

HCS HB 946, 1106 & 952 -- TRANSPORTATION (Crawford)

HIGHWAYS AND TRANSPORTATION COMMISSION

This substitute requires that beginning August 28, 2004, two members of the Highways and Transportation Commission, one from each opposing political party, who have the most seniority in commission service will be elected by the commission, one to serve as chair and the other as vice chair. Effective March 1, 2005, the commission will then elect for a one-year term a chair and vice chair from the two members, one from each opposing political party, who have the most seniority in commission service. At the end of the one-year term, the chair and vice chair will switch their positions. Thereafter, the commission leadership will continue to rotate accordingly. Any member reappointed will only be eligible to serve as chair or vice-chair during the final two years of the member's reappointment. The substitute contains provisions for filling vacancies due to removal, death, refusal to serve, or resignation.

COMMERCIAL ZONE

The substitute extends the Kansas City commercial zone south along U. S. Highway 71 and State Route 291 to and including the City of Harrisonville.

CHIEF COUNSEL

The substitute requires the Director of the Department of Transportation to select and fix the salary of the chief counsel for the department. Currently, the chief counsel is selected by the Highways and Transportation Commission.

REAL ESTATE TRANSACTIONS

The substitute requires that when the Highways and Transportation Commission acquires real estate through eminent domain the restriction or loss of access to any adjacent highway be considered when assessing damages. Restriction or loss of access includes the prohibition of making right or left turns into or out of the real estate involved, if access was present before the proposed improvement was built. The substitute also requires that the report to the Joint Committee on Transportation include an inventory of the real property owned by the Department of Transportation and a description of all real estate transactions by the department for the preceding fiscal year. This information will include the date of each transaction, the source of revenue used, and the allocation of any income produced by the real estate.

DISINCORPORATION OF ROAD DISTRICTS

Any county wanting to disincorporate a road district must present a petition to the county commission or similar authority. The petition must be signed by the lesser of 50 or a majority of the registered voters residing in the district, state the name of the district, and request the disincorporation of the district. The county commission, after providing notice and a hearing, may disincorporate the road district.

ADMINISTRATIVE SERVICE FEES

Administrative service fees in third classification counties cannot exceed 5% of the total budget of the fund on which the fee is imposed.

HIGHWAY NAME DESIGNATIONS

The substitute makes the following highway name designations:

(1) Names the portion of State Highway J in Lincoln County from the intersection of State Highway J and State Highway 47 to the intersection of State Highway J and State Highway U as the "Veterans Highway";

(2) Names the portion of U. S. Highway 67 in St. Francois County between State Route 8 in Desloge and State Route 32 in Leadington as the "Deputy Steven R. Ziegler Memorial Highway";

(3) Names the portion of U. S. Highway 71 from Iris Road to State Highway 86 in Newton County as the "James W. Minton, Jr. Memorial Highway";

(4) Names the portion of U. S. Highway 249 bypass in Jasper County from Newman Road to U. S. Highway 171 as the "Earl Carr Memorial Highway";

(5) Names the portion of State Route 364 in St. Louis County from Interstate 270 to the crossing of the Missouri River, known as the Veterans' Memorial Bridge as the "Buzz Westfall Memorial Highway";

(6) Names the portion of Interstate 70 between mile marker 69 in Saline County east to mile marker 123 in Boone County as the "U. S. Submarine Veterans' Memorial Highway"; and

(7) Names the portion of State Route 51 in Perry County from Interstate 55 to U. S. Highway 61 as the "Thomas G. Tucker, Jr. Memorial Highway."

LOG TRUCKS

The substitute establishes the maximum axle weight on local log trucks of 22,400 pounds on one axle or 44,800 pounds on any tandem axle that does not have more than three axles and does not pull a trailer which has more than two axles.

OUTDOOR ADVERTISING

The substitute prohibits local zoning authorities from requiring a legally erected outdoor advertising structure be removed or altered as a condition for issuance of a permit, license, or other approval for any use, structure, development, or activity other than outdoor advertising without just compensation.

Any business located in a third or fourth classification county may erect informational or on-premises signs or property on any state highway indicating the location of the business. The maximum size of the sign cannot exceed 10 feet wide and six feet high. No business under this provision will be allowed more than two signs on any given roadway. The substitute also contains language dealing with the required permits and permit fees, erection of signs in zoned counties, exemption for spacing requirements, and the distance of the sign from the business structure.

The substitute prohibits billboards or other advertising signs for an adult cabaret or sexually-oriented business within one mile of any state highway. Businesses located within one mile of a state highway may display a maximum of two exterior signs on the premises. The substitute specifies the size and information allowed on the sign.

Existing signs which do not conform to this requirement may be allowed to continue as a nonconforming use but must be made to conform within three years.

Any violation of the provision relating to adult cabaret signs is a class C misdemeanor.

The substitute contains an emergency clause for the section dealing with taking of property by eminent domain.

FISCAL NOTE: No impact on General Revenue Fund in FY 2005, FY 2006, and FY 2007. Estimated Net Cost on Other State Funds of \$0 to \$1,057 in FY 2005, \$0 in FY 2006, and \$0 in FY 2007.