## **HOUSE BILL No. 2412**

## By Committee on Appropriations

3-24

AN ACT concerning roads and highways; relating to motor fuels tax, rates, trip permits and distribution of revenues; state highway fund; amending K.S.A. 2016 Supp. 68-416, 79-3492b, 79-34,118, 79-34,141 and 79-34,142 and repealing the existing sections.

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

Section 1. K.S.A. 2016 Supp. 68-416 is hereby amended to read as follows: 68-416. The state highway fund shall be apportioned as follows:

- (a) The secretary of transportation annually shall apportion and distribute quarterly, on the first day of January, April, July and October, to cities on the state highway system from the state highway fund moneys at the rate of \$3,000 per year per lane per mile for the maintenance of streets and highways in cities designated by the secretary as city connecting links. Unless a consolidated street and highway fund is established pursuant to K.S.A. 12-1,119, and amendments thereto, all moneys distributed by the secretary shall be credited to the street and alley funds of such cities. All moneys so distributed shall be used solely for the maintenance of city connecting links. Maintenance of such city connecting links shall be as prescribed in K.S.A. 68-416a, and amendments thereto. As used in this subsection, "lane" means the portion of the roadway for use of moving traffic of a standard width prescribed by the secretary. In lieu of such apportionment, the secretary, by and with the consent of the governing body of any city within the state of Kansas, may maintain such streets within the city and pay for such maintenance from the highway fund.
- (b) All of the remainder of such highway fund shall be used by the secretary of transportation for:
- (1) The construction, improvement, reconstruction and maintenance of the state highway system;
- (2) improvements in transportation programs to aid elderly persons, persons with disabilities and the general public;
- (3) for any purpose specified in K.S.A. 2016 Supp. 68-2314b, and amendments thereto;
  - (4) the support and maintenance of the department of transportation;
- (5) the expenses of administering the motor vehicle registration and drivers' license laws; and
  - (6) the payment of losses to department of transportation employees

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authorized by K.S.A. 2016 Supp. 75-5062, and amendments thereto.

(c) On and after July 1, 2019 moneys credited to the state his

- (c) On and after July 1, 2019, moneys credited to the state highway fund shall be used for the purposes set forth in this section and for no other governmental purposes. It is the intent of the legislature that the moneys deposited in this fund shall remain intact and inviolate for the purposes set forth in this section.
- Sec. 2. K.S.A. 2016 Supp. 79-3492b is hereby amended to read as follows: 79-3492b. Alternatively to the methods otherwise set forth in this act, special LP-gas permit users operating motor vehicles on the public highways of this state may upon application to the director on forms prescribed by the director elect to pay taxes in advance on LP-gas for each and every motor vehicle owned or operated by them and propelled in whole or in part with LP-gas during the calendar year and thereafter to purchase LP-gas tax free in lieu of securing a bonded user's permit and filing monthly reports and tax payments and keeping the records otherwise provided for in this act. The amount of such tax for each motor vehicle shall, except as otherwise provided, be based upon the gross weight of the motor vehicle and the number of miles it was operated on the public highways of this state during the previous year pursuant to the following schedules:

## 1 (a) Prior to July 1, 2017:

	less than 5,000 miles		10,001 to 15,000 miles	15,001 to s 19,999 miles	5,000 to 10,001 to 15,001 to 20,000 to 30,000 to 40,000 to 50,000 to 60,000 10,000 miles 15,000 miles 19,999 miles 29,999 miles 39,999 miles 59,999 miles and over	30,000 to 3 39,999 mile	40,000 to s 49,999 mile	50,000 to s 59,999 mile	60,000 s and over
Class A: 3,000 pounds or less	\$46.00	\$92.00	\$138.00	\$184.00	\$276.00	\$368.00	\$460.00	\$552.00	\$644.00
Class B: more than 3,000 pounds and not more than 4,500 pounds	\$78.00	\$156.00	\$234.00	\$312.00	\$468.00	\$624.00	\$780.00	\$936.00	\$1,092.00
Class C: more than 4,500 pounds \$95.00 and not more than 12,000 pounds	\$95.00	\$189.00	\$285.00	\$380.00	\$570.00	\$760.00	\$950.00	\$1,140.00	\$1,330.00
Class D: more than 12,000 pounds \$129.00 and not more than 16,000 pounds	\$ \$129.00	\$258.00	\$387.00	\$516.00	\$774.00	\$1,032.00	\$1,032.00 \$1,290.00	\$1,548.00	\$1,806.00
Class E: more than 16,000 pounds \$165.00 and not more than 24,000 pounds	\$\$165.00	\$330.00	\$495.00	\$660.00	\$990.00	\$1,320.00	\$1,320.00 \$1,650.00	\$1,980.00	\$2,310.00
Class F: more than 24,000 pounds \$230.00 and not more than 36,000 pounds	\$230.00	\$460.00	\$690.00	\$920.00	\$1,380.00	\$1,840.00	\$2,300.00	\$2,760.00	\$3,220.00
Class G: more than 36,000 pounds \$285.00 and not more than 48,000 pounds	\$ \$285.00	\$570.00	\$855.00	\$1,140.00	\$1,710.00	\$2,280.00	\$2,850.00	\$3,420.00	\$3,990.00
Class H: more than 48,000 pounds \$384.00	\$ \$384.00	\$768.00	\$1,152.00	\$1,536.00	\$2,304.00	\$3,072.00	\$3,072.00 \$3,840.00	\$4,608.00	\$5,376.00
Class I: transit carrier vehicles operated by transit companies									\$1,808.00
Class J. motor vehicles designed for carrying fewer than 10 passengers and used for the transportation of persons for compensation.									\$939.00

## 1 2 (b) On and after July 1, 2017:

	less than 5,000 miles		10,001 to 15,000 miles	5,000 to 10,001 to 15,001 to 20,000 to 39,000 to 40,000 to 50,000 to 60,000 10,000 miles 15,000 miles 19,999 miles 29,999 miles 39,999 miles 49,999 miles 59,999 miles and over	20,000 to 29,999 miles	30,000 to 39,999 miles	40,000 to 49,999 miles	50,000 to 59,999 miles	60,000 and over
Class A: 3,000 pounds or less	\$56.00	\$112.00	\$168.00	\$224.00	\$336.00	\$448.00	\$560.00	\$672.00	\$784.00
Class B: more than 3,000 pounds and not more than 4,500 pounds	\$95.00	\$190.00	\$285.00	\$380.00	\$570.00	\$760.00	\$950.00	\$1,139.00	\$1,329.00
Class C: more than 4,500 pounds and not more than 12,000 pounds	\$116.00	\$230.00	\$347.00	\$463.00	\$694.00	\$925.00	\$1,157.00	\$1,388.00	\$1,619.00
Class D: more than 12,000 pounds \$157.00 and not more than 16,000 pounds	\$157.00	\$314.00	\$471.00	\$628.00	\$942.00	\$1,256.00	\$1,256.00 \$1,570.00 \$1,885.00	\$1,885.00	\$2,199.00
Class E: more than 16,000 pounds \$201.00 and not more than 24,000 pounds	\$201.00	\$402.00	\$603.00	\$803.00	\$1,205.00	\$1,607.00	\$1,607.00 \$2,009.00	\$2,410.00	\$2,812.00
Class F: more than 24,000 pounds and not more than 36,000 pounds	\$280.00	\$560.00	\$840.00	\$1,120.00	\$1,680.00	\$2,240.00	\$2,800.00	\$3,360.00	\$3,920.00
Class G: more than 36,000 pounds \$347.00 and not more than 48,000 pounds	\$347.00	\$694.00	\$1,041.00	\$1,388.00	\$2,082.00	\$2,776.00	\$3,470.00	\$4,163.00	\$4,857.00
Class H: more than 48,000 pounds \$467.00	\$467.00	\$935.00	\$1,402.00	\$1,870.00	\$2,805.00	\$3,740.00 \$4,675.00	\$4,675.00	\$5,610.00	\$6,545.00
Class I: transit carrier vehicles operated by transit companies									\$2,201.00
Class J: motor vehicles designed for carrying few er than 10 passengers and used for the transportation of persons for compensation.									\$1,143.00

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In the event any additional motor vehicles equipped to use LP-gas as a fuel are placed in operation by a special LP-gas permit user after the first month of any calendar year, a tax shall become due and payable to this state and is hereby imposed at the tax rate prescribed herein prorated on the basis of the weight and mileage for the months operated in the calendar year. The director shall issue special permit decals for each motor vehicle on which taxes have been paid in advance as provided herein, which shall be affixed on each such vehicle in the manner prescribed by the director.

- Sec. 3. K.S.A. 2016 Supp. 79-34,118 is hereby amended to read as follows: 79-34,118. Upon application to the director of taxation and payment of the fee prescribed under this section any interstate motor fuel user may obtain a 24-hour motor fuel permit or a 72-hour motor fuel permit which shall authorize one commercial motor vehicle to be operated for a period of 24 hours or 72 hours, respectively, without compliance with the other provisions of the interstate motor fuel use act and in lieu of the tax imposed by K.S.A. 79-34,109, and amendments thereto. The fee for each 24-hour motor fuel permit issued under this section shall be \$13 until June 30, 2017, and \$15.50 thereafter. The fee for each 72-hour motor fuel permit issued under this section shall be \$25 until June 30, 2017, and \$30 thereafter. Motor fuel permits may be purchased in multiples of three upon making proper application and payment of the required fees. The secretary of revenue shall adopt rules and regulations specifying the conditions under which motor fuel permits will be issued and providing for the issuance thereof. The secretary may designate agents or contract with private individuals, firms or corporations to issue such motor fuel permits so that such permits will be obtainable at convenient locations.
- Sec. 4. K.S.A. 2016 Supp. 79-34,141 is hereby amended to read as follows: 79-34,141. (a) Prior to July 1, 2017, the tax imposed under this act shall be not less than:
- 30 (1) On motor-vehicle fuels other than E85 fuels, \$.24 per gallon, or fraction thereof;
  - (2) on special fuels, \$.26 per gallon, or fraction thereof;
  - (3) on LP-gas, other than compressed natural gas and liquefied natural gas, \$.23 per gallon, or fraction thereof;
    - (4) on E85 fuels, \$.17 per gallon, or fraction thereof;
  - (5) on compressed natural gas, \$.24 per gallon, or fraction thereof; and
    - (6) on liquefied natural gas, \$.26 per gallon, or fraction thereof.
- 39 (b) On and after July 1, 2017, the tax imposed under this act shall be 40 not less than:
- 41 (1) On motor-vehicle fuels other than E85 fuels, \$.29 per gallon, or 42 fraction thereof;
  - (2) on special fuels, \$.31 per gallon, or fraction thereof;

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1 (3) on LP-gas, other than compressed natural gas and liquefied 2 natural gas, \$.28 per gallon, or fraction thereof;

- (4) on E85 fuels, \$.22 per gallon, or fraction thereof;
- (5) on compressed natural gas, \$.29 per gallon, or fraction thereof; and
  - (6) on liquefied natural gas, \$.31 per gallon, or fraction thereof.
- Sec. 5. K.S.A. 2016 Supp. 79-34,142 is hereby amended to read as follows: 79-34,142. The state treasurer shall credit amounts received pursuant to K.S.A. 79-3408, 79-3408c, 79-3491a, 79-3492 and 79-34,118, and amendments thereto, as follows: *Prior to July 1, 2017*, to the state highway fund 66.37% and to the special city and county highway fund 33.63%:
- (b) beginning July 1, 2017, and prior to July 1, 2018, to the state highway fund 71.70% and to the special city and county highway fund 28.30%; and
- (c) beginning July 1, 2018, and thereafter, to the state highway fund 72.06% and to the special city and county highway fund 27.94%.
- Sec. 6. K.S.A. 2016 Supp. 68-416, 79-3492b, 79-34,118, 79-34,141 and 79-34,142 are hereby repealed.
- Sec. 7. This act shall take effect and be in force from and after its publication in the statute book.