

Among the powers granted to the Authority were acquiring property (including by condemnation or eminent domain, when necessary), issuing turnpike revenue bonds, and requiring tolls. The bill required the turnpike to be "kept in good condition and repair" and to be policed. Ground-breaking for the 236-mile turnpike was December 31, 1954. No tax moneys have been used for the turnpike.

1954 AASHO updated and republished *A Policy on Geometric Design of Rural Highways*, known as the *Blue Book.* The policy was updated in 1965.

1955 The Kansas Legislature made permanent the 5-cent tax on special fuels (which included diesel and LP-gas). An additional total of 2 cents per gallon on special fuels was imposed and made effective January 1, 1956. The 2 cents was intended to cover revenue losses from the repeal of the ton-mile tax in 1955. Three separate truck registration schedules were established for regular, local, and farm trucks. The fees ranged from $10 to $825 for regular trucks, from $7.50 to $375 for local trucks, and from $7.50 to $50 for farm trucks.

Congress repealed the manufacturers' excise tax on motorcycles.

The Eisenhower Administration's Advisory Committee on a National Highway Program submitted *A Ten-Year National Highway Program, A Report to the President*. The report recommended that the federal government assume primary responsibility for the development of the interstate system and its urban extensions by providing about 90 percent of the anticipated construction costs.

1956 The Federal-Aid Highway Act and the Highway Revenue Act were passed to provide adequate funding for the interstate system. Under the Federal-Aid Highway Act, a separate sum was specifically authorized to build the interstate highways. Prior to the change, Congress would apportion funds from the traditional biennial authorization pattern. Under the Highway Revenue Act, funds were provided to states on 90/10 state matching basis rather than the traditional 50/50 match. This Act also created the Highway Trust Fund[10] to ensure a continuous, reliable source of program funds. Prior to 1956, appropriations were made from general funds of the Treasury. The Highway Revenue Act also increased the gasoline and diesel tax from 2 cents to 3 cents per gallon; increased the percentage of an excise tax on trucks, and trailers from 8 percent to 10 percent; raised the excise tax on tires from 5 cents to 8 cents a pound; established an excise tax on tread rubber of 3 cents a pound; and established a tax on vehicles with a gross weight of more than 26,000 pounds at the rate of $1.50 per year per 1,000 pounds of weight above the 26,000-pound threshold. Interstate mileage also was increased from 40,000 miles to 41,000 miles. The Act also established size limits on interstate highways for vehicles: width of 96 inches, axle weights of 18,000 pounds for a single axle and 32,000 pounds for a tandem axle, and 73,280 pounds gross weight. The limitations were imposed to act as a safety measure and to protect the government's investment in the national highway system. A grandfather clause in the law, however, allowed states with higher weight limits (mostly in the East) to keep their standards.

10 Trust funds are defined as those funds established to account for receipts which are held in a fiduciary capacity by the government for use in carrying out specific purposes and programs. It has been argued by some that the Highway Trust Fund does not fit the strict definition of a trust fund because the revenues which support highways are essentially general-type revenues withheld from the General Fund of the Treasury and specifically earmarked to finance these programs.

Interstate routes were designated by the Legislature in Kansas. Kansas opened the first section of the new highway completed under the Interstate Highway Act on November 14, 1956, less than four months after its passage.[11]

The Kansas Legislature lowered the tax per gallon on LP-gas from 7 cents to 5 cents. The 1955 increase was intended to apply only to diesel fuels. Because LP-gas was included in the definition of special fuels, LP-gas was unintentionally included.

The Kansas Turnpike was completed on October 25, 1956. The construction period covered 22 months.

1957 The Legislature created the Special Motor Carrier Fee County Fund to provide counties with funds to match federal secondary aid funds. Such funds were to be used to construct roads and bridges on the county secondary system.

AASHO developed *A Policy on Arterial Highways in Urban Areas*, known as the *Red Book*. The policy treated in great detail urban arterial highways and freeways, as well as conventional arterial surface streets. The discussion of interchange types and configurations was particularly exhaustive. This policy was updated in 1973.

The Kansas Legislature raised the tax on LP-gas to 7 cents. This was an inadvertent increase of 2 cents which was lowered in 1958 to 5 cents.

Construction begins in early September on the 18th Street Expressway in Kansas City, Kansas. This was the second toll road constructed in Kansas.

1958 18th Street Expressway was opened to traffic on January 2, 1958.

The Federal-Aid Highway Act of 1958 was enacted in part to address an extended economic recession. The Act increased the annual Interstate funding to help expedite the interstate highway program.

The Kansas Highway Commission invested funds from the Federal-Aid Highway Act of 1958 in urban counties. These funds were used to pay cities' share of right-of-way acquisition costs on interstate routes. Funds also were used to cut the cities' share in right-of-way expenses for connecting links. The state agreed to pay full maintenance costs on urban interstate routes.

1959 The Legislature raised the height limitation on motor vehicles from 12 feet, 6 inches to 13 feet, 6 inches.

The Federal-Aid Highway Act of 1959 increased the federal gasoline and diesel fuel tax from 3 cents to 4 cents per gallon. The Bureau of Public Roads also instituted a program of "reimbursement planning." Under this system, a limit was set quarterly on the rate at which each state could obligate funds. This allowed for work accomplished to be reimbursed within the limits of the available Trust Fund balances.

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11 According to AASHTO, Kansas possessed a highly competent highway commission which enabled the Commission to respond without serious difficulties to interstate projects. Kansas learned important lessons from the construction of the Kansas Turnpike in the early 1950s. Also, Kansas had a good research and materials section long before the Interstate was approved.

1960 The AASHO road test was completed. The test evaluated the resistance of road pavements of different thicknesses and layer composition and of bridges of varying design, by subjecting them to repeated truck traffic. There were 836 test sections in 10 test lanes representing almost 200 different combinations of various thicknesses of surfacing, base, and sub-base material. Half of each test loop was surfaced with Portland cement concrete and half with asphaltic concrete. The test facility included 16 short-span highway bridges. The test determined that the ability of a pavement to carry traffic was found to decrease exponentially[12] with an increase in axle loadings.

1961 The Federal-Aid Highway Act of 1961 increased taxes on trucks over 26,000 pounds from $1.50 to $3.00 per 1,000 pounds. It also increased the tax on highway tires from 8 cents to 10 cents per pound, inner tubes from 9 cents to 10 cents per pound, and tread rubber from 3 cents to 5 cents per pound.

The Federal Highway Cost Allocation Study, authorized by the 1956 Federal-Aid Highway Act, was reported to Congress. The report provided Congress with information to make an equitable distribution of the federal tax burden among the various classes of vehicles that use federal-aid highways. The study concluded that in some states, certain heavy trucks did not pay their fair share but did so in others, especially in states imposing third-structure taxes.

The Kansas Legislature revised the truck registration schedule by adding a weight category of over 66,000 pounds for regular and local trucks. The fee was $1,025 for regular trucks and $450 for local trucks. The Legislature also increased the gross weight limitation on trucks from 63,890 pounds to 73,280 pounds.

1962 The “Kansas Highway Needs” study, prepared by Roy Jorgensen and Associates, was completed.[13] Recommendations were made for desirable levels of improvement and for legislative and administrative actions to implement effective highway, road, and street programs throughout the state. The report noted that an updated system would cost $92 million a year for construction and maintenance of a 15-year program. A separate fiscal study found that Kansas highway revenues would fall 15 percent short of the needed amount.

The Federal-Aid Highway Act continued the planning process that required states and local communities to develop cooperatively long-range highway plans and programs in urban areas of more than 50,000 population, and to coordinate them with other forms of transportation. The Act also required the state highway departments to provide

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12 A proportional relationship whereby, for example, an increase of twice the axle loading will cause more than twice the decrease of traffic carrying capability. Conventional highway engineering practice defines a unit of road wear called the equivalent single-axle load (ESAL), which refers to the amount of wear caused by a single axle bearing 18,000 pounds. A highway is designed to withstand a given number of ESAL applications, after which major repairs such as resurfacing become necessary. This implicitly assumes that the passing of a given vehicle does the same pavement damage as the passing of a particular number of single axles, each bearing 18,000 pounds. That number is called the load equivalent factor, or ESAL number, of the vehicle, and it is a very sensitive function of the weights on each of a vehicle’s axles. As a rough approximation, the load equivalent factor of a truck (or tractor-trailer combination) is the sum for each of its axles of (w/18) to the fourth power, where w is the weight on that axle in thousands of pounds. This relationship is based on an AASHO road test, completed in 1960.

13 Highway Needs Studies direct public attention to highway needs, aid highway administrators in highway programming, and aid the Legislature in financing a highway program.

assurance that advisory assistance would be provided to families displaced by federal-aid highway construction.

1965 Congress enacted the Highway Beautification Act of 1965.[14] The Act authorized an Outdoor Advertising Control program to require states to remove certain types of signs adjacent to primary and Interstate highways. States also were required to pass legislation, if necessary, to control placement of new signs. Just compensation was mandatory to the owner of the sign and the owner of the property. Federal aid was to be available for 75 percent of the compensation costs. States failing to comply were to be subject to a 10 percent loss of federal highway aid. There were certain important limitations in the Act: on-premise signs were excluded; control extended only 660 feet from the highway right-of-way (later amended to include any sign erected with the intent of its message being read from the highway); signs in commercial or industrial areas could be controlled but not eliminated; and federal-aid secondary highways were not covered.

The Act also created the Junkyard Control Program to require states to remove or screen certain junkyards along interstate or primary highways. States also were to pass legislation, if necessary, to regulate new junkyards. Federal assistance was to be available for 75 percent of the costs of removing or screening a junkyard. States failing to comply were to be subject to a 10 percent loss of federal highway aid. There were important limitations: control extended only 1,000 feet from the highway right-of-way and federal-aid-secondary highways were not covered.

The Act also created the Scenic Enhancement program, which provided 100 percent federal funding for scenic enhancement and roadside development programs. In addition, scenic easements were authorized and funds could be used not only for new projects, but also for existing highways on the federal-aid system.

Congress enacted the Excise Tax Reduction Act. As part of this legislation, the manufacturer's tax on passenger automobiles was reduced from 10 percent to 7 percent. A second stage tax reduction lowered the tax from 7 percent to 6 percent.

1966 The federal Highway Safety Act of 1966 established a national agency with safety responsibilities and provided general fund assistance for highway safety programs. The goals of the Act included uniform national standards covering such areas as driver education, licensing, accident record keeping, accident investigation, vehicle registration and inspection, and highway design and maintenance. If states did not implement a safety program, a penalty of 10 percent of their federal-aid highway funds was imposed.

Congress passed the Tax Adjustment Act of 1966 to cover the costs of the Vietnam War. Under the Excise Tax Reduction Act of 1965, the automobile excise tax was scheduled to be reduced on January 1 from 7 percent to 6 percent. The Tax Adjustment Act suspended the reduction and restored the 7 percent excise tax.

President Lyndon Johnson signed the Department of Transportation Act, creating the U.S. Department of Transportation. It brought 31 previously scattered federal elements

14 Roadside beautification efforts were pioneered by individual states in the early 1920s. In 1930, AASHO and the Highway Research Board of the National Research Council appointed a Joint Committee on Roadside Development, which initiated and reported on research for roadside design and maintenance. In 1943, the Committee set forth basic principles of good roadside treatment that gave equal emphasis to beauty, economy, safety, and utility.

under one Cabinet-level agency. The administration of most highway programs, including the Bureau of Public Roads, Motor Carrier Safety, and National Highway Safety, was consolidated under the Federal Highway Administration.

1967 In response to the federal Highway Beautification Act of 1965, the Legislature passed the Junkyard and Salvage Control Act. The Act prohibited the establishment of a junkyard within 1,000 feet of a public road unless operators complied with provisions of the Act (*i.e.,* screening). New locations had to be screened at the owner's expense unless they were located in an area zoned for industrial use or unzoned industrial areas as defined by rules and regulations. Any junkyard in existence prior to the passage of the Act was not required to be screened at the owner's expense.

AASHO published *"Highway Design and Operational Practices Related to Highway Safety,"* known as the "Yellow Book." The policy included recommendations on highway design to attain a higher degree of road safety at state and local levels. The report was updated and reissued in 1974 by AASHTO (in 1973, AASHO became AASHTO). That was followed with the third edition, *Highway Safety Design and Operations Guide*, in 1997.

A report was made to the Legislature to determine the feasibility of a proposed KCI Airport Turnpike in Kansas City. The study showed that the traffic levels were adequate to warrant further study. The concept was dropped, however, when I-435 was built in the Kansas City area.

1968 Congress enacted the Federal-Aid Highway Act. Under the Act, an additional 1,500 miles was authorized for the Interstate System, bringing the system total to 42,500 miles. A bridge inspection and inventory program was required. A need also was noted to identify the load capacity of bridges. The federal role was to focus on procedures and policies, so as not to usurp local police power. Bridge replacement programs were to be included in future acts. State highway departments also were instructed to address adverse social and environmental impacts of highway construction. Formerly, only economic impacts had been specifically mentioned. Davis-Bacon provisions regarding payment of prevailing wages, formerly applied only to projects awarded by the federal government, were expanded to all federal-aid construction projects.

1969 The National Environmental Policy Act of 1969 was enacted. It required a detailed statement covering:

- The environmental impact of the proposed action;
- Any adverse environmental effects which could be avoided should the proposal be implemented;
- Alternatives to the proposed action;
- The relationship between local short-term uses of the environment and the maintenance and enhancement of long-term productivity; and
- Any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented. The Legislature

authorized a feasibility study on the construction of a toll bridge across the Missouri River on U.S. 36 near Elwood. The study concluded that revenues would be sufficient to make the project feasible. A new bridge was eventually built and opened in 1984 as a free facility.

The Legislature created the State System of Express Highways and Freeways (Ch. 462). The system designated contained 1,312 miles of centerline roadways in 9 corridors. The bill also raised the taxes on motor fuels to 7 cents per gallon and on special fuels to 8 cents per gallon. Revenue produced by 1 cent of the increase on motor fuels and one-seventh of the special fuels tax was credited to a new Special City and County Highway Fund which was apportioned among the counties based on each county's receipts of motor vehicle registration fees in relation to total state receipts and to cities based on city population and a percentage to be retained by the county, which varied by county population.

1970 The Federal-Aid Highway Act of 1970 was enacted. Important provisions included the addition of the Urban System and creation of the National Highway Traffic Safety Administration, the Special Bridge Replacement program, and a rail crossing program.

The Uniform Relocation Assistance and Real Property Acquisitions Policy Act of 1970 was enacted to ensure consistent treatment to property owners when their property was acquired for governmental purposes. The Act applied to all federal agencies and established a uniform policy on land acquisition practices.

The State Highway Commission was advised by FHWA that its provisions for relocation assistance did not meet federal regulations. FHWA also advised the Commission that the state faced the possibility of the loss of federal funds for compliance. The Commission thus asked for and received permission to establish emergency regulations to pay the amounts of relocation assistance out of its own funds.

Interstate-70 was completed in Kansas. It took 14 years to complete.

The 1970 Legislature repealed statutes creating the Special County Road and City Street Fund, the County and Township Road Fund, and the Special Motor Carrier County Road Fund; continued the Special City and County Highway Fund; created a County Equalization and Adjustment Fund; gave the Special City and County Highway Fund 35 percent of the collections from the motor and special fuels taxes (after refunds and the amounts credited to the State General Fund and the County Equalization and Adjustment Fund); and changed the distribution formula applicable to the Special City and County Highway Fund. The new formula gave the cities 43 percent of the money credited to the Special City and County Highway Fund, to be distributed on the basis of city population, and gave the counties 57 percent to be distributed as follows: each county, $5,000 quarterly and, of the balance, 50 percent on the basis of motor vehicle registration fees and 50 percent on the basis of average vehicle miles traveled in each county excluding miles traveled on interstate highways. Within each county, the county's share was distributed as follows:[15] in counties with a population over 150,000 (except

15 In 1982, an amendment in SB 851 named the specific counties in the statute. Since 2007, 92 counties are required to credit their entire share of the Special City and County Highway Fund to their county road and bridge funds. The remaining 13 counties are required to divide their share between the road and bridge fund and cities located within their county. These counties are Shawnee and Sedgwick, crediting 50 percent to the county and the remainder to the cities; Wyandotte, 10 percent to the county and 90 percent to the cities; and Butler, Cowley, Crawford, Douglas, Lyon, Leavenworth, Montgomery, Riley, Reno, and Saline, 90

counties designated as urban areas), 50 percent to the county and 50 percent to the cities; in counties with populations between 34,000 and 150,000, 10 percent to the county and 90 percent to the cities; and in counties with populations under 34,000 and counties designated as urban areas, 100 percent to the county. Also, a portion of the county's share was required to be allocated among townships in counties without a county unit road system. The 1970 law also provided that $2.5 million would be credited to the County Equalization and Adjustment Fund annually to ensure that no county, including cities therein, would receive less from the Special City and County Highway Fund than the combined amount in FY 1970 from that fund and three funds that were abolished. If money remained in the Equalization and Adjustment Fund after the equalization payments had been made each year, it was to be distributed to counties 50 percent on the basis of motor vehicle registration fees, and 50 percent on the basis of vehicle miles traveled in the county. Cities and townships also shared in the Equalization Fund to the same extent they did in the county's portion of the Special City and County Highway Fund. This legislation was enacted to address concerns of urban legislators who felt that the distribution formula used at that time did not distribute adequate funds to cities.

1971 The federal Revenue Act of 1971 repealed the 7 percent excise tax on automobiles.

The Federal Highway Administration began to administer the *Manual on Uniform Traffic Control Devices* as the national standard for all highways open to public travel. The manual presents essential standards for design, location, installation, and operation of all forms of traffic control devices.

The Kansas Legislature passed legislation guaranteeing that no person would be removed from a dwelling by a federally funded highway project unless a comparable replacement was provided.

An interim committee studied the best method of bringing Kansas into compliance with the Federal Beautification Act and thereby avoiding a 10 percent loss of federal highway funds. The Subcommittee B of the Senate standing Committee on Transportation and Utilities recommended the enactment of the Kansas Advertising Control Act of 1972.

1972 The Kansas Legislature repealed the Highway Advertising Control Act of 1968 and passed a new act in order to meet the requirements of the federal Highway Beautification Act of 1965. The Act defined the term "sign" or "outdoor advertising"; established standards as to size, spacing, and lighting of such signs; and established distances for the location of such signs from the edge of the right-of-way on any interstate or primary federal aid highway. The Act exempted directional and other official signs, signs advertising the sale or lease of property upon which they are located, signs advertising activities conducted on the property on which they are located, and signs erected in business areas, on or before March 31, 1972. After March 31, 1972, signs erected in business areas had to meet specific requirements relative to size, spacing, distances between signs, distances from an interchange or safety rest area, and the lighting or illumination of such signs. On and after March 31, 1972, no person could own or maintain outdoor advertising, except signs which are exempt under the Act, without having obtained a license to do so from the Highway Commission. In addition, a permit

percent to the county and 10 percent to the cities. The distribution to each city is based on the ratio of the population of that city to the population of all cities in that county. Counties which did not adopt the county unit road system must give each township an amount equal to that township's proportion in fiscal year 1970 of certain predecessor funds. KSA 2016 Supp. 75-3425c was required for each sign erected or maintained in an unzoned commercial or industrial area located inside or outside the corporate limits of a city. The Act provided that a sign lawfully in existence along the interstate or federal aid primary system not located in a business area and not in conformity with the Act could not be removed until March 31, 1974. Standards prescribed as to size, lighting, or spacing of signs permitted in business areas applied only to signs erected subsequent to March 31, 1972.

The Legislature requested the State Highway Commission to study the possibility of constructing portions of the State System of Express Highways and Freeways as toll facilities. The Commission found that no portion of the State Freeway System could produce enough revenue to finance interest, operation, and maintenance costs of a toll road. The Legislature also authorized the State Highway Commission to issue revenue bonds to construct, reconstruct, and maintain a system of expressways and freeways within the state highway system. The legislation limited the bond issues to $40 million annually, for a total amount of $320 million. If in any fiscal year bonds totaling $40 million were not issued, then the amount unissued during that year could be added to the allowed $40 million issued in a subsequent year.

The Legislature passed a bill providing for the study of a turnpike extending from Hutchinson to Wichita and then extending south from Wichita to the Oklahoma border and connecting with a proposed Oklahoma Expressway, terminating near the Port of Catoosa. The study showed that the route would be feasible; however, the construction of the facility was dependent on action taken by the State of Oklahoma. No further action was taken by either state.

An enacted bill expanding the Kansas Department of Revenue created the Division of Vehicles within that department and transferred duties from the Motor Vehicle Department within the State Highway Commission (primarily driver's licenses and vehicle registration) to the new Division.

1973 AASHO updated *A Policy on Design of Urban Highways and Arterial Streets* (see 1957). The subjects of Transportation Planning and Highway Locations were new policies. Highway Design contained a complete updating of the previous (1957) design controls and dimension criteria such as lane width and sight distances.

The 1973 Federal-Aid Highway Act began funding for public mass transportation systems, rail transit facilities, bicycle facilities, pedestrian walkways or parkways, and highway and motor vehicle safety programs.

Proposal No. 106—Highway Construction, a legislative interim study, called for the study of an integrated highway construction program, including the placing of toll roads in the highway system, assigning priorities for construction projects, and determining the lag time between authorization and actual construction of highways. The Special Committee on Highway Construction recommended the state explore the possibility of using state funds to construct turnpikes.

The Kansas Legislature increased allowable axle and gross weights for trucks. Gross truck weight limits for vehicles meeting extreme axle distance requirements were increased from a maximum of 73,280 pounds to 85,500 pounds for noninterstate highways which were approved by the State Highway Commission. The previous limits remained in force for the interstate system, until Congress gave the state authority to increase the limits, and for highways not designated by the Highway Commission. A new schedule of registration fees was added for the heavier vehicles. Allowable axle weight limits were increased from 18,000 pounds to 20,000 pounds for those noninterstate highways to be designated by the Highway Commission. Similarly, the maximum tandem axle weight for designated noninterstate highways was increased from 32,000 pounds to 34,000 pounds.

A study of the proposed Southeast Kansas Turnpike extending from Arkansas City to a point near the southeast corner of the state and connecting with Interstate 44 in Missouri was published in 1973. The Turnpike was found feasible and was authorized, but was held up because of court litigation and uncertain economic conditions.

Enacted SB 539 authorized the Division of Vehicles to issue a plastic laminated identification card similar to a driver's license to non-drivers over the age of 16. The card would bear a photograph of the holder, the holder's age and true name, and other data required by the Division. The bill also allowed holders of a Kansas driver's licenses to have the Division attach black and white photographs of themselves to their licenses, at an additional charge of 50 cents. Photographs on driver's licenses became required starting July 1, 1975.

1974 In January 1974, the Emergency Highway Energy Conservation Act (P.L. 93-239) established the 55 mph national maximum speed limit as a temporary conservation measure. This law was superseded by P.L. 93-643 which made the 55 mph national speed limit permanent.

Proposal No. 73—Highway Construction Priority and Improvement, an interim study, called for a study of highway construction priority, including the potential for accelerating improvement and upgrading existing highways in the state system. The Special Committee on Transportation and Utilities recommended legislation to provide the State Highway Commission with the option of constructing two-lane highways instead of four-lane highways in the statutorily defined freeway corridors.

Legislation also was recommended to limit liability of the state, counties, cities, and townships for alleged highway defects.

The Legislature authorized three toll road feasibility studies. Studies were made on the U.S. 69 corridor from the Miami-Linn County line to Galena, the U.S. 59-U.S. 75 corridor from Ottawa to the Kansas-Oklahoma state line, and the U.S. 50-K-154 corridor beginning in Kiowa County and proceeding northwest to the Kansas-Colorado state line. The Kansas Turnpike Authority was authorized to issue bonds and begin construction of the U.S. 69 facility should it be feasible. None of the proposed toll routes proved feasible.

AASHTO updated its *Recommended Policy on Maximum Dimensions and Weights of Motor Vehicles to be Operated over the Highways of the United States.* The following standards were adopted: width—102 inches; height—13 feet, 6 inches; length, single truck or truck tractor—40 feet; single 2-axle or 3-axle bus—40 feet; single semitrailer or trailer40 feet; combination of truck-tractor and semitrailer—55 feet; and other combinations—65 feet. AASHTO also recommended the adoption of the federal bridge formula "B."

The Congressional Budget and Impoundment Control Act of 1974 (P.L. 93-344) was enacted, to exercise control over federal spending.[16] The Act restricted new contract authority so that it would be effective only when funds were appropriated. Highway programs funded from the Trust Fund, however, were exempted from the restriction on contract authority under a general exception for trust funds with receipts generated from taxes related to the programs so financed. Thus, the Trust Fund programs were, on the whole, unaffected by this provision of the Act, but highway programs financed with general funds no longer would enjoy contract authority except to the extent provided by appropriation acts. The bill also established the Congressional Budget Office and moved the start of the federal fiscal year from July 1 to October 1.

1975 President Gerald Ford signed the Hazardous Materials Transportation Act of 1975 (P.L. 93-633). The Act authorized the U.S. Department of Transportation to promulgate and enforce regulations to ensure safe transportation of hazardous materials for all modes.

The federal Energy Policy and Conservation Act of 1975, a response to rapid increases in the price of energy following energy shortages of 1973-1974, set stringent fuel-economy standards for new cars manufactured between 1978 and 1985.

As of January 1975, the Federal Aid Highway Amendments of 1974 (P.L. 93-643) made the 55 mph speed limit permanent. The law provided that the U.S. Secretary of Transportation could not approve any project in a state which had a maximum speed limit on any public highway within its jurisdiction in excess of 55 mph. Also, each state was required to certify to the Secretary each year that it was enforcing all speed limits. The Secretary was authorized not to approve any project of a state which failed to so certify. The Act also increased from 73,280 pounds to 80,000 pounds the maximum weight of trucks driving on interstate highways and allowed heavier trucks and truck combinations to continue to operate on interstate highways in states that permitted trucks weighing more than 80,000 pounds to use those made under existing law. The Act raised the axle weight limits on any one axle from 18,000 pounds to 20,000 pounds, and the axle weight limits on tandem axles from 32,000 pounds to 34,000 pounds. The "Bridge Formula-B" also was adopted by the Act.[17] The formula assumes that the allowable weight of trucks is correlated with the spacing of axles to prevent over-stressing of highway bridges. It was designed specifically to avoid overloading on highway bridges. The provisions relating to truck weight came in response to protests from truckers against the 55 mph speed limit imposed in 1974. Truckers said that it would force them to use more fuel because their rigs would operate less efficiently at a lower speed.

The Legislature abolished the State Highway Commission and replaced it with the Kansas Department of Transportation (KDOT). Powers of the Highway Commission were transferred to a Secretary of Transportation, appointed by the Governor. Legislation

16 The Act provided in its Declaration of Purposes that the Congress found it essential to: (1) assure effective congressional control over the budgetary process; (2) provide for the congressional determination each year of the appropriate level of federal expenditures; (3) provide a system of impoundment control; (4) establish national priorities; and (5) provide for the furnishing of information by the executive branch in a manner that will assist Congress in discharging its duties.

17 In 1964, the Secretary of Commerce submitted to Congress a report titled *Maximum Desirable Dimension and Weights of Vehicles Operated on the Federal-Aid Systems*. The report discussed three bridge formula: Bridge Table A, Bridge Table B, and Bridge Table C. Bridge Table A had been used since the 1940s and was developed around a single-axle weight of 18,000 pounds and a tandem axle weight of 32,000 pounds. The Bridge Table B formula provided for a 20,000 pound single-axle limit and a 34,000 tandem axle limit. Bridge Table C formula provided for a 20,000 pound single-axle and 36,000 pound tandem axle weight limit.

included the creation of five divisions: the Division of Transportation Administration, the Division of Transportation Operations, the Division of Engineering and Design, the Division of Planning and Development, and the Division of Aviation. The Highway Advisory Commission was required to meet at least monthly and review the status of highways in the state and recommend improvements to the Secretary. The State Salvage Board also was abolished and the powers, duties, and functions of this salvage yard regulation agency were transferred to the Secretary of Transportation.

The *Kansas Highway Needs and Corridor Analyses* report was submitted to Governor Robert F. Bennett and the Legislative Coordinating Council. The study concluded projected revenue would fall short of both 1975 backlog needs and the additional needs that would occur by 1990. The report noted that, without additional funding, the overall condition of the highways, roads, and streets of Kansas would deteriorate at a greater rate than the needed improvements could be accomplished.

The State Highway Commission and the Federal Highway Administration authorized and financed the Southeast Kansas Corridor Study. The consultants recommended three limited access facilities. Two followed the routes of U.S. 69 and U.S. 169. The third facility followed K-96 to east of Severy and then angled down to U.S. 160 east of Parsons. The study concluded construction of the proposed highways would benefit the economy in amounts that would exceed costs.

1976 The Federal-Aid Highway Act of 1976 was enacted. The Act allowed the use of federal funds to resurface, restore, and rehabilitate interstate routes in use five years or more; consolidated and expanded federal-aid assistance for road improvements not on any federal-aid system; combined several categories of funds; expanded fund transfers to provide states flexibility in their use; broadened uses of interstate funds to include transit projects; amended the Highway Beautification Act of 1965 to allow certain advertising signs to remain in place where removal would cause substantial economic hardship; and permitted federal funding for travel information centers and systems.

The Kansas Legislature increased taxes on motor fuels from 7 cents to 8 cents per gallon; diesel fuel from 8 cents to 10 cents; and LP gas from 5 to 7 cents. Motor vehicle registration fees also were increased. After the increases, fees ranged from $13 to $26 on automobiles; from $27.50 to $1,475 on regular trucks; from $25 to $775 on local trucks; from $15 to $62 for farm trucks; and from $10 to $25 on trailers, depending on weight.

1977 The Special Committee on Transportation and Utilities studied the issue of declining highway revenues. The Committee recommended giving priority to the 3-R program (a highway program adopted by KDOT in the mid-1970s which stressed resurfacing, restoration, and rehabilitation of existing roads). The Committee also recommended that the Legislature study a funding formula used in Texas to address the situation of inflation and decreasing revenues and that no new taxes be imposed.

1978 The federal Surface Transportation Assistance Act became law on November 6 (P.L. 95-599). The Act included provisions to expedite completion of the Interstate System. Particularly helpful was the establishment of the Interstate Discretionary Fund, which gave the Secretary of Transportation the authority to reallocate funds not being used expeditiously (within two years) in one state to other states with ready-to-go projects. Other provisions included enforcement of vehicle weight limitations provisions, a highway bridge replacement program, car pool and van pool incentives, bicycle program incentives, provisions for a motorcycle helmet study, a seat belt program to encourage the use of safety belts, and provisions for a safety belt study.

The final report of the Governor's Task Force on The Future of the Kansas Transportation System was submitted to Governor Robert F. Bennett on December 28, 1978. The Task Force made 30 highway-related recommendations and urged that revenue-related recommendations be implemented as quickly as possible. For the longer term, the Task Force recommended increases in user revenues to parallel increases in the Federal Highway Administration's Composite Highway Construction Cost Index.

1979 In response to directives from the Senate Ways and Means Committee, a formal highway priority system was developed by KDOT and the consulting firm of Woodward-Clyde, Inc. The priority system included a clearly defined documented system; procedures to determine the relative weights of criteria and the ranking for constructing road and bridge segments; a reproducible system to allow an individual not part of the original decision-making effort to recreate construction priorities; and quantitative and verifiable factors. In the absence of data, professional judgments were to be used including an explanation for such judgments.[18]

The 1979 Legislature authorized and directed the Kansas Turnpike Authority to study the feasibility of constructing a toll road or turnpike on the K-96 corridor between Leon in Butler County and Fredonia in Wilson County. The study concluded that a toll road at this location would not be feasible.

The Legislature reallocated certain moneys credited to the State General Fund to the State Highway Fund and the Special City and County Highway Fund, and provided for a one-time transfer in the spring of 1979 of $4 million from the State Highway Fund to the Special City and County Highway Fund. The bill provided that in July 1979, and January 1980, an amount equal to the motor carrier property taxes credited to the State General Fund in the preceding six months be transferred to the State Highway Fund. It was estimated that these transfers would total $4 million. Thus, the Highway Fund would be reimbursed for the transfer an amount equal to the $4 million of its funds distributed in 1979 through the Special City and County Highway Fund. In July 1980, and every six months thereafter, the equivalent amount of motor carrier property taxes was transferred from the State General Fund to the Special City and County Highway Fund, thus giving local units a permanent source of new revenue from the state.

The Kansas Legislature enacted legislation to provide a tax incentive for the use of gasohol. Gasohol was to be taxed at 3 cents per gallon rather than the 8 cents per gallon which was the tax on gasoline. The tax would increase by 1 cent each July 1 until it was at the regular 8 cents per gallon tax rate on July 1, 1984. However, if gross revenue was reduced by $5 million before that date as a result of the lower tax, the tax rate would become 8 cents per gallon.

18 The priority analysis model is a procedure through which projects can be ranked by their relative value. It is used on major modification and priority bridge projects. Major modification projects are designed to improve the safety and service of the existing system. These projects include reconstruction/rehabilitation of pavement, widening traffic lanes, adding or widening shoulders, and eliminating steep hills or sharp curves. Associated bridge work includes widening narrow bridges, replacing obsolete bridges, overlaying decks, and modernizing bridge rails and guard fences. Priority bridge projects are intended to replace and rehabilitate substandard bridges. Substandard bridges are those in a deteriorated condition or with deficiencies in load-carrying capacity, width, or traffic service.

The Legislature provided for the transfer of $15 million in FY 1979 and $20 million in FY 1980 from the State Freeway Fund to the State Highway Fund. These funds were to be used to build highways within freeway corridors, to construct bypass routes not more than five miles in length, and to reconstruct, improve, and maintain state highways. Reimbursement to the State Freeway Fund was to be done by crediting certain revenues, which were deposited in the State General Fund, to the Freeway Fund. This was intended to allow the programs then scheduled on the freeway system to be completed.

1980 Proposal No. 16, a legislative interim study, directed the Special Committee on Transportation to study the structure, organization, and policies of the Kansas Department of Transportation, and the method of financing the operations of the department and highway maintenance and construction. The Committee concluded that funding for the state system and local roads and streets was inadequate to maintain roads and recommended that $60.5 million in additional revenue be raised, and that 65 percent of that revenue go to the State Highway Fund and 35 percent to local units of government. The Committee also recommended a 3-cent-per-gallon increase on gallonage taxes on all fuels, and that funding for the State Highway Patrol be shifted to the State General Fund. With respect to freeway revenue, the Committee noted that the intent of the 1979 Legislature regarding certain new revenues to the Freeway Fund was to reimburse the Freeway Fund for the $35 million transfer to the State Highway Fund. These new revenues consisted of the interest on the average daily balance of the Highway Fund and a portion of motor fuel tax revenues, both of which had been distributed to the State General Fund. The Committee recommended legislation be introduced to provide that those revenues be distributed to the Highway Fund once the $35 million, and the interest earning that would have accrued to the Freeway Fund had the $35 million not been transferred, had been paid back to the Freeway Fund.

1981 Proposal No. 39—Highway Finance, a legislative interim study, directed the Special Committee on Transportation to study alternative methods of raising revenues for financing highways, including a method based on highway cost allocation. The Committee concluded that funding was not adequate to maintain the state highway system and local roads. The Committee recommended additional revenue, and that 65 percent of such revenue be distributed to the State Highway Fund and 35 percent to local units of government. The Committee's recommendations for providing these additional revenues included transferring funding of the State Highway Patrol from the State Highway Fund to the State General Fund; removing sales tax exemptions on motor fuel (in place since the imposition of a sales tax in 1937); increasing vehicle registration fees by 20 percent; adopting rules and regulations to ensure that, where administratively feasible, the sales tax be included in the pump price; and administering the sales tax in a manner to insure that the sales tax on motor vehicle fuel not be collected in those instances where refunds from the motor vehicle fuel excise taxes are attainable for off-road use and collected initially despite the exemption for off-road use.

The Kansas Legislature amended the weight limitations statute to include triple and quad axles. The gross weight on triple axles could not exceed 42,000 pounds. The gross weight on quad axles could not exceed 50,000 pounds.

The final report of the *Pavement Management System: Feasibility Study*, by Woodward-Clyde consultants was submitted in June to KDOT. The report recommended that KDOT proceed with the development of a total pavement management system according to a five-year plan described in the report.[19]

Enacted HB 2587 allowed for the transfer of up to $20 million from the State Freeway Fund to the State Highway Fund to be used to facilitate Interstate projects. The transfer was required to be made prior to July 1, 1981, and the Freeway Fund was to be reimbursed from the Highway Fund the amount transferred plus 7.5 percent interest prior to December 31, 1981.

The Kansas Child Passenger Safety Act was enacted. It required, starting in 1982, that each parent or guardian of a child younger than two years old being transported in the front seat must properly restrain the child. Law enforcement officers were directed to give oral warnings for violations and to provide information about child passenger safety. In 1984, the statute was amended to state each child younger than four years being transported in the front seat must be restrained.

1982 The federal Surface Transportation Assistance Act of 1982 (P.L. 97-424) raised the motor fuel tax 5 cents, to a total of 9 cents a gallon, beginning April 1, 1983. Truck taxes were increased substantially but, as a trade-off, states were required to allow bigger and heavier trucks on the highways. States were required to allow trucks to haul up to 80,000 pounds on interstate highways. Vehicle lengths were set at 48 feet for a single truck-trailer and 28 feet for each semitrailer in a double combination. The legislation made a number of other policy changes. One cent of the increased gas tax was earmarked for mass transit, the first substantial diversion of the Highway Trust Fund for public transportation purposes. States were guaranteed that their highway aid apportionments would equal at least 85 percent of the highway taxes paid by their motorists. The Act also provided that, except where the Secretary of Transportation determined otherwise, not less than 10 percent of all amounts authorized to be appropriated under the Act would be required to be expended on small businesses owned and controlled by socially and economically disadvantaged individuals, as defined by the federal Small Business Act and pertinent subcontracting regulations.

1983 The Kansas Legislature increased motor fuel taxes by 2 cents per gallon on July 1, 1983, and by an additional 1 cent on January 1, 1984. The first 2 cents were dedicated to the Special City and County Highway Fund and the third cent to the State Highway Fund. The bill transferred $40 million for FY 1984, $20 million for fiscal year 1985, and $5 million in FY 1986 from the State Freeway Fund to the State Highway Fund; transferred financing of the Highway Patrol to the State General Fund, effective fiscal year 1985; transferred, on a phased basis, part of the sales tax on new and used motor vehicles from the State General Fund to the State Highway Fund; and authorized a loan of $5 million from the State Freeway Fund to the Special City and County Highway Fund to be paid back quarterly. HB 2566 retained the tax rate on gasohol at 6 cents per gallon. The bill also provided for indexing of fuel taxes.

19 The pavement management system is used mainly on part of the substandard maintenance system (1-R projects or surface preservation projects). The pavement system is a decision support system used to identify preservation project locations and determine the scope of preservation actions. The pavement management system is designed to work in conjunction with the priority system by maintaining the part of the system that is not addressed by the priority system. The two systems meet the requirements of the Federal Highway Administration and conform to the broad definition of pavement management in the 1990 AASHTO guides.

The Kansas Legislature lowered the registration fees for regular trucks 12,000 pounds and under from $27.50 to $25. It also raised the fee for farm trucks 12,000 pounds and under from $15 to $25; for farm trucks 12,001 to 16,000 pounds, the fee was raised from $21 to $25.

The Legislature passed legislation in response to changes in the federal Surface Transportation Assistance Act of 1982. Some important changes included an increase of the total outside width of vehicle or load thereon from 8 feet to 8 ½ feet; a prohibition against the operation of semitrailers in combination with truck-tractors of not more than 53 feet in length; a provision prohibiting semitrailers or trailer operated in a combination consisting of a truck-tractor, semitrailer, and trailer to exceed 28 ½ feet in length; a revision of the definition of tandem axles from "40 inches and not more than 90 inches apart" to "40 inches and not more than 96 inches apart"; a revision of the definition of triple axles from "90 inches and not more than 120 inches apart" to "96 inches and not more than 120 inches"; deletion of weight provisions for triple and quad axles; and a combination of provisions in the statutory weight table with the provision of the federal internal bridge weight formula. A provision also was added which allowed vehicles transporting cylindrically shaped bales of hay a height of 14 ½ feet. The law at that time restricted all vehicles to 13 ½ feet in height.

1984 AASHTO combined *"A Policy on Geometric Design of Rural Highways"* (1965) and a *"Policy on Design of Urban Highways and Arterial Streets"* (1973) into one volume titled *"A Policy on Geometric Design of Highways and Streets,"* known as the *"Green Book."* The volume addresses the following areas: Highway Functions, Design Controls and Criteria, Elements of Design, Cross Section Elements, Local Roads and Streets, Collector Roads and Streets, Rural and Urban Arterials, Freeways; At-Grade Intersections, and Grade Separations and Interchanges.

The new federal Deficit Reduction Act, among other things, reduced scheduled tax hikes on heavy trucks enacted in 1982 and effective July 1, 1984. Under the Act, trucks that weighed less than 55,000 pounds were exempted from the highway use tax. Those weighing more than 55,000 pounds would pay $100 plus $22 for every 1,000 pounds above 55,000 pounds. Trucks weighing more than 75,000 pounds would pay a maximum tax of $550, compared with $1,600 required by the 1982 legislation.

1985 KDOT's Priority Formula is first used to select highway projects for fiscal year 1987.

Enacted HB 2022 decreased the tax rate subsidy on gasohol. In 1985, the subsidy was 5 cents per gallon. The bill reduced the subsidy 1 cent each July 1 until the subsidy was to be 2 cents per gallon on July 1, 1987.

KDOT released its "Kansas Highway Cost Allocation Study." The report concluded that passenger vehicles subsidized trucks; pickups, vans, and standard autos subsidized small autos; light single-unit trucks (two axles with six tires) subsidized heavier trucks; heavy single units (three axles) underpaid by 33 percent; and heavy combination five-axle truck single trailers subsidized five-axle truck twin trailers.

1986 Enacted HB 2764 raised the truck height limitation from 13 and one-half feet to 14 feet.

KDOT's first five-year program, announced in July, was the first highway program built from the Priority Formula. The Formula was designed to take the known deficiencies (*e.g.*, shoulder width, narrow pavement, vertical and horizontal curves) on the existing state system and arrange deficient roadway sections in order of priority.

The Special Committee on Transportation studied KDOT's road Priority Formula and the recommendations of the Redwood/Krider economic development study related to highway project selection. With respect to KDOT's Priority Formula, the Committee concluded that the Formula had first been used on fiscal year 1987 road projects; thus, it was too soon to evaluate it. In its recommendations from the Redwood/Krider report, the Committee noted that while there were state projects that could stimulate economic development, State Highway Fund revenues were limited. The Committee also expressed concern that the state might not be able to respond to future highway needs without additional resources.

The 1986 Legislature passed two bills authorizing the Kansas Turnpike Authority to prepare a feasibility study of either a turnpike project or a freeway on four corridors. The first study was of a southeast corridor between Wichita and I-44 near Joplin, Missouri. This study was conducted in two phases. In Phase I, alternative corridors were identified and evaluated. In Phase II, the selected corridor as well as three supplemental routes were studied in more detail, and a number of alternative improvement concepts were developed. Toll financing was determined not to be feasible as the sole source of revenue or even as a supplemental source for either a two-lane or four-lane facility. Additional sales tax, gasoline tax revenues, or both, were the most promising funding sources. The study recommended construction of a two-lane (Stage I) roadway with the possibility of constructing two additional lanes (Stage II) at some future time. A second study included three corridors: U.S. 54 corridor from the Kansas-Oklahoma border to Wichita; U.S. 50, 154, and 54 corridor from the Kansas-Colorado border to Wichita; and the Hays to Wichita corridor. The final report included an engineering, traffic, revenue, and financial feasibility study of alternative highway improvements in the three corridors which totaled about 500 miles in length. The same conclusions were drawn from this study as in the first; that is, toll financing was not feasible as a sole source of revenue or even as a supplemental source for either a two- or four-lane facility on any of the corridors. Additional sales tax, gasoline tax revenues, or both, were once again found to be the most promising funding sources and the study recommended construction of a two-lane (Stage I) roadway with the possibility of constructing two additional lanes (Stage II) at some future time. There was one exception: the study recommended four-lane construction for K-96 between Wichita and Hutchinson.

The Safety Belt Use Act was added to Kansas law, requiring each front seat occupant of a passenger car manufactured with safety belts to wear a safety belt when the vehicle is in motion. Law enforcement officers were not permitted to stop drivers for violation in the absence of another violation of law. The Act was complementary to the Child Passenger Safety Act.

1987 The Kansas Legislature repealed the provisions which granted a lower motor fuel tax rate to gasohol (2 cents per gallon, effective July 1, 1987) and replaced that form of incentive with a direct subsidy of 20 cents per gallon of agricultural ethyl alcohol to Kansas ethanol producers who sold ethanol to fuel blenders for use as motor fuel. The payments were to be made from the Kansas Qualified Agricultural Ethyl Alcohol Producer Incentive Fund. The fund replenished from motor fuel tax receipts at the rate of $625,000 in each quarter, beginning October 1, 1987, and ending July 1, 1990.

Congress passed the Surface Transportation and Uniform Relocation Assistance Act of 1987. The Act:

- Allowed the state to raise the speed limit to 65 mph on Interstate highway segments located outside urbanized areas of 50,000 population or more;

- Ensured that a state received funding equal to approximately 85 percent of its estimated payments into the Federal Highway Trust Fund;

- Extended through fiscal year 1991 the Disadvantaged Business Enterprise (DBE) program, which was aimed at increasing the participation of women and minority-owned businesses in the federal highway program;

- Required states to award contracts to the most qualified bidder—not necessarily the lowest bidder—in procurement of engineering and design services;

- Allowed states to transfer up to 20 percent of their Interstate road-repair funds each year to primary road projects without providing a justification for the transfer;

- Directed the U.S. Secretary of Transportation to arrange for the Transportation Research Board to conduct a study of the trucking industry, including costs and benefits of gross weight and axle-load allowance, due no later than 30 months after enactment;

- Revised federal standards and procedures for assisting homeowners, businesses, farms, or nonprofit organizations displaced by federally financed activities, such as highway projects;

- Defined less restrictively the type of replacement dwellings that the government must provide displaced persons; and

- Raised the ceiling from $15,000 to $22,000 on relocation payments to homeowners to cover expenses such as increased mortgage costs.

The Kansas Legislature increased the speed limit on rural interstate highways from 55 mph to 65 mph. Violations of the 65 mph limit by not more than 5 mph were not to be construed as moving violations for purposes of suspension of a driver's license.

KDOT's Pavement Management System is first used to select fiscal year 1988 highway projects.

On February 13, 1987, Governor Mike Hayden established the Highway Task Force to recommend a comprehensive highway plan. On August 1, 1987, Secretary of Transportation Horace Edwards submitted the Task Force's recommendations to the Governor. The Task Force recommended a multiyear comprehensive highway improvement plan with an optimum mix of construction and maintenance programs.

The Special Committee on Transportation studied the methods used by KDOT in determining the priority of highway improvement projects and the procedures used in removing state roads from the state highway system. The Committee reviewed the recommendations of a similar 1986 study and agreed that those recommendations were still applicable. No change was needed to KDOT's priority formula; reevaluation of the formula should include economic development and commercial traffic factors; and State Highway Fund revenues were not sufficient to fund economic development road projects. The Committee recommended that when KDOT reevaluated the priority formula, consideration be given to road shoulder safety and stabilization, and that KDOT consider economic development of underdeveloped areas along with furthering development of growth areas. The Committee recommended no change to statutes which allow the Secretary of Transportation to remove miles from the state highway system. The Committee concluded that the shortfall in highway funding had to be addressed.

On August 4, 1987, Governor Mike Hayden called the Legislature into a Special Session to enact and adopt a comprehensive highway plan. The Legislature met from August 31 through September 5, 1987. Legislation was introduced but not enacted.

1988 AASHTO updated its policy of 1974 and released its *Guide for Maximum Dimensions and Weights of Motor Vehicles and for the Operation of Nondivisible Load Oversize and Overweight Vehicles*. The guide was in response to the vehicle dimensions enacted by the Surface Transportation Assistance Act of 1982. The policy conformed to the federal vehicle dimensions.

The Special Committee on Transportation studied the need for a comprehensive highway program. It recommended a highway program which, between FY 1990 and FY 2000, would reconstruct and improve approximately 1,900 miles of the state highway system and accelerate the reconstruction and repair of priority bridges by 25 per year ($1.34 billion); increase by 30 percent expenditures on substantial maintenance ($301 million); make system enhancements to improve safety, relieve congestion, and improve access ($700 million); provide increased benefits for local units of government ($528.4 million); provide for transportation programs for persons who are elderly or handicapped ($3.3 million); and maintain solvency of the State Highway Fund during the life of the program. Increased expenditures for the $2.7 billion program between FY 1990 and FY 2000 also would have included $272.2 million for new debt service and $61.6 million for increased state operations. Revenue enhancements to support the plan between FY 1990 and FY 2000 included a phased increase in motor fuel taxes of 7 cents per gallon ($1.03 billion); vehicle registration fee increases averaging 30 percent ($318 million); an increase in the sales tax transfer from the State General Fund to the State Highway Fund ($322 million); an increase in the state sales tax from 4.0 percent to 4.5 percent ($865.5 million dedicated to the State Highway Fund and $519.3 million dedicated to the Special City and County Highway Fund); and issuance of 15-year bonds (principal of $692 million).

1989 The Kansas Comprehensive Transportation Program was enacted in HB 2014, providing for an enhanced highway program. The program was an accelerated eight-year program (FY 1990 through FY 1997), which included an eight-year bid-letting schedule. Total expenditures for the program through FY 1997 were estimated to be $2.3 billion. As nearly as possible, the program addressed the top 16 percent of then-existing state highway system needs, as determined by the KDOT prioritization method; increased priority bridge projects by about 20 percent over the program period; and expended about $600 million for enhancement projects. The Secretary of Transportation also increased substantial maintenance of the highway system to the “adequate” level; made maximum use of available federal highway funds; increased the state partnership with cities and counties, including an increase in annual state connecting link payments to cites and counties, to $2,000 per lane mile; improved transportation programs to aid the elderly and handicapped, including expenditures for this purpose of $390,000 annually (in conjunction with provisions of HB 2099); undertook system enhancement projects to improve safety, relieve congestion, improve access, or to enhance economic development; and during the period July 1, 1989, through June 30, 1997, spend from revenue produced under the bill at least $2.5 million for highway, bridge, and substantial maintenance projects in each county. Revenues to help fund the program included increases in motor vehicle registration and related fees (average 52 percent for passenger vehicles and 30 percent for freight—beginning July 1, 1989) and increases in the taxes on gasoline, special fuels, and LP-gas in 1989 with additional increases through 1992. The bill also increased the transfer of state sales tax receipts to the State Highway Fund (from 6.56 percent to 10 percent—beginning October 1, 1989). In addition, the Secretary of Transportation was authorized to issue up to $890 million in bonds (20-year maximum maturity and to be issued on and after July 1, 1991) in order to expedite completion of the proposed highway program. Debt service beyond FY 1997 was estimated to be $1.7 billion. Refunding of the existing freeway bonds also was authorized. With respect to the fuel tax increases, local units retained their allocation of 40.5 percent of fuel taxes through the Special City and County Highway Fund. Distributions of revenue produced by the increased rates were based on a three-factor formula: average daily vehicle miles traveled in the county, motor vehicle registration fees collected in the county, and total road miles in the county. Other features of the legislation required the payment of the prevailing wage under the federal Davis-Bacon Act on nonfederally aided state-funded highway projects; permitted the Secretary of Transportation to designate state highway construction contracts or portions thereof for competitive bids by disadvantaged business enterprises; required that contracts regarding work construction zones be based on guide specifications which permit the use of Type II, Type IIA, or Type IIIA sign sheeting as determined by the Secretary and referenced in a reflective-sheeting study produced by Bellomo-McGee, Inc., in 1988; specified that all contracts for construction, reconstruction, and maintenance under the law were subject to the competitive bidding process; and repealed the motor fuel tax indexing provision.

The Kansas Child Passenger Safety Act was amended to require any driver (not just a parent or guardian) to properly restrain any child younger than 14 who is being transported in the vehicle, with any child younger than 4 in an approved child passenger safety restraining system and any child ages 4 through 13 by a safety belt.

1990 The Legislature extended the expiration date of the Agricultural Ethyl Alcohol Incentive Program from July 1, 1990, to July 1, 1993.

The Legislature passed legislation to, among other things, allow the Secretary of Transportation to issue special vehicle combination permits for the operation of triple bottom combinations on U.S. Highway 69 Alternative between a truck terminal located at Baxter Springs and the Kansas-Oklahoma line and on I-70 between a truck terminal located within a five-mile radius of the Interstate at Goodland and the Kansas-Colorado line.

Under provisions of the Omnibus Budget Reconciliation Act of 1990, Congress increased the gasoline tax from 9 cents to 14 cents per gallon and the diesel tax from 18 cents to 20 cents per gallon. Half of the revenue was dedicated to the Highway Trust Fund and half to the General Fund.

Congress passed the Hazardous Materials Transportation Uniform Safety Act of 1990. The Act strengthened previous law by:

- Extending hazardous material regulations to interstate transport;
- Setting standards for states to use in designating hazardous material routes for highway transport;
- Requiring motor carriers to obtain safety permits if they transport certain radioactive materials, explosives, toxic inhalants, or liquid natural gases;
- Requiring shippers and carriers of radioactive materials or explosives to register with the federal Department of Transportation; and
- Authorizing the Department of Transportation to improve placarding and study the idea of a computerized reporting system for hazardous materials.

The Act also provides for additional federal inspections, provides grants to states for emergency resource programs, and establishes minimal penalties for hazardous violations.

1991 In December 1991, the President signed the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), which provided authorizations for highways, highway safety, and mass transportation programs for six years. Previous Federal-Aid Highway Program efforts were directed primarily toward the construction and improvement of four Federal-Aid systems: interstate, primary, secondary, and urban. The 1991 legislation combined four Federal-Aid systems into two systems: the National Highway System (NHS) and the Interstate System, which is a component of NHS. A new block grant program, the Surface Transportation Program, provided funding for roads not functionally classified as local or rural minor collector. Also under provisions of the Act, states were allowed to spend moneys from the Highway Trust Fund grants on a broader range of alternative transportation modes and related infrastructure needs.

1993 The federal Omnibus Budget Reconciliation Act of 1993 increased the federal per gallon gasoline tax by 4.3 cents, to 18.3 cents, starting October 1, 1993. (An additional 0.1 cent per gallon goes to the Leaking Underground Storage Tank Trust Fund.)

The Kansas legislature extended the expiration of the agricultural ethyl alcohol program from July 1, 1993, to July 1, 1997.

1994 The Kansas Legislature increased the amount transferred annually from the State Highway Fund for the Elderly and Disabled Coordinated Public Transportation Associated Fund, from $390,000 to $1,000,000.

1995 The President of the United States signed the National Highway System Designation Act of 1995. Among other things, the Act repealed the federal mandate on speed limits. The Act provided for repeal effective on the 10th day following the date of enactment unless the Governor signed a declaration within such period permitting the Legislature time for review of the state's speed limit. Governor Graves signed such a declaration, giving the Legislature 60 days following convening of the 1996 Legislative Session to act on the matter.

1996 The Legislature set the maximum speed limits at 30 miles per hour in urban districts, 70 miles per hour on separated multilane highway designated and posted by the Secretary of Transportation, 65 miles per hour on all other highways, and 55 miles per hour on county or township roads. The maximum speed limits of 70 and 65 miles per hour became effective 15 days following effective date of the act (March 22, 1996). During the 15-day interim period, the maximum speed limits were 65 and 55 miles per hour, respectively, on such highways.

Speeding violations in excess of the 70 and 65 miles per hour maximum speed limit by 10 and 5 miles per hour, respectively, were not to be considered as moving violations for purposes of suspension of driving privileges. In addition, these violations were not to become a part of the public record and considered by an insurance company to determine the rate charged for any automobile liability insurance policy or the need to cancel any such policy. The bill also exempted the Secretary of Transportation from liability for damages or losses sustained between March 22 and July 1, 1996, based on claims of failure to post any speed limit, erect signs, or place markings; permitted the Secretary without an engineering or traffic investigation to lower a maximum speed limit; and provided that existing school zone speeds could be altered by the Secretary without prior approval by local authorities.

1997 The Legislature extended the expiration date of the Agricultural Ethyl Alcohol Incentive Program from July 1, 1997, to July 1, 2001.

The Kansas Department of Transportation released a report titled *Economic Impacts of the Kansas Highway Program, June 1997*. The report concluded that the economic impact of the Comprehensive Highway Program (CHP) highway construction contracts as measured by output was $7.4 billion. The economic impact of the CHP highway construction contracts as measured by employment was 117,820 full-time-equivalent jobs. The study also noted that, although the economic impacts measured in the study were considerable, investment in highways yields other benefits to users beyond the scope of the study. For example, the highway improvements that reduce congestion can result in reductions in vehicle operating costs such as maintenance, fuel, tires, and depreciation. These improvements also can reduce travel times and result in lower highway accident costs.

Included in the federal Taxpayer Relief Act of 1997 was a provision to again direct all federal fuel tax revenue to the Highway Trust Fund, rather than splitting it with the General Fund.

1998 President Clinton signed the Transportation Equity Act for the 21st Century (TEA-21). The bill reauthorized the federal highway, transit, safety, research, and motor carrier programs for the six-year period 1998-2003; provided $215 billion total budget authority over the six-year period, including $175 billion for highways, $41.4 billion for transit, $2.2

billion for highway safety programs, and $650 million for motor carrier safety grants; and provided flexibility for states in use of transportation dollars.

1999 HB 2071, a ten-year Comprehensive Transportation Plan for FY 2000 through FY 2009, became law.

The bill authorized the following state highway system program components:

- Maintenance, including substantial maintenance;
- Construction and reconstruction, including major modifications and priority bridges;
- System enhancements projects of $1.05 billion; and
- A highway demonstration project to evaluate pavement guarantees by a contractor.

The bill provided enhanced assistance to local units of government through:

- A formula adjustment in the Special City and County Highway Fund to provide an average increase of $14.0 million annually in state aid;
- An increase in city connecting links (KLINK) maintenance state aid from $2,000 to $3,000 per lane mile;
- New assistance for communities with railroad crossings not on the state highway system;
- A program of credit enhancements for local units through the new Kansas Transportation Revolving Fund; and
- Requiring spending by the Secretary of Transportation of at least $3.0 million in each county for highway, bridge, and substantial maintenance projects during the program period from July 1, 1999, to June 30, 2009. (The Comprehensive Highway Program enacted in 1989 guaranteed spending at least $2.5 million per county between July 1, 1989, and June 30, 1997.)

The bill further authorized new modal elements by providing:

- For a transfer of $3.0 million from the State Highway Fund to the Rail Service Improvement Fund on July 1, 1999, and on each July 1 thereafter through 2006;
- On July 1, 1999, and on each July 1 thereafter, transfers of $3.0 million each year from the state Highway Fund to the Public Use General Aviation Airport Development Fund;
- For the expansion of the transportation program for elderly and disabled persons to include the general public. Funding increased from $1.0 million of state

assistance to $6.0 million annually by transfers from the State Highway Fund. Another average of $5.0 million annually was estimated from the federal government.

Finally, the bill enhanced revenue provisions by:

- Authorizing the Secretary of Transportation to issue new bonded indebtedness of $995 million backed by the State Highway Fund. The bonds were to mature in not more than 20 years.

- Increasing motor fuels taxes beginning on July 1, 1999. The motor fuels taxes were raised as follows: $0.02 on July 1, 1999; $0.01 on July 1, 2001; and $0.01 on July 1, 2003. The cumulative increase of $0.04 was to continue until July 1, 2020.

- Increasing the sales tax demand transfers from the State General Fund to the State Highway Fund by 1.7 percent in FY 2000 and FY 2001. Beginning in FY 2002, the 7.628 percent statutory figure was raised to 9.5 percent. The bill increased that percentage to 11.0 percent in FY 2003; 11.25 percent in FY 2004; and 12.0 percent in FY 2005, and thereafter.

Transportation Plan FY 2000-2009 Summary
(In Millions)

Proposed Ten-Year Expenditures

Routine Maintenance	$	1,226.0
Substantial Maintenance		2,062.0
Major Modification and Bridges		3,312.0
System Enhancements		1,050.0
Aviation		30.0
Public Transit		110.0
Rail		40.0
Special City/County Highway Fund		1,600.0
Local Aid		1,049.0
KLINK Payments		34.0
Management and Other		730.0
Transfers Out		489.0
Debt Service (Existing and New)[b]		1,198.0
Total Expenditures	**$**	**12,930.0**

a. Source: KDOT estimates include expenditures on a budget basis for some encumbrances to be paid after FY 2009.

b. New 20-year bonds will have principal and interest (4.75%) payments averaging $34.5 million per year over ten years.

Revenue Enhancements (Revised)

Motor Fuels Tax	$	615.4
State General Fund Sales Tax Transfer[a]		514.8
Interest on Funds		198.0
Net from Bond Sales		980.0
Total New Revenues	**$**	**2,308.2**

a. Does not include $347 million estimated as available under law prior to enactment of HB 2071 for FY 2000 to FY 2009.

Projected Revenues (Revised)

Estimated All Other Funds[a]	$	10,315.0

a. Includes $304 million estimated as available under law prior to enactment of HB 2071 attributed to SGF sales tax transfer, but excluding revenue enhancements in HB 2071.

Comparisons of Estimated Revenue Enhancements
for 1989 Highway and 1999 Transportation Programs
(In Millions)

	HB 2014 1989[a]	HB 2071 1999[b]	Difference	Percent
Motor Fuels Tax	$ 444	$ 615	$ 171	38.5 %
Registration Fees	227	0	227	(100.0)
SGF (Sales Tax) Transfer (c)	223	515	292	130.9
0.25% Sales and Use Tax	474	0	474	(100.0)
Interest on Funds	65	171	106	163.1
Subtotal - Tax and Fees	*$ 1,433*	*$ 1,301*	*$ (132)*	*(0.1) %*
Net Bonds	$ 876	$ 980	$ 104	0.1 %
Bond Generated Interest	36	27	9	(25.0)
Subtotal - Bonds	*$ 912*	*$ 1,007*	*$ 95*	*0.1 %*
Grand Total	**$ 2,345**	**$ 2,308**	**$ (37)**	**0.0 %**
Annual Tax and Fee Average	$ 179	$ 130	$ (49)	(0.3) %
Annual Total Average	$ 293	$ 231	$ 62	(0.2) %

a. Source: 1989 Summary of Legislation, Kansas Legislative Research Department. Estimated in 1989 dollars for an eight-year period.
b. Source: Kansas Legislative Research Department. Estimated in 1999 dollars for a ten-year period.
c. Revised 5/4/99 and estimated as an addition to law prior to enactment of HB 2071.

2001 House Sub. for SB 304 authorized the Secretary of Transportation to issue $277.0 million in additional bonds by raising the total principal amount of bonding authority from $995 million to $1.272 billion. The additional bond proceeds provided funds to pay for costs relating to construction, reconstruction, maintenance, and improvement of Kansas highways. The bill raised the total principal amount of bonds in order to offset reductions the 2001 Legislature made to the State General Fund demand transfer to the State Highway Fund of the Department of Transportation by $20 million per year, from FY 2002 to FY 2009.

2002 HB 3011 made several changes in tax provisions relative to the Comprehensive Transportation Program enacted in 1999.

- Motor fuels tax increase: The gasoline and LP-gas motor fuels tax rate were increased 2 cents per gallon, effective July 1, 2002. Various fees charged for special LP-gas permit users also are increased by complementary amounts. The motor fuels tax rate changes on July 1, 2002, are as follows: gasoline tax, increased from 21 to 23 cents per gallon; the special fuels tax increased from 23 to 25 cents per gallon; and the LP-gas tax increased from 20 to 22 cents per gallon. Total motor fuels tax receipts were expected to increase by about $32.6 million in FY 2003.

- Motor vehicle registration fees increase: Motor vehicle registration fees were increased for passenger automobiles and pickup trucks by $5 and for larger trucks by amounts ranging from $2 to $10, effective July 1, 2002. Registration fees were expected to increase by $11.6 million in FY 2003.

Fiscal Impact through FY 2009 – The estimated fiscal impact through FY 2009 is as follows:

Estimated Fiscal Impact
($ in millions)

	Motor Fuels Tax Provisions	**Motor Vehicle Registration Fee Increases**	**Total**
FY 2003	$ 32.633	$ 11.565	$ 44.198
FY 2004	35.988	11.739	47.727
FY 2005	36.328	11.913	48.241
FY 2006	36.668	12.086	48.754
FY 2007	37.006	12.260	49.266
FY 2008	37.348	12.434	49.782
FY 2009	37.688	12.608	50.296
Thru 2009	$ 253.659	$ 84.605	$ 338.264

Transportation development districts in cities or counties were authorized (HB 2949). The bill authorized a transportation district excise tax not to exceed 1.0 percent to finance transportation-related improvements within the district. Landowner approval was required to create such a district.

2003 The federal 2003 hours-of-service (HOS) rule shortened the driving window to 14 consecutive hours and increased the off-duty period from 8 to 10 hours, but it increased driving time from 10 to 11 hours and allowed drivers to restart their duty time calculations whenever they took at least 34 consecutive hours off.

2004 SB 384 created a funding mechanism for the Comprehensive Transportation Program (CTP). The bill provides for issuance of revenue bonds, changes in the sales tax rate, and disposition of resulting revenue.

- Bonding. The bill included these changes to bonding laws:

  - Authorized the Kansas Development Finance Authority (KDFA), subject to approval of the Secretary of Transportation and the State Finance Council, to issue revenue bonds in an amount not to exceed $150 million, plus amounts to pay the costs of the bonds, including credit enhancements, and provide reserves required for the bonds, to finance the CTP. Revenue from those bonds is credited to the State Highway Fund (SHF);

    - Authorized issuance of additional bonds, subject to approval of the State Finance Council, to offset any shortfall in anticipated federal receipts for state fiscal years 2005-2009 in an amount that is the lesser of the federal shortfall or $60 million. Any issuance is subject to review and recommendation to the State Finance Council by the Legislative Budget Committee; and

    - Required the revenue bonds and interest to be payable from money appropriated for that purpose.

- Sales tax rate and disposition of revenue provisions. The bill also extended indefinitely the 5.3 percent state sales and compensating use tax rate which was scheduled by law to be reduced to 5.0 percent on July 1, 2006. An increased portion of the sales and use tax rate also is earmarked for deposit in the SHF. Under prior law, 5/106 (one quarter cent) was deposited in the SHF. The bill expanded the earmarking to 19/265 (0.36 cents) in FY 2007; and 13/106 (0.65 cents) in FY 2008 and thereafter. Finally, the bill repealed a statute that provides for a transfer to the SHF of 12 percent of sales and use taxes which are deposited initially in the SGF.

Fiscal implications. The total change in revenues relative to prior law based on the tax rate extension and the additional diversion of receipts to the State Highway Fund are as follows, based on the November 2003 consensus estimate:

Consensus Estimate November 2003
($ in millions)

	Total New Revenue	**SGF**	**SHF**
FY 2007	$ 111.419	$ 58.748	$ 52.671
FY 2008	125.802	(41.934)	167.735
FY 2009	130.204	(43.401)	173.605
FY 2010	134.762	(44.920)	179.682
FY 2011	139.479	(46.492)	185.971
5-Year Total	$ 641.666	$ (117.999)	$ 759.664

Based on the November 2003 consensus estimate, the repeal of the transfer was expected to have the following impact:

Repeal of Transfer
($ in millions)

	SGF	SHF
FY 2005	$ 200.180	$ (200.180)
FY 2006	207.508	(207.508)
FY 2007	206.192	(206.192)
FY 2008	209.082	(209.082)
FY 2009	216.400	(216.400)
FY 2010	223.974	(223.974)
FY 2011	231.813	(231.813)
Thru FY 2011	$ 1,495.150	$ (1,495.150)

2005 Congress enacted the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). Almost two years after TEA-21 expired, and after 12 extensions to keep the states and Federal Highway Administration in business, on August 10, 2005, the President signed SAFETEA-LU, the new six-year surface transportation act. Nationwide transportation spending in SAFETEA-LU over the years 2004 to 2009 increased by 38 percent to $286.4 billion. In addition:

- The average percentage increase in highway funding for states from the previous multi-year bill, TEA-21, was 30.32 percent;
- For Kansas, highway spending was to increase by 19.25 percent from an average $321 million per year to an average of $383 million per year.

The bill further included $22 billion for more than 6,000 congressionally designated projects nationwide, 45 in Kansas with an estimate of $199 million. The previous law, TEA-21, contained $9.4 billion for 1,850 designated projects.

The law also contains:

- An Equity Bonus, the minimum guarantee percentage rate of return for donor states (which pay more in taxes into the Federal Highway Trust Fund than they receive in apportionments from it), was to rise from 90.5 percent in 2005 to 91.5 percent in 2006 and 2007 and to 92 percent in 2008 and 2009;
- A new Safe Routes to School program, which required each state to create a new position to coordinate the program;

- A restructured Highway Safety Improvement Program, which included a new High Risk Rural Roads program and funding for Rail-Highway Crossing and Hazard Elimination programs;

- Funds for the federal transit program at $52.6 billion for six years, 46 percent more than under TEA-21; the formula funds distributed to the states total $36.7 billion, 145 percent more than under TEA-21;

- Approximately $124.6 million in 6 years in formula funds for Kansas transit programs; and

- $12 million in a transit high priority project for a Kansas Statewide Transit Buses, Bus Facilities and Bus Integrated Towers System to fund the extension of the transit pilot program for automated vehicle location buses utilizing the 800 MHz radio system.

The Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief included Improved Security for Drivers' License and Personal Identification Cards (the "REAL ID Act"), which set minimum document security requirements for any state-issued identification to be used to board a commercial aircraft or enter a federal facility. The Act responded to recommendations of the 9/11 Commission to ensure anyone issued identity documents by a state is indeed the person named on the documents. The documents of any state that did not meet requirements could not be used to enter restricted areas of federal facilities and nuclear power plants as of 2014, military facilities as of 2015, and the White House complex as of 2016. (Kansas documents met the requirements by the established deadlines.) Final enforcement deadlines announced by the Department of Homeland Security in 2016 included full enforcement for commercial aviation use as of October 2020.

2006 HB 2709, among other things, eliminated a sunset provision in the 1999 Comprehensive Transportation Program and continued an annual transfer of $3.0 million from the State Highway Fund to the Rail Service Improvement Fund.

Amendments to Kansas child passenger restraint laws added specific requirements for restraints for children ages 4 through 7 weighing less than 80 pounds or with a height of less than 4 feet 9 inches; larger and older children (through age 13) could be secured with a standard safety belt.

2007 Practices of the Department of Revenue's Division of Vehicles to protect against fraud in the issuance of driver's licenses and nondriver identification (ID) cards were added to Kansas law (SB 9). Those measures include requiring the cards to have physical security features, requiring valid documentary evidence of citizenship or lawful presence and Kansas residency, requiring any person applying for a driver's license or ID card to submit to a facial image capture and requiring the examiner to check that image against the Division's database, prohibiting the Division from issuing a Kansas driver's license or ID card to anyone with a license or ID card from another state without making reasonable efforts to confirm the termination of the license or ID card in the other state, and requiring the Division to ensure the physical security of locations where driver's licenses and ID cards are issued.

The Kansas Safety Belt Use Act was amended to require any vehicle occupant ages 14 through 17 to use a safety belt, not just those in the front seat.

2008 To prevent shortfalls in the Highway Trust Fund, Public Law 111-318, signed by President George W. Bush on September 15, 2008, appropriated $8.017 billion from the General Fund to the Highway Trust Fund. These supplements were followed by $7 billion in 2009 (P.L. 111-46) and $14.7 billion in 2010 (P.L. 111-147). The last bill notes "Restoration of Foregone Interest"; the Fund ceased earning interest on its invested balance in 1998.

Governor Kathleen Sebelius convened a 35-member task force, the Transportation – Leveraging Investments in Kansas (T-LINK) Task Force. Its members included representatives of cities, counties, construction companies, labor unions, banks, the trucking industry, state agencies, and the Legislature. The Governor requested the Task Force come up with a "strategic transportation approach" to help the state address its transportation needs and asked that the task force priorities include maintaining the current infrastructure, a transparent and collaborative project selection process, alignment with economic development goals, and fostering intermodal transportation choices; she also requested funding and financing ideas. In 2008, the Task Force held local consultation meetings in Abilene, Hays, Hutchinson, Olathe, Pittsburg, Topeka, Ulysses, and Wichita.

The Legislative Coordinating Committee directed the Legislature's Special Committee on a New Comprehensive Transportation Plan to study the need for a new comprehensive transportation system and to hold hearings in each of the state's four congressional districts. At its meetings in Topeka, Wichita, Overland Park, Garden City, and Pittsburg, the Special Committee heard from a total of more than 140 conferees. Many conferees urged enactment of a new comprehensive plan that would provide for regional transportation solutions, would preserve and maintain current infrastructure, and would provide state funding for cities, counties, and local transit providers. Conferees suggested 35 projects on specific routes, 14 regional projects, and improvements regarding airports, rail, transit, and bike/pedestrian infrastructure. The Committee's recommendations included a recommendation for a comprehensive plan.

Among the provisions enacted in Kansas were an authorization for the Secretary of Transportation to participate for two years in an air passenger service support agreement with the Manhattan Area Chamber of Commerce, Inc. (House Sub. for SB 359); allowing certain intrastate commercial fleet vehicles weighing more than 26,000 pounds to participate in the fleet registration process (SB 522); and authorizing the use of KDOT personnel and equipment to remove debris from demolished housing in certain cities where the housing was damaged by flood waters in 2007 (HB 2926).

2009 A response to the worst economic recession since the Great Depression, the American Recovery and Reinvestment Act (ARRA) (P.L.111-5) was signed by President Barack Obama on February 17, 2009. Title XII of that act appropriated $27.5 billion for eligible "restoration, repair, construction and other activities eligible under paragraph (b) of section 133 of title 23, United States Code, and for passenger and freight rail transportation and port infrastructure projects"; $1.5 billion in discretionary grants for surface transportation; $8 billion for high speed and intercity passenger rail; $6.9 billion in transit capital assistance; and $1.1 billion in grants in aid for airports. Kansas received $378 million: $348 million for highways and $30 million for transit. Projects included a total of 78 local projects, 18 enhancement projects, and grants to 10 rural public transit providers. Among the state highway projects for which ARRA funds were used were US-69 in Overland Park, I-135/47th Street in Wichita, K-23 in Gove County, K-61 in McPherson County, and K-18 between Ogden and Manhattan.

The 2005 law authorizing federal surface transportation programs, known as SAFETEA-LU, expired in September 2009. Congress authorized a short-term extension.

The Governor's T-LINK Task Force issued its final recommendations in January. Recommendations included linking transportation investments to the state's economic priorities; using multi-modal solutions, simplified project categories, and a rolling project selection process; new business models such as fully funding preservation and incorporating "practical improvements" (*e.g.*, using narrower shoulders on less-traveled roads) to control project costs; working toward a "sustainable" local roads network; allowing local governments to exchange federal funds for state funds that carry fewer prescriptive requirements; creating a regional approach to transit; expanding eligibility for short-line railroad projects; and developing a strategic plan to ensure all Kansans have access to all-weather airports. It also recommended allowing KDOT to manage its debt within a ceiling on bonded debt service of 18 percent of adjusted agency revenues. To fund all preservation needs but less than half of the identified modernization and other projects would require additional revenues over 10 years of $1.27 billion, the report said.

Amendments to law modified requirements for Kansas driving permits and driver's licenses for drivers younger than 17. Sub. for HB 2143 added the requirements that an applicant for a restricted license must have held an instruction permit for at least a year (increased from six months) and an applicant for full licensure must be at least 17 years old. Restrictions under these graduated driver's license provisions on a driver with an instruction permit, farm permit, or restricted license include a ban on nonsibling passengers if the driver is younger than 16, a limit of one nonsibling passenger if the driver is 16, and a ban on operating wireless communication devices while driving except to report illegal activity or summon emergency help, in addition to destination and hour restrictions. The bill also increased penalties for restriction violations.

The Legislature's Special Committee on Transportation discussed scenarios for funding a new comprehensive transportation program. Ideas considered included removing the sales tax exemption on motor fuels, increasing the motor fuel tax, indexing the motor fuel tax to inflation, and increasing registration fees for passenger vehicles and trucks.

From 1999 through 2009, a total of $1.256 billion originally designated for the State Highway Fund was diverted to other, non-transportation purposes, primarily by directing sales tax monies to other uses.

2010 Reader's Digest ranked Kansas highways best in the nation, using data from 2007 and 2008 regarding spending, congestion, road and bridge condition, and safety as criteria.

A new comprehensive transportation plan, Transportation Works for Kansas (T-Works) was enacted in Senate Sub. for Senate Sub. for HB 2650. KDOT estimated that, over the succeeding ten years, the program would have available to it approximately $8.2 billion, including $5.5 billion in revenues from sources in law not amended during 2010, such as motor fuel taxes. (The bill did, however, remove the 2020 sunset on fuel tax increases enacted in 1999.)

The bill set out legislative intent regarding the T-Works program and provided that program expenditures can be made for purposes including, but not limited to, preservation projects; expansion and economic opportunity projects, selected using criteria including engineering and traffic data, local consultation, geographic distribution, and economic impact; modernization projects (such as widening lanes or upgrading interchanges) selected by criteria including engineering data, local consultation, and geographic distribution and to incorporate "practical improvements" (such as narrow rather than full shoulders on highways with little traffic); continuing assistance to cities and counties; continued railroad, aviation, and public transit programs, with increased amounts dedicated to them starting in 2013; and a multi-modal economic development program to provide assistance for transportation-sensitive economic opportunities on a local or regional basis, with projects selected by the Secretary of Transportation. At least $8 million was to be spent in each of Kansas' 105 counties between July 1, 2010, and June 30, 2020.

To increase revenues, the bill increased registration fees primarily for trucks in 2013 and 2014, by a total of $20 for trucks 12,000-16,000 pounds, by $100 for trucks up to 54,000 pounds, and by $135 for trucks larger than 54,000 pounds, for a total in registration fee increases of approximately $132 million through FY 2020. However, earmarking of new sales and use tax receipts in Senate Sub. for HB 2360 was estimated to raise approximately $1.476 billion for the State Highway Fund over the same period; that bill increased the sales tax rate; provided certain sales tax amounts to the State Highway Fund in FY 2011, 2012, and 2013; and directed all sales tax receipts from sales tax exceeding 5.3 percent to the State Highway Fund beginning in 2014.[20] The T-Works bill also increased the limit on bonded debt to 18 percent of projected State Highway Fund revenues for any year; KDOT estimated total bonding through FY 2020 of $1.7 billion.

According to KDOT, $8.38 billion was spent during the Comprehensive Transportation Program. Of the $5,209.7 million spent on highways, $2,671 million was spent on preservation, $752 million on modernization (improvements to the existing roadway, such as the addition of shoulders), and $1,786.7 million was spent on expansion projects (new construction, of 242 lane miles and 17 interchanges). The report says $2,795.6 million was spent on local roads: $1.513.4 million through the Special City and County Highway Fund, $28.9 million to city connecting link payments, and $1,253.3 million on local partnership projects. A further $196 million was spent on transportation infrastructure other than highways: $125.7 million on transit, $41.6 million toward improvements at 94 airports, $23 million on rail (970 miles of track improvements), and $70.3 million on bicycle and pedestrian lanes and trails.

Other changes to Kansas law include these:

- "Texting"—"using a wireless communications device to write, send, or read a written communication"—is banned (House Sub. for SB 300). The law includes exceptions for law enforcement and emergency service personnel acting with the course and scope of their employment and other emergency-related exceptions.

20 Kansas collected an estimated $165 million in sales taxes on new vehicles, $104 million in sales tax on used vehicles, and $44 million in sales taxes on parts and services in 2010, according to the Center for Automotive Research. For 2012, the estimates were $215 million for new vehicles, $118 million for used vehicles, and $45 million for parts and services.

- The Kansas Secretary of Transportation is authorized to establish and implement a passenger rail service program (SB 409). Provisions include a Passenger Rail Service Revolving Fund.

- Required seat belt use was expanded to adults in the back seat, so every occupant of a passenger car manufactured with safety belts is required to wear a safety belt (HB 2130) (amending the Safety Belt Use Act). The bill allows an officer to stop a passenger car for a violation of safety belt requirements by anyone in the front seat or by anyone younger than 18. The fine for a violation by an adult was set at $5 until July 1, 2011, and $10 subsequently, including court costs. (The fine for an unrestrained child, 14 or younger, remained at $60.)

- Kansas joined the Midwest Interstate Passenger Rail Compact (HB 2552).

2011 State speed limits were increased to 75 mph on any separated multilane highway, as designated by the Secretary of Transportation (HB 2192). The bill's provisions also included a requirement that an overtaking vehicle pass a bicycle no less than three feet away from the bicycle.

Congress continued to extend provisions of SAFETEA-LU and other acts, with relatively minor changes to their provisions. The Surface and Air Transportation Programs Extension Act of 2011, added to law in September, included the Federal Aviation Administration's (FAA's) 21st extension and the highway program's 8th. The FAA had shut down for two weeks during the summer due to a congressional impasse on provisions of an extension. According to various reports, nearly 4,000 FAA workers were furloughed and more than 200 airport construction and safety projects halted, affecting more than 70,000 other workers, and the government lost approximately $30 million a day (approximately $400 million) in airline ticket taxes because airlines no longer had authority to collect the fees.

The Environmental Protection Agency and the National Highway Traffic Safety Administration, on behalf of the Department of Transportation, jointly issued a proposed rule to further reduce greenhouse gas emissions and to improve fuel economy for light-duty vehicles for model years 2017-2025.

Revised federal hours of service regulations were issued for property- and passenger-carrying drivers, effective in 2012. The rule limited the use of the 34-hour restart provision to once every 168 hours and to require that anyone using the 34-hour restart provision has as part of the restart two periods that include 1 a.m. to 5 a.m. It retained the 11-hour daily time limit. However, the Consolidated and Further Continuing Appropriations Act of 2015 suspended of enforcement of requirements for use of a 34-hour restart until a study was submitted to Congress.

2012 Moving Ahead for Progress in the 21st Century (P.L. 112-141) (MAP-21) reauthorized the federal-aid highway, highway safety, and transit programs last authorized by SAFETEA-LU in 2005, after the ninth extension of prior law. It is described by the Federal Highway Administration as a "transition to a performance and outcome-based program" that has "individual targets that collectively will make progress toward national goals." Among its many provisions were those consolidating highway formula programs under a new structure; extending SAFETEA-LU funding for the remainder of 2012-2014; changing the ways states could use formula funds; increasing federal credit assistance under the

Transportation Infrastructure Financing and Innovation Act; reducing restrictions on tolling interstate highways under certain circumstances; transferring money from the General Fund and from the Leaking Underground Storage Tank Fund to maintain the solvency of the Highway Trust Fund; increasing resources to ensure highway tax compliance; enhancing transportation planning to incorporate performance goals and ensure public participation; establishing national performance goals for federal highway programs in safety, infrastructure condition, congestion reduction, system reliability, freight movement and economic vitality, environmental sustainability, and reduced project delivery delays; expanding authority to use "categorical exclusions" for certain environment-related reviews, to speed the process; authorizing the National Highway Performance Program to improve the national highway system; requiring states to set targets for the number of serious injuries and fatalities and the number per vehicle mile of travel and make progress toward those goals; continuing the Surface Transportation Program, the Highway Safety Improvement Program, and the Congestion Mitigation and Air Quality Improvement Program; establishing a new program to provide for a variety of alternative transportation projects; establishing principles and practices for a research and technology program and authorizing related expenditures; and enhancing the condition and performance of a national freight network.

The U.S. Environmental Protection Agency and the National Highway Traffic Safety Administration, on behalf of the Department of Transportation, issued final rules to further reduce greenhouse gas emissions and improve fuel economy for passenger cars, light-duty trucks, and medium-duty passenger vehicles for model years 2017 and beyond. The proposed rule would require an industry-wide fleet average of 54.5 mpg if greenhouse gas level requirements were to be achieved solely through improvements in fuel efficiency, and it proposes passenger car and light truck standards of 40.9 miles per gallon by model year 2021 and 51.3 mpg in model year 2025. According to a Congressional Budget Office study released in May 2012 based on the rule as proposed in 2011, the rule would reduce revenues into the Highway Trust Fund from the gasoline tax (assuming no increase in that tax) by 21 percent in 2040. CBO estimates that such a decrease would result in a $57 billion drop in revenues credited to the Highway Trust Fund over 2012 through 2022—a 13 percent reduction in the fund's total receipts from all sources.

Kansas replaced vehicle taxes on specified commercial vehicles with fees, starting in 2014 (HB 2557). The fee ranged from $150 for a vehicle up to 12,000 pounds and 7 years old or older, to $400 for a truck registered at a gross weight of 60,000 pounds or more regardless of age. For Kansas-based motor carriers, amounts collected by the county treasurers were to be remitted or distributed as motor vehicle taxes had been; for non-Kansas-based motor carriers, amounts collected were to be remitted to the State Treasurer and credited to the Special City and County Highway Fund.

2013 The Secretary of Transportation was statutorily named the director of operations of the Kansas Turnpike Authority (HB 2334). The director of operations is responsible for the daily administration of the toll roads, bridges, structures, and facilities constructed, maintained, or operated by the Authority. The bill provided the KTA cannot use KTA toll or other revenue in ways other than those established in continuing law: maintaining, repairing and operating turnpike projects; paying principal and interest on bonds and creating reserves for the same; fixing and collecting tolls; and entering into certain types of contracts. The bill authorized the Secretary of Transportation and the KTA to contract with each other to provide personnel, equipment, and other resources for recordkeeping, reporting, administrative, planning, engineering, legal, and clerical functions and for construction, operation, and maintenance of turnpike projects and highways, replacing previous more limited contracting authority. The bill stated the KTA retains its separate identity, powers, and duties as an instrumentality of the state, and it required minimization of duplication of effort, facilities, and equipment between the Secretary and the KTA. Sunset dates in the bill regarding the Secretary's position and contracting were removed in 2015 (HB 2085).

2014 The Reason Foundation ranked Kansas fifth in the nation in highway performance and cost-effectiveness, based on 2012 data. That foundation had rated Kansas second in 2013 and third in 2009 and 2010.

2015 The new Kansas Transportation Network Company Services Act established requirements for transportation network companies (TNCs) and established the responsibilities, requirements, and rights of the parties involved in prearranged rides. It also established automobile insurance coverage requirements for TNC drivers and vehicle owners (House Sub. for SB 117 and SB 101).

Kansas turnpike statutes were amended to name the Secretary of Transportation the Kansas Turnpike Authority's director, rather than director of operations, but with the same duties previously assigned to the director of operations (HB 2085).

Certain commercial vehicles weighing 10,001 to 26,000 pounds and used exclusively within the state were exempted from safety requirements equivalent to those in 49 CFR parts 390 through 399, except those safety regulations on load securement, coupling devices, and vehicle inspection. Motor carriers with vehicles of that size also were exempted from requirements to obtain a certificate, license, or permit from the Kansas Corporation Commission (KCC) or file rates, tariffs, annual reports, or proof of insurance with the KCC (SB 21). The KCC had hosted stakeholder meetings on the topic in 2014.

TRIP, a nonprofit organization that researches economic and technical data on surface transportation issues, released its Rural Roads Report *Rural Connections: Challenges and Opportunities in America's Heartland*, a look at safety and connectivity of rural roads. Kansas was rated fifth in the list of states with the highest share of major rural roads with pavements in poor condition, with 30 percent; the national number was 15 percent.

In October 2015, President Obama signed H.R. 3819 (P.L. 114-73), the 34th short-term extension of federal funding for transportation.

In December 2015, the President signed the Fixing America's Surface Transportation (FAST) Act, a five-year, $305 billion (estimated) reauthorization of federal surface transportation programs. The FAST Act authorizes $226.3 billion in budget authority for federal-aid highway programs over federal fiscal years (FFYs) 2016 through 2020; establishes obligation limits of $42 billion in FFY 2016, increasing to $46 billion in FFY 2020; and maintains the majority of MAP-21's process for apportioning federal-aid highway funds with some modifications. Total apportionments for Kansas for major highway programs were estimated at $383 million in FFY 2016, increasing to $419 million in FFY 2020. The bill transfers General Fund and Leaking Underground Storage Tank monies into the Highway Trust Fund, continues the heavy vehicle use tax, and continues efforts to reduce motor fuel tax evasion. Provisions that directly affect highway programs include these:

- Requiring long- and short-range transportation planning and public involvement in that planning;

- Adding flexibility, refining existing authorities, and adding new tools to accelerate project delivery;

- Establishing a national highway freight network program, with formula funds available to states for eligible activities (each state must develop a state freight plan), and establishing a multimodal freight network;

- Increasing state flexibility by converting the Surface Transportation Program into the Surface Transportation Block Grant Program;

- Continuing the Highway Safety Improvement Program and the Congestion Mitigation and Air Quality Improvement Program;

- Setting aside funding for transportation alternatives such as pedestrian and bicycle facilities and safe routes to school projects and authorizing alternative design guidelines to better accommodate all users of the surface transportation network; and

- Continuing nationally coordinated search and technology activities.

2016 Transportation provisions enacted during the 2016 Kansas legislative session included these:

- Requiring the registered owner of a vehicle driven on a Kansas Turnpike Authority project to pay tolls and, as of January 1, 2018, authorizing the KTA director to instruct the Division of Vehicles to require payment of any tolls due and owing to the county treasurer at the time of registration or to refuse to register the vehicle (SB 373);

- Authorizing the Secretary of Transportation to increase the speed limit, on a case-by-case basis, from 65 mph to 70 mph on certain highways outside of an urban district: those that are not separate multilane highways or county or township highways (HB 2610); and

- Increasing vehicle length limits for certain combinations used to transport custom harvester equipment and for stinger-steered automobile transporters and certain weight limits for vehicles operated by engines fueled primarily by natural gas (Sub. for SB 99), all changes authorized under the FAST Act.

The U.S. Environmental Protection and the National Highway Traffic Safety Administration, on behalf of the Department of Transportation, established rules for comprehensive Phase 2 Heavy-Duty (HD) National Program fuel consumption standards and EPA's carbon dioxide (CO_2) emission standards for four regulatory categories of heavy-duty vehicles: combination tractors; trailers used in combination with those tractors; heavy-duty pickup trucks and vans; and vocational vehicles.

SOURCES

- *AASHO, the First Fifty Years 1914-1964,* 917 National Press Building, Washington, D.C. 20004, 1965.

- *American Highway Policy,* by Charles L. Dearing, The Brookings Institution, 1941.

- *The American Mail, Enlarger of the Common Life,* by Wayne E. Fuller, The University of Chicago Press, Chicago and London, 1972.

- *America's Highways 1776-1976, A History of the Federal-Aid Program*, U.S. Department of Transportation Federal Highway Administration, 1976.

- *Assessment of Tax Revenue Generated by the Automotive Sector,* Center for Automotive Research, April 2012 and January 2015, from http://cargroup.org/?module=Publications, accessed August 2016.

- *Building the American Highway System Engineers as Policy Makers*, by Bruce E. Seely, Temple University Press, Philadelphia, 1987.

- Clippings: Kansas Legislature of 1913.

- *Commercial Motor Transportation*, by Charles H. Taff, Ph.D., Cornell Maintime Press, Inc., Cambridge, Maryland, 1975.

- *Congressional Quarterly, Inc.* publications:

  Almanac, 85th Congress, 2nd Session, 1958, Volume XIV
  Almanac, 86th Congress, 1st Session, 1959, XV
  Almanac, 87th Congress, 1st Session, 1961, XVII
  Almanac, 89th Congress, 1st Session, 1965, XXI
  Almanac, 89th Congress, 2nd Session, 1966, XXII
  Almanac, 92nd Congress, 1st Session, 1971, XXVII
  Almanac, 95th Congress, 2nd Session, 1978, XXXIV
  Almanac, 97th Congress, 2nd Session, 1982, XXXVIII
  Almanac, 100th Congress, 1st Session, 1987, XLIII

- *Congressional Quarterly Weekly Report*, December 1, 1990.

- *Correlating State and National Highway Programs,* by Thomas A. MacDonald, Chief, U.S. Bureau of Public Roads, Convention of Chambers of Commerce of Kansas, Wichita, Kansas, January 23, 1925.

- *The Development of Manufacturing Technology in the United States From the American System to Mass Production*, 1800-1932, by David A. Hounshell, The John Hopkins University Press, Baltimore and London, 1989.

- *Economics of Transportation*, by D. Philip Locklin, Seventh Edition, Richard D. Irwin, Inc., 1972.

- *Evolution of Transportation Planning,* Transportation Research Record 1014, Natural Research Council, Washington, D.C., 1985.

- "Fast Facts: The 113-Year History of the Driver's License," *Automobile* magazine, February 20, 2012, http://www.automobilemag.com/news/fast-facts-the-113-year-history-of-the-drivers-license-110875/, accessed August 2016.

- *The Federal Excise Tax on Motor Fuels and the Highway Trust Fund: Current Law and Legislative History*, Congressional Research Service, RL30304, August 12, 2015, retrieved from http://nationalaglawcenter.org/crs/#transportation, August 2016.

- Federal Highway Administration, "Summary of ARRA Provisions for FHWA (Public Law 111-5)," from http://www.fhwa.dot.gov/economicrecovery/ summary.htm, accessed August 2016.

- Federal Highway Administration, *Manual on Uniform Traffic Control Devices*, http://mutcd.fhwa.dot.gov/, accessed August 2016.

- *Federal Register*

  - Final Rule, "Final Rule, House of Service of Drivers; Driver Rest and Sleep for Safe Operations," 68 FR 22456, April 28, 2003, with technical corrections at 68 FR 56211, September 30, 2003.

  - Final Rule, "Hours of Service of Drivers," 76 FR 81134, December 27, 2011

  - Final Rule, "2017 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards," 77 FR 62624, October 15, 2012

- *Federal Trust Funds: Budgetary and Other Implications*, Tax Foundation, Inc., 50 Rockefeller Plaza, New York, New York, 1970.

- *Fourth Biennial Report of Kansas State Highway Commission*, June 30, 1924.

- *The Guide to American Law*, Everyone's Legal Encyclopedia, Volume 4, West Publishing Company, St. Paul, New York, Los Angeles, San Francisco, 1984.

- *Handbook of Highway Engineering,* Robert F. Baker, Editor, L.G. Byrd, D. Grant Mickle, Associate Editors, Robert E. Krieser Publishing Company, Matabar, Florida, 1982.

- *Highway Assistance Programs: A Historical Perspective,* Congress of the United States, Congressional Budget Office, 1978.

- *Highway Engineering Handbook;* Kenneth B. Woods, Editor-In-Chief, Donald S. Berry, William H. Goetz, Associate Editors, McGraw-Hill Book Company, Inc., 1960.

- *Highway Needs of Kansas Engineering Analysis, 1948*, authorized by the Kansas State Legislature Senate Joint Resolution Number 3, Session of 1947.

- *Highway Practice in the United States of America*, Public Roads Administration, Federal Works Agency, Washington, D.C., 1949.

- *History of Kansas Highway Development and Road Legislation* by W.V. Buck, State Highway Engineer, February 1926.

- Highway Statistics, 1990.

- *Highway Statistics Summary to 1985*, U.S. Department of Transportation, Federal Highway Administration.

- *Interstate Expressway Highway Politics*, 1941-1956, Mark H. Rose, The Regents Press of Kansas, Lawrence, 1979.

- *Interstate, the States and the Interstates,* Research on the Planning, Design and Construction of the Interstate and Defense System, American Association of State Highway and Transportation Officials, 1991.

- *KDOT Summary of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)*. KDOT Division of Planning and Development, 2006.

- *Kansas FY 1991-1995 Comprehensive Highway Program,* prepared by Division of Planning and Development Bureau of Program Management, Inc., 1990.

- "Kansas Good Roads Advocate," published by Kansas State Good Roads Association, Volume 1-2, March 1912, March,1913.

- *Kansas Highway Needs, An Engineering Appraisal: A Report to the Kansas Legislative Council and the State Highway Commission of Kansas*, prepared by Roy Jorgensen and Associates, Washington, D.C., November 1962.

- *Kansas Highways,* Vols. 1-3, 1917-1920.

- *Kansas Highways,* Vols. 4-5, 1925-1926.

- *Kansas Road Situation*, Correspondence and Other Information Pertaining to the Situation Affecting Future Participation by Kansas in Federal Aid for Road Building and the Calling of a Special Session of the Legislature, issued by Ben S. Paulen, Governor, Topeka, 1928.

- *Kansas Tax Facts*, Fifth Edition, Legislative Research Department, October, 1983.

- *Ladybird Johnson and the Environment,* Lewis L. Gould, University of Kansas Press, 1988.

- *Looking at a Highway Problem,* State Highway Commission, January 1951.

- *Message of Alf M. Landon,* Governor of Kansas, to the Legislature of 1933.

- *Message of Governor W.R. Stubbs to the Kansas Legislature,* January 12, 1909.

- *Maximum Desirable Dimensions and Weights of Vehicles Operated on Federal-Aid Systems.* Letter from Secretary of Commerce transmitting a report titled “Maximum Desirable Dimensions and Weights of Vehicles Operated on the Federal-Aid Systems,” August 19, 1964.

- *Milestones, A History of the Kansas Highway Commission and the Department of Transportation,* by Sherry Lamb Schirmer and Dr. Theodore A. Wilson, December 1986.

- *“Financing the Federal-Aid Highway Program”*, by David M. Beach, in National Tax Association, Proceedings of the Fifty-Second Annual Conference 1959, Edited by Walter J. Kress, Harrisburg, Pennsylvania, 1960.

- *New Approaches for Transportation: Final Report of the T-LINK Task Force*, January 2009; available from KDOT, Topeka.

- Nineteenth Biennial Report of the Secretary of the State of Kansas, 1913-1914, Kansas State Printing Office, Topeka, 1914.

- *Ninth Biennial Report of the Tax Commission, State of Kansas,* Part I for the Period October 16, 1922, to October 15, 1924.

- *Public Roads of the Past, Historic American Highways,* published by American Association of State Officials, Washington, D.C., 1953.

- *Report on Kansas Legislative Interim Studies,* Kansas Legislative Research Department, selected issues (by year).

- *Report of the Road Committee to the Governor of Kansas*, December 1, 1928, Kansas Printing Plant, Topeka, 1928.

- *The Road and the Car in American Life*, John B. Rae, The MIT Press, Cambridge, Massachusetts, and London, England, 1971.

- *Road Work, a New Highway Pricing and Investment Policy*, Kenneth A. Small, Clifford Winston, Carol A. Evans, The Brookings Institution, Washington, D.C., 1989.

- *Route 66: the Highway and Its People,* Photographic Essay by Quinton Scott, Text by Susan Grace Kelly, University of Oklahoma Press: Norman and London, 1988.

- *A Summary, Intermodal Surface Transportation Efficiency Act of 1991,* U.S. Department of Transportation.

- *Summary of Legislation*, Kansas Legislative Research Department, for legislative years 1999, 2000, 2001, 2002, 2004, and 2009 through 2016.

- *Tenth Biennial Report of the State Highway Commission*, June 30, 1936.

- *Thirty-First Biennial Report* of the Kansas State Board of Agriculture, 1937 and 1938.

- *Tribune Almanac* for 1893, The Tribune Association.

- *Truck Weight Limits, Issues and Options,* Special Report 225, Transportation Research Board National Research Council, Washington, D.C., 1990.

- "Upon Shoulders of a Giant: Thomas MacDonald and the Federal-Aid Program," by David C. Oliver, in *Transportation Quarterly,* October 1989.

- *Twentieth Century America, The Progressive Era*, Volume 1, by David A. Shannon, University of Virginia, Third Edition, Rand McNally College Publishing Company, Chicago, 1974.

- *Twenty-Fifth Biennial Report* of the Kansas State Board of Agriculture, 1925 and 1926.

- U.S. Public Laws:

  109-13—May 11, 2005, Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief (includes the REAL ID Act)
  110-318—September 15, 2008, To Amend the Internal Revenue Code of 1986 to Restore the Highway Trust Fund Balance
  111-5—February 17, 2009, American Recovery and Reinvestment Act
  111-46—August 7, 2009, An Act To Restore Fums to the Highway Trust Fund and for Other Purposes
  111-147—March 18, 2010, Hiring Incentives to Restore Employment Act
  112-30—September 16, 2011, the Surface and Air Transportation Programs Extension Act of 2011
  112-141—July 6, 2012, Moving Ahead for Progress in the 21st Century Act (MAP-21)
  114-73—October 29, 2015, Surface Transportation Extension Act of 2015
  114-94—December 4, 2015, Fixing America's Surface Transportation (FAST) Act

- U.S. Statutes At Large:

  39 Stat. 355 Federal Aid Road Act of 1916
  42 Stat. 212 Federal Aid Road Act of 1921
  42 Stat. 652 Post Office Appropriation Act of 1923
  47 Stat. 169 Revenue Act of 1932
  47 Stat. 709 Emergency Relief and Construction Act of 1932
  48 Stat. 195 National Industrial Recovery Act
  48 Stat. 680 Revenue Act of 1934
  48 Stat. 993 Hayden-Cartwright Act of 1934
  49 Stat. 115 Emergency Relief Appropriation Act of 1935
  49 Stat. 1519 Federal Aid Highway Act of 1936
  54 Stat. 516 Revenue Act of 1940
  55 Stat. 687 Revenue Act of 1941
  58 Stat. 838 Federal Aid Highway Act of 1944
  65 Stat. 452 Revenue Act of 1951
  70 Stat. 374 Federal Aid Highway Act of 1956, Highway Revenue Act of 1956
  72 Stat. 885 Federal Aid Highway Act of 1958
  73 Stat. 611 Federal Aid Highway Act of 1959
  76 Stat. 1145 Federal Aid Highway Act of 1962
  79 Stat. 136 Excise Tax Reduction Act of 1965
  79 Stat. 1028 Highway Beautification Act of 1965
  80 Stat. 731 Highway Safety Act of 1966
  80 Stat. 931 Department of Transportation Act of 1966
  82 Stat. 815 Federal Aid Highway Act of 1968
  83 Stat. 852 National Environmental Policy Act of 1969
  84 Stat. 1713 Federal Aid Highway Act of 1970

84 Stat. 1894 Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
85 Stat. 497 Revenue Act of 1971
87 Stat. 250 Federal Aid Highway Act of 1971
87 Stat. 1046 Emergency Highway Energy Conservation Act
88 Stat. 297 Congressional Budget and Impoundment Control Act of 1974
88 Stat. 2281 Federal Aid Highway Amendments of 1974
89 Stat. 871 Energy Policy and Conservation Act
90 Stat. 425 Federal Aid Highway Act of 1976
92 Stat. 2689 Surface Transportation Assistance Act of 1978
96 Stat. 2097 Surface Transportation Assistance Act of 1982
98 Stat. 494 Deficit Reduction Act of 1984
101 Stat. 132 Surface Transportation and Uniform Relocation Assistance Act of 1987

- "Welfare Effects of Marginal Cost Taxation of Motor Freight Transportation: A Study of Infrastructure Pricing," Kenneth A. Small and Clifford Winston, *Studies of State and Local Public Finance*, edited by Harvey S. Rosen, The University of Chicago Press, Chicago and London, 1986.

- *World Almanac and Encyclopedia* 1916, The Press Publishing Co., New York.

Additional Sources

2008 "New Approaches for Transportation: Final Recommendations of the T-Link Task Force," January 2009. available from KDOT.

Report of the Special Committee on a New Comprehensive Transportation Plan to the 2009 Legislature, Senators Les Donovan and Dwayne Umbarger, chairpersons; Kansas Legislative Research Department.

2009 *American Recovery and Reinvestment Act of 2009*, www.**ksdot**.org/PDF_Files/**ARRA**-**Kansas**-at-a-Glance.pdf; undated, staff says originally compiled in 2009 but updated; accessed May 2012 and August 2016.

"State Highway Fund - Revenue Adjustments FY 1999 - FY 2017," KLRD, published at http://www.kslegresearch.org/KLRD-web/Transportation.html, accessed August 2016.

2011 "Congress Reaches Deal To End FAA Shutdown," http://www.npr.org/2011/08/04/138995305/reid-deal-reached-to-end-faa-shutdown, accessed August 2016.

"Aviation Finance: Observations on the Effects of Budget Uncertainty on FAA," Government Accountability Office, GAO-16-198R: Published: Nov 19, 2015. Publicly Released: Dec 8, 2015.

"Hours of Service," Federal Motor Carrier Safety Administration, https://www.fmcsa.dot.gov/regulations/hours-of-service.

2012 "How Would Proposed Fuel Economy Standards Affect the Highway Trust Fund?" Congressional Budget Office, May 2012.

"Moving Ahead for Progress in the 21st Century Act (MAP-21), A Summary of Highway Provisions," Federal Highway Administration Office of Policy and Governmental Affairs, July 17, 2012, https://www.fhwa.dot.gov/map21/summaryinfo.cfm, accessed August 2016. Also see "Moving Ahead for Progress in the 21st Century Act (MAP-21)," U.S. Department of Transportation, http://www.dot.gov/map21.

2014 "21st Annual Highway Report's State-by-State Results," http://reason.org/news/show/ 21st-annual-highway-report-states#KS. The Foundation describes itself as "promoting libertarian principles, including individual liberty, free markets, and the rule of law."

2015 "Rural Connections: Challenges and Opportunities in America's Heartland," TRIP, http://www.tripnet.org/national-info-reports.php, accessed August 2016.

"Fixing America's Surface Transportation Act: An Overview," National Conference of State Legislatures, Office of State-Federal Relations, http://www.ncsl.org/research/transportation/federal-issues-transportation.aspx, accessed August 2016.

"Fixing America's Surface Transportation Act or FAST Act: A Summary of Highway Provisions," Federal Highway Administration, Office of Policy and Governmental Affairs, July 2016, https://www.fhwa.dot.gov/fastact/summary.cfm, accessed August 2016.

"The FAST Act: A Five-Year Surface Transportation Reauthorization," Federal Funds Information for States, Issue Brief 15-39, December 9, 2015.

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